

URGENT APPEAL - THE OBSERVATORY

BRA 001 / 0311 / OBS 048
Burglary / Acts of intimidation
Brazil
March 25, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in **Brazil**.

Description of the situation:

The Observatory has been informed by reliable sources of the burglary of the headquarters of the human rights non-governmental organisation Dignitatis - Technical Advisory People (*Dignitatis - Assessoria Técnica Popular*) in the town of João Pessoa, Paraíba State. Among other activities, Dignitatis monitors and lodges complaints on cases involving the death squads operating in the States of Pernambuco and Paraíba.

According to information recently received by the Observatory, on January 31, 2011, at 9 a.m., members of Dignitatis discovered that a window of the office had been broken during the night, and that the central processing unit (CPU) of the main computer had been taken away. This CPU contained several important documents of the organisation related to its human rights activities. Surprisingly, burglars stole the main computer of the organisation although it was the most difficult to take due to its location, while the computer closer to the window was not stolen. They also broke into drawers and rolled documents. Two blank check books that were in the drawers and signed by Dignitatis Director were left on the spot.

It was later discovered that on January 30, 2011 a military police vehicle parked in the street outside Dignitatis headquarters from noon to 8 p.m., when the robbery might have taken place.

On December 13, 2010, the doors of the organisation had already been damaged by a gunshot, probably 22 gauge. A police report was filed on December 15. Neighbours also reported having seen on several occasions unmarked cars with dark glasses surrounding the headquarters of Dignitatis, staying there for a while with the engines running, before leaving slowly.

An investigation was opened by the second police station of João Pessoa but, as of issuing this Urgent Appeal, the investigation had led to no result, and no suspect had been identified.

These events were also reported to the Ministry of Justice, to Minister Maria do Rosario from the Special Secretariat for Human Rights, to the State Council of Human Rights and Citizen of Paraíba, to the National Programme for the Protection of Human Rights Defenders and to Deputy Federal Luiz Couto Paraíba¹.

The Observatory fears that these acts of intimidation be linked to the human rights activities of Dignitatis, and in particular to the key role it has played in the process of federalisation of the investigation into the assassination of Mr. **Manoel Bezerra de Mattos**, a lawyer and human rights defender who was killed in January 2009 in Itame City, Paraíba State, for

¹ In February 2011, Deputy Federal Luiz Couto Paraíba publicly denounced the burglary of Dignitatis office: http://www.luizcouto.com/ger/layout.php?subaction=showfull&id=1296839646&archive=&start_from=&ucat=15 &. As regards the other authorities, only the National Programme for the Protection of Human Rights Defenders reportedly reacted by sending a person to interview Dignitatis staff, but no further information could be obtained as to the outcome of this interview.

denouncing the actions of death squads that operate on the border between Paraíba and Pernambuco States². Dignitatis, along with Global Justice (*Justiça Global*) and other organisations, was responsible for the request to federalise the case, and participated in the drafting of the *amicus curiae* that was presented in that respect.

The Observatory further recalls that in January 2003, Dignitatis headquarters had already been subject to a theft, when laptops, confidential documents and interviews had been taken away, and when the flat in which researchers of Global Justice were staying in João Pessoa had been broken into³.

Actions requested:

Please write to the Brazilian authorities urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Dignitatis members, as well as of all human rights defenders in Brazil;
- ii. Put an end to any act of harassment against Dignitatis, and order an immediate, thorough, effective and impartial investigation into the above-mentioned events as well as into Mr. Manoel Bezerra de Mattos's assassination, the result of which must be made public, in order to identify all those responsible, bring them before a civil competent and impartial tribunal and apply to them the penal sanctions provided by the law;
- iii. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
 - its Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels";
 - and its Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration";
- iv. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Brazil.

Addresses :

- Mr. José Eduardo Cardozo, Federal Minister of Justice, Ministry of Justice, Esplanada dos Ministérios, Bloco "T" , 70712-902 - DF Brazil. Fax: + 55 61 2025 3587
- Ms. Maria do Rosário Nunes, Minister of the Special Secretariat for Human Rights of the Presidency of the Republic. Fax: + 55 61 2025 3116. Email: direitoshumanos@sedh.gov.br
- H.E. Ms. Maria Nazareth Farani Azevêdo, Ambassador, Permanent Mission of Brazil to the United Nations in Geneva, Chemin Louis-Dunant 15 (6th floor), 1202 Geneva, Switzerland.

² In August 2009, the Attorney General of the Republic accepted the request to transfer the investigation and trial for the assassination of Mr. Manoel Bezerra de Mattos to Federal Justice and in September 2010, the Supreme Court of Justice decided to federalise the case, which remains pending upon decision of the Federal Prosecutor to start a trial or ask for further evidence to the federal police. This was the first case in which the federal level in Brazil managed to succeed. See Observatory Annual Report 2010 as well as Observatory Press Release, issued on September 3, 2010.

³ Two laptops as well as research documents had been stolen, while other more valuable goods like a computer, a television set and other office equipment were not taken. These acts of intimidation seemed to be linked to enquiries undertaken by Global Justice on acts carried out by armed groups in the State of Paraíba, within the framework of a Global Justice general project on summary executions in Brazil. See Observatory Annual Report 2003.

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• Embassy of Brazil in Brussels, 350 avenue Louise (6th floor), 1050 Brussels, Belgium. Fax: +32 2 640 81 34

Please also write to the diplomatic mission or embassy of Brazil in your respective countries.

Geneva-Paris, March 25, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
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