

UA 422/94

Torture / Fear for safety

1 December 1994

BRAZIL Carlos Eduardo RODRIGUES DA SILVA, aged 18, football player  
Ismael SOARES RODRIGUES, market stall holder  
Wanderlei BATISTA, trader  
and others from Borel shanty town, Rio de Janeiro

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As anti-crime operations by joint forces of army and police personnel continue in the state of Rio de Janeiro, fears for the safety of civilians caught up in the crackdown have been heightened by reports of the torture and ill-treatment of residents of the Borel shanty town, *favela morro do Borel*, Rio de Janeiro, during an anti-drugs raid.

Between 25 and 28 November 1994, more than 1000 soldiers and police officers reportedly occupied Borel. According to a local priest, Father Olinto Pegoraro, about 15 local people were taken by the military to the parish church where they were subjected to torture, beatings and kickings. The priest showed reporters blood stains in the church sacristy's floor, allegedly from torture victims. He claims that he was not allowed into the church, but could hear the screams of the detainees. A group of local nuns told a reporter from the newspaper *O Globo* that they saw police officers applying electric shocks to various people and kicking and beating one man. Five local residents denounced their torture to the local police station and were subjected to a forensic medical examination.

Among the tortured was Carlos Eduardo Rodrigues Silva. He alleged that he was kicked, slapped in the face and beaten with truncheons by the military inside the church. Another local man, Wanderlei Batista, alleged that he was detained by the army and taken to the church, where he was thrown to the floor and kicked by military and civil police agents. A third local resident, Ismael Soares Rodrigues, alleged that a group of civil police and military army officers took him to the backyard of a nearby hut, *barraco*, where he was subjected to beatings, electric shocks and near drowning for almost 9 hours. The owner of the hut, a 72-year-old man, confirms his allegations.

An army spokesman denied that any violence took place during the operation. The spokesman, Major Francisco Paiva, said that he personally was in the church and did not see any blood stains or signals of violence. However Major Paiva said that a letter from father Pegoraro, denouncing the torture was being examined by the commander of operations of the Easter Military District, General Roberto Camara Senna.

On 31 October an agreement was signed between the Federal Government and the Governor of Rio de Janeiro for a military commander to assume joint command of military and civil police forces in Rio de Janeiro as part of a special operation to combat arms and drug trafficking in the state for a 60-day extendable period. Since November 18 army troops and weaponry have been deployed in operations in a number of *favelas* in Rio de Janeiro. On 28 November Amnesty International wrote to president Itamar Franco stressing that if military agencies were designated to take part in law enforcement activities, it was essential that international standards and UN criminal justice standards were adhered to all times. The events reported from Borel have greatly increased concerns for the safety of other inhabitants of Rio de Janeiro who may become caught up in the continuing operations.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters in Portuguese, Spanish, English or your own language:**

- expressing concern at reports that Carlos Eduardo Rodrigues da Silva, Ismael Soares Rodrigues, Wanderlei Batista and other residents of the Borel shanty town in Rio de Janeiro were tortured and ill-treated during a joint military and police raid in the shanty town between 25 and 28 November;
- calling for these reports to be thoroughly investigated and those responsible be brought to justice;
- in view of these reports, calling on the authorities to guarantee the safety of civilians during any future operations by ensuring that military and police personnel adhere to international standards and United Nations criminal justice standards at all times;
- stressing that, during any future operations, there must be a high degree of transparency and access for human rights observers to the places the operation takes place;
- calling on the authorities to ensure that members of the public are fully informed of their rights, and are aware of the mechanisms available to them to lodge complaints should they feel that their human rights or those of their relatives have been violated.

**APPEALS TO**

Minister of Justice

Exmo Sr. Ministro da Justiça  
 Sr Alexandre Dupreyrat  
 Ministério da Justiça  
 Esplanada dos Ministérios  
 Bloco 23  
 70.064 Brasília, DF  
 Brasil

**Faxes: + 55 61 321 5145/5172**

**Telegrams: Ministro de Justiça Dupreyrat, Brasilia, Brazil**

**Salutation: Vossa Excelência / Your Excellency / Su excelencia**

Chief of the Joint Military Staff

Generalde Exército Antônio da Rocha Veneu  
 Esplanada dos Ministérios Bloco Q  
 70.000 Brasília DF, Brasil

**Salutation: Vossa Excelência / Your Excellency / Su excelencia**

Governor of Rio de Janeiro

Exmo Sr Governador do Estado do Rio de Janeiro  
 Dr Nilo Batista  
 Palácio Guanabara  
 Rua Pinheiro Machado s/n, Rio de Janeiro -RJ, Brasil

**Faxes: + 55 21 5528390/5536090**

**Telegrams: Governador Rio de Janeiro, Brazil**

**Salutation: Vossa Excelência / Your Excellency / Su excelencia**

Commander of Operations - Eastern District

General Roberto Camara Senna  
 Comando Militar do Leste  
 Rio de Janeiro, Brasil

**Faxes: + (55) (21) 233 23 39**

**Salutation: Senhor General / Dear General / Señor general**

**COPIES OF YOUR APPEALS TO:**

Movimento "Viva Rio"

Rua Ipiranga 107

Larangeiras, CEP 22231-120- Rio de Janeiro -RJ-  
Brasil

Newspaper O Dia

O Dia

Rua do Riachuelo 359

20235-900 Rio de Janeiro, Rj-

Brasil

**Faxes: + (5521) 5071 228**

**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 10 January 1995.