

# URGENT ACTION

## COMMUNITY THREATENED BY LOCAL RANCHER

**Around 20 families from the quilombo community of São José de Bruno in Matinha, Maranhão State, are currently being threatened and intimidated by a local rancher. The rancher has placed a gunman in the area in order to push the quilombo community members off the remaining lands.**

Around July 2014, a local rancher encroached upon part of the São José de Bruno community territory, where he deforested part of the area and fenced it off, thus preventing some of the quilombo community families from growing their crops on the land, and released cattle in the area. After several attempts by community members to protest against the illegal actions of the rancher, he placed a gunman to patrol the area. The rancher also verbally threatened some community members and said that he intended to take over the land, that it belonged to him and that "it could even result in deaths".

São José de Bruno is home to around 20 families and it was officially recognized as quilombo territory (territory belonging to communities comprising of descendants of former runaway slaves) in September 2013. In December 2013 the Maranhão Institute for Land (Instituto de Terras do Maranhão, ITERMA) formally recognized the community's right to the land, an area of around 380 hectares.

São José de Bruno community members say that they have reported the threats against the community in the past and the recent presence of the gunman to local authorities and the police. However, there was no response or action from the authorities. In September 2014, the community registered a formal complaint in their local police station. Last week, the Rural Workers Union also filed a petition requesting the state to take action to protect the community's land from encroachment. The presence of the gunman has created an atmosphere of fear and intimidation which has been exacerbated by the state's failure to respond to the community's appeal for protection. Conflict over land and threats of violence and attacks against rural and quilombo communities are common in Maranhão state. According to the Pastoral Land Commission (Comissão Pastoral da Terra) five rural community leaders have been killed in 2014 as a result of conflict over land in the state.

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

- Urging the authorities to immediately provide full protection to the quilombo community of São José de Bruno, in accordance with their needs and wishes;
- Urging them to investigate the threats against community members and bring those responsible to justice;
- Urging them to guarantee community's full access to their land, preventing any illegal encroachment by farmers or other people from outside the community.

### PLEASE SEND APPEALS BEFORE 5 DECEMBER 2014 TO:

#### Public Security Secretary

Marcos José de Moraes Affonso Jr  
Avenida dos Franceses s/nº  
Vila Palmeira, São Luís  
CEP: 65.036-283  
Maranhão, Brazil  
Email: segurancapublica.ma@gmail.com  
Salutation: Dear Secretary

#### President of Maranhão Institute for Land

(Instituto de Terras do Maranhão,  
ITERMA)  
Luiz Alfredo Soares da Fonseca  
Rua das Hortas 270  
Centro, São Luís  
CEP: 65020-270  
Maranhão, Brazil  
Salutation: Dear President of ITERMA

#### And copies to:

Sindicato dos Trabalhadores Rurais de  
Matinha [Rural Workers Union in  
Matinha]  
Praça Raimundo Penha 1.255  
Centro, Matinha  
CEP: 65218-000  
Maranhão, Brazil

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

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

**AMNESTY**  
**INTERNATIONAL**



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### ADDITIONAL INFORMATION

In 1996, residents of the São José de Bruno community founded the Union of resident descendants of quilombo in the village of São José de Bruno (União de Moradores Remanescentes de Quilombo do Povoado de São José de Bruno). Since then, the association has been fighting to formalize the community's access to land. In September 2013, the Palmares Foundation issued a certificate formally acknowledging the community as a quilombo. In November 2013, the Maranhão Institute for Land (Instituto de Terras do Maranhão, ITERMA) issued the title of domain on behalf of the community, formally granting their right to the land.

Community members told Amnesty International that they fear for their safety due to the presence of a gunman on their land threatening them. They stated "we in the community are not armed, so now we are scared" (*nós na comunidade não anda armado, então a gente fica com medo*). They say that they are afraid to die but they are also afraid to take any action, fearing retaliation. They have been trying to protest against the threats through institutional channels for a few months, but no action has been taken. They say "We are waiting for justice... to see what the justice system will do..." (*a gente fica esperando a justiça... pra ver o que a justiça faz...*). One of the residents affirmed that "If we go soft, if we don't do anything, he will run over us. But we go hard on him, he might use more violence. So, we are now here reunited to know what to do." (*Se a gente amolecer, não fizer nada, ele vai passar por cima. Mas se a gente endurecer, ele pode usar mais violência. Então a gente está aqui reunido para saber o que fazer*).

Quilombos are Afro-Brazilian settlements, which were first established at the end of the 16th century in remote rural areas in Brazil by escaped and freed slaves that resisted slavery. The 1988 Brazilian Constitution (Articles 215 and 216) acknowledges the right of descendant communities to the lands historically occupied by quilombos. In particular, Article 68 of the Transitory Dispositions states that "Final ownership shall be recognized for the remaining members of the quilombo communities who are occupying their lands and the state shall grant them the respective land titles" (*Aos remanescentes das comunidades dos quilombos que estejam ocupando suas terras é reconhecida a propriedade definitiva, devendo o Estado emitir-lhes os títulos respectivos*). A series of federal and state laws has been introduced to regulate how the quilombos' lands are identified and how titles are to be given to the remaining communities. The Presidential Decree number 4.887 from 20 November 2003 regulates the procedures for identification, demarcation and land entitlement for quilombo communities.

In addition to the national legislation, Brazil is a party to the International Labour Organization's Convention 169, the American Convention on Human Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, which reaffirm the rights of Afro-descendant groups to cultural and land rights as well as the principles of non-discrimination and equality before the law.

There are over 3,000 quilombo communities in Brazil. Hundreds of administrative procedures have been initiated before the National Institute of Colonization and Agrarian Reform (INCRA) but less than 10 per cent of the communities have yet received their land titles. Only in the state of Maranhão itself there are around 1,000 quilombo communities. A little bit more than 400 have been issued the certification of the Palmares Foundation and are waiting for INCRA to implement the following necessary steps to complete the land entitlement process. From 2003 – when the Decree 4.887 was issued - to date, INCRA has not issued any land title for a quilombo community in the state of Maranhão. This extremely slow process for quilombo communities recognition and land entitlement puts communities in a vulnerable position in terms of housing and food production but also puts them at risk of threats and direct attacks from land owners and gunman who act to take over their land.

Name: Quilombo community of São José de Bruno  
Gender m/f: both

UA: 268/14 Index: AMR 19/012/2014 Issue Date: 24 October 2014