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Rio de Janeiro, April 19, 2016.

Mr. Michel Forst
Special Rapporteur on the Situation of Human Rights Defenders

c/o Office of the High Commissioner for Human Rights, United Nations Office CH- 1211
Geneva, Switzerland

Via e-mail: defenders@ohchr.org

Ref: Updating information about cases of human rights defenders (HRDs) murdered in Brazil.

Dear Mr. Michel Forst,

Justiça Global, Terra de Direitos (Land of Rights), Conselho Indigenista Missionário (Indigenous Missionary Council), Comissão Pastoral da Terra (Pastoral Land Commission), Artigo 19 (Article 19) and Sociedade Maranhense de Direitos Humanos (Maranhão Human Rights Society) are hereby updating, according to the solicitation of this Rapporteurship, the information about the murder of eight (08) human rights defenders (HRDs) in Brazil in 2016 described in the JG/31/2016 report sent last March. We emphasize that all representatives of the defenders murdered have confirmed their permission to make their names public on the actions that may be taken by this Rapporteurship.

We reiterate that the escalation of violence against HRDs in Brazil is still intense. We remember that only on 07 April other three were killed, two arrested and dozens injured, according to the report submitted on 11 April by the Brazilian Committee of Defenders of Human Rights, network of which organizations cited here are members.

Furthermore, we are adding at the end of this document information on four (04) other HRDs killed in recent days, which means that only in 2016 there have been already at least 17 murdered. We reinforce, thus, our concern with the extremely unfavorable atmosphere for the actuation of HRDs, which falls within a severe scenario of conservatism advance and increasing threats to social movements and democracy at this time in Brazil.

Cases update

Case Marcus Vinicius de Oliveira – Jaguaribe/Bahia.

1. Has there been any police investigation?

There is an ongoing police investigation and although it has yet not been closed it is proceeding slowly. There has been pressure put on the investigators, especially by institutions and social forces associated professionally and politically with Marcus. Those involved in the murder, however, have not yet been arrested, and continue to act in the community making public threats to residents.

2. Some more information about his work as human rights defender

His political activity has always been marked by the perspective of human rights. Two important activities fronts:

- Participation in the Anti-Asylum Movement (Luta Antimanicomial) in Brazil, of which he was an important leader advancing the forms of psychosocial care consistent with the progress of psychiatric reform in the country. He participated for more than 20 years in the Anti-Asylum Movement and was an important policy maker. He proposed the creation of a national Anti-Asylum Movement celebration date in Brazil (May 18th), helped elaborating the structure of the movement which is constituted by mental health professionals, users (patients) and their families, working to ensure the active participation of its users. In Bahia, he created the Crazy Pride (Orgulho Louco) movement, which held demonstrations with the participation of many users of the mental health system and their families. He led the struggle for approval of the Psychiatric Reform Anti-Asylum Law, which was enacted in 2001 (Law 10.216). He was one of the mentors of the Court of Peace Crimes (Tribunal dos Crimes da Paz) held in December 2001 in the Federal Senate and sponsored by the Federal Council of Psychology (Conselho Federal de Psicologia - CFP), when a symbolic trial of psychiatric hospitals has been held. In 2003, he played an important role in the creation and organization of the National Network of Anti-Asylum (RENILA), having led the March of Mental Health Users to Brasilia to demand the Fourth National Conference on Mental Health.

- In the Federal Council of Psychology (CFP), where he served in several administrations between 1997 and 2007, he helped to consolidate the relationship between Psychology and Human Rights. He conceived and was the Coordinator of the National Human Rights Commission (2002-2007); proposed the creation of Permanent Human Rights Commissions at the Federal Council and the Regional Councils of Psychology. Moreover, he conceived and coordinated human rights caravans that visited institutions such as mental hospitals and prisons, resulting in reports of abuses and ill-treatment observed and delivered to the Federal Public Ministry. Marcus Vinicius also held many actions with the National Human Rights Commission of the Federal Council of Psychology, such as: placing coffins and crosses on the terrace garden in front of the National Congress to protest against the violent deaths of young people by state agents in a campaign called "For our children, no jail or coffin! For the total application of the child and youth statute"; holding demonstrations at several embassies to protest against the disrespect for human rights in countries around the world. He also promoted with this

Commission several of the Academic Article Awards on Human Rights encouraging scientific and professional research in this field. He led the campaign called “The Worst of the Worst”, against Brazilian forensic psychiatric hospitals that impose "life sentences"; campaigns against prisons; campaign “For a world where all worlds fit (Inclusion)”. Since 1999, he helped to institute the National Psychology and Human Rights Seminars. He took part in demonstrations in the Plaza de Mayo in Buenos Aires, with the "Mothers of May." Supported and made possible the denouncement by the families to the UN of the deaths in the psychiatric hospital in Sobral (in the state of Ceará).

