

PUBLIC

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UA 42/07 Starvation/Health concern

BRAZIL Scores of people from the Dourados Guarani Kaiowa indigenous community

Authorities in Mato Grosso do Sul state, western Brazil, have suspended the supply of basic food rations to the Dourados reservation, which is home to some 11,000 members of the Dourados Guarani Kaiowa indigenous community. Two children have already died of malnutrition, and another 36 children are reportedly in hospital. Scores of indigenous people, particularly children, are now at risk of starvation.

In 2005, Mato Grosso do Sul state authorities began providing baskets containing basic food stuffs (known as *cestas básicas*) to a number of indigenous communities, after 21 indigenous children died of malnutrition in the previous year. Distribution of these food baskets was suspended in December 2006, reportedly in order for the recently elected state authorities to audit the expenses of the previous government.

Since the provision of the food baskets stopped, two children from the Dourados Guarani Kaiowa indigenous community have died. On 24 January, a nine-month-old baby from the village of Bororó died after two weeks in hospital. The hospital's doctors confirmed that the baby had anaemia as a result of an advanced state of malnutrition. A two-year-old child from the village of Jagurapirú died on 11 February, allegedly as a consequence of malnutrition. According to reports, 36 other children from the Dourados community are receiving treatment at a specialist medical unit in Mato Grosso do Sul.

FUNASA, *Fundação Nacional de Saúde*, (the National Health Foundation – the federal agency which deals with indigenous health issues) has stated that the suspension of the distribution of the food baskets is detrimental to the health of the Dourados Guarani Kaiowa community, as the baskets constitute the only source of food for many people.

BACKGROUND INFORMATION

Mato Grosso do Sul state contains some of the smallest, poorest and most densely populated indigenous areas in Brazil: rural pockets of poverty surrounded by large soya and sugar cane plantations where life is plagued by malnutrition, ill-health and squalid living conditions. The Dourados reservation, where 11,000 indigenous people inhabit 3,500 hectares, suffers from severe overcrowding. Subsistence agriculture has proved insufficient, with many people forced to rely on government food handouts. The slowness of the handover of land from landowners to the indigenous communities who have inhabited it for generations has exacerbated overcrowding on existing reservations.

Under Article 11 (2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Brazilian authorities are obliged to ensure the fundamental right of everyone to be free from hunger as a matter of priority. Any decision to stop emergency humanitarian food assistance should not result in death by starvation or severe malnutrition. The suspension of the distribution of food baskets also contravenes Brazil's obligations under Article 4.1 of the Inter-American Convention on Human Rights (IACHR), which covers the right to live with dignity, including adequate food and to be free from hunger. This is further in breach of Article 12 of the San Salvador Protocol to the IACHR on economic, social and cultural rights and articles 24(2)(c) and 27(3) of the Convention on the Rights of the Child. This includes the duty of the state to provide emergency food aid where children are at risk of hunger or malnutrition. Removing essential food aid arbitrarily, as in this case, is a violation of the right to adequate food.

Child malnutrition can have long term health consequences, even where it does not result in death, and as such the removal of these emergency food baskets could violate the right of those affected to the highest attainable standard of health.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Portuguese or your own language:

- expressing concern for scores of members of the Dourados Guarani Kaiowa indigenous community, particularly children, following the state authorities' suspension of the provision of food baskets;
- requesting that steps are taken to resume immediately the provision of food baskets to all those in the community who require them, in accordance with their obligations under Article 11 (2) of the ICESCR and other international legislation to which Brazil is a state party;
- calling on the authorities to fulfil their constitutional and international obligations to resolve all outstanding indigenous land claims in Brazil, so as to provide them for the means for subsistence.

APPEALS TO:

Governor of Mato Grosso do Sul State

Exmo Governador do Estado do Mato Grosso do Sul

Sr. André Puccinelli

Parque dos Poderes, Bloco 08

79031-902 - Campo Grande/MS – Brasil

Fax: + 55 67 3318 1120

Salutation: Vossa Excelência/ Your Excellency

Minister of Justice

Exmo Ministro da Justiça

Sr. Márcio Thomaz Bastos

Esplanada dos Ministérios, Bloco "T"

70712-902 - Brasília/DF – Brasil

Fax: + 55 61 3322 6817

Salutation: Vossa Excelência/ Your Excellency

Minister for social development and combating hunger

Exmo Sr Ministro do Desenvolvimento Social e Combate à Fome

Sr Patrus Ananias de Sousa

Esplanada dos Ministérios, Bloco "C" 5º andar

70046-900 - Brasília/DF– Brasil

Fax: + 55 61 34331025

Salutation: Vossa Excelência/ Your Excellency

President of FUNASA (Federal agency dealing with Indigenous health issues)

Dr Paulo de Tarso Lustosa da Costa

Funasa Sede – Presidência

SAS - Q4 - BI "N" - 5º andar - sala 502 - Ala Norte - Brasília/DF

CEP: 70070-040- Brasília/DF– Brasil

Fax: + 55 61 3314 6253

Salutation: Exmo. Sr Dr

COPIES TO:

Federal Human Rights Secretary

Secretaria Especial de Direitos Humanos

Exmo. Secretário Especial

Sr. Paulo de Tarso Vannuchi

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and to diplomatic representatives of Brazil accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 March 2007.