

PUBLIC

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Fear for safety / Death threats

26 February 1999

BRAZIL

Hortêncio Vieira family
Francisco Rocha

José Lisley Hortêncio Vieira, killed.

José Lisley Hortêncio Vieira died on 1 February 1999, allegedly after being beaten by military police. Amnesty International is now concerned for the safety of his family, who have received telephone threats since reporting his death, and Francisco Rocha, a taxi-driver who claims he was forced to confess. He has since withdrawn the confession.

The dead man and his brother, Márcio Luiz Hortêncio Vieira, were apparently picked up by a passing military police patrol on the night 30 January as they were being attacked by a man at a bus stop. The police mistook them for the assailants. The police allegedly took the brothers to waste ground on the outskirts of Fortaleza, in Ceará state, took their credit cards, destroyed their identification documents and beat them severely. Afterwards, the police fired in the air, ordering them to run. Márcio Luiz ran off and hid, but his brother was too injured to move.

José Lisley Hortêncio Vieira was found the following day in another area of Fortaleza and taken to hospital but died of his injuries later that day.

On 18 February civil police announced that Francisco Rocha had confessed to the murder. Three days later, however, Francisco Rocha reported to the State Attorney General that he had been forced to sign the confession after being aggressively interrogated and threatened by police over 48 hours, while handcuffed to a bunk.

Investigations into the case are now suspended after a public row between the investigating police and the public prosecutors assigned to the case. The Ceará Legislative Assembly Human Rights Commission has criticised the Public Security Secretary's (responsible for the police) decision to close the investigation and has called on the State Attorney General to take responsibility for them. The State Attorney General has refused.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Portuguese or your own language:

- expressing concern at allegations that military police are responsible for the death of José Lisley Hortêncio Vieira;
- expressing concern that since his family reported the incident they have been threatened;
- expressing concern at allegations that civil police coerced Francisco Rocha into confessing to the murder of José Lisley Hortêncio Vieira and that his subsequent withdrawal of that confession and allegations of coercion against civil police place him at risk;
- expressing dismay that investigations into the murder of José Lisley Hortêncio Vieira and the alleged coercion of Francisco Rocha have been suspended and calling on the authorities to immediately re-open a full, impartial and independent investigation;
- calling on the authorities to provide protection to José Lisley Hortêncio Vieira's family and to Francisco Rocha;
- calling on the authorities to initiate a full and independent investigation into the threats against José Lisley Hortêncio Vieira's family;
- requesting that any military policemen implicated in the murder of José Lisley Hortêncio Vieira, and any civil policemen implicated in the alleged coercion of Francisco Rocha, be immediately suspended from duty pending a full and impartial investigation, and that any policemen found responsible be brought to justice.

APPEALS TO:**Minister of Justice**

Exmo. Sr. Ministro da Justiça do Brasil
 Dr. Renan Calheiros, Ministério da Justiça
 Esplanada dos Ministérios, Bloco 23
 70064-900 - Brasília - DF, Brazil
Telegrams: Minister Justice, Brasília, Brazil
Faxes: + 55 61 226 7980 / 322 6817
Salutation: Vossa Excelência / Your Excellency

Governor, Ceará

Exmo. Sr. Governador do Estado do Ceará
 Dr. Tasso Ribeiro Jereissati
 Centro Administrativo do Estado
 Av. General Afonso A. Lima, S/N
 Bairro Cambéba, 60830-120 - Fortaleza - CE, Brazil
Telegrams: Governor, Estado do Ceará, Fortaleza, Brazil
Faxes: + 55 85 218 1011/ 218 1066 (if voice answers ask for fax signal
- "sinal do fax, por favor") Phone during office hours local time
Salutation: Vossa Excelência / Your Excellency

Public Security Secretary, Ceará

Exmo. Sr. Secretário de Segurança Pública e Defesa da Cidadania
 Sr. João Crisóstomo Souza, Av. Barão de Studart, 505,
 Palácio de Abolição, Bairro Meireles
 60120-000 - Fortaleza - CE, Brazil
Faxes: + 55 85 224 3003
Salutation: Exmo. Sr./ Dear Sir

State Attorney General, Ceará

Exmo. Sr. Procurador Geral do Estado do Ceará
 Dr. Nicéforo Fernandes, Avenida Santos Dumont
 1687 8º cobertura, Aldeota
 60150-160 - Fortaleza - CE, Brazil
Telegrams: Procurador Geral do Estado do Ceará, Fortaleza, Brazil
Faxes: + 55 85 268 3089
Salutation: Exmo. Dr./ Dear Sir

COPIES TO:

Bar Association Human Rights Commission
 Ordem dos Advogados do Brasil (OAB) - Seção Ceará
 Sr. Deodato Ramalho Júnior, Presidente da Comissão de Direitos Humanos
 Av. Pontes Vieira, 1713, Bairro Dionísio Torres
 60130-241 - Fortaleza - CE, 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 9 April 1999.