

EXECUTIVE SUMMARY
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FOOD AND NUTRITION SOVEREIGNTY AND SECURITY IN THE **GUARANI AND KAIOWÁ** **TERRITORIES** OF MATO GROSSO DO SUL, BRAZIL



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Coordination

Verônica Gronau Luz
Nayara Côrtes Rocha

Text

Verônica Gronau Luz
Nayara Côrtes Rocha
Lucas Luis de Faria
Felipe Mattos Johnson
Indianara Ramires Machado

Contributions

Pedro Biondi
Paula Gabriela
Flávio Vicente Machado
Adelar Cupsinski

Consulting

Ana Maria Segall Corrêa

Support for statistical analysis

Richard Silva Santos Ferro

Editorial production

Paula Gabriela e Pedro Biondi

Copyediting

Ivna Feitosa

Translation

Dominique Bennett

Graphic design and layout

Coletivo Piu

Cover photo (women)

Ruy Sposati/CIMI

FIAN Brasil

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FIAN Brasil – Organization for the Human Right to Adequate Food and Nutrition

ADDRESS: SCLN 413, BLOCO A, SALAS 219/220, ASA NORTE, BRASÍLIA – DF

+55 61 3224-0454

E-MAIL: FIAN@FIANBRASIL.ORG.BR

WEBSITE: WWW.FIANBRASIL.ORG.BR

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SOVEREIGNTY AND SECURITY
IN THE GUARANI AND KAIOWÁ
TERRITORIES OF MATO
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FIAN
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INTERNATIONAL



CONSELHO INDIGENISTA MISSIONÁRIO

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1. INTRODUCTION



The state of Mato Grosso do Sul (MS) has the third largest indigenous population in Brazil (116.344 people)¹. It is formed mainly by the Guarani Ñandeva (who call themselves Guarani), Guarani Kaiowá (who call themselves Kaiowá) and Terena peoples. According to data from the 2022 Census, of the total number of indigenous people in MS, 63% are not in territories recognized by the Brazilian State.

Since the arrival of the Portuguese to the territory today known as Brazil, the Guarani and Kaiowá have suffered several human rights violations. At the beginning of the 20th century, these violations became worse, especially after the forced removal, which began in 1915, of native peoples from traditional territories by the then Serviço de Proteção ao Índio (Indian Protection Service), SPI.

Throughout the last decades, the violations were systematically documented and denounced, by the Brazilian government itself as well as by national entities and institutions such as the Conselho Indigenista Missionário (CIMI), FIAN Brasil and Justiça Global; by international organizations, such as FIAN International; and by indigenous organizations themselves, such as Aty Guasu (Great Guarani and Kaiowá Assembly), Kuñangue Aty Guasu (Great Assembly of Guarani and Kaiowá Women), Kuñangue Jeroky Guasu Marangatu (Womens' Great Sacred Dance), Retomada Aty Jovem (RAJ), the Movimento de Professores Guarani and Kaiowá (MPGK), the Ação dos Jovens Indígenas de Dourados (AJI) and the Articulação dos Povos Indígenas do Brasil (Apib).

In 2013, FIAN Brasil, in partnership with CIMI and with a group of researchers, carried out a research to investigate socioeconomic factors and evaluate food and

nutrition insecurity in three indigenous communities in MS². The results were published in the report *O Direito Humano à Alimentação Adequada e à Nutrição do Povo Guarani e Kaiowá: Um Enfoque Holístico* (Franceschini, 2016). At the time, all the 75 households studied where children and young people were living were suffering from some level of food and nutrition insecurity. The results of the studies carried out in 2013 and the one on which this Summary is based, carried out in 2023, will be compared further ahead.

The findings from 2013 led to the conclusion that hunger and food and nutrition insecurity are directly related to the deprivation of access to the lands they traditionally occupied. The non-demarcation of territories introduces various violations and insecurities beyond food insecurity, which include sanitary, environmental, territorial, water and heritage dimensions.


In view of the omission of authorities for over a century, our organizations have been carrying out international incidences to hold the Brazilian State accountable. One such measure was a petition to the Inter-American Commission on Human Rights in 2016. In addition to the three communities studied in 2013 (Guaiviry, Kurusu Ambá and Ypo'i), the petition included Apyka'i and Ñande Ru Marangatu. The five locations have in common the historic struggle³ for the restitution of their original territories, the stagnant demarcation process and the violent deaths of leaders.

This executive summary presents a summary of the results of the survey carried out in 2023, which reassessed the situation of the three previously visited territories and included the two other communities in the diagnosis.

1. Data from the 2022 Census carried out by the Brazilian Institute of Geography and Statistics (IBGE). Press release (MS).

2. Guaiviry, Kurusu Ambá and Ypo'i.

3. Restitution is the self-determined recovery of traditional territories by indigenous people in the face of the State's slowness. Brazilian constitutional law states that such territories are native, therefore, congenital and prior to the Brazilian State. In international law, it is understood that the recognition of indigenous territories by a Member State is independent of demarcation processes. The State must only recognize it (Inter-American Human Rights System).



2. THE REALITY OF THE INDIGENOUS PEOPLE OF BRAZIL AND OF THE GUARANI AND KAIOWÁ

2.1 Brief history and situation

For the indigenous peoples, the lands, rivers, forests, mountains and valleys were considered vital forces, in a complementary relationship with the community dimension, while for the colonizers, they represented “natural resources” to plunder. The European invasion promoted dynamics of exploitation such as serfdom and slavery. Since colonization, indigenous peoples have faced their genocide/ethnocide, perpetrated through atrocities such as territorial dispossession, massacres, abuses of power and denial of basic rights.

During the Republic period, the disrespect and non-compliance of the Brazilian State in relation to its duty to protect and guarantee the rights of indigenous peoples is bluntly recorded in the Figueiredo Report, from 1967, and again denounced by the Comissão Nacional da Verdade, (National Truth Commission), established in 2012. The two investigations report various crimes carried out with consent of the State, including indigenous bodies – the Serviço de Proteção ao Índio (Indian Protection Service), from 1910 to 1967, and the Fundação Nacional do Índio (National Indian Foundation - Funai)⁴, from then on.

During the Covid-19 pandemic, indigenous policies were dismantled, including the militarization of the Funai. The period was marked by genocidal practices⁵, with the opening of lands to activities such as prospecting and mining, distribution of chloroquine and scrapping of the Secretaria Especial de Saúde Indígena (Special Secretariat for Indigenous Health - Sesai). This fact resulted in denial of assistance and distribution of food in demarcated lands and in those in litigation.

Anti-indigenous practices and policies permeate the spheres of the Legislative, Executive and Judiciary powers. This scenario can be seen through statements made by heads of State and political-legal threats, such as the Marco Temporal (Timeframe) thesis and projects for laws (PLs) such as PL 490/07, renumbered as PL 2.903/23 after approval by the Chamber of Deputies (on May 30, 2023). In addition to applying the Marco Temporal, PL 2903 violates and alters fundamental aspects of the Constitution, weakening demarcation processes and paving the way for socio-environmental destruction. It also provides for the violation of the right to prior, free and informed consent, established by Convention 169 of the International Labor Organiza-

4. In 2023, Funai's name was changed to Fundação Nacional dos Povos Indígenas (National Foundation of Indigenous Peoples).

5. In April 2023, at least four petitions about crimes against indigenous communities in Brazil carried out by the Bolsonaro government were under analysis at the International Criminal Court. Read more at: <https://noticias.uol.com.br/columnas/jamil-chade/2023/04/25/em-haia-denuncia-contra-bolsonaro-ganha-forca-e-mobiliza-investigadores.htm>.

tion (ILO) and expanded by the United Nations Declaration on the Rights of Indigenous Peoples; justifies the contact with isolated peoples and makes it possible for the State to “take back” areas if the “alteration of cultural traits” is proven.

Simultaneously the thesis of the Marco Temporal is being judged by the Federal Supreme Court (STF), and by the federal government, through Parecer 001-17 of the Advocacia-Geral da União (Attorney General’s Office - AGU). This thesis attributes the right to traditional land only to people who were settled on that land on the date of the promulgation of the Federal Constitution (October 5, 1988), ignoring the fact that several people were forcibly removed from their

territory prior to that date. This was the case of the Guarani and Kaiowá, arbitrarily confined in the indigenous reserves established by the Indian Protection Service (SPI) between 1915 and 1928.

Currently, of the 1.391 indigenous pieces of land and territorial demands present in Brazil, 62% have some administrative issue pending for their regularization, as shown by a CIMI survey (2023): **among the 867 indigenous lands with pending issues, the State took no action with regards to the demarcation of at least 588 of them.** As a reflection of this situation, the four-year period from **2019 to 2022 registered the brutal figure of 795 indigenous people murdered and 535 cases of suicide** (CIMI, 2023).

2.2 Brief history of violations based on the emblematic communities studied

The Guarani and Kaiowá are part of the great Guarani people, present in four countries of the low lands of South America. They traditionally occupy the large territory located in the Brazilian Midwest Region, in the southern cone of Mato Grosso do Sul (MS), close to the border with Paraguay. They live in the *tekoha* (“place where you are”), their sacred territories, fundamental for the reproduction of their culture and their way of life, formed by networks and relationships between extended families, kinships, shamans and other beings that inhabit the cosmos.

The Paraguayan War, at the end of the 19th century, marked the intensification of the colonization policies of the Brazilian State. Borders were imposed on the territory of the Guarani and Kaiowá peoples and large portions were handed over to private exploration. Over the following decades, the policy of creating indigenous reserves violently de-territorialized the communities in order to confine them in small arbitrarily instituted portions of land (Brand, 2004).

