

BRAZIL Juvenile detainees at Franco da Rocha detention centre

Military police were sent in to quell a riot at a juvenile detention center in São Paulo state on 11 March. The inmates may now face violent reprisals at the hands of the *monitores* (warders) and police.

A journalist at the scene reportedly heard one of the detention centre's directors telling *monitores* that they would be able to take their revenge on the boys after the riot had been quelled. The authorities have said they will investigate this accusation.

The authorities have claimed the riot at Franco da Rocha juvenile detention centre began after a bungled escape attempt. Four people with guns had come to the centre at visiting time on the morning of 11 March to try to free some of the inmates.

However, the families of inmates claim the riot started in response to torture by warders earlier in the week, who were reportedly taking revenge on inmates for speaking out about torture and ill-treatment during a recent visit by the Federal Congressional Commission of Human Rights.

One *monitor*, 21-year-old Renato Araújo Feitosa, was killed during the escape attempt. Having heard the news of the killing of their colleague, *monitores* outside the unit reportedly attacked two negotiators, Father Julio Lancelotti and Ariel Castro, when they arrived at Franco da Rocha. The authorities had invited the two men, who are longstanding campaigners for the rights of juvenile detainees, to negotiate with the rioters. The *monitores* also attacked three staff from the Public Prosecutor's office, whose work is to monitor the treatment of children and adolescents, including juvenile detainees.

The inmates held around 40 people hostage for several hours. Negotiations lasted into the afternoon, before military police were sent in to retake the building by helicopter. Television pictures showed military police firing rubber bullets, sometimes at point blank range, and using tear gas and pepper sprays to regain control of Franco da Rocha.

Twenty-one *monitores* and 12 juvenile detainees were reportedly injured, some of them severely, during the riot and the military police intervention.

BACKGROUND INFORMATION

Franco da Rocha is part of the São Paulo state's *Fundação do Bem-Estar do Menor* (FEBEM), Foundation for the Well-being of Minors system. This is the fifth riot at Franco da Rocha since it opened in May 2000. FEBEM units are supposed by law to provide educational, medical and recreational facilities to help reintegrate detainees into society. Franco da Rocha and other large FEBEM units provide none of these basic requirements.

The problems of Franco da Rocha are widespread in the FEBEM system, reflecting the authorities' consistent failure to investigate and punish torture and ill-treatment of inmates by police and *monitores*. No FEBEM staff are known to have been charged under Brazil's 1997 torture law. The authorities have consistently failed to implement policy commitments to close larger units like Franco de Rocha in favour of smaller, better-run facilities.

The *monitores* themselves are poorly trained and forced to work in appalling conditions. The death of Renato Araújo Feitosa underlines this and the under-staffing that regularly puts *monitores* at risk of violent attack.

After the UN special rapporteur on torture, Sir Nigel Rodley, visited another FEBEM unit, a number of boys were reportedly beaten for having spoken to him. The São Paulo authorities responsible for the FEBEM system later told an Amnesty International delegation that the boys' injuries were self-inflicted.

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

- urging the authorities to guarantee that detainees in Franco da Rocha will not face reprisals after the riot of 11 March, and calling for effective and independent monitoring of the FEBEM system;
- asking the authorities to investigate the events which led to the riot at Franco da Rocha, and the allegations that adolescents had been tortured for speaking to members of the Federal Congressional Commission of Human Rights;
- urging the authorities to suspend all FEBEM staff and police suspected of torturing or ill-treating juvenile detainees until this investigation is completed, and to charge those found responsible under the 1997 torture law, and bring them to trial;
- reminding the authorities that all children and adolescents in detention must be treated in accordance with the Statute of the Child and Adolescent (ECA), and should be provided with educational, social, recreational and medical facilities;
- urging the authorities to complete their program of reform of FEBEM units, particularly to close down large units such as Franco da Rocha as soon as possible;
- expressing concern that FEBEM staff attacked Father Julio Lancelotti, Ariel Castro and 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 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

Fax: + 55 11 3745 3751

Salutation: Vossa Excelência/Your Excellency

Secretary for Social Development Assistance
 Secretario de Assistência e Desenvolvimento Social
 Sr. Edsom Ortega Marques
 Rua Bela Cintra 1032, 11/ Andar
 01415-000 São Paulo - SP, Brazil

Fax: + 55 11 255-2526

Salutation: Sr Secretário/Mr Secretary

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

Centre for the Defence of the Child
CEDECA - "Monica Paião Trevisar"
Atenção Padre Julio Lancelot
Avenida Dr. Paulo Colombo Pereira de Queiroz 363
Parque Santa Madalena
03982-130, 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 25 April 2001.