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July 2016

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## **Brazil: Jorge Lazaro, Samba Nunes Father seeking justice for his sons**

Jorge Lázaro, 50 years old, had two of his seven children murdered and has been fighting for justice since.

Ricardo Mattos dos Santos, his son, was a talented circus acrobat who was working in a well-known circus company in Brazil. He was spending his vacation with his family in Boca do Rio, a poor neighbourhood in Salvador, and went out to play football with friends on 22 January 2008. He was in a field with the other young men when a car came past with four men in it. Three of the men started shooting at the young men playing football. The fourth man stayed in the car. They were looking for young men who were suspected of stealing a bike from the son of a retired military police officer. Ricardo and another young man, Robson de Souza Pinho, were killed. Ricardo was hit by 5 shots while he begged for his life and said that he was not one of the people the attackers were looking for. After an investigation, in March 2011 the public prosecutors charged three military police officers with the crime. But three years after they were charged and six years after the extrajudicial execution took place, the case still has not gone to trial, and no one has been brought to justice.

Jorge Lázaro Samba Nunes do Santos Filho, one of Ricardo's brothers, was there and witnessed the killing. Soon afterwards, he was moved out of the city for his own safety by family friends. Despite being away from the city of Salvador, he received threats from an individual on a motorcycle. Shortly afterwards, on 31 January 2008, the whole family was entered into the Program for Protection of Victims and Witnesses (PROVITA). However, on 18 November 2008, Jorge Lázaro (the father) was excluded from the program for not respecting some security measures such as staying in hiding. Subsequently on 18 December 2008, the entire family was removed from the protection program.

After the death of Ricardo in 2008, Jorge Lázaro initiated a personal quest for justice. The killing has had a huge impact on the whole family, as have the conditions of the protection program, which took the family out of their original home and social circle. After they were taken out of the protection program, they were unable to resume their lives as before.

On 10 March 2013, Enio Mattos dos Santos, another son of Jorge Lázaro, was abducted from his home and shot by unknown people. He was 19 years old. The context of his death is still unknown and there is little information about the perpetrators and the circumstances of the case. Jorge Lázaro had applied in 2011 for Enio to be included in the National Program for Children and Adolescents Threatened by Death (PPCAM), but the program refused to include him, arguing that he was not threatened.

The family have lived in precarious conditions since Ricardo was murdered in 2008. In 2013, after the killing of Jorge Lázaro's second son, the accommodation provided by the authorities of Bahia State led to a separation of the family for a period, with Jorge and his other son Denilson (14 years old) in a shelter for homeless people, and his wife and two daughters in a shelter for women who had suffered sexual and domestic violence. The children have been out of school for five years. The pressure on Jorge Lázaro is tremendous: seeking justice for the killings of his sons, trying to keep himself and his family safe, and providing minimum living conditions such as a home and food.

## WHAT YOU NEED TO DO

There are four targets in this case, each with a different appeal. You can write to all targets, or just one.

**1) Write to the Governor of Bahia State** calling on him to guarantee a fair and timely investigation, to bring those responsible for the killings of Ricardo dos Santos and Enio dos Santos to justice, and to ensure that Jorge Lázaro and his family are able to obtain the social, economic and psychological assistance they need.

**Jacques Wagner, Governor of Bahia State**

Avenida 3, n° 390, Plataforma IV, Prédio da Governadoria, 3° andar – Centro Administrativo da Bahia – CAB  
CEP: 41745-005. Salvador – Bahia, Brasil

**Fax:** +55 71 3371 0610

**Twitter:** @jacqueswagner / @secom\_bahia

**Salutation:** Exmo Sr. Governador / Dear Governor

**2) Write to the President of the National Council of Justice** (Conselho Nacional de Justiça, CNJ) calling on him to ensure that the CNJ pressure the Tribunal of Bahia State to ensure that those charged with the murder of Ricardo are given a fair trial without further undue delay.

