

EXTERNAL (for general distribution)

AI Index: AMR 19/03/95
Distr: UA/SC

UA 63/95

"Disappearance"

14 March 1995

BRAZIL Marco Antônio RUFINO DA CRUZ, black, aged 34, lawyer, civil servant and trade unionist

Amnesty International is deeply concerned by reports, which have just come to light, of the "disappearance" of Marco Antônio Rufino Da Cruz.

Marco Antônio Rufino da Cruz, a civil servant at the National Library in Rio de Janeiro and leader of the Civil Servants Union of the National Library (*Associação dos Servidores da Fundação Biblioteca Nacional*), was reportedly arrested on 26 November 1994 during an anti-crime operation by joint forces of army and police personnel in Rio de Janeiro. The reports indicate that he was detained by members of the Army Police while walking by an army barracks near the neighbourhood of Morro do Fubá.

On 17 January 1995, a police chief (*delegado de policia*) reportedly registered in writing that Marco Antônio Rufino da Cruz had been held in Polinter police cells until the last week of December when he was transferred to the Agua Santa prison. However, there are no records of his detention in Agua Santa prison and the recording sheet of his identity documents in Polinter police cells has gone missing. The head of Polinter police station and the Army Commander of the Eastern District have denied that Marco Antônio Rufino da Cruz has been detained or held by them.

This is the second "disappearance" of its kind to have been registered in Rio de Janeiro in the past 18 months. On 10 August 1993, Jorge Antonio Careli "disappeared" in Rio de Janeiro after he was detained by the police and his whereabouts are still unknown (see UA 304/93, AMR 19/28/93, 3 September 1993).

BACKGROUND INFORMATION

On 31 October 1994 an agreement was signed between the Federal Government and the Governor of Rio de Janeiro for a military commander to assume joint command of military and civil police forces in Rio de Janeiro as part of a special operation to combat arms and drug trafficking in the state for a 60-day extendable period. This agreement has since been renewed. Since 18 November, army troops and weaponry have been deployed in operations in a number of *favelas* in Rio de Janeiro. On 28 November Amnesty International wrote to the then president Itamar Franco stressing that if military agencies were designated to take part in law enforcement activities, it was essential that international standards and UN criminal justice standards were adhered to all times.

The involvement of military and civil police in "death squads" killings and "disappearances" of criminal suspects and "social undesirables" has been well documented in Rio de Janeiro. Law-abiding citizens, particularly in the shanty towns, have become the victims of violence both by criminal gangs and by the police in punitive raids.

RECOMMENDED ACTION: Please send telegrams, faxes and airmail letters either in Portuguese/Spanish/English or in your own language:

- expressing concern at the "disappearance" of Marco Antônio Rufino da Cruz, reportedly arrested on 26 November 1994, in circumstances suggesting the involvement of security forces;

- calling for his "disappearance" to be thoroughly investigated and his whereabouts disclosed;
- reminding the authorities that the whereabouts of Jorge Antonio Careli, detained by police on 10 August 1993, have not been clarified.

APPEALS TO

President

Exmo. Sr. Presidente da República Federativa do Brasil
 Sr. Fernando Henrique Cardoso
 Gabinete do Presidente,
 Palácio do Planalto,
 70.150 Brasília, DF Brasil

Faxes: +55 61 226 6241

Telegrams: Sr. Presidente, Brasilia, Brazil

Salutation: Vossa Excelência/Your Excellency/Su Excelencia

Minister of Justice

Exmo. Sr. Nelson Jobim
 Ministro da Justiça
 Esplanada dos Ministerios, Bloco 23
 70.064 Brasilia, DF, Brazil

Faxes: + 55 61 321 5172

Telegrams: Ministro Justica, Brasilia, Brazil

Salutation: Vossa Excelência/ Your Excellency/Su Excelencia

Governor of Rio de Janeiro

Exmo. Sr. Governador do Estado do Rio de Janeiro
 Sr. Marcelo Alencar
 Palacio Guanabara,
 Rua Pinheiro Machado s/n,
 22.231 Rio de Janeiro, RJ, Brasil

Faxes: + 55 21 553 6090

Telegrams: Governador Rio de Janeiro, Brasil

Salutation:Vossa Excelência/ Your Excellency/Su Excelencia

Commander of Operations - Eastern District

General Roberto Camara Senna
 Comando Militar do Leste
 Rio de Janeiro, Brasil

Telegrams: General Senna, Comando Militar do Leste, RJ, Brasil

Faxes: + 55 21 233 2339

Salutation: Senhor General/Dear General/Señor General

COPIES OF YOUR APPEALS TO:

Tortura Nunca Mais (Human Rights Organization)
 Rua General Polidoro, 238 s/loja
 CEP 22280, Botafogo, RJ, 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 1 May 1995.