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Geneva, 22 July 1970

Report on Police Repression and Tortures inflicted upon Political Opponents and prisoners in Brazil

I. Introduction

This report gives a summary of a file made available to the I.C.J. The file contains three different categories of evidence:

1. Documents and statements of evidence emanating from certain Brazilian jails and concentration camps. These documents were secretly removed from the places of detention and handed over to the reporters.

2. Documents and statements given to the reporters by ex-political prisoners who had either escaped or were in exile outside Brazil. The most recent of these documents (end of June)came, inter alia, from the spokesman of the group of students and militants who were exchanged for the German Ambassador. This group of 40 persons is now in Algiers.

3. Statements of evidence and observations gathered by the reporters during several visits to Brazil, the last of which was in June 1970.

Of necessity the report is fragmentary. Nevertheless it gives an account of some particularly disturbing aspects of the political and legal situation in Brazil today.

II. Civil War

The vast majority of observers are agreed that there exists today in Brazil a latent civil war situation. The expression is used specifically by the "Neue Zuercher Zeitung" (issue of July 5th, 1970). In this civil war the repressive forces of the military dictatorship on the one hand confront a diversity of opposition groups on the other. A brief identification of the parties involved in the conflict is called for:

1. The principal organs of Government charged with repression:

These organs are of different types. As Brazil is at least formally a Federal Republic, it is first appropriate to distinguish between Federal, State and local organs. On the other hand, due to the Military take-over of the country in 1964, the distinction between military and civil police organs has disappeared. In other words: at a Federal level the military police organs are today entitled to determine the form and strategy of the repression. Alongside the federal civil police named DOPS, exists the very active counter-espionage service of the armed forces: the NIS (National Investigation Service). In addition to these two bodies, the land, naval and air forces each have their own means of repression. The Land Forces have the military police, composed of special and separate units (PE -policia de ejercito). The Navy has the CENIMAR (Naval Investigation Centre) and the Air Force has the air police.

At State level there is the criminal police machinery, the judicial police and the so called "military" police (being a kind of uniformed police whose name varies according to the State).

Finally on the local or regional level, specialised bodies have been created: thus, the Sao Paulo area, for instance, has an organisation specialised in forcible interrogation of prisoners, called "Operation Bandeirantes" (Headquarters: Tutoia St, Sao Paulo) which is composed of ex-policemen, soldiers on active service and persons specially recruited for the purpose.

Besides this official police structure there are a number of repressive groups of which there is no official record: they exist in certain cities (Rio-de-Janeiro, Sao Paulo, Bello Horizonte, e.a.) under the name of the "Esquadrao da morte", the death Squadron, composed of plain-clothed policemen, underground assassins and ex-criminals. These squadrons, whose activities may be verbally condemned by the regimes, but more often covered over by an official silence and de facto impunity, kidnap persons suspected of holding views hostile to the regime, murder so called "antisocial" elements and most of the time mark their deeds by means of a card pinned to the chest of the body. Their activity is clearly aimed at intimidation since their victims are usually abandoned publicly on the side of one of the country's busy roads. Finally, armed members of certain political groups of the extreme right (one of the best known being an activist group from the Nationalist body called "Tradition Family Property" which aims to combat communist influence in the Catholic Church) sometimes join the punitive actions of one or other organs of repression, attend the interrogations and act as political informers.

III. Active Opposition Forces

These forces are recruited from most sectors of the population. However the most strongly represented groups are the universities, the lower clergy, certain religious orders and the liberal professions. They also include deserters from the three armed forces, militants from secret trade unions, militants from political parties banned by the Government, agricultural workers and some members of the upper middle class.

It is difficult to outline precisely the diversified structure of the active underground opposition. At least three categories are distinguishable:

a. In the heavily urbanised region of the country where industry, the large universities and a high percentage of the total population are concentrated (Rio de Janeiro, Sao Paulo, Bello Horizonte), action groups consisting of urban guerilla units operate within the framework and secret code of an army of liberation. Observers estimate that these secret armed forces number about 600-800 men and women, mostly young (or very young) boys and girls. The different titles (Vanguardia Revolucionaria Palmares, etc) do not permit sufficiently accurate conclusions to be drawn as to the ideological standpoints of the various organisations. Apart from the underground branch of the communist party which favours armed struggle, all other movements hold to an ideology which is essentially nationalist, democratic and humanitarian.

