

PUBLIC

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20 December 2002

Further Information on UA 209/02 (AMR 19/011/2002, 11 July 2002) Fear for Safety

**BRAZIL
prison**

Detainees and Prisoners at Urso Branco

Amnesty International is seriously concerned for the safety of detainees and prisoners at Urso Branco prison, Porto Velho, Rondônia. Extreme violence at the prison has been endemic throughout the year. There are serious fears that a combination of overcrowding, numerous reports of torture and beatings of inmates at the hands of guards and police, and the increased tension caused by the Christmas break could lead to a massacre.

Overcrowding at the prison is at an extreme. It was built for 350 inmates but is currently holding 915 men. On 18 December, 20 prisoners were transferred to Urso Branco from Guajamirim prison in the interior of the state. Human rights defenders working at the prison believe that this transfer, in addition to the concerns cited above, could trigger an outbreak of violence between inmates.

During 2002, the prison has effectively proved to be out of control. On 1 January, a prison transfer between the main prison and the *seguro* holding cells (which are used for inmates who have been threatened by other prisoners), by judicial order, saw 27 inmates massacred by other prisoners. Military police and prison guards, who could hear the screams of those being killed, refused to enter the prison to intervene. A total of 48 men have been killed at Urso Branco this year, although no killings have been reported since July.

Overcrowding in the holding cells continues to be of serious concern, (see original UA). The holding cells, which were designed to hold 50 inmates, are currently holding 160. Adjacent to Urso Branco is a newly constructed 'model prison', which has a capacity of 120 people. According to reports, the prison is unavailable for use due to a dispute over payment between the company that built the prison and the Rondônia state government.

BACKGROUND INFORMATION

Situated on the outskirts of Porto Velho, Urso Branco is the largest prison in the Amazon state of Rondônia. Conditions there have been so terrible that the Inter-American Commission on Human Rights issued preventive measures on 14 March 2002, for the government to implement in order to ensure the security of inmates. In June and August 2002, the Inter-American Court of Human Rights, whose rulings are binding in Brazil, issued further preventive measures for the authorities to implement. It is the first time this year that Brazil has been taken to the Inter-American Court. According to local NGOs these measures are being complied with 'bit by bit'.

An Amnesty International delegation visited the prison in April 2002. They found extremely poor conditions which failed to reach minimum health and sanitary requirements. Poorly trained and underpaid guards have been unable to control detainees, and as a last resort, which is against Brazilian law, armed military policemen have been deployed to run the prison.

Human rights defenders have informed Amnesty International that there is an urgent need for guards at the prison to be trained. Should the authorities at the prison decide to withdraw the armed police agents, the regular prison guards will not be able to take over without further specialised training.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Portuguese or your own language:

- expressing concern at reports that chronic overcrowding in Urso Branco prison, Porto Velho, Rondônia state, has reached unsustainable levels, and that there have been many reports of torture and beatings of prisoners this year;
- calling on the authorities to take immediate steps to guarantee the security of all detainees held in the prison;
- calling on the authorities to investigate all reports of torture or ill-treatment of prisoners and to prosecute any state officials found responsible under Brazil's torture law No 9.455/97;
- reminding the authorities that the newly built prison adjacent to Urso Branco, known as the '*Presídio Modelo de Porto Velho*' which has a capacity of 120 prisoners, could be used to reduce overcrowding, especially in the '*seguro*' (holding cells);
- urging the authorities to immediately implement all preventive measures called for by the Inter-American Court of Human Rights to ensure the security of all detainees held in Urso Branco prison;
- reminding the authorities of their need to ensure that all military police and prison guards are properly trained in accordance with international standards on the use of force and treatment of detainees, and are provided with the conditions and training to perform their duties in ensuring safety for both detainees and themselves.

APPEALS TO: [Please note that new authorities are taking their seats in Brazil as of January 2003. For this reason we are sending letters to the Governor elect of Rondônia. We do not yet know who will be appointed to the other two posts, so please send letters to the title only]

Governor Elect of the State of Rondônia

Sr. Governador Eleito do Estado de Rondônia

Exmo. Sr. Ivo Cassel

Palácio Presidente Vargas

Praça Getúlio Vargas

78900-000 Porto Velho – RO, Brasil

Telegrams: Governador do Estado de Rondônia, Porto Velho - RO, Brasil

Fax: +55 69 224 3520

Salutation: Vossa Excêlencia

State Secretary of Public Security, Defense and Citizenship

Sr. Secretário de Segurança Pública, Defesa e Cidadania

Rua Gonçalves Dias, 802

Bairro Aleria

78900-000, Porto Velho – RO, Brasil

Telegrams: Secretário de Segurança Pública, Defesa e Cidadania, Porto Velho - RO, Brasil

Fax: + 55 69 216 8913 (if someone answers, say >Me da tom de fax por favor=)

Salutation: Exmo. Sr, Secretário/ Dear Secretary

Federal Secretary for Human Rights

Sr. Secretário de Estado dos Direitos Humanos

Secretaria de Estado dos Direitos Humanos

Ministério da Justiça

Esplanada dos Ministérios,

Bloco T,41 andar , Sala 420

70064-900 Brasília - DF, Brasil

Telegrams: Secretario de Estado dos Direitos Humanos, Brasília - DF, Brasil

Fax: + 55 61 226 7980

Salutation: Exmo. Sr Secretário/Dear Federal Secretary

COPIES TO:

Comissão Justiça e Paz

Arquidiocese de Porto Velho

Rua Carlos Gomes, 964

Centro
78900-030, Porto Velho - RO, Brasil

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 31 January 2003