It is in the 1970s, during the military dictatorship, that the so-called “Revolução Verde” (Green Revolution) makes the planting of soybeans and corn the main extractive-monoculture activity, which resulted in the intensive destruction of the forest and the cutting down of ancient trees. Once again, many families were removed.

At the same time, what defines human rights violations, socio-territorial conflicts and the insecurities experienced by the Guarani and Kaiowá are the exponential invasions of their traditional territories – by agro-industrial corporations, landowners, luxury condominiums –, illegal arrests and the expansion of mega-projects of infrastructure to enable the outflow of commodities. Conflicts materialize in attacks by **armed militias** formed by the farmers themselves and their rural unions, **paramilitary actions** and **military operations** without judicial authorization, promoted by state public security forces or even by the National Force.

The extractive-industrial-concentrating model carried out by agribusiness finds itself strongly represented in the three powers that structure the Brazilian State. In the Legislative branch, the ruralist caucus is responsible for drafting and defending anti-indigenous bills. Agribusiness and this group are part of the transnational lobby, which involves financing by national and international corporations for economic exploration and production of commodities.

The scenario of helplessness and retaliation is reflected in murder and mortality rates close to those of war zones. By international standards, violence against the Guarani and Kaiowá in MS

can be qualified as endemic (Morais, 2017). **Between 2003 and 2019, the state of Mato Grosso do Sul concentrated 39.4% of the indigenous murders registered across the country (539 out of a total of 1,367). From 2000 to 2019, 834 indigenous suicides were registered, 63.7% – almost two thirds – of the cases in Brazil (ISA, 2021).**

The State actions frequently culminate in victims, such as the episode known as the Massacre of Guapo'y, which took place on June 24, 2022. In an action articulated by the State Department of Justice and Public Security, the Military Police (PM) evicted the repossession of Guapo'y Mirim Tujury. On that

occasion, Vitor Fernandes was shot dead by the police and dozens of people were injured, including children shot by rifles fired from a helicopter. Subsequently, Marcio Moreira and Vitorino Sanches were executed in ambushes.

In the Massacre of Caarapó, on June 14, 2016, Clodiode de Souza was murdered during an attack by ruralists/farmers after the restitution currently known as Kunumi Poty Verá. In this sense, the communities covered by this research are emblematic for having been the systematic target of intense violence/human rights violations and for their experiences of struggle.



2.2.1 Guaiviry

The *tekoha* of Guaiviry (municipality of Aral Moreira), border regions between Brazil and Paraguay, has its history marked by repeated attempts of restitution. The last one, that determines its occupation until the present moment, occurred in 2011 and ended with the cruel murder and concealment of the body of *ñanderu* (prayer master) Nísio Gomes and the wounding of young Jonathon Velasques Gomes.

The legal proceedings regarding the murder of the prayer master has been going on for years and, still in 2022, the community lived under permanent threat, with occurrences of gunshots during the night and people being criminally run over. Guaiviry, made up of 52 families, is where the survey carried out by FIAN Brasil revealed the most alarming data on moderate and severe food insecurity.

2.2.2 Kurusu Ambá

The struggle for the restitution of the *tekoha* of Kurusu Ambá (municipality of Coronel Sapucaia) goes back to 2007. After the first attempt, the community suffered a violent attack by landowners and gunmen that resulted in the murder of Xurite Lopes, an elderly prayer woman, and the wounding of a young man. The local struggle is marked by criminalization and persecution of those involved. One of the leaders was even executed in retaliation. In 2014 and 2015, the community managed to retake part of the farms, but faced attacks and difficulties, including the death of children due to malnutrition and lack of medical assistance.

The vulnerability was fatally experienced by Jadson Lopes, who was just 1 year and 6 months old when he died in January 2016 under the allegation of non-authorization by the body responsible for providing the health service to enter the area, characteristic of the State's omission in the territories under litigation⁶. In the same year, after the visit of the United Nations (UN) rapporteur on the rights of indigenous peoples, *jagunços*⁷ on horseback and in vans destroyed and burned houses.

6. <https://cimi.org.br/2016/01/38082>.

7. Jagunço is a criminal contracted by a wealthy or influential person.

8. <https://cimi.org.br/2010/08/30832> and <https://cimi.org.br/2015/04/37182>.



2.2.3 Ypo'i

The *tekoha* of Ypo'i (municipality of Paranhos) was restituted by the indigenous in 2009, followed by brutal attack by farmers that resulted in the death of the teachers Rolindo and Genivaldo Vera. The community was expelled through an illegal eviction. On August 17, 2010, the territory was retaken again. Residents began to live under siege, under strong tensions and threats⁸. Due to the impossibility of locomotion, children, women and the elderly faced a situation of hunger, as they remained under siege for approximately 100 days.

Residents decided to move forward with restitution in 2015, persisting to the present day. In the first half of 2023, the federal government announced its intention to send the demarcation report of the Ypo'i-Triunfo Indigenous Land, covering 19,700 hectares, to the Ministry of Justice and Public Security.



2.2.4 Nande Ru Marangatu

Nande Ru Marangatu (municipality of Antônio João), also on the border region with Paraguay, means something close to “Our Divine Father”. It makes a reference to the hill (Cerro Marangatu), located in the *tekoha*, understood as a sacred place and the religious epicenter of the great Guarani and Kaiowá territory. On the 25th of November, 1983, the Guarani leader Marçal de Souza (Tupã'i), was murdered in Campestre, one of the subdivisions of the *tekoha*. Marçal's execution took place on the door of his house, three years after his famous speech to Pope John Paul II representing the Union of Indigenous Nations (UNI).

In this context, the expulsion took place, culminating in the current conflicts and conditions denounced by Marçal and other leaders. In 2005, after an action of restitution, the community was brutally attacked and evicted by the State, which resulted in the death of Durvalino Rocha. There are records of at least another four murders since the 1950s. The most recent was that of Simeão Vilhalva, in 2015⁹, when the guarantee of Law and Order (known as GLO) was decreed, militarizing the region.

In 2002 the area was declared indigenous, but the landowners' appeals to the courts paralyzed the procedures for enforcing possession. In 2005, in the context of serious malnutrition among children, intense land conflict and murders of indigenous people, the Presidency of the Republic signed the homologation. However, there was a new stoppage due to an act by Minister Nelson Jobim in an appeal accepted by the Supreme Federal Court, that maintains the area *sub judice* and the demarcation suspended.

7. <https://site-antigo.socioambiental.org/pt-br/noticias-socioambientais/lideranca-indigena-e-morta-a-tiros-na-ti-nande-ru-marangatu>

8. Each *tekoha* claimed is named and renamed according to the context, the mobilized kinships and the transformations of the meanings attributed to a given territoriality, considering that, frequently, more than one restitution is necessary for them to settle in the place, following the shamans' rites. In administrative demarcation procedures, a name related to the traditional nature of the land is used, assigned by the Kaiowá and Guarani collectives that claim it.

9. The document is analyzed by Aline Castilho Crespe (2009) and Bruno Moraes (2017).



2.2.5 Apyka'i

In 1999, the first black canvas shacks were set up on the sides of the BR-463 and MS-379 roads (municipality of Dourados), bringing together families who claimed the Apyka'i *tekoha*. The accounts of the former leaders date back to attempts to recover *Jukery* or *Jukeriry*¹⁰ in the early 1990s, through Ilario de Souza and Damiana Cavanha (Silva, 2003). They were prevented from doing so by the rural owner, and the families dispersed throughout different territories. The Apyka'i families were expelled for the first time in the early 1980s (Crespe, 2015).

A trail of martyrdoms took place in the land, starting with the death of Ilario, in 2002, run over by a “vehicle driven by a farmer who owned the claimed land”, facts that appear in a testimony given by Sidnei de Souza, his and Damiana's son, at the Federal Public Ministry (MPF) in 2004¹¹. At least seven other violent deaths on highways, which the community denounces as murders, have been registered so far. Five of the victims, including children and elderly people, were close relatives of the chief and his widow, who is now chief. The second to die in this manner was Sidnei himself. In May 2023, a 1-year-old baby, from Damiana's family, died of severe malnutrition¹². As a historical reference of struggle, the matriarch was the central interlocutor of this research¹³.

10. <https://correiodoestado.com.br/cidades/falta-de-assistencia-matou-crianca-indigena-kaiowa-de-fome-diz-lider/414872>.

11. <https://www.intercept.com.br/2019/07/11/a-luta-de-uma-guarani-kaiowa-fui-expulsa-da-minha-terra-seis-vezes-e-perdi-marido-filhos-e-netos>.

12. <https://www.intercept.com.br/2019/07/11/a-luta-de-uma-guarani-kaiowa-fui-expulsa-da-minha-terra-seis-vezes-e-perdi-marido-filhos-e-netos>.

3. THE RESEARCH ON FOOD AND NUTRITION SOVEREIGNTY AND SECURITY IN GUARANI AND KAIOWÁ TERRITORIES



3.1 Methodology

This study was approved by the Comissão Nacional de Ética em Pesquisa (National Committee on Research Ethics - Conep) on 27 December, 2022, with opinion number 5.837.075 and Certificado de Apresentação de Apreciação Ética (Certificate of Presentation of Ethical Appreciation - Caae) 61729422.4.0000.5160, following the ethical precepts of research with indigenous peoples in Brazil. The coordination team opted for mixed methodological paths, with quantitative and qualitative data analysis.

