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Excellency,

The Committee would like to recall its letter of 7 March 2008, by which, in accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure, it requested the State party to provide detailed information, no later than 30 June 2008, with respect to issues in connection with the indigenous land of Raposa Serra do Sol, in particular regarding remaining legal or judicial impediments that might prevent the full implementation of the Presidential Decree of 15 April 2005; measures taken to ensure a peaceful removal of all illegal occupants, and the exact dates for the completion of this process; as well as the process to obtain free, prior and informed consent of the indigenous peoples concerned with regard to the project to explore hydroelectric resources in this indigenous land.

The Committee regrets not having received, to this date, any information from the State party in this respect. Meanwhile, the Committee has received information from other sources alleging that:

1. Following the beginning of the removal operation, the security situation in Raposa has been precarious, as illustrated by the violence on 5 May involving the shooting of 10 indigenous individuals;
2. In light of this violence, and following a request by the Governor of Roraima, the Federal Supreme Court has suspended all removal operations; leaving approximately 56 non-indigenous settlements that remain on indigenous lands, some of which are expanding their farms;
3. A law to authorize a dam on the Cotingo River running through Raposa has passed the Senate, and is currently under consideration by the House, without prior consultation with indigenous peoples.


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4. The judiciary continues to deny indigenous peoples the ability to secure compliance before the court with the Presidential Decree, whereas investigations and prosecutions related to crimes committed against the indigenous peoples of Raposa remain uncompleted.

In accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure, the Committee wishes to receive, in addition to previously requested information, the views of your Government regarding the above, in particular regarding progress on the removal of non-indigenous settlers from Raposa; intentions to carry out consultations with affected indigenous peoples before the final adoption of the law authorizing the exploitation of water resources within Raposa; the status of investigations and possible prosecutions of crimes against indigenous peoples in Raposa; and measures taken to guarantee the security of the indigenous peoples of Raposa.

Allow me, Excellency, to reiterate the wish of the Committee to continue the constructive dialogue with your Government, and to underline that the Committee's observations and requests for information, are made with a view to assisting your Government in the effective implementation of the Convention.

Yours sincerely,



Fatimata-Binta Victoire Dah

Chairperson of the Committee for the  
Elimination of Racial Discrimination