

URGENT ACTION

FIGHT FOR JUSTICE LEAVES MAN FEARING FOR LIFE

Josilmar Macário dos Santos has been shot at and fears for his life after receiving a series of death threats because of his campaign to achieve justice for his brother, Josenildo dos Santos, who was reportedly killed by police officers in April 2009.

On 7 May 2010, **Josilmar Macário dos Santos** was shot at by an unknown person as he drove his taxi along a viaduct in the neighbourhood of Catumbi, in the Brazilian city of Rio de Janeiro. Josilmar did not sustain any injury but the single shot shattered the front windscreen of his taxi. This attack took place against the backdrop of the ongoing hearings in the case against four police officers accused of killing six young men, including Josenildo dos Santos. Witnesses to the killings have stated that Josenildo was unarmed when he was fatally shot in the back of the head by police officers. When no adequate investigation into the case was initiated, Josilmar, supported by a local NGO, began his own investigation.

As a result of evidence compiled by Josilmar, the police officers were finally charged and the hearings began in March 2010. The police officers continue to actively serve at the local police barracks (*batalhão*). The incident on 7 May is the latest attempt to intimidate Josilmar and his family. Josilmar's requests for effective protection after the shooting have not been met; he now fears for his life.

On 8 February 2010, police forced entry into the house of Josilmar's sister and cousin, in Rio de Janeiro's Coroa favela, during a violent police operation in which two young men were killed. During the raid, police officers stated that if they had they not been in the safety of their home they would have been killed. On 30 April and 1 May 2010, police launched further operations into the community. They tore down posters in the street that advertised the date of a hearing in the police officers case. When cutting the posters down with knives the police officers were overheard saying that they should be using the knives to cut off the heads of the people who had put the posters up.

PLEASE WRITE IMMEDIATELY in your own language:

- Urge the authorities to immediately provide Josilmar Macário dos Santos and his family with full protection in accordance with their needs and wishes;
- Urge the authorities to thoroughly investigate threats against Josilmar Macário dos Santos and his family, bringing perpetrators to justice;
- Immediately suspend the police officers charged with the death of Josenildo dos Santos, pending the conclusion of their trial; if implicated in threats against Josilmar, calling for the officers to be placed in preventative detention.

PLEASE SEND APPEALS BEFORE 25 JUNE 2010 TO:

Federal Human Rights Secretary

Exmo. Secretário Especial
Sr. Paulo de Tarso Vannuchi
Esplanada dos Ministérios - Bloco "T" -
4º andar,
70064-900 - Brasília/DF BRAZIL

Fax: + 55 61 2025 3464

Salutation: Exmo. Sr. Secretário

Governor RJ

Exmo. Governor Rio de Janeiro
Sr. Sérgio de Oliveira Cabral Santos
Filho

Palácio Guanabara, Rua Pinheiro
Machado, s/nº Laranjeiras

22.238-900 - Rio de Janeiro/RJ -
BRASIL

Fax: + 55 21 2334 3559

And copies to:

*A Rede de Comunidades e Movimentos
contra a Violência*

Rua Senador Dantas, 20, sala 1407 –
Centro – Rio de Janeiro
CEP 20031-203

Tel: (21) 2210 2906

Email: redecontraviolencia@uol.com.br

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

After his taxi was shot at, Josilmar Macário dos Santos reported the incident to the police, prosecutors and the state commission of human rights. Although the federal secretary of human rights recommended that he be included in the National Defenders' Programme, which provides protection for human rights defenders at risk, Josilmar Macário dos Santos has instead been offered a place on the PROVITA witness protection scheme. As this would require him to leave his home and assume a new identity, this would fundamentally undermine the both Josilmar Macário dos Santos's fight for justice on behalf of his brother, and his work the local NGO *A Rede de Comunidades e Movimentos contra a Violência* (The Network of Communities and Movements against Violence) highlighting impunity in cases of police violence.

Since the threats began three of Josilmar's brothers and sisters have left the community.

Violent policing has been a feature of Brazil's urban landscape for decades. In cities like Rio de Janeiro poor communities remain trapped between the criminal gangs which dominated the areas in which they live and the violent and discriminatory methods used by police. As a result, many living in such communities experienced entrenched social and economic deprivation. In Rio de Janeiro police killings have been running at the rate of over 1,000 a year. A study by the *Instituto de Segurança Pública* (Public Security Institute) attached to Rio de Janeiro's state Secretariat of Public Security, found that between January 1998 and September 2009, 10,216 people were killed in the state in incidents registered as "acts of resistance". Only a tiny proportion of these cases have been investigated and handful of police prosecuted. Relatives of victims who try to fight for justice are frequently threatened and intimidated.

Local NGO *A Rede de Comunidades e Movimentos contra a Violência* brings together relatives of victims of police violence, and has long been campaigning against impunity for human rights violations committed by the police. In a meeting with the *Rede* in December 2009, Amnesty International took testimony from several family members of victims of police violence. During the meeting Josilmar Macário dos Santos described the negligence of the authorities in relation to his brother's killing and how he and his family had singlehandedly gathered evidence in order to bring the case to the courts. His success in pursuing this case is emblematic of the courage and persistence of victims in the face of violence and intimidation.

UA: 115/10 Index: AMR 19/006/2010 Issue Date: 14 May 2010

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