**Joaquim Barbosa, President of the National Council of Justice**

Ed. Anexo I do Supremo Tribunal Federal, 2° Andar, Gabinete da Presidência, Sala B219.  
Praça dos Três Poderes, s/n°, Brasília – DF, CEP: 70.175-900, Brasil

**Fax:** +55 61 3224 7468

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**Facebook:** <https://www.facebook.com/cnj.official>

**Twitter:** @joaquimbarbosa / @CNG\_oficial

**Salutation:** Exmo Sr. Presidente / Dear Mr. President

**Solidarity Action with Jorge Lazaro**

Please write a (non-religious) solidarity card and send it to:

Anistia Internacional Brasil, Praça São Salvador, 5 – casa – Laranjeiras

Rio de Janeiro / RJ/

Brazil

CEP: 22.231-170

**Please copy any correspondence to the Ambassador of Brazil to the United Kingdom:**

**Ambassador Eduardo dos Santos**

14-16 Cockspur Street, London, SW1Y 5BL

**Email:** [info.london@itamaraty.gov.br](mailto:info.london@itamaraty.gov.br)

**Salutation:** His Excellency

## Background Information

Ricardo and Enio were young black men. Every year, thousands of young black men are murdered throughout the country; hundreds of them are killed by military police, by death squads and by militias with links to the police; few cases are investigated. In Brazil, members of death squads and so-called militias (especially in the urban areas of Rio de Janeiro) are formed mostly by off-duty and former policer officers.

From 1980 to 2011, according to official data collected by the Brazilian Public Health System, the number of homicides in the country increased from 13,910 (11.7 homicides per 100,000 people) to 52,198 (27.1 per 100,000). The rate of homicides in Brazil is one of the highest in the world.

This lethal violence is not equal – it is selective towards those who are young, poor and black. (The term “black” has been more used in Brazil than other terms such as Afro-Brazilian, especially among the black population themselves and the Black Social Movement). In 2011 the homicide rate among young people (15 to 24 years old) was 53.4 per 100,000 (almost double the rate of the general population. There is no significant bias for young people, meaning that around 50% of youth are black.

This has been referred to by some commentators as an “extermination” of black youth in Brazil, and the authorities have not taken effective action to stop it. One factor which may help to explain the lack of political will to address this problem is the racism that exists in public institutions and in Brazilian society generally. Impunity is also an issue. According to a survey conducted by the Brazilian Association of Criminology in 2011, only 5-8% of homicides results in a trial in the criminal justice system.

In cases where police officers or death squads are involved, witnesses are generally afraid to give testimony. Moreover, with both policing and justice being administered at the State level, there can often be pressures in the local context to avoid or delay investigation and the judicial process in such cases.

Although there is a constitutional provision that allows for cases of serious human rights violations to be transferred from the state justice system to the federal justice system, this mechanism has only been used once, in the case of Manoel Mattos, a human rights defender killed in January 2009 after reporting the actions of a death squad in the Northeast of Brazil. The trial went to federal justice in October 2010 after a decision by the Superior Court of Justice (the highest court of justice in the country, which operates alongside the Federal Supreme Tribunal – the Constitutional Court – which adjudicates on cases which raise issues under the Brazilian Constitution).

The constitution provision declares that “in case of serious human rights violations, and with a view to ensuring compliance with obligations deriving from international human rights treaties to which Brazil is a party, the Attorney-General of the Republic may request, before the Superior Court of Justice, and in the course of any of the stages of the inquiry or judicial action, that jurisdiction on the matter be taken to Federal Justice.”

The other issue raised by this case is the precarious situation faced by the National and State Protection Programs. There is a lack of a consistent legal framework, of resources, and of political will, and poor coordination among the relevant official and other bodies responsible for operating the programs.

If you have any queries about this action and for updates please contact:

activism@amnesty.org.uk / 020 7033 1675

Local group's monthly mailing can be downloaded from: [www.amnesty.org.uk/groups](http://www.amnesty.org.uk/groups)