b. A second underground movement is composed of militants from dissolved organisations. They are primarily trade-unionists (only so-called official trade unions which in the main receive little recognition by the workers, now exist in Brazil), militants from Catholic organisations, notably the C.W.Y. (Catholic Working Youth) who are persecuted by the regime and the militants from the S.N.U. (Students National Union). These persons are engaged either in guerilla action or more often in pacific underground action. The militants from S.N.U. for example try to send abroad detailed documents on the repression and torture. Commandoes from the S.N.U. and C.W.Y. organise brief strikes in some schools and factories. They suddenly appear in one of the numerous "favellas" of the coastal towns (shanty towns where the most underprivileged of city-dwellers are crowded together in ghastly misery) to preach civil disobedience and passive resistance. Finally, these militants occasionally hold up traffic to distribute propaganda leaflets explaining some underground action (as in the case of the kidnapping of a foreign diplomat or the sudden death of a torturer), write words calling for resistance on town walls, organise masses in public on the death under torture of one of their companions and generally carry out secret but peaceful work which the Archbishop of Recife, Dom Helder Camara, calls: the "conscientication" (or awakening of the spiritual conscience) of the population.

c. A final section of the underground (called the "involuntary underground") is composed of extremely varied elements. The Military Government claims that Brazil has been engaged since 1964 in an internal war (cf. p.4 of report). Repression therefore takes place in the most varied circles: students are persecuted for having expressed allegedly subversive views at a seminar in economics, law or sociology. Recruits who display verbally a critical attitude towards authority often have to choose the underground to avoid imprisonment and torture.

University Chaplains or nuns having given asylum to fugitives in monasteries or convents or having cared for wounded people from the underground movement have themselves to go underground. This section also includes those who steal from hunger, the "Flagellados". Hundreds of thousands of people suffered from hunger in the wake of the drought in the North-Eastern States (where an old fashioned system of vast land-ownership is preserved giving rise to a rural working class of some 15 million people living in sub-human conditions) during April, May, June, 1970. So that they and their wives and children might survive some of them banded together into erring groups, attacking towns, warehouses and goods trains. Their activities have been proclaimed "subversive" by the Government. To escape repression and summary conviction (the death penalty was restored for crimes of subversion in 1968) survivors had to join the underground.

A final group of the involuntary underground consists of the parents or friends of arrested suspects. Indeed, in several regions (notably at Sao Paulo, Rio, Recife Goias and Bahia) the organs of repression resort to a method of arresting not only the suspect sought after but also his close relatives. This is done for two reasons: in certain prisons or barracks, fathers and mothers are tortured in front of their children to force them to speak. Priests are mutilated in the presence of brothers of their congregation (for specific cases cf. P. 9 of report). Secondly, since the underground opposition is very dispersed, it is difficult for the torturers to obtain really useful information to give them a lead, so they adopt the habit of torturing as many people as possible, who have had friendly, business or family relations with the suspect, in the hope that one of them might possess useful information and reveal it under pain.

IV. Specific Manifestations of the Civil War

Saint Exupéry said that there was no "comparison between free struggle and oppression in the night" ("Letter to a German friend" Ed. N.R.F). If it is difficult to describe the daily confrontation between a thousand tortured Brazilians and their persecutors in the barracks and jails of the country (cf. Chapter on the technique of tortures, p.6 of report) it is, on the other hand, relatively easy to show the outward features of the struggle. Since the second military coup of 1968, the Brazilian Government has adopted the above mentioned policy of subversive war. Brazilian officers have learnt such methods from American experts and theoreticians whom they meet in great number either in their own military schools in Brazil or during regular training courses in the Panama canal zone. This policy proves that Brazil - like the whole Latin American continent - is really at war. But as distinct from previous wars the enemy today is neither foreign nor external. On the contrary he is more likely to be found in the interior of the country, coming from so called noxious and sick elements of the population. The armed forces representing the sound element of the nation and who until now guaranteed the security of the nation by their presence at its frontiers, are now faced with a new task: to combat the internal front by ridding the nation of subversive elements. This army, otherwise unoccupied, and whose main task (territorial defence)

has become obsolete in a changed world situation, thus infiltrates into all domains of the administration and civilian life. The departmental heads of the Federal administration are mostly from the military. Soldiers are appointed to the Governments of the Federal States. Within the teaching faculties, soldiers hold executive and teaching positions. Thus the department of Civil Engineering in the Pontifical University of Rio de Janeiro (where the I.B.M. center for all Latin America is located) is today run by naval engineers. A great many publishers, writers and professors lose their posts and often their civic rights. A rigorous censorship silences the press, the radio and the different private television channels. In the street and particularly near barracks, prisons and the buildings of DOPS, security measures (barbed wire, armed patrols etc.) are apparent.

