



*Permanent Mission of Brazil to the United Nations Office in Geneva
Chemin Camille-Vidart, 15 – 1202 - Genève*

Nº 12/2025

The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights - Special Procedures Branch - and has the honour to refer to the joint communication AL BRA 6/2024, dated November 12th 2024.

The Permanent Mission would like to submit the attached information from the Government of Brazil.

The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the United Nations High Commissioner for Human Rights - Special Procedures Branch - the assurances of its highest consideration.

Geneva, January 14th 2025.



To the
Office of the United Nations High Commissioner for Human Rights
(OHCHR), Special Procedures Branch
ohchr-registry@un.org



FEDERATIVE REPUBLIC OF BRAZIL

HUMAN RIGHTS COUNCIL

AL BRA 6/2024

ANTÔNIO FRANCISCO DE SOUSA ARAÚJO

STATE REPORT

JANUARY 2025

1. The Office of the United Nations High Commissioner for Human Rights (OHCHR) forwarded to the Federative Republic of Brazil an allegation letter (AL BRA 6/2024) signed by the Special Rapporteur on the situation of human rights defenders (Mary Lawlor) and the Chair-Rapporteur of the Working Group on the rights of peasants and other people working in rural areas (Geneviève Savigny).

2. The communication, written in English, addresses threats and attacks allegedly perpetrated against Mr. Antônio Francisco de Sousa Araújo, a leader of the rural community of Vergel, in the state of Maranhão, whose work aims at exposing land grabbing and illegal logging in the region.

3. The UN body requests that the State submit observations on the following topics:

Provide any additional information and/or comments regarding the allegations mentioned;

Provide information on any investigations conducted in response to the alleged attempted invasions of Mr. Araújo's residence on October 12 and 24, 2024;

Confirm whether a request was received for Mr. Araújo to be included in the human rights defenders' protection program, whether the request was accepted or denied, and, in the case of denial, provide the justification;

Provide information on the status of investigations conducted into the murders of four of Mr. Araújo's family members since 2007, including measures taken to hold perpetrators accountable, ensure justice for the victims and their families, and guarantee the safety of the Vergel community as a whole.

4. Accordingly, the Federative Republic of Brazil hereby presents its observations.

Information from the State Secretariat for Human Rights and Popular Participation (SEDIHPOP) of the State of Maranhão - MA

5. This text aims to provide information on measures adopted in the case of the Vergel community, located in Codó/MA, involving activities of the Maranhão State Program for the Protection of Human Rights Defenders (PEPDDH-MA) and the State Commission for the Prevention of Violence in Rural and Urban Areas (COEV).

I. Monitoring by COECV¹ in the Vergel Community

6. The Vergel case involves a land conflict of familial origin, arising from a dispute over possession of land, legally based on an inheritance proceeding registered under nº 0000008-81.1984.8.10.0033, pending before the 3rd Court of Codó/MA. The dispute is fueled by conflicting interests among heirs and involves serious allegations of land grabbing, environmental crimes related to deforestation, threats, and murders of local leaders.

7. The ongoing inheritance litigation, whose original lawsuit was first filed nearly four decades ago, has exacerbated tensions in the aforementioned community. Mediation efforts, however, have proven unsuccessful. Even after formalizing an agreement defining areas of possession and terms of coexistence on May 17, 2022, COECV continued to receive reports of violence against Vergel residents.

8. In light of this information, COECV took the following actions:

a) **To the State Public Prosecutor's Office:** Submitting information regarding the ongoing socio-environmental conflict in the Vergel village, municipality of Codó/MA, emphasizing the breach of the agreement signed on May 17, 2022. It also highlights the worsening social and territorial tensions, with recent reports of threats, intimidations, land alienations, and enclosures.

b) **To the Department of Public Security:** Requesting actions to open an investigation into the reported incidents, particularly the threats against residents of the Vergel community, according to the most recent complaint dated from October 12, 2024. It further requests regular police patrols in the area to prevent an escalation of violence and ensure public order, considering the history of homicides and attempted murders related to the agrarian conflict.

c) **To the Municipal Department of Social Assistance:** Requesting the inclusion of Vergel residents in municipal assistance programs to mitigate social and economic vulnerability arising from the prolonged land dispute and violations of

¹ Maranhão State Committee for Preventing Rural and Urban Violence.

fundamental rights. It emphasizes the importance of ensuring emergency support to strengthen institutional protection for the families involved.

I.1. Developments in the Case in 2024

9. On October 12, 2024, through its institutional on-call service, COECV received information from a local leader reporting severe death threats. The report refers to Mr. Antônio Francisco de Sousa Araújo (victim), who claimed to have been approached by a man identified as “██████████”, already known for allegedly attempting to murder another individual.

10. As reported by the victim, ██████████ acted under orders from ██████████
██████████
██████████

11. According to the report, ██████████ went to Mr. Araújo’s residence armed with a machete, declaring his intention to kill him on behalf of the alleged instigators. Mr. Araújo managed to repel ██████████ by pushing him out of his house. Later, ██████████ allegedly supplied the accused with a firearm.

12. On the morning of October 13, 2024, Mr. Araújo informed COECV that he again encountered ██████████ in the community, and was once received death threats in this occasion. Given these developments, COECV requested the Department of Public Security to take the following actions:

- **Opening an investigation:** Initiating investigative proceedings to thoroughly address the reported threats, identifying and holding those involved accountable, to ensure the victim's physical safety and the local community's peace.
- **Monitoring the situation:** Continuously tracking the dynamics of the conflict by security authorities to prevent an escalation of violence and maintain public order.
- **Immediate deployment of police patrols:** Reinforcing police presence in the region through regular patrolling to deter violence, safeguard residents' security, and prevent the conflict from worsening.