The quantitative part had as main data collection instrument a questionnaire developed jointly with institutions and with the support of the Rede Brasileira de Pesquisa em Soberania e Segurança Alimentar e Nutricional (Brazilian Network for Research in food and nutrition sovereignty and security - Rede Penssan), applied through a mobile phone application created by Rede Penssan, which will later be adapted for all Brazilian indigenous peoples. The questionnaire was validated with the population subject to the study through the interviewers.

The qualitative dimensions include field observations, photographic and written records by the research team and by the interviewers, oral history, descriptions carried out throughout the training of these collaborators and interviews with leaders and

residents, before, during and after the collection of data, in each of the five territories.

The questionnaire for the mobile application consisted of basic information about the territory, demographic and socioeconomic information, information about the home and housing conditions, about health, disease, food, nutrition, social support and social protection. The Escala Brasileira de Insegurança Alimentar e Nutricional (Brazilian Scale of Food and Nutrition Insecurity - Ebia) validated for several indigenous peoples was used, the Indigenous Ebia (Segall-Corrêa *et al.*, 2018), which in this research underwent minor language adaptations at the suggestion of Guarani and Kaiowá researchers/interviewers. The Ebia is composed of five questions with an answer of “yes” or “no” when there are children and young people in the household and six questions in households where there are only adults¹³. The use of the instrument is to measure food insecurity at home, classifying it as **mild, moderate or severe food and nutrition security or food and nutrition insecurity** (Segall-Corrêa *et al.*, 2018). Moderate and severe food and nutrition insecurity measurements indicate quantitative restriction on food, with moderate classifications already translating into levels of hunger in households where only adults live and the severe classification implying hunger in families with children.

13. Unlike the instrument that measured food and nutrition insecurity in the 2013 survey (which evaluated only households with children and young people, totaling 75), in the present survey households with and without children under 16 years of age were evaluated.

3.2 Research population and data collection

The five emblematic territories included in the petition sent to the Inter-American Commission on Human Rights (Cidh) in 2016 took part in the research, with all the households in Kurusu Ambá (100 households), Guaiviry (52) and Ypo'i (98), as well as the camp Apyka'i (1 household) being researched. In Ñande Ru Marangatu 44.6% of the households (229 of 516 families) were surveyed, due to financial limitation. This last *tekoha* includes nine subareas, and the representativity of, at least 40% of each one of them was guaranteed. So as to guarantee the comparability of the two moments, the data from Ñande Ru Marangatu and Apyka'i will

be shown later on, separately.

Between November 2022 and January 2023, all the interviewers were trained inperson by the team for the collection of data using the application. The interviewers applied the questionnaire to the person who identified himself/herself as the leader (head) of the family, whether female or male over the age of 14.

Data collection took place between January 14 and April 4, 2023 in 480 households in the five territories. All data were collected by 17 indigenous interviewers distributed in four territories and, in Apyka'i, by two members of the research coordination team.

3.3 Results

The 480 interviewed families totaled 1.475 residents in the five territories, and the average number of people per family was of approximately three individuals (Table 1). Of the total number of people from the territories, 51.9% are men and 99.0% are indigenous who self-declare their ethnicity as Guarani-Kaiowá (45.8%), only Kaiowá (30.5%) or Guarani (Ñandeva) (22.7%).

Half of all residents of the five territories, including children of school age or not, have incomplete primary education (50.6%), with 16.3% having completed primary education. Only 6.1% completed high school, and 1.7% entered and/or completed higher education and postgraduate studies (Table 1).

Table 1- Demographic characterization of the five areas of Kaiowá and Guarani restitution in Mato Grosso do Sul, Brazil, 2023

| Variables | Territory | | | | | |
|---|------------|-------------|------------|--------------------|-----------|---------------|
| | Guaiviry | Kurusu Ambá | Ypo'i | Ñande Ru Marangatu | Apyka'i | Total |
| | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) |
| Families | 52 (10.8) | 100 (20.8) | 98 (20.4) | 229 (47.7) | 1 (0.2) | 480 (100.0) |
| Residents | 156 (10.6) | 239 (16.2) | 390 (26.4) | 689 (46.7) | 1 (0.1) | 1.475 (100.0) |
| Average no. of residents /family | 3.0 | 2.4 | 4.0 | 3.0 | 1.0 | 3.1 |
| Schooling | | | | | | |
| Did not attend | 33 (21.2) | 61 (25.5) | 101 (25.9) | 169 (24.5) | 1 (100.0) | 365 (24.7) |
| Incomplete Primary | 70 (44.9) | 130 (54.4) | 250 (64.1) | 296 (43.0) | 0 (0.0) | 746 (50.6) |

| Variables | Territory | | | | | |
|---|-------------|-------------|-------------|--------------------|-----------|---------------|
| | Guaiviry | Kurusu Ambá | Ypo'i | Ñande Ru Marangatu | Apyka'i | Total |
| | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) |
| Complete Primary | 16 (10.3) | 6 (2.5) | 12 (3.1) | 41 (6.0) | 0 (0.0) | 75 (5.0) |
| Incomplete High School | 22 (14.1) | 26 (10.9) | 14 (3.6) | 104 (15.1) | 0 (0.0) | 166 (11.3) |
| Complete High School | 7 (4.4) | 10 (4.2) | 8 (2.1) | 65 (9.5) | 0 (0.0) | 90 (6.1) |
| Incomplete Higher Education | 4 (2.6) | 1 (0.4) | 1 (0.3) | 5 (0.7) | 0 (0.0) | 11 (0.7) |
| Complete Higher Education | 2 (1.3) | 0 (0.0) | 3 (0.8) | 4 (0.6) | 0 (0.0) | 9 (0.6) |
| Incomplete Post-graduation / Masters | 1 (0.6) | 0 (0.0) | 1 (0.3) | 1 (0.1) | 0 (0.0) | 3 (0.2) |
| Complete Post-graduation / Masters | 0 (0.0) | 0 (0.0) | 0 (0.0) | 3 (0.4) | 0 (0.0) | 3 (0.2) |
| DNK/DNA ¹⁵ | 1 (0.6) | 5 (2.1) | 0 (0.0) | 1 (0.1) | 0 (0.0) | 7 (0.5) |
| Total | 156 (100.0) | 239 (100.0) | 390 (100.0) | 689 (100.0) | 1 (100.0) | 1.475 (100.0) |
| Total monthly Family Income | | | | | | |
| Didn't have any | 4 (7.7) | 24 (24.0) | 21 (21.4) | 3 (1.3) | 0 (0.0) | 52 (10.8) |
| Less than 275 reais (¼ MS ¹⁶) | 1 (1.9) | 0 (0.0) | 6 (6.1) | 0 (0.0) | 0 (0.0) | 7 (1.5) |
| Between 275 and 550 reais (¼ and ½ MS) | 0 (0.0) | 5 (5.0) | 2 (2.0) | 7 (3.1) | 0 (0.0) | 14 (2.9) |
| Between 551 and 1100 reais (½ and 1 MS) | 38 (73.1) | 33 (33.0) | 40 (40.8) | 104 (45.4) | 1 (100.0) | 216 (45.0) |
| Between 1.101 and 2.200 (1 and 2 MS) | 8 (15.4) | 37 (37.0) | 25 (25.5) | 89 (38.9) | 0 (0.0) | 159 (33.1) |
| Over 2.200 reais (>2 MS) | 0 (0.0) | 0 (0.0) | 2 (2.0) | 25 (10.9) | 0 (0.0) | 27 (5.6) |
| DNK/DNA | 1 (1.9) | 1 (1.0) | 2 (2.0) | 1 (0.4) | 0 (0.0) | 5 (1.0) |
| Total | 52 (100.0) | 100 (100.0) | 98 (100.0) | 229 (100.0) | 1 (100.0) | 480 (100.0) |

15. DNK/DNA means that the person interviewed did not know the answer or did not answer.

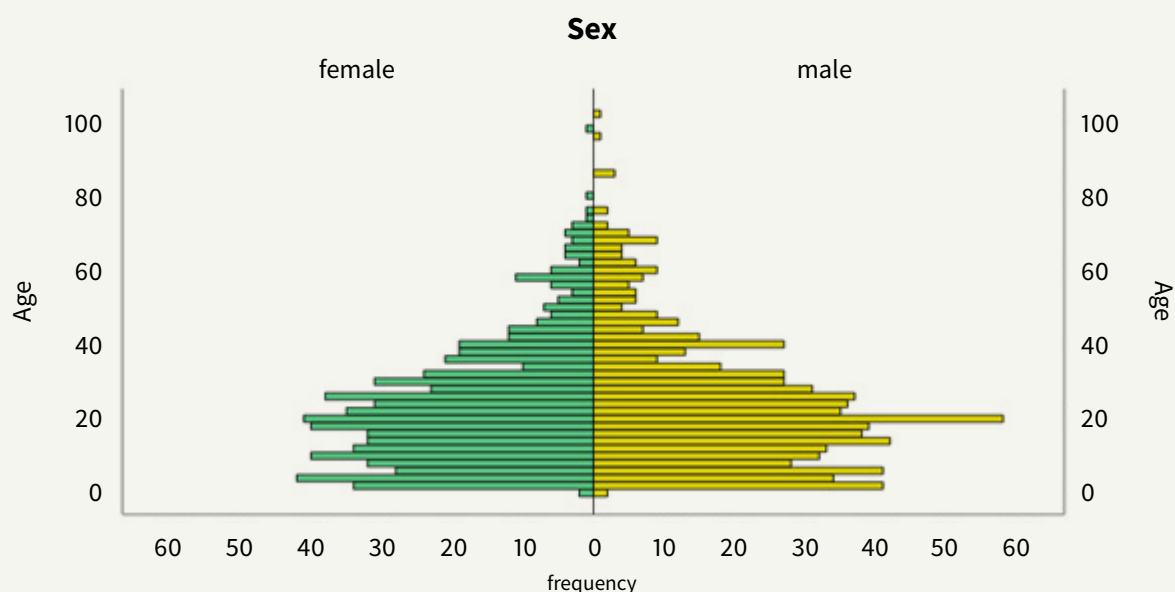
16. MS is minimum salary.

