

# URGENT ACTION

## BRAZILIAN COMMUNITY SHOT AT, LIVES AT RISK

The quilombola community of Santa Maria dos Moreiras, Maranhão state in Brazil is being threatened by armed men who have fired shots near their settlement. The threats form a part of a systematic campaign of intimidation, which has included the destruction of crops, threatening the community's livelihood.

Armed men approached the Santa Maria dos Moreiras quilombola community – in the municipality of Codó – on 3 November in two motorcycles and one car. They fired shots in the direction of the 33 families that comprise the community. This attack came after a series of threats to the community attributed to a local politician, who is a landowner in the area. On 6 April, armed men destroyed the community's palm plantations.

On 5 May, the community complained to local police that a tractor was destroying forested areas; the following day, the local police chief visited the community to say that the tractor, accompanied by armed police guards, would continue to uproot the forest. The same police chief made a threatening phone call to the office of local NGO, the Pastoral Land Commission (*Comissão Pastoral da Terra*), after the NGO filed a complaint with the National Agrarian Ombudsman (*Ouvidoria Agrária Nacional*).

The threats are related to the community's attempts to become officially recognized as a quilombola community (a community composed of descendants of former runaway slaves), which involves the disappropriation of private land. There are over 400 quilombola communities in Maranhão, but less than thirty have been officially recognised. Many of these communities have been threatened and subjected to violence as a result of their struggle for land rights.

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

- Urging the authorities to guarantee the safety of the Santa Maria dos Moreiras quilombola community and thoroughly investigate all allegations of threats and the destruction of crops;
- Urging them to complete the process of land recognition so as to minimise the risks the community currently faces;
- Calling on them to uphold the rights of all quilombola communities so as to promote their effective and long-term security.

### PLEASE SEND APPEALS BEFORE 21 DECEMBER 2012 TO:

#### Federal Human Rights Secretary

Exma. Secretária Especial  
 Maria do Rosário Nunes  
 SCS Bloco B, Quadra 09, Lote C,  
 Ed. Parque da Cidade, Corporate,  
 Torre A, 10º Andar CEP: 70308-200  
 Brasília/DF  
 BRAZIL  
**Fax: 011 55 61 2025 9414**  
**Salutation: Dear Secretary/ Exmo. Sr.**  
**Secretário**

#### Governor of Maranhão

Exma. Sra Governadora Roseana Sarney  
 Palácio dos Leões – Av. Dom Pedro II, s/nº  
 Centro 65.010-904 - São Luís/MA,  
 BRAZIL  
**Fax: 011 55 98 2108 9252; (please ask for:**  
**'sinal de fax por favor')**  
**Salutation: Dear Governor/ Exma. Sra**  
**Governadora**

#### And copies to:

#### Pastoral Land Commission

Comissão Pastoral da Terra – Maranhão  
 Rua do Sol, nº 457, Centro  
 CEP 65020-590,  
 São Luís – MA  
 BRAZIL

#### Also send copies to:

Ambassador Mauro Vieira, Embassy of Brazil  
 3006 Massachusetts Ave. NW, Washington DC 20008  
**Phone: 1 202 238 2805 | Fax: 1 202 238 2827 | Email: [ambassador@brasilemb.org](mailto:ambassador@brasilemb.org)**

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

**AMNESTY**  
**INTERNATIONAL**



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## ADDITIONAL INFORMATION

Quilombos 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 quilombola 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.

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). Community leaders from the Salgado quilombola community in Pirapemas have also been threatened (see UA 369/11).

In addition to the national legislation, Brazil is a party to the International Labor 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 quilombola 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 to receive their land titles.

**Name:** Thirty-three families from the quilombola community of Santa Maria dos Moreiras (m/f)  
**Issues:** Community at risk, Economic social and cultural rights

**UA:** 328/12  
**Issue Date:** 9 November 2012  
**Country:** Brazil

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