

EXTERNAL (for general distribution)

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2 March 1994

BRAZIL José TEIXEIRA CASTILHO 'Ze de Feijão' - Trade unionist

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Amnesty International is concerned for the health of rural trade unionist José Teixeira Castilho, otherwise known as Zé de Feijão, who has been held in custody at the regional police station of Marabá in the state of Pará for 20 days without charge. He suffers from Hansen's disease (leprosy) and since his detention on 10 February 1994 has reportedly been deprived of access to daily drug treatment for the disease.

José Teixeira Castilho is a director of the Rural Workers Trade Union of Eldorado do Carajás and has received death threats and attempts on his life in connection with his trade union activities. His father-in-law, Arnaldo Delcídio Ferreira, the last President of the Rural Workers' Union of Eldorado do Carajás was killed by a hired gunman who entered his home and shot him dead as he slept on 2 May 1993 (See UA 156/93, AMR 19/18/93). Investigations into this killing have not progressed, although there are strong suspicions that a particular landowner commissioned the killing. During the night of 8 January 1994 shots were fired into the house where José Teixeira Castilho lives with his wife and five children. The attempt on their lives was reported to the police, who reportedly took no action to investigate.

On 10 February 1994, José Teixeira Castilho was detained without a warrant in Eldorado do Carajás by two civil policemen who drove him to the town of Marabá. In Marabá a judge then decreed his "*temporary imprisonment*" for five days. He was detained reportedly on suspicion of involvement in an incident in which the ranch house of the Abaéte Estate, owned by the previously mentioned landowner had been burnt down. José Teixeira Castilho denies any involvement in the incident.

The trade unionist's "*temporary detention*" was extended by the judge in unclear circumstances, since the judge was himself absent from Marabá until 17 February.

By 1 March 1994 José Teixeira Castilho had been in detention for 20 days and no charges had been brought against him. Lawyers representing him have been refused access to information about the case against him. They have presented a *habeas corpus* petition on his behalf to the Pará State Appeals Court in the state capital Belém and to the Superior Appeals Court in the federal capital Brasília. They have also sought for him to have access to drugs that he needs to take on a daily basis as part of his medical treatment for Hansen's disease.

#### BACKGROUND INFORMATION

Under the "Temporary Imprisonment Law" (no.7,960 of 1989), *Lei de Prisão Temporária*, suspects may be detained without charge for a five day period; a judge may renew the detention for a further five days if there is "*extreme and proven necessity*". Under the Law of Heinous Crimes (no.8,072 1990) *Lei de Crimes Hediondos*, in the case of certain crimes "*temporary imprisonment*" without charge may be decreed for 30 days, and is extendable for a further 30 days when there is "*extreme and proven necessity*".

Peasants members and leaders of rural trade unions in Pará state have been targets of death threats, assaults, abductions and killing in the context of land disputes with local landowners. While Amnesty International takes no position on land disputes, the organization is concerned at persistent impunity

for killings of trade unionists which has in turn left them increasingly vulnerable to attacks on their lives. At the same time state police forces have participated in violent evictions of peasants from land they claim. On many occasions this has involved arbitrary detention, ill-treatment and sometimes torture.

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

- expressing concern for the health of José Teixeira Castilho, detained in the regional police station of Marabá since 10 February, and urging that he be given full access to medical treatment for Hansen's disease including access to a doctor or hospital if necessary.
- expressing concern that the trade unionist has been detained without charge for 20 days, and urging that he should either be charged with recognizable criminal offences or released from custody immediately.
- expressing concern at previous death threats and attempts on the life of José Teixeira Castilho, urging a full investigation into the authors of these assaults, that those responsible be brought to justice, and that the authorities offer guarantees for his physical safety.
- expressing concern at the lack of progress of investigations into the killing on 2 May 1993 of Arnaldo Delcídio Ferreira, President of the Rural Workers Trade Union of Eldorado do Carajás and urging that those responsible are brought to justice.

**APPEALS TO:**

**(All Salutations : Vossa Excelência/ Your Excellency)**

1) Attorney General for Pará State

Dra Edite Marília Crespo  
 Procuradoria De Justiça do Estado do Pará  
 Praça Felipe Patroni  
 66.000 Belém, PA, Brazil  
**Faxes: + 55 91 224 7198**

2) State Governor of Pará

Exmo Sr Jader Barbalho  
 Governador do Estado do Pará  
 Av Augusto Monte Negro/ KM 09  
 66.823-010 Belém, PA, Brazil  
**Telegrams : Governador Pará, Belém, Brazil**  
**Telexes : 9111012 GOPA BR or 916978 GOPA BR**  
**Faxes : + 55 91 222 3910**

3) Minister of Justice

Exmo Sr Mauricio Corrêa  
 Ministro da Justiça, Ministério de Justiça  
 Esplanada dos Ministérios, Bloco 23  
 70.064 Brasília DF, Brazil  
**Telegrams : Ministro da Justiça, Brasília, Brazil**  
**Faxes : +55 61 224 4357**  
**Telexes : 611003 MNJU BR, 611088 MNJU BR**

**COPIES OF YOUR APPEALS TO:**

President of the Pará State Appeals Court  
 Exmo Sr Presidente  
 Tribunal de Justiça do Pará

Praça Felipe Patroni s/n  
66.000 Belém, PA, Brazil  
**Faxes : + 55 91 241 2970**

Attorney General's Office  
Dr. Alvaro Ribeiro da Costa  
Procuradoria Geral da República  
Avenida L2 Sul, SG AS 603, Lote 23, S 328  
70.200 Brasília, Brazil  
**Faxes : + 55 61 313 5444**

Local human rights organization  
Sociedade Paraense de Defesa dos Direitos Humanos  
Rua 5 de Abril, Caixa Postal 277  
68.500 Marabá, PA, 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 13 April 1994.