

URGENT ACTION

COMMUNITY AT IMMINENT RISK OF FORCED EVICTION

The community of Restinga is in imminent risk of forced eviction due to the construction of a highway in Recreio dos Bandeirantes, Rio de Janeiro. After months of threats, on 22 October at 9:00am council workers, accompanied by heavily armed civil and military police, began bulldozing a commercial district that has existed for over twenty years, destroying five shops.

The community was not given any prior warning of the operation, which involved over a hundred state functionaries including heavily armed police. When they challenged council workers to produce a judicial order for the demolitions, they were told this was not needed and that they should “keep quiet” and “not interfere”. Residents demanded that the workers produce identification, but were threatened with arrest.

Council workers told residents that they would return by 5 November to demolish houses and that if there was any resistance they would use force and take away their belongings. One resident told Amnesty International that on 22 October council workers destroyed his shop without warning, forcing him to construct a make-shift stall to protect his goods and machinery. Three days later, the council returned and removed his stall, taking his merchandise away.

Since the announcement of the intention to build the Transoeste highway and the release of lists of communities effected, including Restinga, residents of the 153 family-strong community which was established over 50 years ago, have never received any notification of the council’s plans or opportunities to discuss the matter with officials. Residents told Amnesty International that on a previous attempt to carry out the eviction on 22 July, council workers arrived unannounced and sprayed “SMH” (Secretaria Municipal de Habitação) on the houses to be removed. They were told that their houses would be demolished in five days and council workers tried to make residents sign documents without allowing them to read them, offering them apartments in housing estates 30 kms away. They were also told if they tried to judicially challenge the decision they would be left with nothing. Only after the intervention of the Public Defenders Office was the eviction averted.

PLEASE WRITE IMMEDIATELY in English, Portuguese or your own language:

- Calling for an immediate moratorium on evictions of communities affected by the construction of the Transoeste highway, including Restinga;
- Urging that the authorities to fulfil their obligations under the International Covenant on Economic, Social and Cultural Rights, municipal law and the Brazilian Constitution, giving residents full and timely information about government proposals affecting their community, engaging in a genuine negotiation with the community to explore all alternatives to eviction, and where necessary offering full compensation or alternative, adequate housing close to the existing community;
- Calling on the authorities to investigate all alleged illegal actions, threats and intimidation on the part of the authorities against communities allocated for eviction.

PLEASE SEND APPEALS BEFORE 10 DECEMBER 2010 TO:

Eduardo Paes
Prefeito

Prefeitura Municipal do Rio de Janeiro

Centro Administrativo São Sebastião
Rua Afonso Cavalcanti, 455
Cidade Nova (Estácio)
20.211-110 - Rio de Janeiro/RJ –
Brasil

Fax: + 55 21 2273 9977

Salutation: Exmo. Sr. Prefeito

Pierre Batista

Secretário Municipal de Habitação
Secretaria Municipal de Habitação –
SMH
Rua Afonso Cavalcanti, 455 / 4º andar -
Anexo – Cidade Nova
Cep: 20.211 - 110
Fax: + 55 21 2293-8694 (fax)

Salutation: Exmo. Sr. Secretário

And copies to:

Dr. Alexandre Mendes
Núcleo de Terras e Habitação
Defensoria Pública Geral do Estado
Av. Marechal Câmara, 314, 2º andar –
Centro
20.020-080 - Rio de Janeiro/RJ - Brasil

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

The city of Rio de Janeiro is currently undergoing extensive infrastructural works to prepare for the hosting of the World Cup in 2014 and the Olympic Games in 2016. Three transport corridors for express bus services are planned, the TransOlimpica, TransOeste e TransCarioca. Many communities are now threatened with eviction along these routes. According to Rio de Janeiro's Public Defenders Office (Defensoria Pública) in many cases the municipal authorities have been acting illegally by denying basic information to the communities affected, failing to negotiate with communities or explore alternatives to evictions, and not offering adequate alternative housing.

Many of the residents Amnesty International has spoken to said that the council was pressuring them to leave their homes. They also said that the level of compensation was inadequate for them to buy a similar house in their area and that the only alternative had been small apartments in housing estates 30-40 kilometres from where they were currently living. Many of these estates are in Campo Grande, the west zone of the city, which is currently dominated by mafia-like para-policing groups, and is unsuitable for resettlement.

Amnesty International visited the community of Restinga in October 2010. During the visit, residents gave Amnesty International delegates a statement which read: "we are suffering constant pressure, living in fear, without being able to sleep peacefully, frightened by the idea that we will be forced out without respect for our rights guaranteed in the constitution... we don't have anywhere to go, many of us are elderly, retired, without family; others have children and grandchildren who study and work in the region... the council's idea is for us to abandon our houses, our businesses and our social life in exchange for a miniscule apartment a long way from our region... we want the council to respect the laws... which give us the right to just compensation. We want to live in our neighbourhood, where we have set down roots."

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