

EXTERNAL (for general distribution)

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UA 53/94 Torture / Medical concern

15 February 1994

BRAZIL Manoel Delfino FELIX DA SILVA, aged 59
 Pedro VIEIRA DE ARAUJO
 Manoel Divino ALVES DA SILVA
 Osvaldo DUARTE DA SILVA
 Valdemir ALVES DA SILVA
 Josemar CANTUARIO DE OLIVEIRA - all peasants, (lavradores)

Amnesty International is concerned by reports that the six people named above have been subjected to torture and other forms of ill-treatment since their arrests in late January 1994. It is also concerned that some of the detainees are not receiving adequate medical attention.

According to the information received by Amnesty International the first five listed above were detained on 23 and 24 January by military and civil police officers from Couto Magalhaes, Tocantins state. Their detention was related to investigations about the killing of a local councillor in a conflict over land tenure. The five are currently in custody in Colinas do Tocantins police station. Josemar Cantuario de Oliveira was detained on 26 January in Conceição do Araguaia, Pará state, by members of the civil police, on the same grounds. He is being held in the Guaraí police station, Tocantins state.

According to a witness who was briefly detained in the Couto Magalhaes police station, Valdemir Alves da Silva was taken out of the police station around 10 pm on 23 January and brought back to his cell about two hours later with severe bruising. The witness alleges that Valdemir Alves da Silva told him that he had been taken to a nearby stream where his head was submerged in water until near drowning. Valdemir Alves da Silva's wife was also told by her husband about his torture and confirmed that he was badly bruised.

The same witness alleges that Osvaldo Duarte da Silva and Manoel Delfino Felix da Silva were severely bruised and told him that they had been beaten by the police. Manoel Delfino Felix da Silva was taken to hospital complaining of strong pain in his head and body. A doctor reportedly diagnosed that his bruises were consistent with heavy blows to his upper body. The detainees in Couto Magalhaes police station also allege that they were beaten by the police while being taken in custody from Couto Magalhaes to the police station at Colinas do Tocantins.

Josemar Cantuario de Oliveira, accused by the police of the killing of the local councillor was reportedly severely beaten and subjected to other forms of torture at the Guaraí police station in Tocantins. He was also reportedly denied proper medical attention for a bullet wound to his leg.

BACKGROUND INFORMATION

The region comprising the north of Tocantins and the south of Pará states, in the North of Brazil, has one of the worst records of rural violence in the whole of Brazil. While those responsible for the killings of peasants, rural union leaders and their advisors are seldom brought to justice, the police have often resorted to torture and other forms of ill-treatment to investigate cases involving violence against landowners. In September 1993, during a police operation to arrest peasants suspected of involvement in the murder of a

landowner and a veterinarian in the south of Pará state, a peasant named Osório Barbosa de Barros was reportedly detained as a "witness" and severely tortured by the police in Xinguara police station, Pará state (see UA 342/93, AMR 19/31/93, 29 September 1993).

Recommended Action: Please send telegrams/telexes/faxes and airmail letters either in Portuguese, English and your own language:

- expressing concern at the allegations that the six peasants named above have been beaten and tortured by members of the civil and military police investigating a crime in northern Tocantins;
- urging that proper medical attention be provided for all the detainees;
- requesting a full investigation into the allegations of torture and ill-treatment and that all those found responsible be brought to justice;
- urging the authorities to remind all members of the police forces that the Brazilian Constitution categorically prohibits torture or inhuman and degrading treatment.

APPEALS TO:

1. Minister of Justice

Exmo Sr Ministro da Justiça

Sr Mauricio Corrêa

Ministério Da Justiça

Esplanada dos Ministerios, Bloco 23

70.064 Brasília DF, Brasil

Telegrams: Ministro Justiça, Brasilia, Brasil

Faxes: + 55 61 321 5145

Telexes: 611003 MNJU Br

Salutation: Vossa Excelência/Your Excellency/Su Excelencia

2. State Governor of Tocantins

Exmo Dr Moisés Avelino

Governador do Estado de Tocantins

Palácio Araguaia,

Avda Presidente Juscelino Kubischek

77.000.000 Palmas, Tocantins, Brazil

Faxes: + 55 63 862.1201

Telegrams: Governador Tocantins, Palmas, Tocantins

Salutation: Vossa Excelência/Your Excellency

3. State Secretary for Public Security

Exmo Sr Secretário de Segurança Pública

Sr Desembargador Julio Resplande de Araújo

Palácio Araguaia

Avda Presidente Juscelino Kubischek

77.000.000 Palmas, Tocantins, Brazil

Telegrams: Secretário de Segurança Pública, Palmas, Tocantins, Brazil

Salutation: Vossa Excelência/Your Excellency

COPIES OF YOUR APPEALS TO:

Pastoral Land Commission Araguaia- Tocantins

Comissão Pastoral da Terra Araguaia-Tocantins

Rua 07 de Setembro 800,

77600-000 Paraiso do Tocantins, Tocantins, Brazil

Faxes: + 55 63 861 11 10

and to diplomatic representatives of Brazil accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 March 1994.