

PUBLIC

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**Further Information on UA 205/06 (AMR 19/028/2006, 02 August 2006) Forced eviction / Fear of use of excessive force**

**BRAZIL**

**Over 1,000 families in Pará State**

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Action by lawyers, combined with pressure from Amnesty International and other groups, has forced the suspension of eviction orders affecting more than 1,000 families in Pará state. "Without doubt the letters sent through the coordinated campaign of Amnesty International to the authorities had a massive influence", said Jose Batista Afonso of the *Comissão Pastoral da Terra*, the Pastoral Land Commission, CPT.

These families are now permitted to live on the land, where they had built homes, started schools, cultivated crops and reared animals. However, more than 1,800 families were evicted in July and August, by the *Batalhão de Choque da Polícia Militar*, (Military Police Shock Troops) an elite state police force, from settlements in the southern regions of Pará state, and 1,400 other families are facing imminent forced eviction following a court order obtained by the state authorities.

The evicted families have moved to camp sites in the fields nearby or by the side of the road. Since their houses, schools and crops were destroyed, they have to subsist on hand outs from the *Instituto Nacional de Colonização e Reforma Agrária* (INCRA), the National Institute for Colonization and Agrarian Reform, a federal government agency. The evictions violated the right to an adequate standard of living, including the rights to adequate housing, food and water as guaranteed under the International Covenant on Economic, Social and Cultural Rights.

Further forced evictions – if carried out without assurances of alternative accommodation – again would be grave violations of human rights under international law. In addition, despite the non-violent nature of the evictions in July and August, Pará state has a long history of land-related violence. Therefore, Amnesty International fears that these families are in grave danger.

The threatened families form part of a much larger group of families, originally numbering around 12,000, who have been waiting for a decision concerning their land rights for several years. Many of them have been occupying land which has been deemed "unproductive" by the state, and is therefore eligible to be handed over to the occupying families. Allegedly, INCRA has been slow in determining whether the previously unproductive lands should be handed over to the families in accordance with provisions in the law. The delays occurred even though six of the ranches were reported to be illegally situated on federal land while a further five of the ranches were found to be using slave labour, factors which were subsequently deemed decisive in the suspension of the eviction orders.

#### **BACKGROUND INFORMATION**

Amnesty International regularly receives reports concerning the slow pace of land reforms in Brazil, which increasingly puts landless families at risk of violence, and of social deprivation resulting from eviction. The process for appropriating land has reportedly been fraught with problems, but should include: an assessment by INCRA of the claims of non-productivity of a section of occupied land; when this is established, the valuation of the land; finally the reimbursement of the landowner prior to its being handed over in plots to those occupying the land.

Successive governments have fallen short of meeting land reform targets. In June 2002, months before the presidential elections, the *Partido dos Trabalhadores* (PT) Workers' Party, promised to provide 400,000

families with plots of land. However, in the first two years of the government, fewer than 70,000 families were settled on land expropriated by the government.

Amnesty International has long denounced land related violence in the state of Pará. The violence has been sustained by a painfully slow judicial system which perpetuates a state of impunity. In 2005, 16 rural workers were killed, while a further 96 received death threats. Over the last 10 years, on average, 13 rural workers have been killed every year. On 13 September 2006, three landless peasants were reportedly ambushed and killed on their way to a recently established *acampamento* on the Santa Tereza farm in the south of Pará. The killings follow in the wake of the denunciation, by a Brazilian NGO, of three more alleged killings, earlier this year, of rural workers in Pará.

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

- welcoming the suspension of eviction orders affecting over 1,000 families in Pará state, but expressing concern for the safety of 1,400 other families threatened with forced eviction;
- urging the authorities to guarantee the 1,800 evicted families the right to an adequate standard of living in accordance with international standards, including the International Covenant on Economic, Social and Cultural Rights, to which Brazil is a state party;
- urging the authorities to respect human rights, particularly those of landless people, in the process of agrarian reform;
- calling on the authorities to outline the steps they are taking to end land-related killings and violence in Pará state, and urging them to disband armed militias in Pará immediately as part of these measures.

**APPEALS TO:**

State Governor, Pará

Governador do Estado do Pará  
Exmo. Sr. Governador Simão Robison Oliveira Jatene  
Palácio dos Despachos  
Rodovia Augusto Montenegro, Km 9  
66823-010, Belém – PA, Brasil  
**Fax: + 55 91 3248 0133 / 3201 3743**  
**Salutation: Vossa Excelência / Your Excellency**

State Secretary for Social Defence

Secretária Especial de Defesa Social  
Exma. Sra. Secretária Teresa Lusía Mártires Coelho Cativo Rosa  
Avenida Nazaré, 871  
66035-170, Belém – PA, Brasil  
**Fax: + 55 91 3201 3635**  
**Salutation: Exmo. Sra Secretária / Dear Secretary**

Federal Minister for Agricultural Development

Ministro do Desenvolvimento Agrário  
Exmo. Sr. Ministro Guilherme Cassel  
Esplanada dos Ministérios, Bloco "A"  
70054-900, Brasília – DF, Brasil  
**Fax: + 55 61 2107 0061**  
**Salutation: Exmo. Sr. Ministro / Dear Minister**

Federal Human Rights Secretary

Exmo. Sr. Secretário Especial dos Direitos Humanos  
Sr. Paulo de Tarso Vannuchi  
Secretaria Especial dos Direitos Humanos  
Esplanada dos Ministérios  
Bloco T, 70064-900, Brasília – DF, Brasil  
**Fax: + 55 61 3226 7980**  
**Salutation: Exmo. Sr. Secretário / Dear Secretary**

**COPIES TO:**

Church Land Commission

Comissão Pastoral da Terra

Rua Travessa 13 de Maio, 208

68500-000, Marabá – PA, Brasil

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 31 October 2006.