

PUBLIC

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UA 165/09 Forced eviction

BRAZIL Over 200 homeless families

Over 400 families were forcibly evicted from a government building on 16 June; more than 200 families are now encamped in extremely precarious conditions in an enclosed space under a viaduct in the centre of São Paulo. Supported by local NGOs, the families plan to stay under the viaduct until the authorities offer them adequate alternative housing.

The families, who were all homeless, had been occupying a government building owned by the INSS (Brazilian social security) which according to the the *Movimento Sem-Teto do Centro*, Homeless Movement of Central São Paulo (MSTC) had been empty for over 20 years and was earmarked to be used for social housing. They were served with an eviction order but were not given adequate notice; there was no consultation or attempts to identify alternatives to the eviction; they were not told when the eviction would take place, nor were they offered any alternative accommodation. To avoid being removed by force, they left the building peacefully. Roughly half went to stay with relatives or friends. With no other option the others – over 200 families - set up a makeshift encampment by the side of a main road in central São Paulo, Avenida Nove de Julho.

The municipal authorities subsequently offered them places in council hostels, which the families rejected on the grounds that the accommodation was short-term, would break up the families, separating women and children from their husbands, and that there were insufficient places for the whole group.

On the night of 18 June riot police arrived, giving the families 40 minutes to leave the area. When the families refused to move, the riot police advanced on them using teargas, pepper spray and batons. The homeless people set fire to furniture and mattresses and made them into a roadblock, then fled. Council trucks then came and took away the rest of their belongings, including blankets, pots, pans and stoves. According to the MSTC, five homeless people were injured during the operation, including a child. Police allege that the homeless people threw stones at them and that four of their officers were slightly injured, a claim disputed by the MSTC.

The group, which includes elderly people and babies as young as nine months, returned to the encampment completely destitute fearing further police action, sleeping in shifts to keep watch. On 22 June, the riot police returned to clear the area once more. After negotiations the group was moved to a closed-off space under a viaduct, with no water or electricity. NGOs are now working to make the space habitable.

BACKGROUND INFORMATION

São Paulo has a chronic shortage of housing for low-income families, who are often forced to live in the shanty towns on the outskirts. The municipal government is regenerating the centre of the city, and in the process further reducing the supply of housing to the city's poor. At the same time, scores of buildings sit empty, many owing more in back-taxes and utility bills than the value of the buildings themselves. With the help of local NGOs, poor families have begun squatting these buildings.

The Prestes Maia building, which had been empty for eight years, was squatted by over 400 families in 2002 and became the homeless movement's *cause célèbre*. After international pressure, in 2007 the municipal government rehoused some of the families and gave rent assistance to others in what was seen as a victory for the movement, although since then the authorities have withdrawn their support from 300 of the families.

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

- expressing concern that over 400 families were forcibly evicted from the INSS building on 16 June and left homeless, and that more than 200 families are living in completely inadequate conditions in an enclosed space under a viaduct;
- calling on the municipal authorities to immediately provide emergency relief including food, water and access to medical assistance to people who have been made homeless as a result of the forced eviction;
- calling on the authorities to ensure that all the families who were forcibly evicted are provided with adequate alternative accommodation and compensation for all losses and guaranteed the right to an effective remedy;
- expressing concern that riot police appear to have used excessive force on 18 June, and asking the authorities to order an immediate, thorough and independent investigation;
- calling on the authorities to cease all forced evictions immediately, and implement a long-term, detailed housing policy to address homelessness in São Paulo.

APPEALS TO:

Mayor of São Paulo

Exmo. Prefeito de São Paulo, Sr. Gilberto Kassab
Viaduto do Chá 15, Centro - Edifício Matarazo
01002-020 - São Paulo/SP, BRAZIL

Fax: +55 11 3113.8015

Salutation: Vossa Excelência/ Your Excellency

Federal Human Rights Secretary

Exmo. Ministro da Secretaria
Especial de Direitos Humanos
Sr. Paulo Vannuchi, Esplanada dos Ministérios, Bloco T, 70064-900 - Brasília – DF, BRAZIL

Fax: +55 61 3226 7980

Salutation: Vossa Excelência/ Your Excellency

Public Security Secretary

Exmo. Secretário de Estado Sr. Antônio Ferreira Pinto
Rua Líbero Badaró, 39,
12º andar - Centro 01.009-000 - São Paulo/SP

Fax: +55 11 3291-6834

Salutation: Vossa Excelência/ Your Excellency

COPIES TO:

President of the Municipal Commission of Human Rights

Exmo. Presidente da Comissão
Municipal dos Direitos Humanos Dr. José Gregori,
Pátio do Colégio, 5 – Centro – São Paulo – SP, CEP 01016-040, BRAZIL

Fax: +55 11 3106 0030

The Homeless Movement of Central São Paulo

Movimento Sem-Teto do Centro,
Avenida São João, 1495 - 2º andar, Metrô Santa Cecília
São Paulo, SP, CEP 01211-000, BRAZIL

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 4 August 2009.