- It is also worth noting that in the district of Pirajuía (in the municipality of Jaguaripe), where he lived, he led in 2007 an action that prevented the destruction of a vast area of mangrove forest for the installation of private owned shrimp farm.

3. What are the events that led to the murder? How did he die and did he suffer from constant threats?

Marcus was a direct victim of land grabbing action in the area of the construction of the Shipyard Enseada do Paraguaçu, a construction that is linked to the Plan for Growth Acceleration (PAC), which is 17km from the Pirajuía district in the municipality of Jaguaripe (state of Bahia), where he had lived since 2013. This year, he won in court the repossession of the land that, being already in his possession, was invaded and resold by land grabbers that operate in the region. His murder, with characteristics of an execution, occurred about four months after his possession of the land.

Since 2009 he had been confronting this problem. This year he registered an assault and death threat police report that he suffered after the invasion of his land by his neighbor who is currently under suspicion of involvement in his murder. The public death threats he endured in the community intensified in 2013, when the court ruled in his favor to give repossession of the land, with police assistance.

He watched the transformations that took place in the community where he lived and the surrounding communities since the beginning of the construction of the Shipyard Enseada do Paraguaçu, especially those related to the increasing violence in the region. Two weeks before his assassination, he followed with concern the arrival of drug trafficking in Pirajuía, marked by the murder of a young member of the community. Because of his background defending the community against the destruction of mangroves and confronting the land grabbing there through legal means, he knew that his presence represented an obstacle to interests of those spreading fear and violence in the community. The day before his assassination he expressed concern about this. With his death, on February 4th 2016, the number of murders in the community reached 4 in a three month period. In a community that does not reach 5,000 inhabitants, this figure is alarming.

Case Nilce de Souza Magalhaes - Rodonia

1. Has there been any police investigation?

Nilce de Souza Magalhaes case has been closed by the Police, and three men were accused by Federal Prosecutors. The Judge of the 1st Court of Jury in Porto Velho has received

the accusations against EDIONE PESSOA DA SILVA, LEONARDO BATISTA DA SILVA, and OZIEL PESSOA FIGUEIREDO, and the judge is now awaiting for the defense of the accused. The inquiry found that the three men, who were neighbors of Nilce, killed her at the behest of Edione, and the supposed reason was that Nilce had told to a man that his wife was having an extramarital relationship with Edione. Nilce's family does not deny this fact. The three accused confessed the murder, but only Edione has been arrested. The lawyers Cíntia Barbara and Gustavo Dandolini were hired by the family as private prosecutors and will help the Public Ministry in the indictment of the three men identified as the killers.

The public prosecutor opened a second police inquiry into alleged involvement of other people, neighbors of Nilce and family of Edione, women who in theory did not like Nilce. This is because in a search of the house, a bloody knife hidden in a drawer was found and because their versions in the inquiry changed constantly. However, this week the Criminology Institute revealed that the knife did not have human blood on it, which will weaken the second inquiry.

The body of Nilce de Souza Magalhaes has not yet been found, and searches ceased some time ago.

The Brazilian Movement of People Affected by Dams (Movimento dos Atingidos por Barragens - MAB) question these police investigations because they claim that the death of Nilce is related to her activities against Norte Energia (North Energy) and in defense of people affected by the building of dams in the region.

2. Some more information about her work as human rights defender

Nilce was known in the region for taking part in the Movement of People Affected by Dams (MAB), defending people affected and denouncing human rights violations by the consortium Energia Sustentável do Brasil (ESBR), responsible for the Jirau hydroelectric power plant. She was the daughter of rubber tappers who came from the city of Xapuri, (state of Acre), to Abunã in Rondonia, where they have lived for more than fifty years until they were affected by the project. In the early years of the plan construction, fishing began to be seriously affected, making life extremely difficult for fishermen. In the year 2014, the community was also affected by a large flood worsened by the hydroelectric reservoir that flooded the homes of river dwelling families, destroying crops, work material, among other belongings.

3. What are the events that led to the murder? How did she die and did she suffer from constant threats?

What led to the murder of Nilce is still unclear. The police investigation has a version that is disputed by the MAB which claims that her death is related to her conduct against the hydroelectric plant, her rebellious stance in defense of the community where she resided. At the end of 2015, Nilce had signed a power of attorney to lawyer Cintia Babara, for her to enter an action for compensation against the Jirau Plant, given that the plant representatives accused her in a report of having kidnapped and held hostage representatives of the plant.

