

EXTERNAL (for general distribution)

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Hunger-strike/Legal Concern

2 November 1983

BRAZIL: Juvêncio Mazzarollo

(also further information on UA 230/82 AMR 19/10/82 1 October, AMR 19/17/82 16 December, AMR 19/03/83 20 September)

Amnesty International is concerned that Juvêncio Mazzarollo, a prisoner of conscience, has recently begun a hunger-strike in protest against the increase of his prison sentence from two years to four years.

Juvêncio Mazzarollo, a journalist, was detained on 28 September 1982 following a hearing before the Auditoria Militar (military court) in Curitiba in which he was sentenced to one year's imprisonment under Article 42 Paragraph V of the Law of National Security (*Lei de Segurança*); *To make subversive propaganda; by insulting, slandering or detracting from either a body or an organization exercising public authority or a civil servant in respect of his/her authority*".

The charges against Juvêncio Mazzarollo relate to articles printed in the journal *Nosso Tempo*, of which he was editor, in 1981. The articles criticized government officials and bodies and described the eviction of peasants from lands in the Itaipu area. For several years Juvêncio Mazzarollo has published material on the Itaipu hydroelectric project which is under construction near Foz de Iguaçu in Paraná, near the Paraguayan border. The articles published in March 1981 followed a "community meeting" during which Sr. Mazzarollo denounced the activities of local landowners. He was subsequently criticized by the authorities for the editorial line taken by *Nosso Tempo*. Juvêncio Mazzarollo subsequently reported these incidents in the newspaper and lodged a formal complaint against the authorities concerned.

Following his conviction on 27 September 1982, Sr. Mazzarollo was first held in the Penitenciaria Central de Piraquara, 20 kilometres from Curitiba.

In March 1983 he was transferred to the Corpo de Guarda of the Prisão Provisoria de Curitiba and, more recently in August 1983, he was again transferred to the barracks of the Corpo de Bombeiros where he is still detained.

On 16 December 1982 Amnesty International organized appeals on behalf of Sr. Mazzarollo after learning that the Superior Military Tribunal (STM) had rejected an appeal for his acquittal. Sr. Mazzarollo had earlier been convicted to one year's imprisonment under Article 33 of the Law of National Security. On this occasion he had been granted the right to *sursis* (suspended sentence) and was permitted to await his appeal to a higher court in freedom.

However, following his conviction on 27 September 1982 he lost his right to *sursis* and therefore faced a prison sentence of two years. On 20 September 1983 Amnesty International organized further appeals on behalf of Sr. Mazzarollo, pointing out that at the end of September 1983 he would have served half the sentence imposed by the courts and therefore, under Brazilian law, would be eligible for release on parole.

However, Amnesty International has learned that at the end of September 1983 a further appeal to the Supreme Military Tribunal was heard, which resulted in an increase of Sr. Mazzarollo's sentence from two to four years. Amnesty International does not yet have further information about the appeal and it is not clear whether it referred to one or both of the charges under the Law of National Security brought against Sr. Mazzarollo.

In protest against the increase in sentence, Juvêncio Mazzarollo began a hunger-strike on 24 October 1983. This information only came to light on 29 October 1983, partly because visits of the Corpo de Bombeiros where Sr. Mazzarollo is detained are restricted. A representative of the Paraná branch of the Comissão de Justiça e Paz and a PMDB (opposition party) deputy who were able to visit the prisoner reported that his health was giving cause for concern.

He is said to be extremely weak and in considerable pain. According to reports, he has not received any medical treatment.

Amnesty International considers Juvêncio Mazzarollo to be a prisoner of conscience, detained for exercise of his right to freedom of expression, as guaranteed under Article 19 of the Universal Declaration of Human Rights: "*Everyone has the right of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*"

RECOMMENDED ACTION:

Telegrams/airmail letters:

- urging the immediate and unconditional release of Juvêncio Mazzarollo
- urging that he be given all necessary medical treatment
- ask on what grounds his sentence was increased to four years

APPEALS TO:

Presidente da República Federativa do Brasil (President)
General João Baptista Figueiredo
Gabinete do Presidente
Palacio do Planalto
70.000 Brasilia
Brazil
*Telegrams to: Presidente Figueiredo
Brasilia, Brasil*

Ministro de Justiça do Brasil (Minister of Justice)
Exmo. Sr. Ibrahim Abi Ackel
Ministério do Justiça
Esplanada do Ministérios Bloco B
70.000 Brasilia
Brasil
*Telegrams to: Ministro Justiça Abi
Ackel Brasilia, Brasil*

Ministro do Interior (Minister of Interior)
Exmo. Sr. Mário Andreazza
Ministério do Interior
Setor Autarquias sul, quadro 1, bl. 10
Brasilia D.F. Brasil
*Telegrams to: Ministro Interior
Andreazza, Brasilia, Brasil*

COPIES TO:

Comissão de Justiça e Paz do Paraná
Rua Jaime Reis 3690

Caixa Postal 1371
80.000 Curitiba
Paraná, Brazil
(*Justice and Peace Commission in Parana*)

Ordem dos Advogados do Brasil
Rua Cândido Lopex 146/10°
Edificio Maringa
80.000 Curitiba
Paraná, Brazil
(*Brazilian Lawyers' Association - Curitiba*)

Comité Pro Libertação de Juvêncio Mazzarollo
Rua Celestino Junior 473
CEP 80.000 Curitiba
Paraná, Brazil
(*local Committee for the Release of Juvêncio Mazzarollo*)

O Estado de São Paulo
Av. Eng. Caetano Alvares 55
São Paulo, Brazil
(*newspaper*)

and to Brazilian diplomatic representatives in your country.

Please organize some appeals from JOURNALISTS.

PLEASE SEND APPEALS AS SOON AS POSSIBLE. Check with the International Secretariat if sending appeals after 31 December 1983.