Education indices are closely related to the schooling conditions in the areas that have been recovered, characterized by a deficient supply of teaching places, difficulty in getting to the cities and discrimination suffered in the urban context.

Of the 480 families, 45.0% have a monthly family income of between half and one minimum salary¹⁷,

basically made up of social programs such as the Bolsa Família. Of the total, 33.1% of families receive between one and two minimum salaries. A total of 10.8% of families do not have a family income, mostly due to lack of documents, which prevents access to any right to social assistance, or even due to lack of information and difficulty in accessing it.

Figure 1 – Pyramid showing the age of the residents of the five Kaiowá and Guarani areas restituted in Mato Grosso do Sul, Brazil, 2023



The age pyramid in Figure 1 indicates that the studied population is very young and has high birth and death rates. **Kaiowá and Guarani life expectancy was of 45 years in 2010 (Martins, 2021), while in MS the average was of 73.8 years^{18,19}.** That is, three decades of life less for those who are a part of these people. The number of elderly people in the restitutions is very small (4.8% of the total number of people studied) and that of children under 5 years of age is 12.9%.

Regarding the type of work, those residents who manage to leave for work generally work as maids or work in the harvest of apples in the south of the country, in addition to working on farms harvesting manioc, corn and soybeans. These occupations are permeated by bonds and working conditions similar to slavery²⁰.

17. Referring to the last 30 days. The minimum salary in Brazil during the collection of data was R\$ 1.100.

18. IBGE. Brasil – Mato Grosso do Sul. Available at: <https://cidades.ibge.gov.br/brasil/ms/pesquisa/53/49645?ano=2010>.

19. There is no more recent data with regards to the life expectancy of indigenous peoples. The absence of the production of data relative to the indigenous population is a problem in Brazil. Some of the information produced in the governmental sphere is not public.

20. <https://reporterbrasil.org.br/2022/07/trabalho-escravo-em-pomar-que-abastecia-lider-em-macas-acende-alerta-sobre-condicoes-na-colheita-do-fruto>.

Table 2 – Characteristics of the access to water, sewage system, the destination of garbage and mobility in households in the five Kaiowá and Guaraní areas restituted in Mato Grosso do Sul, Brazil, 2023

| Variables | Territories | | | | | |
|-------------------------|-------------|-------------|------------|--------------------|-----------|-------------|
| | Guaivirý | Kurusu Ambá | Ypo'i | Ñande Ru Marangatu | Apyka'i | Total |
| | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) |
| Last residence | | | | | | |
| Indigenous Reserve | 23 (44.2) | 47 (47.0) | 61 (62.2) | 53 (23.1) | 0 (0.0) | 184 (38.3) |
| Has always lived here | 17 (32.7) | 53 (53.0) | 5 (5.1) | 71 (31.0) | 0 (0.0) | 146 (30.4) |
| Another restituted area | 2 (3.8) | 0 (0.0) | 3 (3.1) | 81 (35.4) | 1 (100.0) | 87 (18.1) |
| Indigenous land | 7 (13.5) | 0 (0.0) | 27 (27.6) | 13 (5.7) | 0 (0.0) | 47 (9.8) |
| City | 3 (5.8) | 0 (0.0) | 1 (1.0) | 3 (1.3) | 0 (0.0) | 7 (1.5) |
| Camp | 0 (0.0) | 0 (0.0) | 1 (1.0) | 5 (2.2) | 0 (0.0) | 6 (1.3) |
| DNK/DNA | 0 (0.0) | 0 (0.0) | 0 (0.0) | 3 (1.3) | 0 (0.0) | 3 (0.6) |
| Total | 52 (100.0) | 100 (100.0) | 98 (100.0) | 229 (100.0) | 1 (100.0) | 480 (100.0) |
| Origin of the water | | | | | | |
| Water truck | 0 (0.0) | 67 (67.0) | 47 (48.0) | 105 (45.9) | 0 (0.0) | 219 (45.6) |
| River | 22 (42.3) | 29 (29.0) | 42 (42.9) | 16 (7.0) | 0 (0.0) | 109 (22.7) |
| Public water system | 0 (0.0) | 0 (0.0) | 0 (0.0) | 71 (31.0) | 0 (0.0) | 71 (14.8) |
| Artesian well | 7 (13.5) | 3 (3.0) | 0 (0.0) | 33 (14.4) | 1 (100.0) | 44 (9.2) |
| Shallow well | 5 (9.6) | 1 (1.0) | 7 (7.1) | 2 (0.9) | 0 (0.0) | 15 (3.1) |
| Others (springs, etc.) | 17 (32.7) | 0 (0.0) | 2 (2.0) | 2 (0.9) | 0 (0.0) | 21 (4.4) |
| DNK/DNA | 1 (1.9) | 0 (0.0) | 0 (0.0) | 0 (0.0) | 0 (0.0) | 1 (0.2) |
| Total | 52 (100.0) | 100 (100.0) | 98 (100.0) | 229 (100.0) | 1 (100.0) | 480 (100.0) |

| Variables | Territories | | | | | |
|-----------------------------------|-------------|-------------|------------|--------------------|-----------|-------------|
| | Guaiviry | Kurusu Ambá | Ypo'i | Ñande Ru Marangatu | Apyka'i | Total |
| | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) |
| Form of sewage collection | | | | | | |
| Open pit/ hole | 26 (50.0) | 99 (99.0) | 90 (91.8) | 161 (70.3) | 1 (100.0) | 375 (78.1) |
| Septic tank | 0 (0.0) | 0 (0.0) | 0 (0.0) | 49 (21.4) | 0 (0.0) | 49 (10.2) |
| DNK/DNA | 26 (50.0) | 0 (0.0) | 8 (8.2) | 0 (0.0) | 0 (0.0) | 34 (7.1) |
| Rudimentary tank | 0 (0.0) | 1 (1.0) | 0 (0.0) | 16 (7.0) | 0 (0.0) | 17 (3.5) |
| River or lake | 0 (0.0) | 0 (0.0) | 0 (0.0) | 1 (0.4) | 0 (0.0) | 3 (0.6) |
| Sewage system | 0 (0.0) | 0 (0.0) | 0 (0.0) | 2 (0.9) | 0 (0.0) | 2 (0.4) |
| Total | 52 (100.0) | 100 (100.0) | 98 (100.0) | 229 (100.0) | 1 (100.0) | 480 (100.0) |
| Garbage destination | | | | | | |
| Burned | 48 (92.3) | 97 (97.0) | 85 (86.7) | 203 (88.6) | 1 (100.0) | 434 (90.4) |
| Buried on site | 2 (3.8) | 2 (2.0) | 8 (8.2) | 22 (9.6) | 0 (0.0) | 34 (7.1) |
| Thrown away far from the home | 3 (5.8) | 2 (2.0) | 7 (7.1) | 9 (3.9) | 0 (0.0) | 21 (4.4) |
| Thrown away close to the home | 0 (0.0) | 0 (0.0) | 15 (15.3) | 5 (2.2) | 0 (0.0) | 20 (4.2) |
| Collected by the local government | 0 (0.0) | 0 (0.0) | 0 (0.0) | 2 (0.9) | 0 (0.0) | 2 (0.4) |
| DNK/DNA | 0 (0.0) | 0 (0.0) | 0 (0.0) | 1 (0.4) | 0 (0.0) | 1 (0.2) |
| Vehicles | | | | | | |
| Motorcycle | 1 (1.9) | 42 (42.0) | 40 (40.8) | 150 (65.5) | 0 (0.0) | 233 (48.5) |
| Does not own | 25 (48.1) | 40 (40.0) | 57 (57.1) | 49 (21.4) | 1 (100.0) | 169 (35.2) |
| Bicycle | 26 (50.0) | 12 (12.0) | 2 (2.0) | 84 (36.7) | 0 (0.0) | 124 (25.8) |
| Car | 1 (1.9) | 8 (8.0) | 2 (2.0) | 30 (13.1) | 0 (0.0) | 44 (9.2) |
| Horse or wagon | 0 (0.0) | 0 (0.0) | 2 (2.0) | 4 (1.7) | 0 (0.0) | 6 (1.3) |
| Van or truck | 0 (0.0) | 1 (1.0) | 0 (0.0) | 0 (0.0) | 0 (0.0) | 1 (0.2) |
| Others | 0 (0.0) | 1 (1.0) | 0 (0.0) | 1 (0.4) | 0 (0.0) | 2 (0.4) |

Of the households studied in Guaiviry, Ypo'i, Kurusu Ambá and Apyka'i, 96% do not have electricity. In this regard, the situation in Ñande Ru Marangatu is quite different, with just over two thirds (67.2%) connected to the power grid.

As shown in Table 2, over one third (35.2%) of the families do not have any means of transport; 48.5% own a motorcycle, and 25.8% own a bicycle.

As for the origin of the water, 45.6% of the households are supplied by water trucks, with the supply being delivered at a frequency varying between eight and 20 days. When water is insufficient, the community suffers due to the difficulty of accessing other sources, due to scarcity and water contamination by pesticides.

