

UA 196/99

Fear for safety/ possible extrajudicial execution

4 August 1999

BRAZILAlvina Araújo de Oliveira (f)
Cláudia Araújo de Oliveira (f)

Jessé Correia de Oliveira Filho - killed

Amnesty International is concerned for the safety of sisters Alvina and Cláudia Araújo de Oliveira, whose brother Jessé Correia de Oliveira Filho was killed on 9 July 1999 in Recife, Pernambuco state. Amnesty International believes that he was killed because he had made an official complaint that a number of civil policemen from the *Delegacia de Polícia do Cordeiro* (Cordeiro police station), had tortured him and attempted to extort money from his family. Both his sisters are witnesses in the case against the civil policemen.

Jessé Correia de Oliveira Filho was shot by a man on a motorbike the evening before he was due to attend a police line-up to identify his torturers. Since his death Alvina Araújo de Oliveira and Cláudia Araújo de Oliveira have been intimidated by men circling their house on motorcycles, and their gate has been forced open.

On 27 January, Jessé Correia de Oliveira Filho received a summons to appear at the *Delegacia de Polícia do Cordeiro* in connection with the theft of a sound system. When he arrived, with a lawyer, he was told that he was in fact being questioned about a homicide. He alleged that the policeman interviewing him offered to "resolve" the situation there and then. Jessé Correia de Oliveira Filho insisted on following legal procedures and gave a statement. A few days later he was arrested in the street and taken to the police station, where he alleged that he was forced to strip naked, then tied up and tortured by having a plastic bag placed over his head while two policemen stood on him. The torture was repeated until he signed a confession.

Jessé Correia de Oliveira Filho was released later the same day, following an alleged "negotiation" of a release payment between a lawyer and the police chief. His family claim that they paid R\$900 (about US\$500) via the lawyer for his release. Jessé Correia de Oliveira Filho did not make an official complaint until several months later, as he feared reprisals from the policemen, who appeared outside his house on several occasions. After he lodged the complaint he was offered a place on the state witness protection scheme, which he turned down.

BACKGROUND INFORMATION

The use of torture by Brazilian police to extract confessions and/or extort money from victims is very widely reported. Formal complaints against the police are rare, as victims and witnesses are frequently threatened, and sometimes killed. Following pressure by Amnesty International and Brazilian human rights groups, GAJOP, *Gabinete de Assessoria Jurídica às Organizações Populares*, (Office for Legal Assistance to Community Organizations) a non-governmental organization based in Recife, Pernambuco state, launched a pilot witness protection program in 1995. This program - PROVITA, *Programa de Apoio e Proteção a Testemunhas, Vítimas e Familiares de Vítimas da Violência*, (Program of Support and Protection for Witnesses, Victims and Relatives of Victims of Violence) - is being extended to several other states, and has made it possible to prosecute a number of police involved in human rights violations, in an important and ground-breaking challenge to impunity in Brazil. In recent weeks, the federal

government has also introduced legislation for the creation of a national witness protection program. However, the authorities have so far failed to tackle the root causes of police violence and corruption. A federal debate on wide-reaching reform of the public security system has been stalled in Congress since 1997.

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

- expressing concern for the safety of Alvina and Cláudia Araújo de Oliveira, who have been suffering intimidation since their brother, Jessé Correia de Oliveira Filho, was killed on 9 July 1999;
- noting that both the killing and the acts of intimidation appear to be directly linked to complaints of torture and extortion brought by Jessé Correia de Oliveira Filho against civil police, which were supported by Alvina Araújo de Oliveira and Cláudia Araújo de Oliveira;
- calling for the authorities to take any appropriate measures to guarantee the security of Alvina Araújo de Oliveira and Cláudia Araújo de Oliveira;
- calling for a full investigation into the killing of Jessé Correia de Oliveira Filho, and into the allegations of intimidation of Alvina Araújo de Oliveira and Cláudia Araújo de Oliveira;
- calling for the immediate suspension from duty of any civil policemen from the *Delegacia de Polícia do Cordeiro* alleged to be involved in murder, torture, extortion or intimidation, pending the outcome of such an investigation.

APPEALS TO:

Governor - Pernambuco

Exmo. Sr. Governador do Estado de Pernambuco
 Sr. Jarbas Vasconcelos
 Palácio do Campo das Princesas
 Praça da República. S/N
 50010-040 - Recife - PE - Brazil

Salutation: Vossa Excelência/ Your Excellency

Telegrams: Governador, Pernambuco, Brazil

Fax: +55 81 224 8826

State Attorney General - Pernambuco

Exmo. Sr. Procurador Geral de Justiça
 Dr. Romero Andrade
 Ed. IPSEP

Rua do Sol, N° 143, Santo Antônio
 50010-470 - Recife - PE - Brazil

Salutation: Exmo. Dr./ Dear Sir

Telegrams: Procurador Geral de Justiça, Pernambuco, Brazil

Fax: + 55 81 419 7103

Secretary of Social Defence - Pernambuco

Exmo. Sr. Secretário de Defesa Social
 Dr. Odorico Mendes
 Campo Grande, 700
 52031-080 - Recife - PE - Brazil

Salutation: Exmo. Dr./ Dear Sir

Telegrams: Secretário de Defesa Social, Pernambuco, Brazil

Fax: + 55 81 241 9155 [If voice answers, ask for "sinal de fax, por favor"]

State Police Ombudsman - Pernambuco

Exmo. Sr. Ouvidor Geral do Estado

Dr. Frederico Carlos Barbosa
Secretaria de Justiça
Av. Rui Barbosa, N° 1599
52050-000 - Recife - PE - Brazil

Salutation: Exmo. Dr./ Dear Sir

Telegrams: Ouvidor Geral do Estado, Pernambuco, Brazil

Fax: +55 81 224 9013

COPIES TO:

GAJOP - Gabinete de Assessoria Jurídica às Organizações Populares
Rua do Apolo, N° 161, 1° andar
50030-220 - Recife - PE - 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 15 September 1999.