

Brazilian government signs demarcation decrees of the Tupinikim/Guarani lands

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Dear friends,

Yesterday, 28/08/2007, a historical decision was published in the Federal State Gazette by means of two ministerial decrees, no. 1463 and 1464, signed by the Minister of Justice Tarso Genro, declaring 18,070 hectares of lands in the municipality of Aracruz, state of Espírito Santo, Brazil, as indigenous lands, belonging to the Tupinikim and Guarani peoples (see attachments). Before this decision, only 7,061 ha had been demarcated and another 11,009 ha had not, and continued being invaded by the eucalyptus and cellulose producing company Aracruz Celulose. By means of this decision, the Brazilian government fulfilled the Brazilian constitution that says that it is the responsibility of the government to demarcate lands, traditionally occupied by indigenous peoples and necessary for their physical and cultural survival.

The victory has been and continues being celebrated by all the seven Tupinikim and Guarani villages. Yesterday, the Chiefs declared that this victory is both a result from their union, their courage and determination to struggle for the lands they were evicted from in the past, guaranteeing the future of their children, but at the same time, this victory was also possible because of a strong network of support, both in Brazil as well as outside Brazil. Thank you for having supported this struggle (until now).

Some remarks about this decision:

- within a government full of contradictions, the Minister of Justice definitely showed courage by taking this decision, while receiving an enormous pressure of members of parliament and senate, governor of Espírito Santo and all the actors in the agrobusiness sector, besides of the regional and national media.
- this is definitely the most important decision in the whole demarcation procedure. What is left now is (1) the physical demarcation (in the field) of the 18,070 hectares, (2) the homologation (recognition) of this physical demarcation by the President of the Republic (comparing this work with the ministerial decrees), and then (3) registration in the local register's office.
- the next urgent step, according to the Minister, will be the signing of an agreement between Indians, Aracruz and the government through which it will be settled how to deal with the compensation for the Aracruz company for being forced to leave the area of the 11,009 ha. This agreement certainly will consider the wood inside the 11,009 hectares as part of this negotiation, once the government has declared several times that it has no money to 'compensate' the company (although the pulp and tree plantation sector has 8,7 billion US\$ guaranteed in public loans until 2010!)
././ Although everybody knows that Aracruz destroyed the forest that the Indians used in the past, this agreement is important for both the government and the Indians in order to prevent a long judicial battle from the Aracruz side that could paralyze the regularization of the lands. The Tupinikim and Guarani already started yesterday meetings among the chiefs and leaders to be prepared for this negotiation and they also will organize a general assembly of the communities this week.
- And finally, for you supporters, it is very important to notice that this decision of the government means that the Brazilian government definitely does not recognize the studies presented by Aracruz, and published broadly in popular folders in the region

and the country and even outside the country, that the Tupinikim indigenous peoples never inhabited the region of Aracruz. This study is supposedly produced by 15 'specialists' whose names Aracruz still did not have the courage to publish. The publication of this study, together with allegations that especially the Tupinikim Indians are no Indians, lead to a condemnation of Aracruz by the Federal Court in Linhares, Espirito Santo, for discriminatory behaviour, in December, 2006.

This decision also means that the letter campaign to the Minister of Justice, launched last week, is not necessary anymore. Even so, we hope we can continue to count with your support for the next steps in this procedure, once the pressure from the anti-indigenous interests will definitely will be very strong in the next few weeks. But at this moment, it is time for celebration and that is what is happening especially in the villages!

29 August 2007

Greetings from Brazil,
for the Alert against the Green Desert Movement,
Winnie Overbeek