

PUBLIC

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Fear for safety/possible extrajudicial execution

22 January 2001

BRAZIL

Nilson Félix (16), Truká indigenous group;
José de Nô Félix (38), Truká indigenous group
their family, and
Members of the Truká indigenous group.

A father and son from an indigenous community in Pernambuco state have been abducted and killed by military police. The men's family have also been threatened, and Amnesty International is concerned that they and the rest of the community are in grave danger.

There was an armed encounter between military policemen and unknown persons in the municipality of Cabrobó on 4 January, during which two of the military policemen were killed. Nilson Félix, a member of the Truká indigenous community, was hit during the shooting, and his father José de Nô Félix took him to the local hospital. Because he was badly wounded, his father then drove him to a larger hospital in Petrolina.

Witnesses say military police in balaclavas stopped José de Nô Félix's car on his way to the hospital, and abducted him and his son. The Truká community reported this to the federal police and searched for the men for three days. They found their burned and mutilated bodies on 7 January, in the municipality of Santa Maria da Boa Vista.

Also on 4 January, military police reportedly entered the Truká hamlet illegally in 12 cars in an apparent attempt to abduct Nilson Félix's youngest brother, Nelson.

Representatives of the Truká community went to the state capital, Recife, the next day to file a complaint and report what had happened to the authorities. Military police stopped their bus in the city of Belém do São Francisco, asked where they had come from and then accused them of being *assaltantes de ônibus* (people who rob bus passengers). The military police allowed them to continue, but warned them not to speak to anyone, or "someone would blow their heads off" (*Alguém iria a estourar as suas cabeças*). The military police car followed the bus for some distance.

BACKGROUND INFORMATION

The region where the Truká indigenous community lives is known as the *Polígono da Maconha*, or "Marijuana Polygon". Drug traffickers used to have marijuana plantations in the Truká territory, but the Truká community destroyed the plantations and expelled the traffickers. Tension remains high in the area, and the community is appealing to the National Indigenous Foundation (*Fundação Nacional do Índio*, FUNAI), which administers indigenous affairs, for their territory to be officially demarcated.

Amnesty International has repeatedly expressed its concern that indigenous people face human rights violations ranging from assault to massacres during disputes over land rights. The organization believes that the authorities' failure to arbitrate promptly in disputes between the indigenous and non-indigenous community leaves the indigenous groups vulnerable to attack.

Although the 1988 Constitution required all indigenous lands to be demarcated by 1993, only half of the 555 identified territories have been demarcated so

far. In January 1996, this process was slowed down further by Decree 1775/96, which introduced procedures for non-indigenous claimants to challenge the demarcation of indigenous areas already demarcated and ratified by presidential decree.

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

- calling for a prompt, full and independent investigation into the abduction and killing of José de Nô Félix and his son Nilson Félix, with the result of the investigation made public and those responsible brought to justice;
- expressing serious concern for the safety of the men's family and the rest of the Truká community, and asking the authorities to investigate the threats they have received and bring those responsible to justice;
- expressing concern that military police have operated in the Truká hamlet, and reminding the authorities that only federal police should be involved in indigenous affairs;
- noting that indigenous groups are particularly vulnerable to violent attacks where the legal status of their territory is uncertain;
- urging the federal government to arbitrate promptly in land disputes to reduce the risk of violence.

APPEALS TO:

Federal Minister of Justice

Exmo. Sr. Ministro da Justiça do Brasil
Dr. José Gregory

Ministério da Justiça

Esplanada dos Ministérios, Bloco 23

CEP 70064-900 Brasília - DF Brazil

Telegrams: Minister Justice, Brasília, Brazil

Faxes: + 55 61 224 2448 / 322 6817

Salutation: Vossa Excelência / Your Excellency

State Governor Pernambuco

Exmo. Sr. Governador de Estado de Pernambuco

Jarbas de Andrade Vasconcelos

Palácio Campo das Princesas

Praça da República,

50010-040

Recife - PE

Brazil

Fax: + 55 81 424 4671

Salutation: Vossa Excelência / Your Excellency

President, FUNAI (Fundação Nacional do Índio - National Indian Foundation)

Exmo. Sr. Presidente da FUNAI

SETS Quadra 702/902

Edifício LEX, 3 andar, Bloco A

70340-904 - Brasília - DF - Brazil

Faxes: + 55 61 226 8782

COPIES TO:

Indigenous Rights Organization

Conselho Indigenista Misionário (CIMI)

Rua Treze de Maio, 288 - Santo Amaro

50100-160 - Recife - PB - Brazil

Newspaper*Diário de Pernambuco*

Diretor de Redação

Praça da Independência 12, 2º Andar,

50010-300 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 5 March 2001.