

PUBLIC

AI Index: AMR 19/011/2001

1 March 2001

Further information on UA 243/00 (AMR 19/21/00, 16 August 2000) and follow-up (AMR 19/22/00, 23 August 2000; AMR 19/32/00, 13 December 2000) - Fear for safety/torture

BRAZIL Dona Iraci Oliveira dos Santos (f)
"José" (not his real name), aged 16, her son

The two police officers accused of torturing "José" seem likely to be charged under Brazil's Law Against Torture. It is very rare for anyone to be charged under this law, and this represents a great victory for the work of the church-run Comissão Pastoral de Terra (CPT), which campaigns against police torture and impunity, and of Amnesty International members around the world.

A special prosecutor has been assigned to the case, and he has interviewed the accused police officers and witnesses to the alleged torture of "José". Brother Henri de Rosiers, who works as a lawyer for the CPT, expects the prosecutor to recommend that the officers are formally accused of torture before a judge, who will determine whether the men should go to trial. Brother Henri believes that the amount of evidence collected by the prosecutor will leave the judge no choice but to try the men under the 1997 Law Against Torture. Very few people have ever been charged under this law, although torture is widespread in Brazil, and only one conviction has so far been recorded.

A key prosecution witness, who was in jail at the same time as "José" and saw him being tortured, has gone into hiding in fear for his safety. It is vital that all the witnesses in this case receive adequate protection, if the people who tortured "José" are to be brought to justice.

Many thanks to all those who sent appeals on this case. Any proceedings against the police officers are likely to take some time, and Amnesty International will be watching closely. Please send a final round of telegrams/telexes/faxes/express/airmail letters in Portuguese, English or your own language:

- welcoming the action taken by the special prosecutor to investigate the allegations against the police officers accused of torturing Dona Iraci's son;
- calling for the officers to be suspended from duty until the special prosecutor's investigation and any trial proceedings are completed;
- expressing concern for the safety of all witnesses involved in this case, and asking what action the authorities have taken to ensure that they are adequately protected;
- urging the government to adhere to Torture Law 9.455, adopted on 7 April 1997, and reminding them of their commitment to ensure that human rights violations and crimes of torture are investigated and prosecuted wherever they occur in Brazil.

APPEALS TO:

Governor Pará State
Exmo. Sr. Governador do Estado do Pará
Sr. Almir José de Oliveira Gabriel
Palácio dos Despachos
Rod. Montenegro KM 9
66823-010 Belém - PA
Brazil

Fax: +55 91 248 0133

Salutation: Vossa Excelência/Your Excellency

State Attorney General

Procurador Geral do Estado do Pará
Dr Geraldo de Mendoza Rocha
Procuradoria Geral de Justiça
Ministério Público
Rua João Diogo 100
66015-160 Belém - PA
Brazil

Fax: + 55 91 223 3585

Salutation: Vossa Excelência/Your Excellency

Minister of Justice

Exmo. Sr. Ministro da Justiça do Brasil
Dr. José Gregori
Ministério da Justiça
Esplanada dos Ministérios, Bloco 23
CEP 70064-900 Brasília - DF
Brazil

Fax: +55 61 224 2448/322 6817/225 9089

Salutation: Vossa Excelência/Your Excellency

COPIES TO:

Pastoral Land Commission - Xinguara
Comissão Pastoral da Terra - Xinguara
Rua Pau Brasil 40
Caixa Postal 57
68555-000 Xinguara - PA
Brazil

Senhora Iraci de Oliveira dos Santos
Rua Itacaiúnas, 445
68555-000 Xinguara Centro - PA
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 12 April 2001.