

PUBLIC

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Fear for

BRAZIL Márcio Celestino da Silva
Ejane Maria da Silva (f)
Valdênia Aparecida Paulino (f) , lawyer

Killed: Jose Nunes da Silva ("Dedeco")
Ednaldo Gomes do Nascimento

Police have threatened and intimidated two witnesses to an apparent summary execution, arresting and torturing one of them, and warned them not to testify in court.

José Nunes da Silva, a 22 year-old mentally retarded man, and Ednaldo Gomes, 28, were killed on 31 March 1999 in the Sapopemba district of São Paulo. Márcio Celestino da Silva and Ejane Maria da Silva say they witnessed police order José Nunes da Silva to run, shoot him in the leg, and then shoot him dead as he lay on the ground. Police then simulated an exchange of gunfire. When José Nunes da Silva's sister, who was also nearby, ran over to her brother's body, she saw Ednaldo Gomes had been shot and badly wounded. Police took both men away in their car. Ednaldo Gomes was reported dead on arrival in hospital. Neither man had a criminal record.

A court hearing scheduled for 25 May will determine whether there is enough evidence for the five police officers accused of the killings to stand trial.

Shortly after the killings, two military policemen approached Márcio at his school and told him to take a message to Valdênia Aparecida Paulino warning her "to take care", ("*que ela tomasse cuidado*") and warning him not to testify. In June 1999, police arrested him, supposedly for questioning in connection with a murder inquiry. Shortly after he was taken into custody the military policemen who had threatened him apparently came and told him that he would only be released if he changed his testimony. For almost four months he was regularly beaten and tortured with electric shocks before lawyers secured his release.

In February this year military policemen visited Marcio Celestino da Silva in his home and threatened to detain him on drug-trafficking charges. The same day police went to the home of Ejane Maria da Silva and warned her to change her testimony.

Márcio Celestino da Silva has recently been threatened again, and has gone into hiding.

Valdênia Aparecida Paulino, the lawyer representing the dead men's families, has also been threatened.

BACKGROUND INFORMATION

The São Paulo Police Ombudsman reports that police killings in the state are increasing: 200 people were killed by police between January and March 2000 alone. The police report many of these killings as "resisting arrest", but Amnesty International regularly receives reports indicating that many are actually summary executions.

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

- expressing concern for the safety of Márcio Celestino da Silva, Ejane Maria da Silva and Valdênia Aparecida Paulino;
- calling for a full and independent investigation into allegations that police have have threatened them, and for any officers found to be involved to be suspended from duty and brought to justice;
- calling for Márcio Celestino da Silva and Ejane Maria da Silva to be protected, so they can testify in safety against the police officers accused of killing José Nunes da Silva and Ednaldo Gomes Nascimento;
- calling for a full and independent investigation into allegations that police illegally detained and tortured Márcio Celestino da Silva, and for any officers found to be involved to be suspended from duty and brought to justice;
- expressing concern at allegations that José Nunes da Silva and Ednaldo Gomes Nascimento were summarily executed, and calling for those responsible to be brought to justice without delay.

APPEALS TO:Minister of Justice

Exmo. Sr. Ministro da Justiça do Brasil

Dr. José Gregori

Ministério da Justiça

Esplanada dos Ministérios, Bloco 23

70064-900 - Brasília - DF - Brazil

Salutation: Vossa Excelência/ Your Excellency**Telegrams: Ministro Justiça, Brasília, Brazil****Fax: + 55 61 224 2448/322 6817**Public Security Secretary - São Paulo

Exmo. Sr. Secretário de Segurança Pública do Estado de São Paulo

Dr Marco Vinicio Petrelluzzi

Secretaria de Segurança Pública

Av. Higienópolis 758, Higienópolis

01238-000 - São Paulo - SP - Brazil

Salutation: Exmo. Sr. Secretário/Dear Sir**Telegrams: Secretário Segurança Pública, São Paulo, Brazil****Fax: + 55 11 3823 5708****COPIES TO:**Children's rights organization

Centro de Defesa dos Direitos da Criança e Adolescente - Mônica Paião Travição

Av. Dr. Paulo Colombo P. de Queiroz, 363

03982-130 - Parque Santa Madalena - São Paulo - SP - Brazil

Family of José Nunes da Silva

Sra. Sebastiana Maria da Silva

Viela Santa Angela, No. 178

Jardim Elba - São Paulo - SP - 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 30 June 2000.