

Brazil: Torture and impunity under international spotlight

Eleven years after Brazil ratified the Convention against Torture, the widespread and systematic practice of torture and cruel, inhuman and degrading treatment continues unabated and largely unpunished Amnesty International said today.

The statement came as the Brazilian government prepares for its first appearance before the UN Committee against Torture in Geneva.

The organization is calling upon the Committee to closely scrutinize such practices and is urging the Brazilian authorities to ensure the effective implementation of Brazil's obligations under the Convention against Torture thus stopping the violations that are occurring on a daily basis in the country.

"While the Brazilian government has been frank and forthright in much of its official report to the Committee, this openness before international fora has not been matched by improvements in the human rights situation on the ground," Amnesty International said.

"The consistent failure to punish acts of torture committed by police and prison guards is conducive to more violations being committed," Amnesty International said, asking for an end to the impunity widely enjoyed by state officials responsible for human rights violations. The organization is urging the Brazilian Federal Government to face up to its responsibilities under the Convention against Torture, and to ensure the full and effective implementation of law 9,455/97, the Torture Law.

Amnesty International continues to document the consistent use of brutal acts of torture by state officials at the point of arrest, in police stations and in prisons and juvenile detention centres. Torture is regularly used as a means to extract confessions, to dominate, humiliate and control those in detention, or increasingly to extort money or serve the criminal interests of corrupt police officials. For some members of the police, often under trained and under

resourced, extracting confessions under torture has become a *de facto* replacement for professional and scientific methods of investigation.

The case of Alexandre de Oliveira, from the state of Minas Gerais, is a clear example of this. On 12 January, 2001, Alexandre was arrested and accused of having raped his one year old daughter, after she was sent to hospital suffering bleeding in her genital area. Alexandre later confessed to the rape, after members of the civil police reportedly applied electric shocks to the nape of his neck, and beat him on the soles of his feet with an iron bar. Following a medical examination, however, it was found that his daughter's bleeding was in fact caused by a tumour. An internal police investigation has been opened into the incident and Alexandre has since been released.

"However, most torture victims are not so lucky," Amnesty International said.

The majority of torture victims are criminal suspects held in detention, predominantly poor, under educated, and often of Afro-Brazilian descent. Rarely do they have the opportunity to denounce the torture they suffer, or have access to necessary medical and legal assistance. The few denunciations that are made are rarely fully investigated, and even more rarely they lead to prosecutions under the torture law.

The systematic use of torture and ill-treatment by police and prison guards has come to be regarded as the acceptable price of an increasingly repressive public security policy, looking to combat rapidly rising crime figures at any cost.

While Amnesty International recognises the complexity and size of the crime problem facing the authorities in Brazil today, it is concerned that the Federal Government has failed to ensure that public security measures are not adopted at the expense of its citizens' rights.

"Furthermore, it is the duty of the Federal Government, to ensure that Brazil abides by all articles of the Convention against Torture, to which it is a state party.

Amnesty International has submitted to the Committee against Torture a paper outlining its concerns on torture in Brazil. The organization's researcher on Brazil will be attending the Committee's sessions on 8, 9 and 15 May. For interviews, please call +44 7778 472 116 (mobile).

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