About the importance of recovering their *tekoha*, for 94.9% of the families interviewed, this promoted better nutrition. For 78.1%, the improvement is related to access to forests, rivers and areas for planting. **With regards to the indigenous reserves, the last residence of the majority of the interviewed families, 38,3%, see them as spaces of confinement (Brand, 2004) and are indicated as having a limitation to the areas available for planting.**

For almost 80.0% of the families, restitution improved health conditions. **All the territories reported exposure to pesticides from monoculture crops in neighboring farms, with weekly spraying.** As a result, the land, rivers and air are contaminated, affecting bodies, homes, plantations and biodiversity. **In the last 12 months, 105 people fell ill due to contact with poison.**

During the research period, **39.8% of the households studied underwent some type of health treatment, with the most reported symptoms**

being headache (16.0%), high blood pressure (15.2%), flu or cough (13.3%), skin wounds (8.3%), vomiting (7.7%) or diarrhea (7.7%). Some symptoms are related to testimonies about exposure to pesticides, consisting of typical manifestations of intoxication, **largely not recorded due to scarce medical and hospital assistance** (only 1 in every 50 cases is identified, according to estimates made by the World Health Organization). Of the 480 families, 15.2% (73 households) had people hospitalized in the last 12 months. Over the last few decades, there have been numerous reports of chemical attacks with pesticides.

In their majority, health care assistance takes place outdoors as there is no local health center, with the exception of Ñande Ru Marangatu and Guaiviry, where medical visits take place once a month. In the first restitution, there is a lack of medication and diagnoses are inaccurate due to the impossibility of exams or the waiting time for results. Medium and high complexity care is located about 60 kilometers away, and indigenous people are invariably victims of racism in hospitals.

Of the total number of interviewed families, 60.6% cultivate crops (*kokue*). The most produced foods were manioc (60.0%), various types of potatoes (tubers) (48.0%), beans (29.8%), corn (19.2%) and pumpkins (14.8%). Of the 291 families that cultivate crops/vegetables, 42.9% produce most of the year and 35.4% for a few months.

The lack of seeds, branches or seedlings is directly related to the expropriation of territories and the plundering of common goods caused by agropastoral expansion. This is associated with the genetic erosion caused by grain monocultures and the monopoly of seeds by transnational companies.

Table 3 – Food consumption on the day prior to the interview and school food, in the five Guarani and kaioiwá territories restituted in Mato Grosso do Sul, Brazil, 2023

| Variables | Territories | | | | | |
|--|-------------|-------------|-----------|--------------------|-----------|------------|
| | Guaiviry | Kurusu Ambá | Ypo'i | Ñande Ru Marangatu | Apyka'i | Total |
| | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) |
| Healthy food markers consumed yesterday | | | | | | |
| Rice | 46 (88.5) | 92 (92.0) | 91 (92.9) | 222 (96.9) | 1 (100.0) | 452 (94.2) |
| Beans | 37 (71.2) | 94 (94.0) | 85 (86.7) | 212 (92.6) | 0 (0.0) | 428 (89.2) |

| Variables | Territories | | | | | |
|---|-------------|-------------|------------|--------------------|-----------|-------------|
| | Guaiviry | Kurusu Ambá | Ypo'i | Ñande Ru Marangatu | Apyka'i | Total |
| | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) | No. (%) |
| Meats (cow, fish, chicken, pork, game) | 1 (1.9) | 32 (32.0) | 12 (12.2) | 120 (52.4) | 0 (0.0) | 165 (34.4) |
| Manioc/potatoes | 9 (17.3) | 27 (27.0) | 7 (7.1) | 115 (50.2) | 1 (100.0) | 159 (33.1) |
| Greens or vegetables | 3 (5.8) | 6 (6.0) | 0 (0.0) | 40 (17.5) | 0 (0.0) | 49 (10.2) |
| Fresh fruits | 0 (0.0) | 0 (0.0) | 0 (0.0) | 21 (9.2) | 0 (0.0) | 21 (4.4) |
| Milk and derivatives | 0 (0.0) | 0 (0.0) | 0 (0.0) | 0 (0.0) | 0 (0.0) | 0 (0.0) |
| Unhealthy food markers consumed yesterday | | | | | | |
| Instant noodles, snacks, crackers | 3 (5.8) | 0 (0.0) | 0 (0.0) | 41 (17.9) | 0 (0.0) | 44 (9.2) |
| Sweetened drinks/ soft drinks | 0 (0.0) | 0 (0.0) | 0 (0.0) | 20 (8.7) | 0 (0.0) | 20 (4.2) |
| Hamburger / sausages / hams | 0 (0.0) | 0 (0.0) | 0 (0.0) | 6 (2.6) | 0 (0.0) | 6 (1.3) |
| Cookies, sweets | 0 (0.0) | 0 (0.0) | 0 (0.0) | 3 (1.3) | 0 (0.0) | 3 (0.6) |
| Didn't eat ANYTHING | 1 (1.9) | 0 (0.0) | 2 (2.0) | 0 (0.0) | 0 (0.0) | 3 (0.6) |
| Children eat at school | | | | | | |
| Yes | 30 (57.7) | 31 (31.0) | 63 (64.3) | 103 (45.0) | 0 (0.0) | 227 (47.3) |
| No | 1 (1.9) | 19 (19.0) | 8 (8.2) | 21 (9.2) | 0 (0.0) | 49 (10.2) |
| Not always | 2 (3.8) | 10 (10.0) | 0 (0.0) | 4 (1.7) | 0 (0.0) | 16 (3.3) |
| Not applicable (no child in the residence) | 17 (32.7) | 39 (39.0) | 20 (20.4) | 85 (37.1) | 1 (100.0) | 162 (33.8) |
| DNK/DNA | 2 (3.8) | 1 (1.0) | 7 (7.1) | 16 (7.0) | 0 (0.0) | 26 (5.4) |
| Total | 52 (100.0) | 100 (100.0) | 98 (100.0) | 229 (100.0) | 1 (100.0) | 480 (100.0) |
| If yes, does the school food include food from your culture | | | | | | |
| Yes | 4 (12.1) | 20 (33.3) | 48 (66.7) | 39 (29.8) | 0 (0.0) | 111 (37.5) |
| Sometimes | 27 (81.8) | 9 (15.0) | 21 (29.2) | 43 (32.8) | 0 (0.0) | 100 (33.8) |
| No | 0 (0.0) | 31 (51.7) | 3 (4.2) | 45 (34.4) | 0 (0.0) | 79 (26.7) |
| DNK/DNA | 2 (6.1) | 0 (0.0) | 0 (0.0) | 4 (3.1) | 0 (0.0) | 6 (2.0) |
| Total | 33 (100.0) | 60 (100.0) | 72 (100.0) | 131 (100.0) | 0 (0.0) | 296 (100.0) |

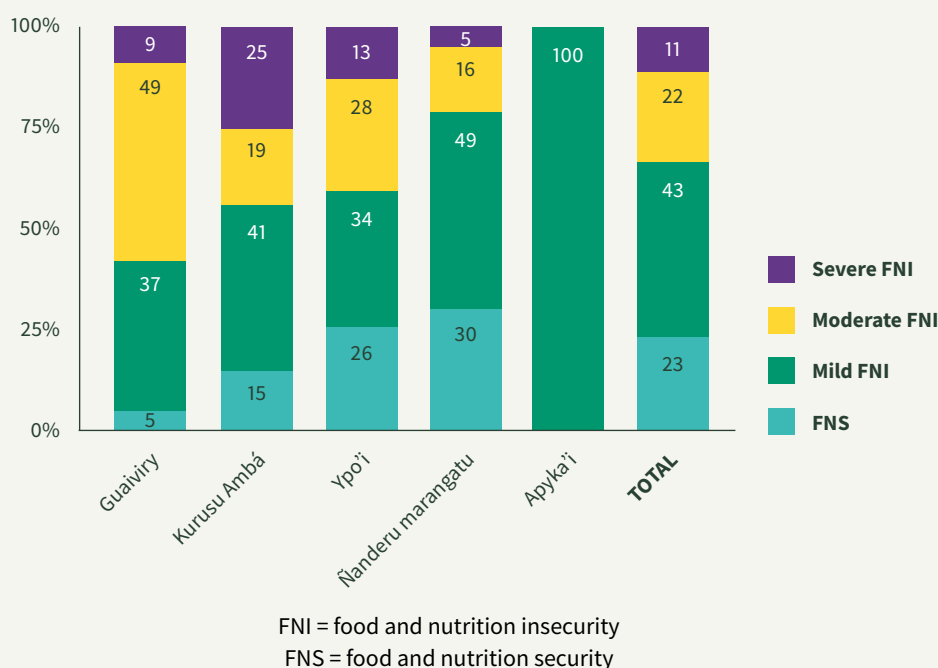
Table 3 shows the consumption of food of the family head the day before the interview. The results indicate food monotony, with consumption basically of rice and beans for most people (94.2% of rice and 89.2% of beans). Only 34.4% of those interviewed had consumed a protein source the day before, 33.1% tubers, 10% greens or vegetables, and only 4.4% consumed fruit. This demonstrates that the food base of the communities is a mixture of foods from the basic basket with those produced in the fields. Regarding ultraprocessed products²¹, only in the territory of Nãnde Ru Marangatu was there consumption of unhealthy food markers. This is mainly due to the proximity of some subareas to the city.

When it comes to school meals, for 10.2% of families school meals are not available. This data indicates that the Programa Nacional de Alimentação Escolar (National School Meals Program- Pnae) is not being offered in a constant and effective way in some of the territories. Of the families that answered the question about whether school meals included food from their culture (a legal requirement), 40.3% said it did not, and 5.1% said it sometimes did.

