

PUBLIC

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Fear for Safety

BRAZIL

Carmelia Pereira dos Santos (f), trade union activist
Father Luis Ferrari (m), priest

Killed: Nivaldo Brandão de Oliveira (m)

Amnesty International is seriously concerned for the safety of Carmelia Pereira dos Santos and Father Luis Ferrari, who both live in the town of Andaraí in Bahia, northeast Brazil. They have recently received death threats linked to their work as human rights defenders.

Carmelia Pereira dos Santos and Father Luis Ferrari have both denounced the alleged torture and death in custody of Nivaldo Brandão de Oliveira in Andaraí police station, and they continue to be involved with attempts to bring those responsible to justice. Nivaldo Brandão de Oliveira was arrested on 15 February while visiting his girlfriend, who was being held in Andaraí police station. According to reports, Nivaldo Brandão de Oliveira, under the influence of alcohol, jumped over a gate inside the building and was arrested for this act. Residents living near the police station reported hearing the screams of a man being beaten later that night. Other prisoners at the police station have stated that they saw Nivaldo Brandão de Oliveira being beaten by the station's police chief.

In recent weeks Carmelia Pereira dos Santos and Father Luis Ferrari have both received a number of anonymous telephone threats explicitly warning them that their lives will be in danger unless they drop their involvement in the case. In telephone calls made to her home, Carmelia Pereira dos Santos has been told "*você não tem nada a ver com Nivaldo*", ("you have nothing to do with Nivaldo") and "*a cobra vai fumar*", ("the snake will strike"). Father Luis Ferrari has also received numerous threatening telephone calls. In one telephone call, the anonymous caller told him "*vamos te matar, como matamos aquele negro*", ("we're going to kill you, like we killed that black [Nivaldo]").

BACKGROUND INFORMATION

Torture in Brazil was described as 'systematic and widespread' by the United Nations Special Rapporteur on Torture who published a report on the subject in 2001. Torture is used as a means of extracting confessions; to dominate, humiliate and control those in detention; or to extort money or serve the criminal interests of corrupt officials. It is either committed by state agents, especially members of the civil or military police forces as well as prison guards, or with their connivance. Amnesty International published two reports on torture in Brazil in the context of the organization's worldwide Campaign Against Torture (see *They Treat Us Like Animals*, AMR 19/022/2001, October 2001 and *Subhuman*, AMR 19/003/2002, March 2002). Despite the existence of a law criminalizing torture in Brazil, prosecutions under this law are rare. Individuals who denounce acts of torture and other human rights violations by state officials often find themselves at risk.

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

- expressing your concern at the death threats received by Carmelia Pereira dos Santos and Father Luis Ferrari in Andaraí, Bahia;
- calling for steps to be taken to protect Carmelia Pereira dos Santos and Father Luis Ferrari in accordance with their wishes;
- calling on the authorities to conduct full, prompt and impartial investigations into these death threats, for the results to be made public and those responsible brought to justice;

- expressing your concern that these death threats appear to be related to denunciations they have made regarding the death in custody of Nivaldo Brandão de Oliveira, who was found dead in Andaraí police station on 16 February 2003;
- calling for full, prompt and impartial investigations into the death of Nivaldo Brandão de Oliveira, that the results of these investigations be made public, and that those responsible be brought to justice;
- urging that any police officers suspected of committing acts of torture against him be suspended pending the completion of investigations;
- calling for any acts of torture found to have been committed against Nivaldo Brandão de Oliveira be prosecuted under Brazil's law against torture, Law No. 9455 of 7 April 1997.

APPEALS TO:

Bahia State Governor

Exmo. Sr. Governador do Estado da Bahia
 Exmo. Sr Paulo Ganem Souto
 Centro Administrativo da Bahia
 Prédio da Governadoria
 30 Avenida 390, Plataforma 4
 41750-300 Salvador – BA, Brasil

Telegrams: Governador do Estado da Bahia, Salvador – BA, Brasil

Fax: + 55 71 371 0610

Salutation: Vossa Excelência / Your Excellency

Bahia State Public Security Secretary

Secretário de Segurança Pública do Estado da Bahia
 Exmo. Sr Edson Sá Rocha
 Centro Administrativo da Bahia
 40 Avenida 430, 31 andar
 41750-300 Salvador – BA, Brasil

Telegrams: Secretário de Segurança Pública do Estado da Bahia, Salvador – BA, Brasil

Fax: + 55 71 370 1823

Salutation: Exmo. Sr Secretário / Dear Secretary

Bahia State Attorney General

Procurador Geral de Justiça do Estado da Bahia
 Exmo. Sr Achilles de Jesus Sirqara Filho
 Av. Oceânica, 1949 - Ondina
 40170-110 – Salvador – BA, Brasil

Telegrams: Procurador Geral de Justiça do Estado da Bahia, Salvador – BA, Brasil

Fax: + 55 71 339 8447 ('If someone answers, say 'Fax, por favor.')

Salutation: Exmo. Sr Procurador / Dear Attorney General

Bahia State Secretary for Justice and Human Rights

Secretário de Justiça e Direitos Humanos do Estado da Bahia
 Exmo. Sr Sérgio Sanche Ferreira
 Centro Administrativo da Bahia - 4ª Av.
 41750-300 – Salvador – BA, Brasil

Telegrams: Secretário de Justiça e Direitos Humanos do Estado da Bahia, Salvador – BA, Brasil

Fax: + 55 71 370 8398

Salutation: Exmo. Sr Secretário / Dear Secretary

COPIES TO:

Minister of Justice

Ministro da Justiça
 Márcio Thomaz Bastos
 Ministério da Justiça
 Esplanada dos Ministérios
 Bloco T, Edifício Sede

70712-902 - Brasília / DF Brasil

Human Rights Commission

Comissão de Direitos Humanos da Assembléia Legislativa da Bahia
Palácio Deputado Luís Eduardo Magalhães

Av. Luiz Viana Filho, s/nº

41746-900 – Salvador – BA, Brasil

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 28 May 2003.