

URGENT ACTION

FAMILIES LEFT HOMELESS, THREATENED BY GUNMEN

Sixty families from two rural communities in the state of Maranhão, northeast Brazil, were left homeless and landless after being forcibly evicted by Maranhão police. The community Campo da Bandeira has also been threatened and intimidated by gunmen patrolling the area. Four community leaders have been “marked down for death”.

On Wednesday 13 November, 45 families from the Campo da Bandeira community and 15 families from the Arame community were forcibly evicted and left homeless and landless by Maranhão police following an order of the Maranhão Court of First Instance. The Maranhão authorities did not provide adequate notice and families were given only a few hours to leave their homes and land in spite of a pending appeal by the communities against the eviction order. Other safeguards, including opportunities for genuine consultations with affected people, were also not put in place prior to the eviction. The families had nowhere to go and are currently staying in the headquarters of the Rural Workers Union of Alto Alegre municipality. The land occupied by the two communities has been the subject of an ownership dispute between the state of Maranhão and a private entity. At the same time, the Land Institute of the State of Maranhão has been engaged in a land entitlement process that involves the settlement of claims of communities occupying the land. This process has been completed for the Arame community and is near completion for Campo da Bandeira. On 14 October, Campo da Bandeira community suffered another attack when five men have burned part of the community's homes and crops. Despite a series of complaints, police have not carried out adequate investigations into the threats and attacks to the community of Campo da Bandeira and the authorities have not provided any protection to guarantee their safety. According to information received, four community leaders, **José Santana, Nena Rodrigues do Nascimento, João Rosa de Souza Filho, and Antonio Gaspar Ribeiro**, have received direct death threats by unidentified gunmen operating in the area.

Please write immediately in English, Portuguese or your own language:

- Urging the authorities to investigate thoroughly the attacks against the community Campo da Bandeira and the threats to the four community members “marked down to death” and to guarantee their safety;
- Calling on them to provide emergency adequate housing for the families who were forcibly evicted;
- Calling on them to ensure that the forcibly evicted families are allowed to return to their land in safety and dignity, provided with assistance to rebuild their homes and protected from further attacks until the conclusion of the land entitlement judicial process;
- Calling on them to ensure a swift and transparent conclusion to the land entitlement process in the region so as to prevent conflict over land in rural areas in the state of Maranhão.

PLEASE SEND APPEALS BEFORE 30 DECEMBER 2013 TO:

Governor of Maranhão State

Roseana Sarney
Palácio dos Leões
Av. Dom Pedro II s/nº, Centro
São Luís, Maranhão
CEP: 65010-904, Brazil
Fax: + 55 98 2108 9084
**Salutation: Dear Governor / Exma.
Sra. Governadora**

Minister of Rural Development

Gilberto José Spier Vargas
Ministério do Desenvolvimento Agrário
Esplanada dos Ministérios
Bloco A / Ala Norte Brasília – DF
CEP: 70050-902, Brazil
Fax: + 55 61 2020 0057
**Salutation: Dear Minister / Exmo. Sr.
Ministro**

And copies to:

FETAEMA – Federação dos
Trabalhadores e Trabalhadoras Rurais
do Maranhão
Rua Antônio Rayol 642
Centro, São Luís, Maranhão
CEP: 65015-040, Brazil
Fax: + 55 98 3219 8704

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

FAMILIES LEFT HOMELESS, THREATENED BY GUNMEN

ADDITIONAL INFORMATION

The two communities have faced several threats of evictions and repeated attacks from landlords in the region since the commencement of the land entitlement process in 2007. The delays in concluding the process have been aggravating conflict between rural communities and landlords in the region. On September 14 five or six armed men attacked the Campo da Bandeira community and repeatedly shot at families and their belongings. Two rural workers were injured after the attacks.

In October, 20 community leaders and representatives of CPT, the Church Commission on Land, met with representatives of ITERMA, the Land Institute of the State of Maranhão to emphasise the urgency of finalizing the entitlement process for the community of Campo da Bandeira.

The Government of Brazil is obligated under a range of national and international human rights laws to respect, protect and fulfil the right to adequate housing and prevent and refrain from forced evictions. This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR) which guarantees the right to adequate housing under Article 11(1). Article 17 of the International Covenant on Civil and Political Rights (ICCPR), to which Brazil is party, provides protection against arbitrary and unlawful interference with privacy, family and home. Further, in its General Comment 7, paragraph 14, the UN Committee on Economic, Social and Cultural Rights has emphasized that even when an eviction is considered to be justified, "it should be carried out in strict compliance with the relevant provisions of international human rights law and in accordance with general principles of reasonableness and proportionality."

According to the Catholic Land Commission (Comissão Pastoral da Terra, CPT) land disputes have led to over a thousand murders since the 1970s. Very few of these cases have been successfully prosecuted. Several hundred rural activists are believed to be in grave danger for their work.

Frontier areas where illegal loggers and ranchers operate in the north of the country have a history of rural conflict and violence. The lack of effective state presence in these areas, and a lack of political will to intervene, has meant that rural elites have been able to use force with impunity against environmental and land activists.

Impunity remains a key obstacle. According to the CPT, over 1,500 have been killed in rural violence since 1985, but less than 100 people have been convicted. Over 1,800 rural activists have received death threats over the past decade. In 2012, 36 people were killed due to conflict over land, 3 of them in Maranhão State.

On 30 October 2010, Flaviano Pinto Neto, a leader of the Charco quilombola community, in Maranhão, was killed with seven shots to the head (see UA 244/10, AI Index AMR 19/016/2010). Community leaders from the Salgado and Pontes Quilombos communities in Pirapemas have also been threatened (see UA: 369/11, AI Index AMR 19/018/2012 and UA: 245/12, AI Index AMR 19/011/2012). In June 2011, a rural community in the Tocantins state also received threats (see UA: 168/11, AI Index AMR 19/009/2011).

Name: José Santana (m), Nena Rodrigues do Nascimento (f), João Rosa de Souza Filho (m), Antonio Gaspar Ribeiro (m) and 60 families in rural communities in Maranhão

Gender m/f: both

UA: 312/13 Index: AMR 19/010/2013 Issue Date: 18 November 2013