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## [Brazil: Aracruz sows violence and destruction in Espírito Santo](#)

*On the occasion of Human Rights Day, we think it would be opportune to share a report conducted this year in Brazil: a research study that analyses the impacts of commercial mega-projects on human rights, focusing in this case on large-scale monoculture tree plantations in the northern region of the state of Espírito Santo. This report represents an important contribution, because it offers an overview that expands and enriches the struggle for human rights, while promoting the more effective incorporation of the issue of human rights in the struggles waged by the communities affected.*

Environmental imbalance; hunger; poverty; disease; widespread destruction; deception; insects; psychological impacts; destruction of forests, of plants, of springs, rivers, streams and human health; breakdown of economic, cultural and religious structures; lack of respect; loss of land; depression; disorganization and destruction of *quilombola* (Afro-Brazilian) families; military police invasion of communities; expulsion of the young; unemployment; lack of jobs; semi-slave labour; unsustainability; misappropriation; pollution; destruction of life; violation of rights.

All of these can be found among the answers given by Afro-Brazilians in the state of Espírito Santo when they were asked about the last 40 years of Aracruz operations in the state. They were interviewed during the research for "[Relatório de Impactos em Direitos Humanos de Grandes Projetos \(EIDH/RIDH\): O caso do monocultivo de eucalipto em larga escala no Norte do ES – o projeto agroindustrial da Aracruz Celulose/Fibria e as comunidades quilombolas do Sapê do Norte](#)" (Report on the Human Rights Impact Assessment of Mega-Projects (HRIA): The case of large-scale monoculture eucalyptus plantations in the northern region of the state of Espírito Santo – the Aracruz Celulose/Fibria agroindustrial project and Afro-Brazilian communities in Sapê do Norte). The National Movement for Human Rights in Espírito Santo (MNDH/ES) and the Centre for the Defence of Human Rights (CDDH) of Serra presented the study to the Legislative Assembly of the State of Espírito Santo on 27 May.

This report forms part of three case studies carried out by the MNDH this past year to provide evidence of the urgent need to reassess the current procedures for the installation of mega-projects, such as large-scale plantations, mining projects and mega-dams. Currently, in Brazil and many other countries, the authorities only require an Environmental Impact Assessment (EIA) before granting authorization for the implementation and operation of mega-projects. The MNDH considers that an EIA is totally insufficient for measuring the real impacts of a project, particularly when it comes to the issue of human rights. The three case studies from Brazil are being compiled into a book and will be presented to the Brazilian government to demand the adoption of a legal instrument that makes it mandatory to conduct a Human Rights Impact Assessment (HRIA) for any proposed projects of this kind in Brazil. It should be noted that an important source of reference for the study conducted in the Afro-Brazilian communities in Sapê do Norte was a practical guide for conducting a human rights impact assessment prepared by the non-governmental organization Rights and Democracy.

The HRIA in Espírito Santo, Brazil addressed 40 years of human rights violations in the more than 30 Afro-Brazilian communities in Sapê do Norte, in the municipalities of Conceição da Barra and São Mateus. These communities are home to approximately 6,000 Afro-Brazilians who have suffered

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drastic changes to their way of life after the establishment of monoculture eucalyptus plantations on their lands, mainly by the company Aracruz Celulose, now Fibria.

The study is divided into chapters on the human rights to land, to a healthy environment, to food and to work, and the process of persecution and criminalization of Afro-Brazilians carried out by Aracruz Celulose/Fibria in alliance with public security forces and the so-called Peace in the Countryside Movement (MPC) – an organization made up of large landholders and some local sectors who oppose the territorial rights of Afro-Brazilians.

## **The right to land**

The research carried out over the course of a year revealed that the right to land of Afro-Brazilian communities has been gravely violated. The team that conducted the HRIA had access to a wealth of documents which prove that Aracruz misappropriated land belonging to these communities, with the knowledge and consent of the state.

The study reveals some extreme cases of manipulation. One of these is the case of Antonio Alage, who in 1947 (one year before his birth in 1948) “acquired” 200 hectares of land in Itauninas, Córrego de Santo Antonio, in the municipality of Conceição da Barra. The same Alage, on 11 September 1975, requested 178 hectares of “devolutas lands” (1) from the state government of Espírito Santo, in a place called Rio Santana in the municipality of São Mateus. One day later, these lands were passed over to Vera Cruz Agroflorestal S/A, a subsidiary of Aracruz. The intermediaries received nothing in return; they were simply doing the company a “favour”. The HRIA points out that Aracruz’s ownership of these lands is consequently illegal and that “the communities were the victims of dispossession and false statements in the land acquisition process.”