Regarding social support and protection policies, the most cited benefits were the basic food basket (94.2% of households), Bolsa Família²² (65.4%), state or municipal assistance program (20.0%) and pension (12.7%). Of the families that receive a basic basket, the basket from the Companhia Nacional de Abastecimento (Conab) delivered by Funai reaches 80.0%, with 30.6% also receiving the state's basic basket and 7.5% also that of the municipality.

In the case of Apyka'i, until the completion of the survey, Conab's delivery of the basic food basket was irregular after an interruption in December 2022. In the other restituted areas, monthly delivery occurs irregularly – delays of up to three months were reported, added to insufficiency in quantity and quality. In Guaiviry, families did not receive a basic basket for six months in 2022. In all communities, it was reported that the basket provided by Conab lasts from three to 15 days, depending on the size of the family. **In the municipality of Antônio João, in Nãnde Ru Marangatu, social assistance professionals mistakenly advise on the impossibility of receiving the Bolsa Família benefit when receiving the basic food basket.**

Figure 2 – Mild, moderate and severe food and nutrition security and insecurity in Guarani and Kaiowá restituted areas in Mato Grosso do Sul, Brazil, 2023



21. FIAN uses the term *ultraprocessed products* instead of *ultraprocessed food* – as in the *Guia Alimentar para a População Brasileira* – due to an understanding that these products are not food.

22. Federal direct and indirect income transfer program that integrates social assistance, health, education and employment benefits, aimed at families living in poverty.

Figure 2 shows that the food and nutrition insecurity in all the households, with and without children under the age of 16 is 77.0%, in that moderate food and nutrition insecurity is present in 22.2% and the most severe form in 11.4% – 33.6% of households suffer from an insufficient quantity of food. Analyzing these two conditions, we can consider that hunger is present to some level in the households²³. Even with a moderate food and nutrition insecurity, an adult already lives with a situation that forces him/her to skip meals or eat less food to meet their children's dietary requirements. With the continuation and aggravation of the condition that restricts access, food starts to run out even for chil-

dren and hunger is installed in everyday life. Severe food and nutrition insecurity is an unequivocal way of describing hunger, but we cannot rule out the occurrence of hunger among adults in the family, even in a less serious situation. It can indicate a situation of imminent risk of hunger among all residents and its permanence. The percentages of moderate and severe food and nutrition insecurity were much higher in Guaiviry (58.1%), followed by Kurusu Ambá (44.2%) and Ypo'i (40.9%).

In order to understand the improvement in the food and nutrition insecurity situation in the current survey (2023), it is important to check the data from the previous survey (2013) (Table 4).

Table 4 – Comparison of the data from the surveys carried out in 2013 and 2023 by FIAN Brasil in the Guarani and Kaiowá restituted areas in Mato Grosso do Sul, Brazil

| | 2013 SURVEY | 2023 SURVEY | 2023 SURVEY (two new territories) | | |
|---|----------------------------------|----------------------------------|--------------------------------------|---------|-------|
| TERRITORIES STUDIED | Guaiviry Ypo'i Kurusu Ambá | Guaiviry Ypo'i Kurusu Ambá | Ñande Ru Marangatu | Apyka'i | TOTAL |
| TOTAL NUMBER OF HOUSEHOLDS STUDIED | 98 | 250 | 229 | 1 | 480 |
| PREVALANCE OF FOOD AND NUTRITION INSECURITY | | | | | |
| Number of households evaluated | 75 | 250 | 229 | 1 | 480 |
| Food and nutrition security | 0.0% | 15.0% | 29.8% | 0.0% | 23.3% |
| Mild food and nutrition insecurity | 13.3% | 37.3% | 49.1% | 100.0% | 43.1% |
| Moderate food and nutrition insecurity | 58.7% | 31.8% | 16.1% | 0.0% | 22.2% |
| Severe food and nutrition insecurity | 28.0% | 15.9% | 5.0% | 0.0% | 11.4% |

23. The most recurrent interpretation considers that there is hunger when the household is classified as suffering from severe food and nutrition insecurity. FIAN Brasil has been developing this political-conceptual discussion.

Although three of the territories studied were the same as in the previous survey, the number of households increased in the three territories studied (from 98 to 250). Apart from this, two territories were added to the current survey (Ñande Ru Marangatu and Apyka'i), with a great variation of the households studied (an increase of over 230 households: 229 in Ñande Ru Marangatu and 1 in Apyka'i).

Over the years, if the stabilization of the restitutions is confirmed and violence diminishes, the tendency is for there to be an increase in the number of people that leave the reserves and move to the ancestral spaces. The comparison of the level of food and nutrition insecurity of the three communities studied in 2013 (Guaiviry, Kurusu Ambá and Ypo'i) shows an improvement in these levels, with an increase in the food and nutrition security (from 0.0 to 15.0% of the households); mild increase in the food and nutrition insecurity (from 13.3 to 37.3%); and a fall in moderate food and nutrition insecurity (from 58.7 to 31.8%) and in the severe level (from 28.0 to 15.9%).

These results point to an improvement, especially in relation to the most severe levels, in the three communities. Under the perspective of the human right to adequate food and nutrition, there is, therefore, greater progress in the first dimension of the right than in the second, respectively, *to live free from hunger and to have access to adequate food in different aspects*. From a human rights perspective, these dimensions are indivisible, and living in fear of running out of food is, in itself, a violation.

When we observe the two additional territories in the present research, the total food and nutrition security situation increases (to 23.3% of households), since the tekoha of Ñande Ru Marangatu presented the best food and nutrition security situation (29.8%). Considering other socioeconomic and health information, very little of this progress

seems to be related to the implementation of public policies to promote food and nutrition sovereignty and security. Progress appears to be due to the following reasons:

1. Restitution of the *tekoha*, which allowed for families to settle in the territories over ten years and restore their ways of life, their way of being and producing food; And
2. Relative improvement in access to public policies for providing food in restituted areas, as well as income transfer from municipal, state and federal governments, with emphasis on increased coverage (from 39.6% in 2013 to 65.4% in 2023) and the most recent financial contribution from the Bolsa Família.

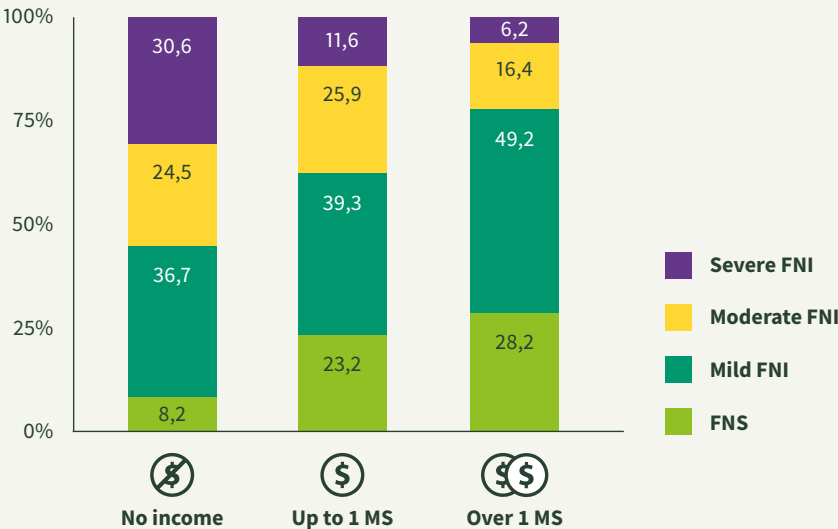
The deliveries of food baskets need to be constantly demanded. Governments frequently suspend food baskets as a way of pressuring indigenous people to vacate their ancestral lands, refusing to fulfill their obligation to provide the human right to adequate food and nutrition²⁴ (Pimentel; Thiago; Thomazinho, 2021).

Even though they have improved between 2013 and 2023, the rates of moderate and severe Food and nutrition insecurity in the territories are alarming, as well as reports of deprivation of the right to adequate food and nutrition. Policies to guarantee territories through demarcations are necessary, since territorial insecurity was identified as a fragility of possibilities and strategies for planting and, consequently, for food and health.

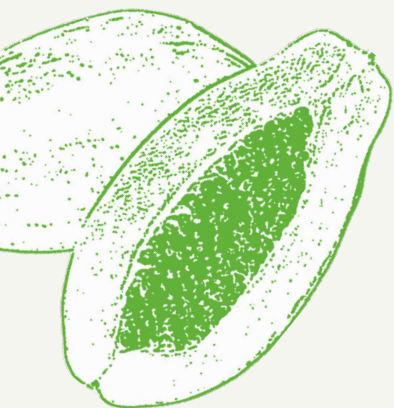
Regarding family earnings, we found that families without a monthly income suffer more from moderate and severe food and nutrition insecurity compared to those with a family income above the minimum salary, as shown in Figure 3. This shows the direct impact of income on fighting hunger, whether through paid work or social benefits.

24. After repeated denunciations of suspension of food baskets and several specific incidents demanding that the State resume the delivery of food baskets, FIAN Brasil prepared a technical note with historical data on the subject, sent to different bodies. The note was attached to Public Civil Action 00019758420174036000, which is being processed by the Federal Court of Campo Grande. Authored by the Federal Public Defender's Office (DPU) and the Federal Public Ministry in Mato Grosso do Sul (MPF/MS), the document demands the end of the "pushing game" between the federal and state governments. In March 2023, a decision was handed down defining the obligations of each entity in relation to the delivery of the food baskets. We shall see if, at least in terms of an emergency, food provision is fulfilled. However, the judicial decision is still the first judgement and can be appealed to in higher courts.

