PUBLIC **AI Index: AMR 19/023/2005**

UA 255/05 **Fear for Safety/Torture** **26 September 2005**

BRAZIL **Afran Lima Rodrigues (m)**
Rodrigo da Costa Silva (m)
Welison Pereira Xavier (m)
Adail Mendes Rodrigues (m)

The four men named above were allegedly tortured by military police officers in August this year, and have been intimidated by the same officers since they filed complaints about the torture. They have been forced to flee their homes or go into hiding, and Amnesty International believes their lives are in grave danger.

Afran Lima Rodrigues and Rodrigo Costa Silva were abducted at gunpoint by a group from a military police unit called the *Comando de Operações Especiais* (COE), Special Operations Command, on 14 August, in their home town of Gurupi, in the northern state of Tocantins. The group reportedly included the local COE commander, and said that they were looking for property stolen from his house. They took the two men to a remote spot outside the town, blindfolded them, taped over their mouths and bound their hands and feet. They subjected them to near-drowning, beating and electro-shock torture, during which both men passed out. After four hours of this, they left the two men at the side of the road, telling them that if they reported what had happened they would die.

Welison Pereira Xavier and Adail Mendes Rodrigues had been abducted by COE officers the previous day, and tortured in a similar manner. They were warned not to tell anyone what had happened, or their families would be killed.

Despite these threats, the men immediately lodged complaints about the torture. Since then, they have been living in terror of reprisals. The police believed to have carried out the torture have been seen driving past their homes on numerous occasions in recent days. Since the police never usually visit the area, this is an overt act of intimidation.

A civil police investigator was sent from the state capital, Palmas, to interview them and witnesses, while the COE unit allegedly responsible was sent to another town for 30 days, which expired a few days ago. The civil police investigator was reportedly unable to finish his investigation for lack of funding.

BACKGROUND INFORMATION

In Brazil the use of torture is widespread and systematic. It is used by military, civil and federal police to extract confessions, intimidate witnesses or for extortion. Within the country's prisons and detention centres it is used as a means of punishment and control. Torture was officially criminalised in Brazil by the introduction of the 1997 Torture Law. However, the law is ineffective in reducing the practice, as there have only been a few successful prosecutions of state officials since its introduction. The current federal government has repeatedly pledged to launch a national campaign against torture, but has never given any details of the substance of the campaign, or when it might begin.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Portuguese or your own language:
- expressing your concern for the safety of Afran Lima Rodrigues, Rodrigo da Costa Silva, Welison Pereira Xavier and Adail Mendes Rodrigues;
- expressing your concern that they were all reportedly tortured by officers of the *Comando de Operações Especiais* military police unit in Gurupi, Tocantins state;
- calling on the authorities to take all steps necessary to provide protection for these men and any further witnesses who may be at risk, in accordance with their wishes;
- calling for a full, prompt and independent investigation into the torture allegations and other activities of the *Comando de Operações Especiais* in Gurupi;
- calling for the results of this investigation to be made public;
- urging that any members of the *Comando de Operações Especiais* found to have used torture be prosecuted under Brazil's 1997 Torture law;
- enquiring as to when the Brazilian authorities plan to launch their national campaign against torture.

APPEALS TO:

Governor of Tocantins State
Exmo Sr. Governador do Estado do Tocantins
Dr. Marcelo de Carvalho Miranda
Palácio Araguaia
Praça dos Girassóis
77003-020 Palmas - TO, Brazil
Fax: + 55 63 3218 1092
Salutation: Vossa Excelência/Your Excellency

Tocantins Public Security Secretary
Exmo. Sr. Secretario de Segurança Publica do Estado do Tocantins
Dr. Julio Resplande de Araújo
Secretaria da Segurança Pública
Praça dos Girassóis, Esplanada das Secretárias
77001-002 Palmas - TO, Brazil
Fax: + 55 63 3218 1802 (If someone answers say "Fax, por favor.")
Salutation: Exmo. Sr Secretário/Dear Secretary

Federal Human Rights Sub Secretary
Exmo. Sub Secretario de Direitos Humanos
Sr. Mário Mamede, Subsecretaria de Direitos Humanos
Esplanada dos Ministérios - Bloco T - Sala 422
Edifício Sede do Ministério da Justiça
70064-900 - Brasília – DF, Brazil
Fax: +55 61 3223 2260
Salutation: Exmo. Sr Secretário/Dear Secretary

COPIES TO:

Public Prosecutor's Office in Gurupi
Promotor da 3ª Promotoria da Justiça Criminal da Comarca de Gurupi
Dr. Alzemiro Wilson Peres Freitas
Av. Rio Grande do Norte, s/n,
entre as Ruas 3 e 4,
Gurupi, Estado do Tocantins, Brazil

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 7 November 2005.