The police investigation concluded otherwise and the defendants confessed. However, their versions have changed a few times and without the appearance of the body, it becomes difficult to reach a conclusion. MAB and her family fear that this will affect a trial by jury.

Case Enilson Ribeiro dos Santos, Valdiro Chagas de Moura - Rondonia

1. Has there been any police investigation?

Given the barbarity of the facts, the police at times announce that they will investigate, but nothing was actually been done and nothing was reported up to now. Jaru police district, where the killings took place on January 23rd, 2016, is responsible for the investigation. In this region, whenever the case in which those murdered are rural workers the police does not investigate, since there is evidence that crimes are committed by police members themselves. They compromise the crime scenes, conceal evidence, etc. Their omission is part of the action to hinder the investigation of crimes.

2. Some information about their work as human rights defenders.

Enilson Ribeiro dos Santos was the state coordinator of the League of Poor Peasants movement (Liga dos Camponeses Pobres - LCP) and Valdiro was coordinator of Paulo Justino Camp (Paulo Justino was another leader, assassinated on May 1st, 2015). They were sons of peasant families from the region. Since he was a child, Enilson participated in land occupations. His mother took part in the takeover of the old farm Santa Barbara, in the municipality of Machadinho do Oeste, in the valley of Jamari (Valley of Rio Jamari, central region of Rondonia, where 14 of the 21 killings of landless workers in the state of Rondonia have taken place in 2015 and 2016.) His participation was basically to organize meetings and participate in the organization of families who were already in their respective areas, specifically in the Paulo Justino Camp and nearby areas, which was the case of Valdiro Chagas de Moura.

3. What are the events that led to the murder? How did they die and did they suffer from constant threats?

The main reason is the struggle for land, which is not a simple thing in that region of Rondonia. The estate landowners are the powerful ones. The peasants and their leaders live under constant and serious death threats by them. On April 5th, a group of unidentified people set fire to the MST (Landless Movement) Hugo Chaves Camp, located at Km 4 on the side of highway RO-140 in Cacauplandia, in the Jamari Valley of Rondonia. The residents were driven out with gun shots on Monday (4th). About 300 people including men, women, elderly and children, went to stay in lodgings in town. Everyone heard about the fire of their homes through news published on social media networks. Police was notified and only appeared hours later. The head gunmen was recognized by the group and he has a property very close to the area, but he was never questioned by the police. There are constant events that threaten the landless people in this region and the person most suspect of arming and organizing the groups of gunmen is Colonel Eneidy, who was appointed as commander of the Military Police in the State.

Case Francisca das Chagas Silva - Maranhão

1. Has there been any police investigation?

Francisca das Chagas Silva was found dead in the mud in the northern city of Miranda, in Maranhão on February 2nd, 2016. According to information of the Federation of Agricultural Workers of the State of Maranhão (FETAEMA), a police investigation had started, however it

stopped two months ago.

2. Some information about her work as human rights defender.

She was a leader of the Union of North Miranda Rural Workers and organizer of the quilombo Joaquim Maria.

3. What are the events that led to the murder? How did she die and did she suffer from constant threats?

There are no reports of death threats against the workers union her, but her community has had conflicts for decades, a fact widely reported in Maranhão.

Case Ronni dos Santos Miranda - Maranhao

1. Has there been any police investigation?

Ronni Miranda dos Santos, 27 years old, was executed by two men in the center of Amarante do Maranhao, 700 km from the capital Sao Luis, on February 1st 2016. According to the Rural Workers Union of Amarante do Maranhao (STTR), police investigation was initiated; however there has been no investigation activities for two months now.

2. Some more information about his work as human rights defender.

Ronni dos Santos Miranda was a union leader and was running for the committee of the STTR of Amarante as the General Secretary of the organization when he was killed. The election took place in early March 2016. Ronni was in charge of various demands of the STTR, especially land issues and organization of workers.

3. What are the events that led to the murder? How did he die and did he suffer from constant threats?

There was no registered death threat against Ronni. However, many agrarian conflicts involved the STTR, especially in the conflict called Belo Monte 3, in which three people were killed between 2014 and 2015, also without any ongoing investigation.

