

EXTERNAL (for general distribution)

AI Index: AMR 19/25/92

Distr: UA/SC

7 October 1992

UA 312/92 Torture/fear of "disappearance"/fear of physical safety

BRAZIL: Roberto Carlos DA COSTA, aged 18
Natalino José BATISTA, aged 16

Amnesty International is concerned about the physical safety of Roberto Carlos Da Costa, aged 18, and Natalino José Batista, aged 16, who were last seen on 10 September 1992 at Vila Nova York, São Paulo city, Brazil.

According to information received by Amnesty International, at around 1am on 14 April 1992 Roberto Carlos Da Costa and a friend were detained by the military police, under suspicion of robbery, on a street in the Eastern outskirts, Zona Leste, of São Paulo city. While inside the police vehicle Roberto Carlos da Costa was allegedly subjected to beatings and electric shocks to make him confess where he had hidden some alleged stolen goods. The beatings lasted for several hours then he was taken to Police District 70, 70 Delegacia Policial, where he was allegedly subjected to further beatings and electric shocks.

The day after his release from police custody Roberto Carlos Da Costa denounced the torture and beatings to the Public Prosecutor for Children and Adolescents of São Paulo, Promotoria de Justiça da Infancia e Juventude da Cidade de São Paulo and underwent a forensic medical examination. The torture and beatings were also denounced to a São Paulo Municipal Parliamentary Commission of Inquiry, Comissão Parlamentaria de Inquerito Municipal, on violence against children and adolescents. A police inquiry into the incident was opened.

At the end of August 1992 Roberto Carlos da Costa told a human rights worker that he had been shot at from an unidentified black car. On 10 September 1992 Roberto Carlos da Costa together with Natalino José Batista went missing and have since not been seen. Their families have searched for them in hospitals, police stations and relatives' homes with no success. Both families said that it is highly unusual for them to leave their homes without notice.

The Centro de Defesa da Criança e do Adolescente Monica Paião Trevisan, a human rights centre specializing in the defence of the rights of children and adolescents, has taken up Roberto Carlos da Costa's case. The centre has been broken into several times since July 1992, the last time was on 27 September 1992, and only documents and files related to the centre's work have been stolen, suggesting that it could be an attempt at intimidation.

BACKGROUND

It is estimated that they are in Brazil approximately 60 million children and adolescents aged from birth to 17 years of age, representing 41 per cent of the total population. Non-accidental violent deaths (homicides and suicides) were the primary cause of death in 1987 in the 15 to 17 year old age group in several of Brazil's main cities.

page 2 of UA 312/92...

According to the Federal Police, between 1988 and 1990 there were 4,611 recorded killings of children and adolescents in Brazil. A report published in February 1992 by a Parliamentary Commission of Enquiry of the Federal Chamber of Deputies stated that the involvement of civil and military police in the killing of children and adolescents is "far from exceptional" and that police killings is the third largest cause in the homicide of children and adolescents.

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

- expressing concern for the physical safety of Roberto Carlos da Costa and Natalino José Batista who were last seen on 10 September 1992;
- requesting an immediate investigation into their whereabouts;
- requesting that the allegations of torture and ill-treatment of Roberto Carlos da Costa be thoroughly investigated and those found responsible be brought to justice;
- requesting that break-ins into the Centro de Defesa da Criança e do Adolescente Monica Paião Trevisan be thoroughly investigated and that all necessary steps be taken to ensure the safety of the human rights workers of the centre.

APPEALS TO:

1) State Governor of São Paulo
Exmo. Sr. Luiz Antônio Fleury
Governador do Estado de São Paulo
Palacio dos Bandeirantes
Av. Morumbi s/n
05.598 São Paulo - SP
Brasil

Telegrams: Governador São Paulo,
Brasil
Faxes: +55 11 8439271
Salutation: Vossa Excelência / Your
Excellency

2) State Secretary of Public Security
Sr. Secretário de Segurança Pública
do Estado de São Paulo
Sr. Pedro Franco de Campos
Av. Higienópolis, 758
01.238 São Paulo - SP
Brasil

Telegrams: Secretário Segurança
Pública, São Paulo, SP,
Brasil
Telexes: 11 21 521
Faxes: +55 11 8258813
Salutation: Sr. Secretário/Dear Sir

COPIES OF YOUR APPEALS TO:

Attorney General's Office

Procuradoria Geral da República
Ed. Sede da PGR
Av. L2 Sul - Q.603 - Lote 23
70.200 Brasilia - DF
Brasil

Human Rights Centre
Centro de Defesa da Criança e do Adolescente Monica Paião Trevisan
Rua Dr. Paulo Colombo Pereira de Quiros 363
03.981 - Sta. Madalena - SP
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 18 November 1992.