Figure 3 – Relation between monthly family income and food and nutrition insecurity in the five Guarani and Kaiowá restituted territories in Mato Grosso do Sul, Brazil, 2023



FNI = food and nutrition insecurity
FNS = food and nutrition security



When it comes to State action, the deliveries of food baskets and income transfer programs have allowed fewer families to live with hunger in 2023 than in 2013. However, these actions are carried out inconsistently and with irregularities, which leads to the conclusion that the State has advanced in a very insufficient way in protecting, respecting and satisfying the human right to adequate food and nutrition of the Guarani and Kaiowá peoples.

4. STATE OBLIGATIONS



The realization and enjoyment of the right to food depends on the effective fulfillment of other human rights. The indigenous peoples maintain a holistic and organic relationship with their ancestral territory and traditional lands. Producing food is not just a matter of food and nutrition security. It is part of cultural identity, and the right to food cannot be isolated from sovereignty over the place where they live, as well as access to culturally adequate food²⁵. Therefore, with regard to these peoples, the most relevant rights that are prerequisites for the exercise of the human right to adequate food and nutrition are the right to land and territories and related rights, such as those with respect to culture, self-determination and non-discrimination (De Schutter; Burity; Folly, 2021).

The human right to adequate food and nutrition is enshrined in international law and made explicit in the Universal Declaration of Human Rights (Article 25) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Article 11 of the ICESCR recognizes “the right of everyone to an adequate standard of living, which includes adequate food” and “the fundamental right to be free from hunger”. Thus, it is the duty of all States to promote an environment in which people who produce and gather their own food have sufficient access to land, seeds, water and other resources.

Through General Comment 12, the Committee on Economic, Social and Cultural Rights of the United Nations (CESCR) provides that it is up to the State, to progressively provide for the human right to adequate food and nutrition, to observe the obligations to respect, protect, promote and provide for that right.

The obligation to respect existing access to adequate food requires States parties not to take any measures that result in preventing such access. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. (UN, 1999).

The results presented in this study show a picture of denial of the minimum conditions necessary for a dignified existence for the Kaiowá and Guarani peoples, contradicting the most basic premises of human rights agreed to by Brazil. In comparison with the information found by the research carried out in 2013, it is observed that the violations of rights experienced by these ethnic groups are historical, repeated and systemic.

The State continues violating its **obligation to respect** the human rights of the Guarani and Kaiowá people when they maintain measures that block the accomplishment of rights indicated in 2016²⁶. Currently, the Marco Temporal thesis

25. Statement of the indigenous peoples at the 3rd Regional Consultation for Latin America and the Caribbean of Non-Governmental Organizations and Civil Society, held in Guatemala from April 23 to 25, 2004. Available at: http://www.fao.org/tempref/GI/Reserved/FTP_FaoRlc/old/ong/guate01.htm.

26. As mentioned, the State violates its obligation to respect the human rights of the Kaiowá and Guarani peoples when, since the beginning of the 20th century, it supports and encourages the appropriation of their territories by companies, when it violently removes families from their land, finances the production of soy and unregulated cattle farming, paralyzes demarcation processes and proposes anti-indigenous laws.

stands out in that, as previously mentioned, it is being processed within the scope of the three national powers: the Federal Supreme Court (STF), the Senate and the Attorney General's Office (AGU). All decisions taken by the different spheres of power that culminate in poor living conditions and terrible provision of essential public services can be considered violations.

With regards to protecting against the actions of third parties (individuals, groups, companies, etc.) that violate human rights, the State fails to comply

with this obligation in many ways, the most serious being that which allows and naturalizes physical, psychological and symbolic violence and discriminatory actions that prevent the Kaiowá and Guarani peoples from accomplishing their right to education and work²⁷. The **obligation to protect** is also strongly violated when the State does not stop or prevent the use of pesticides and the contamination of bodies, rivers, air and land.

Still looking at General Comment 12 of the CESCR it is defined that:

*...the obligation to fulfil [human rights] incorporates both an obligation to facilitate and an obligation to provide. [...] The obligation to fulfil (facilitate) means the **State must proactively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security**. Finally, whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) that right directly. (UN, 1999, highlighting is ours).*

The violation of the obligations to **promote and provide** the right to food are demonstrated above all in the **lack** of measures that promote conditions for building the food sovereignty of communities. The State, in its different spheres, seems to promote instability and dependence when it denies access to public policies that generate autonomy and stability in relation to the access to food in the short, medium or long term.

Even in the dimension of provision, the problems with food baskets and their distribution seem to illustrate the State's disregard for an almost explicit message about the security and guarantees that these peoples can count on. Such instability may help explain the increase in mild food insecurity between the two surveys, which also reflects the

improvement for households facing more severe degrees of food and nutrition insecurity. The mild dimension of food and nutrition insecurity exists when there is concern about future conditions to feed oneself and one's family.

It is worth noting that the naturalization of hunger and poor nutrition is a greater evil that the country needs to free itself from. Likewise, the image of indigenous people in precarious situations should not be natural or "neutral".

The guarantee of the human right to adequate food and nutrition will only occur based on a set of socio-environmental, cosmological and institutional conditions. The international community can and must contribute to their existence.

27. The case of an advertisement in which the employer mentions "dismisses indigenous people" for a job vacancy in the municipality of Amambai. Available at: <https://g1.globo.com/ms/mato-grosso-do-sul/noticia/2023/06/12/empresa-divulga-vaga-de-emprego-em-post-nas-redes-sociais-mas-dispensa-candidatos-indigenas-em-ms.ghtml>.



5. FINAL CONSIDERATIONS

The studied communities are putting in place actions in an attempt to overcome the social and cultural degradations provoked, supported or tolerated by the State. Despite the significant improvement generated by the recovery of the territory, they are subject to multiple vulnerabilities, especially with regard to the guarantees of the rights to education, health and adequate food, as evidenced by the data.

We reinforce **the need to demarcate the Guarani and Kaiowá territories** in Mato Grosso do Sul (MS), as an initial way of repairing violations and guaranteeing the rights of these peoples. This necessarily involves the **complete rejection of the Marco Temporal thesis**.

With this work, we were able to verify the importance of taking back traditional lands for the promotion of health and food production. In the 2013 survey, no household was identified as being in a situation of food and nutrition security. Ten years after this diagnosis and after the expansion of the recovery of land, hunger, although still present, is much less present than it was.

The guarantee of the human right to adequate food and nutrition will only occur based on a set of socio-environmental, cosmological and institutional conditions. The international community can and must contribute to their existence.

We request the UN Human Rights System and the European Union to:

1. Call on the Brazilian authorities to take immediate measures to protect the security of Indigenous Peoples and ensure that independent enquiries are carried out into the murders and attacks that these populations have suffered for trying to defend their human and territorial rights, so that those responsible are brought to justice;
2. Call on the Brazilian authorities to develop a work plan aimed at prioritizing the completion of the demarcation of all the territories claimed by the Guarani and Kaiowá and to create the technical and operational conditions for this, including the strengthening of FUNAI, bearing in mind that many of the murders are due to reprisals in the context of the reoccupation of ancestral lands;
3. Call on the Brazilian government to urgently implement public policies in Guarani and Kaiowá indigenous communities located in reoccupied areas, especially those related to the rights to education, health, adequate food and nutrition, and civil documentation, considering that they directly benefit indigenous children and young people;
4. To appeal to the Brazilian authorities to reject the temporal milestone (*marco temporal*) thesis (bit.ly/milestoneNO), which is being judged by the Supreme Court in Extraordinary Appeal No. 1.017.365 SC, and by the federal government in Opinion 001/2017/GAB/CGU/AGU of the Federal Attorney General's Office. The temporal milestone thesis limits the recognition of lands traditionally occupied by Indigenous Peoples to those in their possession on 5 October 1988, the date of the promulgation of the Brazilian Federal Constitution, which is strongly contested by indigenous communities;

5. Call on the Brazilian National Congress to reject Bill 2.903/23 (previously Bill 490/07, approved by the Chamber of Deputies on 30 May 2023), which is fiercely opposed by Brazil's Indigenous Peoples. In addition to applying the temporal milestone thesis, Bill 2.903, which is currently being processed in the Senate, violates and alters fundamental aspects of the Brazilian Constitution, weakening demarcation processes and paving the way for the socio-environmental destruction and economic exploitation of territories under special protection.

6. To appeal to the Brazilian authorities to take effective measures to mitigate the effects of pesticides on Indigenous Peoples' health and the environment, including the need to ban aerial pesticide spraying, report cases of intoxication, and hold violators accountable.

Furthermore, we call on the European Union and its member states to:

7. Ensure that existing trade and investment policies, and those currently under negotiation, such as the EU-Mercosur agreement, do not contribute to land conflicts and related human rights violations in Mato Grosso do Sul and other parts of Brazil. For example, through the import of products or the facilitation of investments, that stem from disputed areas / territories claimed by Indigenous Peoples.

8. Put in place and support the necessary regulations at national, regional (EU), and international (UN) level to hold corporations based in – or with a tie to – the European Union and its member States accountable for any environmental damage and human rights violations for which they are responsible.

9. Approve an EU-wide ban on the production and export of highly hazardous pesticides, including active ingredients and products, whose teratogenic, mutagenic, carcinogenic, and environmentally harmful effects have been abundantly proven.

