

PUBLIC

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Fear for Safety/Torture/Death Threats

22 January 2004

BRAZIL

Adolescents held in the FEBEM juvenile detention system, São Paulo

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Adolescents held at juvenile detention centres in São Paulo State have reportedly been tortured and ill-treated by warders, and two have been shot dead in escape attempts. Amnesty International is extremely concerned for the safety of detainees at the centres.

Three inmates were shot on 22 January during a reported escape attempt from the Vila Maria centre, part of the *Fundação do Bem-Estar do Menor* (FEBEM), Foundation for the Well-being of Minors, juvenile detention system. One 17-year-old died, and another is in a critical condition in hospital. Military police and *monitores* (warders) deny shooting at the detainees. Another adolescent was shot dead on 20 December 2003, reportedly in similar circumstances. At least 10 adolescents died in the FEBEM system in 2003, and investigations have reportedly been inadequate.

The Franco da Rocha FEBEM unit was closed down in December 2003, and the detainees were moved to the Tatuapé centre, together with *monitores* who had been accused of ill-treating or torturing them. Detainees transferred from Franco da Rocha have reportedly been severely beaten by *monitores*, and at least 60 have reportedly complained of being tortured in Units 05 and 12. Two adolescents in Unit 12 were allegedly told they would be beaten to death if they reported the abuses.

Human rights defenders who visited the Tatuapé detention centre on 22 January told Amnesty International that adolescents were beaten with sticks and bars on arrival from Franco da Rocha. They were forced to sit all day in their cells facing the walls, and beaten if they talked; they were forbidden to leave their cells to go to the bathroom, and beaten if they soiled their clothes. *Monitores* continuously threatened and taunted the adolescents recently transferred from Franco da Rocha, and monitored visits from relatives, so detainees were unable to speak freely of the abuses they had suffered.

State authorities have reportedly hindered access to the FEBEM units by mothers of detainees, NGOs and members of civil society. High-ranking state officials have undermined NGOs, and even public prosecutors, by attacking them in the media.

#### **BACKGROUND INFORMATION**

Amnesty International has recorded systematic human rights violations inflicted on children and adolescents in São Paulo's FEBEM system, and the state authorities' failure to tackle the problem, for many years. Under the Brazilian Statute of the Child and Adolescent, FEBEM units are supposed to provide educational, medical and recreational facilities to help reintegrate juvenile offenders into society.

Amnesty International documented incidents of torture and ill-treatment at the Franco da Rocha detention centre since it opened in May 2000. In December 2002 Amnesty International wrote to the Governor of São Paulo, calling for the Franco da Rocha detention centre to be closed and *monitores* suspected of torturing detainees to be suspended immediately. The next month there was a rebellion at the centre during a routine visit by social workers. According to journalists and human rights defenders, *monitores* had incited the inmates to riot by withholding basic necessities such as soap and water, keeping them locked up 24 hours a day, and beating them. The problems at Franco da Rocha have continued at Tatuapé. Other centres in the FEBEM system have experienced similar levels of violence, reflecting the authorities' consistent failure to investigate and punish torture and ill-treatment of inmates by police and *monitores*.

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

- expressing concern at the killing of a 17-year-old boy and the shooting of two others at the Vila Maria FEBEM centre on 22 January, and the shooting of another boy on 20 December 2003, and calling for an immediate investigation;
- expressing concern for the safety of the juveniles detained at the Unit 05 and 12 in Tatuapé, São Paulo, who are at risk of further serious violence;
- expressing concern that serious human rights violations are still being reported in the FEBEM system, despite repeated complaints by Amnesty International and other human rights organizations;
- welcoming the closure of the Franco da Rocha unit, but asking what measures were taken to ensure future units complied with the ECA, as requested by Amnesty International in its letter to the Governor of 10 December 2002;
- expressing concern that *monitores* accused of torture, from Franco da Rocha and other units, are still on active duty, and urging that those responsible for the torture of juveniles in detention be brought to justice;
- expressing concern that state officials have made public attacks on human rights defenders, including public prosecutors, and urging the authorities to support the vital work these people do, and ensure that they and others working with juvenile detainees can go about their work in safety and free from intimidation.

**APPEALS TO:**

Governor of São Paulo State

Exmo. Sr. Governador do Estado de São Paulo  
Sr. Geraldo Alckmin  
Palácio dos Bandeirantes  
Av. Morumbi 4500, Morumbi  
05698-900, São Paulo - SP, Brazil

**Telegrams:** Sr. Governador do Estado de  
São Paulo, São Paulo - SP,  
Brasil

**Fax:** + 55 11 3745 3738

**Salutation:** Vossa Excelência/Your  
Excellency

Federal Human Rights Secretary

Exmo. Secretario Especial dos  
Direitos Humanos  
Sr. Nilmário Miranda  
Secretaria Especial dos Direitos Humanos  
Esplanada dos Ministérios  
Bloco T, 70064-900, Brasília – DF, Brazil

**COPIES TO:**

Public Prosecutor's Office - with responsibilities  
for Children and Adolescents

Promotoria de Justiça da Infância e da Juventude  
da Capital  
Rua Piratininga 105, Brás  
3042-001, São Paulo – SP, Brazil

**Telegrams:** Secretario Especial dos  
Direitos Humanos, Brasília –  
DF, Brasil

**Fax:** + 55 61 223 2260 / 226 2971 (If  
someone answers say "Fax, por favor.")

**Salutation:** Vossa Excelência/Your  
Excellency

President of the FEBEM System

Presidente da Fundação Estadual do Bem-Estar  
do Menor (Febem) de São Paulo  
Sr. Paulo Sérgio de Oliveira  
Rua Florencio de Abreu 848, Luz  
01030- 001 São Paulo – SP, Brazil

**Telegrams:** Sr. Presidente da FEBEM de  
São Paulo, São Paulo – SP,  
Brasil

**Fax:** + 55 11 6846 9133 (If someone  
replies say 'Fax, por favor')

**Salutation:** Sr. Presidente/ Dear President

FEBEM mothers' association

AMAR  
Rua Pedro Americo 32, 13ºand  
Vila Buarque, Centro  
01045-010, São Paulo, SP, 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 5 March 2004.