Case Edmilson Alves da Silva - Alagoas

1. Has there been any police investigation?

After the assassination, the Civil Police of Porto Calvo which is in charge of solving the crime searched through the town and nearby areas considering that the settlement is on the border of the cities of Japaratinga and Porto Calvo. However, no concrete results have been reached because when the HRD was murdered he was alone waiting for transportation to the city of Maceio, capital of the state of Alagoas. Some people in the community are being called to give testimony at the police station. The case is under investigative secrecy.

2. Some more information about his work as human rights defender.

Edmilson Alves da Silva was militant and Coordinator of the Landless Workers Liberation Movement, at Settlement Sister Daniela. He was president of the association, rural workers, participated in the mobilization actions for the right to land.

3. What are the events that led to the murder? How did he die and did he suffer from constant threats?

Prior to this, it was never registered by the victim that he or his role in the community were being threatened.

Case Luiz Antonio Bonfim - Communist Party of Brazil and Landless leader - Pará

We could not contact the representatives of the human rights defender. We continue trying to get contact and when we have more information we will send it to the Rapporteur.

Additional information

Genésio Guajajara Amarante, indigenous leadership – Maranhão (murders)

Aponuyre Guajajara

Fernando Gamela

Isaiás Guajajara

Assis Guajajara

On the morning of April 11, Genésio Guajajara, 30, resident in the village of Formosa, in Araribóia indigenous territory, in the Municipality of Amarante, southern Maranhão, was killed with a stick blows and shot in the chest. Genesio was in town to receive a basic food basket, which was being distributed by the National Indian Foundation (FUNAI), when he was assassinated. A police report was filed in town police station, but so far there is no information as to the authorship of the crime and motivation.

Human rights organizations express concern about the crime investigation, which may not evolve, as in other cases involving indigenous deaths and those responsible remain unpunished.

Between March and April, the number of dead indigenous was alarming. In March (exact date unknown), Aponuyre Guajajara, 16, was killed by several shots. In April the 07, was killed with three gun shots, Fernando Gamela, 22, in Taquaritiua community, Viana municipality. On the 19th, "Indian Day" was murdered Isaias Guajajara and on 22, Earth Day, was murdered Assisi Guajajara: his body was found lifeless in a stream with marks of blows.

In addition to the insecurity frame that hangs over the city, both for indigenous people and for non-indigenous, these killings suggest that the motivations can be the spread of hatred against indigenous or even the creation of a death squad acting in the region¹. The Guajajara

¹ For more information see: http://cimi.org.br/site/pt-br/?system=news&conteudo_id=8660&action=read

people has been facing illegal loggers exploiting the region in a resistance that has lasted years now.

João Bigode, militant in the Movement of Small Farmers (MPA) – Bahia (murder)

In Santana, municipality of Antonio Gonçalves, around 7pm of April 15, two people occupying a white car, Senhor do Bonfim plates, killed the farmer and militant of the Movement of Small Farmers (MPA), João Pereira de Oliveira known as João Bigode, at his residence. The human rights defender (HRD), in addition to being one of the first militants of the MPA in the northern Bahia region, was President of Santana Village Residents Association, religious leadership of the Catholic Church, contributed with the Trade Union Movement, with the Agricultural Family School of Antonio Gonçalves, with the Commission Municipal Water and Diocesan, with ASA, with CPT (Pastoral Land Commission) and various other organizations in the territory of Piemonte Norte do Itapicuru (TIPNI).

According to police information of the 54th CIPM (Independent Military Police Company), based in Campo Formoso, men would have called the HRD's name in front of his house and, when he showed up, they fired six gunshots. According to the Military Police, the men escaped towards the Tijuacu District of Senhor do Bonfim city. Demarches were made, but without any success. Participated in the diligences one garrison of Filadelfia (6º Military Police Battalion) and the garrisons of PETO (Special Tactical Ostensive Squad) and Antonio Gonçalves².

Neighbors, farmers and militant companions attach the execution to his activities for the right to land in the locality and the current persecution of social movements context in Brazil, and expressed repudiation of the murder.

José Conceição Pereira, community leader in the neighborhood of Coroadinho - São Luis, Maranhão (murder)

On the night of April 13, in the neighbourhood of Coroadinho in São Luis, Maranhão, the HRD was killed with a shot in the neck inside his home. The crime is being investigated by the Superintendence of Homicide (SHPP) and the Police of Bom Jesus (10th DP), and the suspect Elias Ferreira Pereira, the 'Monk,' was arrested the next day. Police continue investigations to know the motivation of the crime and if there are others involved. José Conceição Pereira, 58, was known as "Brother Coroadinho" and, being a community leader, was quite popular. From October last year to April this year there were killed four community leaders in the state of Maranhão³.