The active and underground opposition also proves the existence of a state of war. However it denies to the armed forces their role as guardians of "National integrity" and Public Security". It accuses them, moreover, of serving the interests of the huge capitalist oligarchies of the country and of the foreign economic enterprises, notably American, Japanese, German and Swiss, which dominate large sectors of Brazilian economic life. As the "Jornal do Brasil" of 20th April 1970, encouraged by a group of nationalist officers, has published statistics showing that 72% of the Brazilian banking world is at present in the hands of foreign bankers (and 100% of the pharmaceutical production etc.), this theory becomes more and more tenable. The active underground opposition therefore sees itself as a National Liberation Movement which seeks to achieve above all a true national sovereignty for Brazil and the establishment of a social democracy respecting fundamental human rights and paving the way for economic and political mobilisation which will enable the country to overcome its present economic and social under-development.

The diverse opposition groups shelter in the towns, in apartments, houses or more primitive refuges called "apparelhos". These are lodgings let most of the time for brief periodsand in which five, ten or fifteen people gather with their arms, duplicating machines, medicines and sometimes communications equipment. The sole contact who communicates with the outside world goes out only at night, keeps the group in provisions and is usually chosen from people unlikely to be suspected by the organs of repression (a child, an elderly woman etc.). These "apparelhos" keep themselves in funds by robbing banks or financial institutions. Such hold-ups are a daily event in the cities and large towns. The extraordinary density of the living areas and the mobility of the population allow the "apparelhos" to survive for a relatively long period. Nevertheless, their location is changed every three or four months (in Rio de Janeiro, an urban area of six million inhabitants, the observers estimate that there are about 200 active "apparelhos".). Attacks on particularly well-known torturers for their savageness is another manifestation of the "guerilleros". However isolation and lack of training permits little organised group action. Except in the relatively rare case of kidnapping of foreign diplomats the "apparelhos" live and fight alone. There does not appear to be, at least at present (July 1970) any rural guerilla columns. A probably exception to this is in the tropical forests bordering the sea in the Southern part of the Sao Paulo State which, according to information published in the review "Veje" and confirmed by the Southern Military Commander, could shelter a training camp for rural guerillas.

V. Techniques of Torture

According to observers there were at least 12,000 political prisoners in Brazil, in July 1970. The International Committee of the Red Cross, through its President, Mr Marcel Naville, on two occasions (October 1969 and April 1970) applied to the Brazilian Government for permission to visit the prisoners. Its general delegate for Latin America, Mr Serge Nersy, went to Brazil several times. The second request having been granted by the federal ministry for Justice, Mr Buzaid, the ICRC prepared to send its delegates to the Brazilian camps and prisons. However, the military Ministers in the Cabinet cancelled the decision of Mr Buzaid.) The General Guarastatzu Medici, President of the Republic, held a press conference (May 1970) and declared that there were no political prisoners in Brazil.

Torture today in Brazil is no longer a mere aid to judicial interrogation. It has become a political weapon. Indeed, it seems that in most prisons, barracks, police-stations and premises of all kinds in which various secret and police services cram their prisoners, torture is systematically applied often even before the interrogation itself starts. This method of so called "preventive torture" is explained in two ways:

The scattered and disorganised nature of the struggle with the different guerilla groups makes police investigation difficult. Thus the organs of repression often conduct round-ups on university campuses, in students' cafes, in factories or in the outback of the country (in zones of alleged insecurity). The suspects are then systematically tortured in the hope that they will reveal a plan of action, a hiding place for arms, or an "apparelho" about which the torturers themselves have not the slightest idea.

Secondly: Systematic torture is a means of dissuasion. It isolates the prospective fighter or rebel. Anybody, be it parent, friend or working colleague who helps, shelters, takes care of or feeds the underground fighter risks in this way suffering intolerable pain even before he has the opportunity of explaining himself before a judge.

