

PUBLIC

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Fear for safety/death threats

BRAZIL

Francisco Lúcio França (m), lawyer  
Isabel Peres (f), Coordinator for ACAT-Brazil  
José de Jesus Filho (m), lawyer

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Two lawyers and an NGO leader have suffered death threats and intimidation which appear to be linked to their work to bring two alleged “death squad” members to justice. Amnesty International believes their lives are in danger.

Isabel Peres is the Coordinator of the Brazilian branch of the NGO ACAT (Christian Association for the Abolition of Torture). Together with lawyers Francisco Lúcio França and José de Jesus Filho, she has been involved in the prosecution of two police officers, who are accused of the murder of two youths. The trial took place in Mongagúia municipality, on the southern coast of São Paulo state, from 21–23 March. At the end of the first day of the trial, two cars followed Francisco Lúcio França and José de Jesus Filho to the place where they were staying. On 26 March, another car followed Isabel Peres to the place where she was staying.

On 25 March, Francisco Lúcio França was out with two friends in a shopping centre in the centre of São Paulo. A man approached him and said he was a police officer called “Lúcio”, a member of a *grupo de extermínio* (“death squad”) which *fazia o serviço sujo da Polícia* (“carried out the dirty work of the police”). He told França, *Você pare com o processo, se não você morre!* (“you should drop this case, or else you will die!”) and went on to say that he had come to São Paulo to *identificar* (“identify”) two people. It was clear from what “Lúcio” said that he was talking about the prosecution of the two police officers, who had been acquitted two days earlier. The public prosecutor’s case has lodged an appeal against the acquittal. Key witnesses to the murder are now believed to be in particular danger: like the police officers who are now free, they live in Mongagúia, where the murders took place.

The police officers are accused of murdering 16-year-old Anderson do Carmo and 20-year-old Celso Gioelli Magalhães Júnior, on 27 September 2002. The two young men were visiting a bar in Mongagúia, when two police officers, who had threatened them earlier, called to them to get into their police car. They tried to escape, but the police caught them, and witnesses saw the officers beat them severely. The officers took them away in the car, saying they were taking them for questioning at the municipal police station. However, their bodies were found a few days later in a shallow grave. A bullet was found in each body, which were identified as having been fired from the gun of one of the police officers. Further evidence implicated the second police officer. The two officers were dismissed from the Military Police and charged with the killings.

## BACKGROUND INFORMATION

Across Brazil “death squads” carry out extrajudicial executions of criminal suspects, in situations sometimes known as “social cleansing”, and are also involved in organized crime: among them are serving and former police officers. There have been some successful crackdowns on “death squad” activity, notably in the state of Bahia. However, at least 30 people were killed in Rio’s Baixada Fluminense district on 31 March in two hours of indiscriminate shooting by “death squad” members, believed to include military police officers. The attack is believed to have been a response to a crackdown on “death squads” and corruption within Rio’s Military Police force.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Portuguese or your own language:**

- urging the authorities to take immediate steps to guarantee the safety of Francisco Lúcio França, Isabel Peres, José de Jesus Filho and key witnesses to the September 2002 killing of Anderson do Carmo and Celso Gioelli Magalhães Júnior, in accordance with their wishes;
- calling on the authorities to initiate an independent and transparent investigation into the death threats and intimidation they have suffered, and to bring all those responsible to justice;
- asking the authorities to make public all investigations and criminal proceedings in relation to the killing of Anderson do Carmo and Celso Gioelli Magalhães Júnior;
- expressing concern that police officers are linked with “death squads”;
- calling on the authorities to take immediate steps to investigate and combat “death squad” activity across Brazil.

**APPEALS TO:**

Governor of São Paulo State

Exmo. Sr. Governador do Estado de São Paulo

Sr. Geraldo Alckmin

Palácio dos Bandeirantes

Av. Morumbi 4500, Morumbi

05698-900, São Paulo - SP, Brazil

**Fax: + 55 11 3745 3738**

**Salutation: Vossa Excelência/Your Excellency**

São Paulo Public Security Secretary

Exmo. Secretário de Segurança Pública do Estado de São Paulo

Sr. Saulo de Castro Abreu Filho

Secretaria de Segurança Pública

Av. Higienópolis 758

01238-000 - São Paulo – SP, Brazil

**Fax: + 55 11 3823 5708**

**+ 55 11 3291 6834**

**Salutation: Exmo. Sr Secretário/Dear Secretary**

Minister of Justice

Exmo. Ministro da Justiça

da República Federativa do Brasil

Dr. Márcio Thomaz Bastos

Ministério da Justiça

Esplanada dos Ministérios, Bloco T

70712-902 - Brasília - DF, Brazil

**Fax: + 55 61 322 6817**

**Salutation: Vossa Excelência**

**COPIES TO:**

ACAT – Brasil

Praca Clovis Bevilacqua 351, 5º andar, sala 501

01018-001 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 19 May 2005.