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**International Centre for Trade Union Rights**  
*Centro Internacional para los Derechos Sindicales*  
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ICTUR was founded to  
defend and extend trade union rights and  
to raise awareness of these rights and their violations  
around the world

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**Attn:**  
**Minister of Justice**  
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**CC:**  
International Department,  
Central Única dos Trabalhadores ('CUT')

Dear Minister,

The International Centre for Trade Union Rights is gravely concerned by the murder of Wallace Barão, president of the road transport workers' union of Vila Velha and Guarapari SINTROVIG.

ICTUR understands that on 9<sup>th</sup> February Barão was found in his car; he had been shot and killed. The murder took place during a police strike, during which, we are informed, serious and violent acts were reported, including dozens of reported murders. We are aware also of reports that other members of the union said they were threatened by so-called 'para-police', and it is our understanding that the union has told its members to cease driving the city's busses until their security can be guaranteed.

ICTUR wishes to remind the authorities of their obligations under international law to take prompt and effective action to address these incidents. The murder of a trade unionist is an extremely serious violation of trade union and of human rights. The right to life is a fundamental human right, protected by several relevant instruments of international law, as is the safety and security of trade unionists. The operations of the fundamental principles of the International Labour Organisation are discussed below, but also relevant are the regional human rights instruments – the American Declaration of the Rights and Duties of Men (Articles I and XXII), and the American Convention on Human Rights (Articles 4 and 16) – and the United Nations Covenants

– on Civil and Political Rights and on Economic, Social and Cultural Rights – which Brazil has ratified.

ICTUR recalls that Brazil has ratified Convention 98 of the ILO, and we further recall that all ILO member States are obligated to respect the fundamental principles of Freedom of Association, under the terms of the Organisation's Constitution, which position was affirmed by the ILO's Declaration of Fundamental Principles of 1998. According to the ILO's Committee on Freedom of Association the rights of workers can only be 'exercised in a climate that is free from violence... and it is for governments to ensure that this principle is respected'. The killing of trade unionists requires the 'institution of independent judicial inquiries in order to shed full light, at the earliest date, on the facts and the circumstances in which such actions occurred and in this way, to the extent possible, determine where responsibilities lie, punish the guilty parties and prevent the repetition of similar events'. Failure to hold guilty parties to account creates a culture of impunity, 'which reinforces the climate of violence and insecurity, and which is extremely damaging to the exercise of trade union rights' (Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO, Fifth Edition, 2006, paras. 42, 43, 44, 46, 48 and 52).

ICTUR calls on the government to investigate this situation, addressing both the murder and the threats reported against other union members. The government must further undertake all necessary measures to guarantee workers' safety and security in order that they are able to exercise their fundamental freedoms to join and form unions and take action in defence of their interests.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director