The mother of a student leader who was able to visit her son several times at the camp on "Flower Island" testifies that the men in charge of the camp adopted the habit of leaving in the visiting room a mutilated boy, whose disjointed movements and marks of ill-treatment were to encourage visiting parents to advise their sons and daughters to cooperate promptly with the investigators.

The techniques of torture are numerous and varied. Except for the interior states (Goias, Matto Grosso, the North East of Sertao, the Amazone) where brutality and sometimes even savagery by the police are reported in numerous documents, torture follows scientific principles in most camps, barracks and prisons on the coast. Since January 1970 (when the first European press campaign warned the Brazilian Government) documents have indicated the presence of army doctors in the torture chambers. These doctors regularly attend interrogations conducted by officers and petty officers from the naval secret service (CENIMAR). Among other teams of repression their presence is sporadic. According to the prisoners themselves the task of these doctors seems to be twofold: By administering medicines and injections, they deprive the prisoner of the benefit of unconsciousness and allow the torturers to go on for several consecutive hours.

On the other hand the doctors ensure that the captive, who at a later stage may appear before a military or even civil judge, does not receive wounds which are too apparent. In this way the forty persons freed in exchange for the release of the West German Ambassador von Hollebed by the "guerilleros", arrived in Algiers in June 1970 and of whom 34 had been tortured, some on several occasions, by different services and during periods of up to 24 consecutive hours (in the case of Mr Apalhonio de Carvalho for instance) carried few signs of their ill-treatment. Only one young girl had the lower part of her body (hips and legs) completely paralysed. Others only bore traces of burns (on arms, nose, ears, genital organs) from electric shocks.

Documents, expert medical evidence and statements exemined by the reporters indicate that torture techniques vary little in Brazil. The most common methods are as follows:

1. The water torture: the head of the prisoner is repeatedly and for varying periods (and always to the extreme limit of suffocation) submersed in a bucket of dirty water or a bucket filled with urine or excrement.

2. The electric torture: the captive is hung by his feet and arms (or more generally by his knees, with hands tied to the feet, in a hunched-up foetal position) from an iron bar. Electrodes are then applied to his genital organs, ears, nostrils, breasts, or the reverse side of eyelids. Electric shocks always with increasing intensity are then passed through the victim's body. Army field telephones or current drawn from the supply to the special chamber are used for the job. In the last phase of the treatment the body is showered with cold water to increase the conductivity of the shocks.

3. Blows: A current technique is to strike the ears of the captive with both hands open. This causes the eardrums to rupture. Another method aimed at the genital organs and other delicate parts of the body, is to strike them with iron or lead clubs.

4. Rape of women prisoners is frequently committed.

5. Other tortures, which are wide-spread are of a moral kind: frequently a child is tortured in front of its mother; husbands and wives are tortured in the same room at the same time; sham executions and methodical deprivation of sleep or water often occur.

6. In numerous barrack prisons as well as city police stations and camps, special cells consisting of a concrete cylinder, 5' x 5', have been arranged. Fitted with a single air-vent (and often permanently lit by a strong globe) the prisoner spends sometimes days and weeks in a huddled-up position, close to suffocation. Some statements of evidence reveal that cases of insanity are frequent among the prisoners.

7. Another type of torture which recurs in the accounts of survivors and which is partly confirmed by expert medical evidence, seems not to result from systematic instructions given to the torturers but rather from the individualinitiativeof one or other agents of repression. Thus the military prison at Bello Horizonte has its own police dogs specially trained

to attack the delicate parts of the human body. These dogs are sometimes unleashed on prisoners (men or women) in the yard of the place of detention. In the premises of the DOPS of Sao Paulo, notably the barracks in General Osorio Square, special practices such as the pulling out of finger or toe nails, or the crushing of testicles are among commonly applied measures. Finger and toe nails as well as eyelids are also torn out by some groups of officers and non-commissioned officers of the 1st army stationed in the State of Guanabarra. In Sao Paulo, Curitiba and Juiz de Fora, captives have been burnt with oxy-acetylene. Others have had white-hot needles stuck under nails or in the joints or the wrist and knee.

