

**URGENT APPEAL - THE OBSERVATORY**

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**BRA 002 / 0511 / OBS 084**

Assassinations

**Brazil**

May 27, 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 the Landless Rural Workers' Movement (*Movimento dos Trabalhadores Rurais Sem Terra - MST*) about the assassination of Mr. **José Cláudio Ribeiro da Silva** and his wife Mrs. **Maria do Espírito Santo da Silva**, members of the National Council of Extractive Populations (*Conselho Nacional das Populações Extrativistas - CNS*), and leaders of the Agro-extractive Project Praialta-Piranheira (*Projeto Agroextrativista Praialta-Piranheira*) in Nova Ipixuna, in Pará State, dedicated to the protection of the Amazonian rainforest through the sustainable exploitation of timber and nuts by 400 families, and the denunciation of illegal exploitation of the forest.

According to the information received, on May 24, 2011, Mr. José Cláudio Ribeiro da Silva and Mrs. Maria do Espírito Santo da Silva were shot dead by unknown individuals in an ambush near their house, at Maçaranduba 2 on the road leading to the project area in Nova Ipixuna, Pará State. The local civil police are investigating the assassinations with the participation of the federal police.

In the past, Mr. José Cláudio Ribeiro da Silva and his wife had received several threats related to their engagement on the protection of the rainforest. In November 2010, during a speech at an international event in Manaus, Mr. José Cláudio Ribeiro da Silva had expressed that he was at risk of being killed because of his denunciations against loggers and charcoal producers that were illegally exploiting the rainforest. Despite this, they were not part of the National Protection Programme for Human Rights Defenders (*Programa Nacional de Proteção aos Defensores de Direitos Humanos - PPDDH*).

The Observatory expresses its deepest concern about the assassination of Mr. José Cláudio Ribeiro da Silva and Mrs. Maria do Espírito Santo da Silva, which seems to merely aim at sanctioning their human rights activities.

The Observatory urges the Brazilian authorities to adopt measures to effectively guarantee in all circumstances the physical and psychological integrity of environmental defenders in Brazil, in particular those defending the Amazonian forest. The Observatory further calls on the authorities to continue with the investigation into these killings; prosecute all those responsible and try them before a competent and impartial tribunal.

**Actions requested:**

The Observatory urges the authorities of Brazil to:

- i. Guarantee in all circumstances the physical and psychological integrity of all human rights defenders in Brazil;
- ii. Carry out an immediate, thorough, effective and impartial investigation into the killings of Mr. José Cláudio Ribeiro da Silva and Mrs. Maria do Espírito Santo da Silva, 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;

- ii. Put an end to acts of harassment and threats against defenders of environmental rights, and more generally against all human rights defenders in Brazil;
- iv. Conform to the provisions of the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly 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 realisation of human rights and fundamental freedoms at the national and international levels”;
  - its Article 9 (1) and (2) which states that “In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights. To this end, everyone whose rights or freedoms are allegedly violated has the right, either in person or through legally authorized representation, to complain to and have that complaint promptly reviewed in a public hearing before an independent, impartial and competent judicial or other authority established by law and to obtain from such an authority a decision, in accordance with law, providing redress, including any compensation due, where there has been a violation of that person’s rights or freedoms, as well as enforcement of the eventual decision and award, all without undue delay”.
  - 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”;
- v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Brazil.

#### Addresses:

- H.E. Ms. Dilma Vana Rousseff, President of the Republic of Brazil, Presidência da República Federativa do Brasil, Palácio do Planalto, Praça dos 3 Poderes, 70150-900, Brasília – DF.
- 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](mailto:direitoshumanos@sedh.gov.br)
- Mr. Luís Inácio Lucena Adams, General Prosecutor, Advocacia-Geral da União, Ouvidoria-Geral, Setor de Indústrias Gráficas, Quadra 06, Lote 800, 70610-460 - Brasília-DF.
- Gal. José Elito Carvalho Siqueira, Chief Minister of Cabinet of Institutional Security - Gabinete de Segurança Institucional, Palácio do Planalto - sala 217 - 2º andar, Praça dos Três Poderes, 70150-900, Brasília – DF. Email : [asscomgsi@planalto.gov.br](mailto:asscomgsi@planalto.gov.br)
- Mr. Afonso Bandeira Florence, Minister of Land Development, Ministério do Desenvolvimento Agrário, Esplanada dos Ministérios, Bloco A/Ala Norte, 70050-902, Brasília-DF.

- Mr. Celso Lisboa de Lacerda, President of the Instituto Nacional de Colonização e Reforma Agrária, SBN Qd. 01 Bloco D - Edifício Palácio do Desenvolvimento - 70057-900, Brasília - DF. Email: [presidencia@incra.gov.br](mailto:presidencia@incra.gov.br)
- Ms. Izabella Teixeira, Minister of Environment, Ministério do Meio Ambiente - Esplanada dos Ministérios - Bloco B - 70068-900 - Brasília – DF. Email : [ascom@mma.gov.br](mailto:ascom@mma.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. Fax: +41 22 910 07 51. Email: [mission.brazil@delbrasgen.org](mailto:mission.brazil@delbrasgen.org)
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Please also write to the diplomatic mission or embassy of Brazil in your respective countries.

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Geneva-Paris, May 27, 2011

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

The Observatory, an OMCT and FIDH 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](mailto:Appeals@fidh-omct.org)
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