

PUBLIC

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Death Threats/Impunity

12 June 2002

BRAZILDr Agisandro da Costa Pereira (m)] - President of Ordem dos Advogados Brasileiros (OAB), Brazilian Lawyers' Association
Members of his family and work colleagues
Dra Maria Aparecida Denadai (f), lawyer
Izaias Santana Rocha (m) - President of the state council for human rights (an alliance of non-governmental organizations)

Killed: Dr Marcelo Denadai (m)

Amnesty International is concerned for the safety of those named above. Agisandro da Costa Pereira and Maria Aparecida Denadai have received death threats following their denunciation of the police and judicial investigations into the 15 April killing of Maria Aparecida's brother Marcelo Denadai, who was about to reveal evidence on political corruption in the state of Espirito Santo.

Dr Pereira and members of the state council for human rights, have campaigned for some time against killings, corruption and impunity in Espirito Santo. These are reportedly linked to the police organization *Scuderie Detetive le Coq (SDLC)*, named after detective le Coq, which was reportedly acting in conjunction with powerful political and economic groups in the state. In April, Dr Pereira called upon the Federal government to, amongst other things, intervene and investigate the murder of Marcelo Denadai and many other unsolved killings. (See UA 180/97, AMR 19/16/97, 18 June 1997 follow-up AMR 19/21/97, 31 July 1997).

Shortly after meeting with the Minister of Justice in Brasilia, on 24 April, Dr Pereira's house was broken into. Following this he received a long letter threatening to either kill him, his family or his work colleagues. The letter also stated: *'Falar muito ja levou o Denadai. Pode levar outras pessoas do seu relacionamento...Não adianta achar que a Justiça vai fazer qualquer coisa porque tem gente muito grande no negócio...Quantas pessoas você agüentaria enterrar nesta altura da vida?'* *'Denadai's big mouth was the end of him. Talking too much could harm others close to you...Don't think that the judicial system will do anything as there are very powerful people involved...How many people could you stand to bury at your age?'*

Attempts have been made to intimidate other human rights defenders, in order to stop them from commenting on the killing of Marcelo Denadai. Both Maria Aparecida Denadai and Izaias Santana Rocha, president of the state council for human rights, have been sued by the head of the civil police for defamation, following their criticism of the police investigation.

BACKGROUND INFORMATION

In 1997 the Brazilian Congress opened a Federal Parliamentary Commission of Inquiry into drug trafficking. At least a quarter of the final report was dedicated to the situation in Espirito Santo, with indictments against people in positions of power including the president of the legislative assembly, high ranking judges, and powerful members of the police for various crimes ranging from homicide to tax evasion. Three years after the 1999 publication of these findings, no state police or state judicial investigation has been initiated on the basis of this information. A delegation from the federal government's *Conselho da Defesa dos Direitos da Pessoa Humana (CDDPH)*, Council

for the defense of individuals' rights, visited Vitória to investigate why state authorities have consistently failed to investigate these alleged crimes and whether a process of intervention by the federal government should take place.

A long standing federal judicial investigation into the legal status of SDLC, which presently is legally constituted as a police benevolent fund, has been waiting for a ruling from the federal judge of Espirito Santo for over two years following accusations of "death squad" activity.

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

- expressing concern at the killing of Marcelo Denadai, and at the state authorities' failure to investigate such crimes;
- calling upon the **state and federal authorities** to investigate the murder and to bring those responsible to justice;
- urging the **federal authorities** to take immediate measures to protect Agisandro da Costa Pereira, members of his family, work colleagues and Maria Aparecida Denadai;
- asking the **state and federal authorities** what steps it will take to ensure that consistent allegations of organised crime and killings in the state of Espirito Santo are investigated and those responsible brought to justice;
- inquiring of **the federal judge** in Espirito Santo where the judicial investigation on the legal status of *Scuderie Detetive Le Coq* stands and why it has taken so long for the process to be completed;
- urging **the state and federal authorities** to ensure that Human Rights defenders, such as Izaias Santana Rocha, are able denounce human rights abuses without fear of threat or intimidation;
- calling on the **state and federal authorities** to adhere to the principles of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the United Nations General Assembly on 9 December 1998.

APPEALS TO:

Federal Secretary for Human Rights

Sr. Paulo Sergio Pinheiro

Secretaria de Estado dos Direitos Humanos_

Ministério da Justiça_

Esplanada dos Ministérios,

Bloco T, 4º andar , Sala 420_

70064-900 Brasília - DF, Brazil

Telegrams: Secretario de Estado dos Direitos Humanos, Brasília - DF, Brazil

Fax: + 55 61 223 2260/226 7980

Salutation: Sr, Secretário/Dear Federal Secretary

Governor, Espírito Santo

Sr. José Ignácio Ferreira

Governador do Estado do Espírito Santo

Palácio Anchieta

29015-110, Vitória-ES, Brazil

Telegrams: Governador José Ignácio Ferreira, Vitória-ES, Brazil

Fax: + 55 27 3223 0815

Salutation: Vossa Excelência/Your Excellency

Federal Justice - Espirito Santo

Dr Alexandre Miguel
Juiz Federal
4a Vara - Tribunal Regional Federal de Espirito Santo
Rua São Francisco, 52 - Cidade Alta
29015-200 Vitória-ES, Brazil

Telegrams: Juiz Federal, Vitória-ES, Brazil

Fax: + 55 27 33314042 (if voice answers, say "Tono de Fax, por favor")

Salutation: Vossa Excelência/Your Excellency

COPIES TO:

Brazilian Lawyers' Association

Ordem dos Advogados do Brasil - Espirito Santo

Rua Soldado Abílio dos Santos, N°9

29015-620, Vitória - ES, Brazil

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 24 July 2002