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EXTERNAL

PORTUGAL: DEATH OF PAULO SILVA AFTER ALLEGED POLICE ILL-TREATMENT

Amnesty International is concerned about the circumstances surrounding the death of Paulo Silva in Oporto on the night of 14 January 2000. Paulo Silva died in the Cerco area of the city, allegedly as a result of a beating by officers of the Public Security Police (*Polícia de Segurança Pública - PSP*). Another man died in Oporto on the same night, allegedly as a result of a severe beating by police officers¹. The following summary of the events related to the death of Paulo Silva is based on a number of press reports.

On the night of 14 January 2000 Paulo Silva, a 32-year-old man who was allegedly a drug addict, went to the Cerco area, in Oporto, to buy heroin. He returned home in a deplorable physical state, and told his mother he had been severely beaten by the police. He collapsed and was taken to the hospital of São João, where he died. Doctors of the Institute of Legal Medicine (*Instituto de Medicina Legal*), who carried out the autopsy, attributed his death to a ruptured spleen and a number of other internal injuries.

The police oversight agency attached to the Interior Ministry, the *Inspecção-Geral da Administração Interna* (IGAI) and the criminal investigation department of the prosecutor's office, the *Departamento de Investigação e Acção Penal do Ministério Público* (DIAP) opened separate investigations. An internal inquiry was also initiated by the PSP into possible police misconduct. In February 2000, IGAI stated that the inquiry into the circumstances surrounding the death of Paulo Silva was a complex one. Further investigation was needed before any conclusion could be reached about the nature of the police involvement². IGAI apparently suggested that the investigation might include an inquiry into the conduct and performance of the PSP of Oporto in the last few years, particularly as regards some *brigadas á civil*, which were allegedly involved in past violent episodes.

The DIAP interviewed the police officers of the Anti-Crime Brigades (*Brigadas Anti-crime - BAC*) of the PSP of Oporto, who were on duty in the Cerco area that night. The BAC were in the area to carry out an operation against drug traffickers. However, as nobody was in the

¹Álvaro Rosa Cardoso, a Rom, died in police custody after being arrested following an alleged altercation between members of some Romani families. An autopsy report stated that the cause of death was bleeding from a ruptured spleen. Two police officers were arrested and charged with aggravated homicide. At the time of writing, the trial had not yet opened. For further information see "*Portugal: death in custody of Álvaro Cardoso*", AI Index: EUR 38/02/00.

²According to press reports, IGAI stated the case appeared "*de grande complexidade investigatória, havendo que desenvolver profundas diligências, para a confirmação dessa internenção policial, respectivos intervenientes, bem como possíveis antecedentes*".

streets when they arrived and the zone appeared different from usual, the BAC officers stated that they realized that other police forces (*Piquete de Intervenção*) were in the area and ordered colleagues of the ordinary squad to retreat. The BAC officers claimed to have left by 11.45pm, about one hour before the assault on Paulo Silva allegedly took place.

At the end of April 2000 eight police officers of the Fourth Division of the PSP of Oporto were interviewed by the judge for allegedly assaulting Paulo Silva, but the Public Prosecutor has not yet decided whether to bring charges against them or to close the case. According to the National Police Directorate (*Direcção Nacional de Polícia - DNP*) the officers have not been suspended. However, the officer in charge of the police patrol allegedly involved in the assault was reported to have signed a report in which there was no reference to any operation in the Cerco area that night, although he later admitted that he had not been on duty. This cast doubt on his testimony and a separate inquiry was opened into the matter by the PSP.

The circumstances of Paulo Silva's death remain unclear.