As this report is for publication, the reporters prefer not to give the names of prisoners and ex-prisoners undergoing or having undergone torture. Past experience has shown that captives whose names appeared in the European or American Press often suffered the consequences of such publicity. Thus the former President of the UNE, Jean-Marie von der Weidt, both a Swiss and Brazilian citizen, arrested in September after a speech made against the regime and severely tortured (paralysis of the left side, partial loss of hearing, burns) in September and October was put in a concrete cylinder two months later when his name appeared in an article in the weekly edition of the Paris "L'Express" under the signature of E. Bailby.

However we made an exception to this rule of anonymity in the cases of events occurring in the camp of "Flower Island", the publication of which has been expressly requested by a group of captives. The text secretly removed from the camp and copied by a Guanabarra organisation was given to the reporters in May 1970. Excerpts from this text are in the annexure.

VI. Final Remarks

It appears that torture is today a systematic and scientifically developped practice of the organs charged with maintaining the existing order. Practically no strata of society escapes it. Neither is it ignored at any governmental level. Press, radio, publishing and television censorship precludes any real denunciation of the practices. The Brazilian Government also denies international organisations, notably the International Committee of the Red Cross, any contact with the prisoners. Spreading information on torture abroad is made difficult by checking on travellers and mail. Since February 1970, specialized agents of DOPS are in action in foreign countries, particularly Chile, Mexico, and Paris where strong contingents of Brazilians are in exile. Journalists reporting on tortures in the foreign press are penalised. Thus Edouard Bailby, leading writer for the Latin American section of "L'Express", in Paris, was prohibited from entering Brazil after his one article on tortures. The "Monde" correspondent in Brazil, Guimares, has been arrested several times. Whether or not our present report should be published raises a question as to its usefulness. Observers are agreed that torture exists and continues to spread. It incessantly corrupts Brazilian society. There is little hope of ameliorating the repression in view of the ever increasing number of civil-servants and military officers who have incriminated themselves by torturing their fellow citizens. Their only means of avoiding punishment, let alone the revenge of their compatriots, is to continue, and even intensify the repression. But torture relies on silent complicity, the discretion of witnesses and an illusion of normality.

Public opinion in civilised countries has today by repeated and detailed accusations a very real chance of putting a stop to the inhuman practices suffered by so many men and women in Brazil.

Annexure referred to (cf. p.8 of report)

Within the precints of the detention camp on "Flower Island" the Government has constructed a building shaped like a bunker, specially equipped for torture by means of electricity, fire, blows, suffocation and extraction of nails. This building is called "pavilhão de investigocoes criminais". During February and March and again in June this building hid several joint sessions of torture lasting 24 hours a day for several consecutive days. There are different rooms. Two of them are divided in the middle by a partition, which has a window half way up; a person can see through the window from one side but from the other side it appears as a mirror. When husbands and wives, fathers and sons, mothers and children are tortured in either room, one of them is thereupon compelled to witness the torture of the other. The latter, however, only hears screams from the opposite side of the partition and cannot see his parent, son or wife being tortured. Thus this system adds moral suffering to physical torture but prevents the victims from encouraging themselves by mutual glances.

During March, April and May 1970: Maria Dalva and Abigall, both 20 years old and arrested in January 1970 were tortured by such means. One of them is today paralysed from the hips down and the other is mentally ill.

Artur Gunha Neves and his wife, both 25 years old, were tortured for having - according to CENIMAR - sent abroad information about the tortures. They were tortured for four consecutive days without a significant break.

Raul and his wife Isabel, 26 and 25 years old, arrested in February 1970, were tortured for several days. The woman is at present suffering from a nervous breakdown.

Mario Alves, writer and journalist, about 50, who was arrested in January 1970, died under torture after having cried out all night without receiving care in the cell where, despite his wounds, the torturers had thrown him after a 24 hour session in the pavilion.

The following took part in the said sessions:-

The Lieutenant Colonel of the P.E. (Military Police), Ney, normally assigned to the direction of the P.E. at Barrao de Mesquita, Rio de Janeiro. Army Majors Fontenele and Demiurgo, Captain Leao, Lieutenants Magalhaes, Correia Lima, Valle, Garces, Duque Estrada, Sergeant Atunes, and Corporal Gil. Statements of evidence from prisoners affirm that the Army Commanding General, Siseno Sarmiento, General in command of the 1st army, personally attended one of such sessions.

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The International Commission of Jurists, whose headquarters is in Geneva, is a non-governmental organisation having consultative status with the United