

PUBLIC

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UA 205/06 Forced eviction / Fear of use of excessive force

BRAZIL Over 1,000 families in Pará state

Over 1,000 families in the southern and southeastern regions of Pará state are facing imminent forced eviction following a court order obtained by state authorities. Pará state has a long history of land-related violence, and Amnesty International fears that the families are in grave danger.

About 4,000 families, totalling approximately 15,000 people, are affected by the court order. Some of them have already been evicted from land on 17 ranches, which had largely been deemed "unproductive" by the federal body which oversees land reform. The majority of the families have been living on the land for more than three years. They have built houses, cultivated crops and reared small animals. On all the ranches, schools have been established, which are attended by hundreds of children.

A state court has ordered that the families be forcibly removed by a special force within the state military police (*Comando de Missões Especiais*, Special Missions Command), consisting of more than 200 officers. Amnesty International has documented high levels of land-related violence and police violence in Pará state, including the Eldorado dos Carajás massacre in 1996, during which 19 land activists were killed by the military police.

If the families are evicted from the land, they risk being made homeless, without access to adequate food and clean water, and exposed to the weather conditions. As a result, they would be vulnerable to ill-health and disease. The families are at risk of being deprived of earning a living, without compensation. Eviction under these circumstances would violate the right to an adequate standard of living, including rights to adequate housing, food and water as guaranteed under the International Covenant on Economic, Social and Cultural Rights, to which Brazil is a party. Under international law, forced evictions - carried out without assurances of alternative accommodation - are a grave violation of human rights.

Amnesty International has also received reports suggesting that eviction warrants were issued by the court even though procedures for appropriation of land for the purposes of agrarian reform, set out in federal law, had not been followed. According to the *Instituto Nacional de Colonização e Reforma Agrária* (INCRA), National Institute for Colonization and Agrarian Reform, the official body responsible for land reform, 15 of the 17 occupied ranches were deemed "unproductive" and were therefore suitable for appropriation by the state in order for the occupying families to be settled there. Six of the ranches are reported to be illegally situated on federal land while a further five of the ranches were found to be using slave labour.

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 2004, the Church Land Commission (CPT) stated that 173 people had been killed in Pará in the preceding 10 years, while 501 people received death threats. The majority of the killings took place in the southern and southeastern regions of the state. In 2005, 16 rural workers were killed, while a further 96 received death threats. In all, 772 people were killed over a 33-year period from 1971 until 2004, while only three people were convicted in relation to these killings. Over the last 10 years, on average, 13 rural workers have been killed every year.

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

- expressing concern for the safety of over 1,000 families threatened with a forced eviction;
- urging the authorities to guarantee the 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 for an immediate disbanding of armed militias in Pará to reduce land related violence;
- calling on the authorities to outline the steps they are taking to end land-related killings and violence in Pará state.

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 13 September 2006.