² Sources: <http://blogdoeloiltoncajuhy.com.br/site/agricultor-e-militante-do-mpa-e-assassinado-em-antonio-goncalves/> e <http://vozcamponesa.blogspot.com.br/2016/04/nota-de-repudio-pelo-o-assassinato-de.html>.

³ Sources: <http://g1.globo.com/ma/maranhao/noticia/2016/04/lider-comunitario-e-assassinado-com-tiro-na-cabeca-em-bairro-de-sao-luis.html> e <http://g1.globo.com/ma/maranhao/noticia/2016/04/suspeito-de-matar-lider-comunitario-no-coroadinho-e-presos-em-sao-luis.html>

Manoel Messias Pereira “Benhur”, blogueiro – Maranhão (murder)

On August 9, another blogger from Maranhão was murdered. Manoel Messias Pereira, author of a blog about local politics, was shot in the back in Grajaú in Maranhão, while driving his motorcycle. Two men were the authors of the shots.

Besides the blog, Manoel "Benhur" as he was known, also worked for the Municipal Secretariat of Housing. According to police chief Idaspe Perdigão, responsible for the investigations, there are different investigative lines being considered, but none of them works on the assumption that the crime is related to Pereira's professional activity. Still, the main suspicion is that the murder was premeditated, since there was no subtraction of any object.

This is the third blogger killed in Maranhão in less than six months and follows a pattern similar to the previous murders, Italo Diniz and Roberto Lano, in 2015. The first was killed on November 13, hit by four shots fired by two men on a motorcycle in the city of Governador Nunes Freire⁴. He had registered police reports in which revealed to suffer death threats⁵. Roberto Lano, who died in Buriticupu on the 21st of the same month, also by a man on a motorcycle, had made complaints about the mayor of Buriticupu, José Gomes (PMDB) in his last post. In this case, the state Department of Public Safety works with the hypothesis of a crime on demand because of his work. Between murders, attempted murders and death threats, Maranhão recorded six cases against bloggers only in 2015.

Ailson dos Santos Truká, indigenous - Caruaru, Pernambuco (attack at gunpoint, HRD survived)

The indigenous leader Yssô Truká, as is known, was attacked at gunpoint on the morning of April 16, and is hospitalized in stable condition at the Regional Hospital of Caruaru. He was hit by three shots and is in the hospital under escort of federal police protection.

The attack occurred at about 5am in front of a house maintained by indigenous students of the Federal University of Pernambuco (UFPE), who often spend weeks away from their villages because of the academic activity. The residence is near the campus of UFPE in the neighbourhood New Caruaru, farthest region of the city centre.

With other indigenous, including one of his sons, Yssô arranged luggage in the vehicle that would take them back to the village, located in the municipality of Cabrobó, when two gunmen on a motorcycle approached the leadership executing the shots. The neighbouring houses surveillance cameras filmed the all the action. Before the attack on the indigenous, the gunmen passed by on motorcycles to recognize Yssô. Later on, they returned and fired the gunshots. According to witnesses, there was no assault notice and nothing was subtracted from Yssô or any other indigenous present at the place of the facts. The police authorities have not yet spoken or made any comment.

⁴ See: <http://g1.globo.com/ma/maranhao/noticia/2015/11/blogueiro-e-assassinado-tiros-em-governador-nunes-freire-ma.html>

⁵ See: <http://politica.estadao.com.br/noticias/geral,mais-um-blogueiro-e-assassinado-no-maranhao,1800324> and <http://g1.globo.com/ma/maranhao/noticia/2015/11/blogueiro-e-morto-com-um-tiro-na-cabeca-em-buriticupu-ma.html>

Yssô is an important leadership of Truká people who for decades struggles for the demarcation of traditional indigenous lands dispersed in the São Francisco river islands. Dena and Jorge Truká, Yssô's brother and nephew, were two of the Truká leaders killed fighting for their land, on 30 June 2005. The chief (cacique) Neguinho Truká, also Yssô's brother, has suffered countless death threats, attacks and he has already spent months out of Pernambuco as a protective measure.

Considering the scenario described above, the signatory organizations call for urgent action from the United Nations regarding human rights violations in Brazil, mainly related to the advancement of conservative, anti-democratic speeches and actions and therefore harmful to the social movements and human rights defenders.

Sincerely,

Artigo 19
Conselho Indigenista Missionário
Comissão Pastoral da Terra
Justiça Global
Sociedade Maranhense de Direitos Humanos
Terra de Direitos



Sandra Carvalho
Justiça Global