6. REFERENCES

BENITES, E. Tekoha Ñeropu'ã: aldeia que se levanta. **Revista Nera**, Presidente Prudente, v. 23, n. 52, p. 19-38, 2020. Available at: <https://revista.fct.unesp.br/index.php/nera/article/view/7187>.

BRAND, A. J. Os complexos caminhos da luta pela terra entre os Kaiowá e Guarani no MS. **Tellus**, Campo Grande, v. 6, n. 1, p. 137-150, 2004.

CALDAS, J. Quinze trabalhadores são resgatados em condições degradantes na colheita de maçã em SC. **Portal G1**, 2023. Available at: <https://g1.globo.com/sc/santa-catarina/noticia/2023/05/06/quinze-trabalhadores-sao-resgatados-em-condicoes-degradantes-na-colheita-de-maca-em-sc-fotos.ghtml>.

CIMI. **Relatório – violência contra os povos indígenas no Brasil** – dados de 2022. CIMI, 2023. Available at: <https://cimi.org.br/wp-content/uploads/2023/07/relatorio-violencia-povos-indigenas-2022-cimi.pdf>.

CLASTRES, P. **A sociedade contra o Estado**. São Paulo: Cosac & Naify, 2012.

CNV. Violações de direitos humanos dos povos indígenas. In: **Relatório: textos temáticos/Comissão Nacional da Verdade**. Textos temáticos. Brasília: CNV, 2014. (Relatório da Comissão Nacional da Verdade, v. 2). Available at: <https://www.memoriaedireitoshumanos.ufsc.br/files/show/347>.

CRESPE, A. C. **Mobilidade e temporalidade kaiowá: do tekoha à reserva, do tekoharã ao tekoha**. Tese (Doutorado em História) – Faculdade de Ciências Humanas, Universidade Federal da Grande Dourados, Dourados, 2015. Available at: https://www.ppghufgd.com/wp-content/uploads/2017/02/Aline-Castilho-Crespe_tese.pdf.

CUNHA, M. C. **Índios no Brasil: história, direitos e cidadania**. São Paulo: Claro Enigma, 2012.

DE SCHUTTER, O.; BURITY, V. T. A.; FOLLY, F. B. Terra e Território como elementos centrais para a garantia do Direito Humano à Alimentação Adequadas de Povos Indígenas e Povos e Comunidades Tradicionais. In: BURITY, V. T. A. *et al.* (org.). **O Direito Humano à Alimentação e à Nutrição adequadas** – enunciados jurídicos. Brasília: FIAN Brasil; O Direito Achado na Rua, 2021. Available at: https://fianbrasil.org.br/wp-content/uploads/2021/04/Enunciados_Eletronico_.pdf.

FRANCESCHINI, T. **O Direito Humano à Alimentação Adequada e à Nutrição do povo Guarani e Kaiowá: um enfoque holístico** – Resumo Executivo. Brasília: FIAN Brasil, 2016. Available at: <https://fianbrasil.org.br/381-2>.

MARTINS, C. P. “Desaprender 8 horas por dia”: psicologia e saúde indígena. **Fractal: Revista de Psicologia**, v. 33, n. 3, p. 192-198, 2021. Available at: <https://periodicos.uff.br/fractal/article/view/5846>.

MELIÁ, B.; GRÜNBERG, G.; GRÜNBERG, F. **Los Paĩ-Tavyterã: etnografia guaraní del Paraguay contemporáneo**. Assunção: Cepag, [1976] 2008.

MINISTÉRIO DO INTERIOR. **Relatório Figueiredo**. Brasil doc: Arquivo Digital. Fapemig, 1967. Available at: <https://www.ufmg.br/brasildoc/temas/5-ditadura-militar-e-populacoes-indigenas/5-1-ministerio-do-interior-relatorio-figueiredo>.

MORAIS, B. M. **Do corpo ao pó: crônicas da territorialidade kaiowá e guarani nas adjacências da morte**. São Paulo: Elefante, 2017.

OEA. **A CIDH solicita a Corte IDH medidas provisórias em favor dos Povos Indígenas Yanomami, Ye`kwana e Munduruku no Brasil devido à extrema gravidade em que se encontram**. Washington: OEA, 2022. Available at: <https://www.oas.org/pt/cidh/jsForm/?File=/pt/cidh/prensa/notas/2022/107.asp>.

ONU. **Comentário geral n. 12: o direito humano à alimentação adequada (art. 11)**. Nova York: ONU, 1999. Available at: <https://fianbrasil.org.br/wp-content/uploads/2016/12/Comentario-Geral-No-12.pdf>.

PIMENTEL, S. K.; THIAGO, G. A.; THOMAZINHO, G. **Apontamentos sobre o estado atual dos programas públicos de apoio emergencial à alimentação entre os Kaiowa e Guarani de Mato Grosso do Sul**. Nota técnica FIAN Brasil – 02/2021. Brasília: FIAN Brasil, 2021. Available at: <https://fianbrasil.org.br/nota-tecnica-gk-pandemia>.

SAHLINS, M. **Stone Age Economics**. Chicago & New York: Aldine Atherton, [1972] 2004.

SEGALL-CORRÊA, A. M. *et al.* The Brazilian food security scale for indigenous Guarani households: development and validation. **Food Security**, v. 10, p. 1.547-1.559, 2018. Available at: <https://doi.org/10.1007/s12571-018-0847-7>.

SILVA, R. H.. **Cartografia Nativa: a representação do território, pelos guarani kaiowá, para o procedimento administrativo de verificação da FUNAI**. Tese (Doutorado) – Instituto de Ciências Humanas e Filosofia, Universidade Federal Fluminense, Rio de Janeiro, 2003.

About FIAN Brasil

A branch of FIAN International, FIAN Brasil – Organization for the Human Right to Adequate Food and Nutrition has been working for 23 years with life and human dignity as its guiding principle. We carry out constant advocacy activities in the Brazilian state, in foreign states and international organizations, such as the United Nations, the European Union and the Organization of American States, defending the rights of peoples based on the legislation in force.

We have been accompanying the struggle of the Guarani and Kaiowá indigenous people in Mato Grosso do Sul since 2005. We do this while respecting the role of the organizations representing the ethnic groups and in conjunction with the Indigenous Missionary Council (CIMI), FIAN International and other national and international organizations. We start from the principle that respect for the land and territory of a people, as well as their culture and history, is inseparable from the full realization of the human right to adequate food and nutrition.

We made visits to document and record rights violations in the state, which reflect more than a century of omission by the authorities, and took the complaints to Brazilian and international authorities, including the International Human Rights Protection System. In 2013, we carried out a survey with CIMI and a group of researchers to investigate socio-economic factors and assess food and nutritional insecurity in three indigenous communities in Mato Grosso do Sul. The results were published

in 2016 in the report *The Human Right to Adequate Food and Nutrition of the Guarani and Kaiowá People: A Holistic Approach*. The study was the basis for a petition to the Inter-American Commission on Human Rights (IACHR) in 2016, presented jointly with FIAN International, CIMI, Justiça Global and Aty Guasu.

In 2021, a technical note commissioned by three researchers showed how the pandemic has worsened food and nutritional insecurity in the Guarani and Kaiowá territories. The work reiterated the findings of the survey completed five years earlier. The authors point out the centrality of land regularization and support for agroecological production in order to build a dignified and sovereign life.

With this in mind, a case study was carried out in the Te'yikue Village in Caarapó, combining diagnosis and support for local initiatives under the National School Meals Program. The fieldwork carried out in April 2022 gave rise to a documentary (also subtitled in English and Spanish) and publications, available at fianbrasil.org.br/pnaeGK. The organization also takes part in meetings of Catrapovos, an initiative to promote the adoption of traditional food in indigenous schools and quilombola, extractivist and caiçara communities, among others.

This document presents a summary of the results of the food and nutritional insecurity survey carried out in 2023, which reassessed the situation of the three territories visited in 2013 and included two other communities in the diagnosis.


About FIAN International

FIAN International is an organization that has been defending the human right to adequate food and nutrition since 1986. Through its national sections and various international networks, it carries out its work in more than 50 countries.

Over three decades, it has supported more than 700 cases against human rights violations around the

world, working with communities and grassroots movements to fight for their human rights.

FIAN International has consultative status with the UN Human Rights Council and is active in international bodies such as the Committee on World Food Security and the OAS Inter-American Human Rights System.



The state of Mato Grosso do Sul (MS) has the third largest indigenous population in Brazil. Since the arrival of the Portuguese, the Guarani and Kaiowá have suffered several human rights violations. At the beginning of the 20th century, these violations became worse, especially after the forced removal from traditional territories.

Throughout the last decades, the violations were systematically documented and denounced, by the Brazilian government as well as by national entities and institutions and by indigenous organizations themselves.

A branch of FIAN International, FIAN Brasil – Organization for the Human Right to Adequate Food and Nutrition has been accompanying the struggle of the Guarani and Kaiowá since 2005.

In 2013, FIAN Brasil, in partnership with CIMI and with a group of researchers, investigated socioeconomic factors and evaluate food and nutrition insecurity in three indigenous communities in MS. At the time, all the 75 households studied where children and young people were living were suffering from some level of food and nutrition insecurity. Our organizations have been carrying out international incidences to hold the Brazilian State accountable for such situations.

A new research reassessed the situation of the three previously visited territories and included the two other communities in the diagnosis in 2023. The results of the two studies are compared in this publication. The findings verify the importance of taking back traditional lands for the promotion of health and food production.

Faced with the repeated omission (when not involvement) of the Brazilian authorities, this document recalls the obligations of the Brazilian state and makes recommendations to the UN and the European Union.



...

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