13. In the most recent confrontation, there was reportedly an arson attack on the house used as support by Antônio Francisco de Sousa Araújo as part of attempts to

intimidate him into leaving the disputed property. Consequently, COECV reiterated its requests to the Department of Public Security to expedite the criminal proceedings for holding the alleged perpetrators accountable.

14. Since then, COECV has been monitoring the case to prevent situations of risk and oversee direct public policies aimed at ensuring the human rights of the community members. This case remains under continuous observation by SEDIHPOP, through COECV, whose aim is to prevent risks and guide public policies to protect the community's human rights.

II. Case History and Requests – PEPDDH²

15. First, it is important to note that the Maranhão State Secretariat for Human Rights and Popular Participation (SEDIHPOP) has been managing the State Program for the Protection of Human Rights Defenders (PEPDDH-MA) since 2015, in partnership with the Maranhão Society for Human Rights (SMDH). The program aims to implement measures to protect the physical and psychological health of individuals, groups and communities facing threats due to their advocacy for human rights, ensuring the continuation of their work.

16. In 2016, the case was referred by the Federal Government to PEPDDH-MA due to the conflict's escalation, which culminated in the murder of Antônio Isídio, the claimant's brother.

17. Initially, the case was submitted to the Maranhão Victims and Witness Protection Program (PROVITA-MA). However, no consent for this type of protection was given by the victim at the time, as enrollment in the program requires mandatory relocation from the risk area.

18. Later, in January and February 2017, the PEPDDH-MA technical team conducted two risk assessment sessions, during which the claimant detailed the history of

² All the information mentioned herein is in accordance with the principles and guidelines established by Decrees n. 6.044/2007 and 8.724/2016, both issued by the Federal Government, and referred to by the Manual for Procedures within Human Rights Defenders' Protection programs (Manual de Procedimentos dos Programas de Proteção aos Defensores de Direitos Humanos), and in accordance with the Administrative Orders n. 288/2016, from SEDIHPOP, and n. 507/2022, from the Ministry of Human Rights.

agrarian conflicts and their intensification over the past 15 years due to disputes among heirs and others with familial ties who claimed inheritance rights.

19. During these assessments, the claimant reportedly took some self-protection measures. At that time, emergency relocation was offered, but the claimant did not accept this measure.

20. Consequently, regarding the initial request, the technical team concluded that the claimant did not meet the criteria for enrollment in PEPDDH-MA. Although threats and risks were present, the claimant was not engaged in collective advocacy but instead sought recognition of his hereditary rights to the rural property. As such, the threats were not linked to his role as a human rights defender, lacking both causality and the profile of a defender, which are essential for being included in such program. Therefore, the PEPDDH-MA deliberative council decided not to include the claimant in the program.

21. In 2023, following a renewed request and a reconsideration petition submitted by FETAEMA, joint risk assessments by PEPDDH-MA and PROVITA-MA teams were conducted at the Parish House in Timbiras to present the protection programs to the claimant once more and update information about the conflict and the threats.

22. After the protection programs were presented, including their entry requirements and procedural limitations, the claimant stated that he would not consent to PROVITA-MA enrollment. Regarding PEPDDH-MA, he expressed interest only if relocation, even if temporary, was not required.

23. Despite the claimant's struggle for land rights as a rural worker, the evidence suggested this was an individual contend. The assessment reiterated that, based on his account, he was not involved in collective movements for territorial defense nor associated with advocacy groups or associations. Therefore, it was again decided not to include him in PEPDDH-MA.

24. In 2024, following another request and re-evaluation, the findings aligned with previous conclusions. The threat persisted due to the inheritance litigation. There was no identifiable network of local allies to support protection strategies, nor elements confirming his status as a human rights defender. Additionally, his refusal to consider

relocation was deemed a potential non-cooperative behavior incompatible with the protection program's requirements.

25. Thus, the PEPDDH-MA technical team recommended against inclusion during a deliberative council meeting on March 5, 2024, attended by FETAEMA. The council decided to keep the case open pending fulfillment of recommendations outlined in technical report 04/2024/PEPDDH/SMDH, specifically:

- Enhancing the claimant's understanding of human rights, his role as a defender, and his willingness to adopt new behaviors, including collective protection measures and self-protection protocol;
- Securing a formal commitment from FETAEMA, the requesting entity, to assist in developing protective strategies, considering the complexity of the 39-year inheritance dispute and the potential for conflict resolution through agrarian reform expropriation.
- Conducting a second assessment in the locality, involving local partners, and holding a meeting with FETAEMA to jointly analyze protection strategies. The claimant's rejection of temporary relocation could be considered non-cooperation. If subsequent visits show adherence to proposals and favorable conditions, enrollment for a limited protection period may be reconsidered.

26. Following these recommendations, the council requested that the case continue under COECV monitoring.

27. In light of the information provided and the ongoing request under deliberation, a meeting with potential local networks was held in November to address technical team recommendations and identify local partners to support protection strategies. The observations from previous assessments, however, still indicated the absence of necessary elements for inclusion, as outlined in Ordinance No. 507, February 21, 2022.

§ 1° For program entry, there must be causality between the threats and the individual's activities as a human rights advocate, with express consent and adherence to Program norms..

28. On December 6, 2024, due to new reports of violence and the identified risk of death, the PEPDDH-MA deliberative council president authorized *ad referendum* the claimant's inclusion in the program for six months. This decision will subsequently be presented to the full deliberative council for evaluation.

29. These are the available details regarding the reported threats and attacks against Mr. Antônio Francisco de Sousa Araújo.

Brasília, January 2025.