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BRAZIL

@TORTURE OF STREET CHILDREN IN POLICE CUSTODY IN CUIABA, MATO GROSSO

The Death Under Torture of Mauro Martins Solano

According to information received by Amnesty International Mauro Martins Solano, age 17, was detained on the morning of Sunday 22 September by agents of the Civil Police, near his home in Cuiabá, Mato Grosso. He was accused of stealing some electric domestic appliances and taken to the Santa Isabel Police Station. He was then allegedly tortured for several hours, including severe beatings and keeping his head under water until near asphyxiation. (See Urgent Action UA 322/91, AI Index: AMR 19/26/91)

According to Mauro Martins Solano's wife, age 16, who was taken to the police station later the same day, Mauro Martins Solano was beaten with a stick. He was also made to undress and lie down on a wet floor. Afterwards they were both taken to a place by a river near the police station, where torture continued. As Mauro Martins Solano's conditions appeared to deteriorate, the policemen accused him of "faking it" and beat him even more. At some point Mauro Martins Solano told his wife that he "couldn't take it any more", asked her to look after their child, held her hand and died.

The police took Mauro Martins Solano's body to hospital and told hospital staff that Mauro Martins Solano had suffered a heart attack. However, according to the official death certificate Mauro Martins Solano died from suffocation by being submerged in water. Reports stated that he had over a litre of water in his lungs.

The Torture of Street Children

In statements made by street children to the Cuiabá branch of the Movimento Nacional de Meninos e Meninas de Rua, National Movement of Street Children, MNMMR, following the death of Mauro Martins Solano on 22 September, street children stated that they were routinely beaten and tortured, allegedly to extract contributions from their petty robberies. In the last weeks the MNMMR has received several denunciations of police violence and torture of street children.

In their statements the children said that they were usually picked by the police at night while sleeping in the street. If the children did not have any money or stolen goods to share with the police, or refused to share the goods with them, they were detained and taken to the police station where they were usually beaten up. The policemen were said to hit them with their fists wrapped in a piece of cloth so as not to leave any bruises.

The children said that they were taken in the boot of a car to be tortured in a place by the river Cuiabá, known by the police as "Canibal". (Press reports claim that "Canibal" is an empty house on the left bank of the river Cuiabá. The house has allegedly been identified by some of the children as the place where they were tortured). At that place they were tied to a post and thrown into the river until they were close to suffocation. They were also constantly beaten in their stomach, their face and their ears.

When the children mentioned to the police that they intended to denounce their ill-treatment to the judicial authorities, they were threatened with death and told that nobody would believe them as there would be no evidence of ill-treatment because their bodies would not show any bruises.

Amnesty International had access to transcripts of some of the children's statements. The following is part of a transcript from one of the children's statements:

"The kid that was killed (i.e. Mauro Martins Solano) I didn't even know him. We are on the streets and only because we look a bit funny, (because) we are begging, they grab us and take us there. They tell us that they want the TV set, that X has already told them that we have it and if we claim that we haven't got it, that this is a lie, they take us there. They take some ropes and pieces of cloth and take us to the so called Canibal (...) They take us in the boot of the car or they make us lower our head so that we cannot be seen. There we are undressed, tied up and we are not longer blindfolded (...) They throw us into the river until nearly drowned, it hurts a lot, they kick us right in the mouth of our stomach, but they hit us with their fists covered in cloth so as not to leave any traces (...) They do this to anybody, tall or short, we can be of any size, they don't care. We say we are going to tell the judge. They say that if the judge finds out, when we go back to the streets they will get us."

"O rapaz que mataram lá, eu nem conhecia ele... aqui a gente and na rua só porque a gente anda medio esquisito, mendigando, então eles pegam a gente e levam pra lá e fala que quer televisão, que o fulano já falou que voce tem uma televisão e se voce fala que não tem, que é mentira, ai levam pra lá, pegam umas cordas, uns panos, levam lá pro tal de Canibal, eles falam que é lugar de Canibal. Levam a gente dentro do porta mala do carro our então abaixadinho pra ninguém ver. Lá eles descem com a gente, tiram a roupa, amarram a gente, tira o pano da cara da gente, joga dentro d'água, afoga pra caramba, machuca, dá pezada na boca do estomago mesmo, só que eles batem com a mão enrolada num pano pra não deixar sinal, e é qualquer um, pode ser grande, pode ser pequeno, pode ser do tamanho que for, eles não estão nem aí. A gente fala que vai contar pro Juiz, eles falam que se o Juiz ficar sabendo...a gente na rua depois...eles vão dar fim na gente."

BACKGROUND INFORMATION

The murder of children and adolescents under the age of 18 has become a feature of everyday life in Brazil's cities. According to the Ministry of Health, violent death among the 15-17 group increased from 54.3% in 1979 to 65% in 1986. Over 1500 children and adolescents under the age of 18 were reportedly killed in 1990.

Following international concern about the killing of street children in Brazil, the Brazilian government has committed itself to implement adequate measurements to protect the rights of the children. For that purpose the government has approved the Statute of the Child and Adolescent, passed in July 1990, created a Ministry of the Child. It also established a Permanent Working Group to monitor compliance of recommendations approved in January 1991 as part of the National Plan of Prevention and Reduction of Violence Against Children. Parliamentary Commissions of Inquiry at Federal and State level have been created to investigate violence against children.

Amnesty International has welcomed the measures taken by the Government but reports continue to be received about the torture and ill-treatment of children by security forces and about the killing of children by death squads in which police participation has often been established.

So far the legislative and administrative measures taken by the Brazilian authorities seem to have had no significant impact on the problem of violence against children. Measures such as the creation of municipal state and national councils of child and adolescent rights have not yet been fully implemented. These councils are meant to oversee the enforcement of children's rights according to the Statute of the Child and Adolescent. According to a survey conducted by the Movimento Nacional de Meninos e Meninas de Rua, National Movement of Street Children, MNMMR, 280 children were killed in the first three months of 1991 in the eight Brazilian states where the survey was conducted. According to the survey those responsible for the deaths are mainly death squads, the police and private security agencies. In very few cases those responsible for the killings have been brought to justice.