

## NOTE ABOUT CRIMINALIZATION OF MST

*- International Campaign for freedom of Brazilian political prisoners – 2016*

Goiânia, Brazil, Septiembre 20th, 2016

It is an ongoing severe persecution of **Movimento dos Trabalhadores e Trabalhadoras Sem Terra – MST** (Movement of Landless Workers – MST) in State of Goiás, which threatens human rights and the popular struggle not only in this state but across the country. Though still limited to State of Goiás, the methods of this process of criminalization and the establishment of a police state may be used in any other Brazilian state or in federal level, mainly in times of downfall of many of democratic institutions.

On 12 April, Thiago Brandão Boghi, Rui Carlos de Faria and Vitor Umbelino, the judges of counties of Santa Helena, Mineiros and Rio Verde, respectively, decreed the preventive detention of four militants of the MST on the grounds that they are part of a Criminal Organization. The farmer Luiz Batista Borges, militant in Encampment Padre Josimo Tavares, was arrested when he went to Police Station of Rio Verde at April, 14<sup>th</sup>. At May 31<sup>th</sup> the militant Jose Valdir Misnerovics, recognized nationally and internationally as a fighter for Land Reform, was arrested in a civil police of the joint action of Goiás and Rio Grande do Sul, that was Valdir. And since June the 15<sup>th</sup> since June the 15<sup>th</sup>. The militants Dyessica Lorena and Natalino de Jesus are exiled.

This is the first time in Brazil the MST is criminalized based on Law 12.850 / 2013. This law supposedly created to act against money laundering and trafficking, can be considered the legitimacy of a true State of Exception. Based on it, the investigations proceed through confidentially and can automatically count on winning tipoff, agents infiltration, breach of tax, banking and telephone secrecy, listening environment and other arbitrariness.

Different than definition of "forming a criminal gang" or "Criminal Association" regulated by the Penal Code, prosecution that reactionary judges historically tried to impute to the MST and was not admitted by the Superior Courts, especially by the Superior Court of Justice (Superior Tribunal de Justiça - STJ), the criminal organization presupposes the theory of the domain of the fact. That is, strictly speaking, understanding the MST as a criminal organization, any activist could be accused in any initiated inquiry. An absurd attempt to criminalize a democratic movement fighting for land reform in Brazil.

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In the last 3 years occurred massification of fight for land reform in Goiás. MST

increased from 600 camped families at 2013 to 6,600 camped families at 2016. In this period occurred the occupation of Complexo Santa Mônica, a brazilian's senator unproductively large estate was built with the expulsion of the peasants and the occupation of Usina Santa Helena, a sugarcane large estate that has debts about 1,1 billion of reais to workers and State.

Because of this increase, there is a joint of agribusiness of Goiás along with judiciary of cities and Goiás, acting with federal legislative and the state government, unleashed a repression process that wants derail the fight for land reform in the state.

At the federal level, the ongoing coup has strong ties to agribusiness and the conservative forces of the judiciary and the legislature. The initiative to frame the MST as a criminal organization started in Goiás, but now is defended for the ruralists of the Federal Congress and politics that are ahead of the coup.

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