These denunciations came to light in 2002 when a Parliamentary Inquiry Commission (CPI) was established to investigate Aracruz. Nevertheless, up until now, a request submitted to the Attorney’s General Office in 2004 to annul the illegal legitimization of ownership of these lands has had no results.

As a consequence of the resistance and organization of Afro-Brazilian communities, the Constitution and subsequently Decree 4887/2003 have sought to provide reparations for the violation of their territorial rights. Since then, INCRA (2) has undertaken five reports for the identification of Afro-Brazilian territories in Sapê do Norte, delimiting their borders and including various areas of land now occupied by Aracruz/Fibria eucalyptus plantations. However, so far none of these territories has been officially demarcated.

## **The environment**

Deforestation and the impacts of the eucalyptus plantations have resulted in the violation of the right to an “ecologically balanced” environment as a “public good for the common use of the population”, which is enshrined in the Constitution as well as in international agreements. The arrival of Aracruz resulted in the communities’ loss of assets like the rainforest, with its flora and fauna, and rivers and streams, drastically reducing the quantity and quality of fish stocks in the region. Today, the rainforest has practically disappeared and the rivers have dried up from the impacts of the eucalyptus plantation.

In the HRIA, Afro-Brazilian community leaders report that the constant use of agrotoxic substances on the plantations has polluted the environment in which they live and on which they depend. One

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clear case is that of Jorge Francelino, who became seriously ill as a result of working in the application of these toxic substances on the eucalyptus plantations for Plantar, a company subcontracted by Aracruz. After many years, he finally succeeded in obtaining compensation from the company, but this has not given him his health back. “Sometimes I don’t know what I feel in my head. A headache goes away by taking a pill. But in my case, it’s an ache inside my head. My head goes numb, my forehead hurts, my nose hurts... One day I wake up deaf in one ear, the next day I’m deaf in the other ear. My throat hurts. And today, both of my legs are swollen!”

Moreover, the transformation of the Afro-Brazilian communities’ natural environment into a vast green desert has deprived them of the possibility of hunting, fishing, harvesting wood for building houses, gathering plants from the forest, making traditional crafts, planting food crops and the artisanal production of cassava flour. This results in the violation of their right to adequate food, which fosters food insecurity. The study also reveals the differentiated violation of the rights of women hired by Plantar for the application of toxic substances on the eucalyptus plantations.

### **Criminalization**

Today, in many of these communities, one of the most common sources of employment is the gathering of branches and other discarded bits of eucalyptus trees for the production of charcoal. This is an activity that many families depend on for their survival. This means that new generations are obliged to carry out work characterized by subhuman conditions, which is a violation of the right to decent work.

Initially, the gathering of this waste wood was permitted by Aracruz/Fibria through an agreement with a local association. In 2004, the company sought to gradually eliminate this practice, allegedly for tax-related and labour-related reasons. This quickly led to a process of criminalization of Afro-Brazilians, prohibiting and restricting their access to the plantations with the support of the security companies Visel and later Garra – also subcontracted by Aracruz – which are viewed by the communities as an armed militia.

The study reports that the first case occurred in 2006, when Aracruz/Fibria itself proposed that the Afro-Brazilian communities gather waste wood in an area in the municipality of Linhares. However, when the workers were on the site, the police arrested them and charged them with theft. A total of 82 people, most of them Afro-Brazilian, were arrested. Without their knowledge, a legal ruling banning entry to the area had been issued. Joelton Serafim Blandino, an Afro-Brazilian, recounts that “it was really difficult, because I didn’t have work to support my family when we were attacked in Linhares. I’m not a thief, I’m just struggling to survive and for my family to survive.”

Another case took place on 11 November 2009, in the community of São Domingos, when 130 military police arrived in the community with high-calibre weapons, dogs and horses and arrested 39 people, including a blind man and an 83-year-old man who died three months later. The study notes that the police action was particularly shocking because it was illegal: it was carried out at 8:00 a.m., while the legal order authorizing it was not issued until after noon. Moreover, the legal order authorized a search and arrests, but not imprisonment. On the way to the police station, the police stopped to get food at one of the Aracruz/Fibria offices, while the 39 people arrested were left handcuffed on the bus with a few heavily armed officers.

Based on an article by Winnie Overbeek (Red Alerta/Espirito Santo, Brazil [woverbeek@terra.com.br](mailto:woverbeek@terra.com.br)), published in the newspaper *Brasil de Fato* on 22 June 2010. The full report is available at: [www.cddh.com.br](http://www.cddh.com.br)

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(1) “Devolutas lands” are lands that belong to the state and which, according to the Federal Constitution, are to be allocated for small-scale farming in the framework of agrarian reform.

(2) National Institute for Colonization and Agrarian Reform