



association pour la prévention de la torture
asociación para la prevención de la tortura
association for the prevention of torture

• PUBLIC STATEMENT

The security and powers of the Torture Prevention Mechanism of the State of Pernambuco must be guaranteed

Geneva, 27 August 2015. The Association for the Prevention of Torture (APT) is very concerned by the serious incident that took place on 17 August in the prison of Santa Cruz do Capibaribe, Brazil. A team of the State Mechanism to Prevent and Combat Torture (MEPCT), a body established by State law N°14.863 of 7 December 2012, was insulted with racist and transphobic terms and threatened with death by a prison guard who drew his firearm during its monitoring visit to the aforementioned prison. Such behaviour is unacceptable and seriously endangers the security of the MEPCT' team, as well as the continuation of its important work.

Since 2013, the MEPCT has the legal mandate to monitor places of deprivation of liberty in order to prevent torture and other ill-treatment, and to strengthen the protection and the physical and mental integrity of persons under custody. The MEPCT forms part of the National System for Torture Prevention of Brazil, established by Federal law 12.847/2013. Its powers derive from an international human rights treaty ratified by the State of Brazil – the Optional Protocol to the Convention against Torture (OPCAT) – which provides the MEPCT with crucial powers for the fulfilment of its mandate, such as independence, unimpeded access to all places of detention, all information and records, as well as the opportunity to have private interviews with persons deprived of their liberty.

In order for the MEPCT to continue its work, this case of violence and intimidation from a State agent must be duly investigated. The APT acknowledges and welcomes the measures taken by the authorities to suspend the agent involved, launch an investigation and take disciplinary measures. We trust that such investigations will continue until those responsible are identified and sanctioned.

We urge the authorities to take the necessary measures to ensure the security of the MEPCT's team and to guarantee the fulfilment of its mandate in accordance with the OPCAT. We trust that the Pernambuco's State will strongly condemn the violence to which members of the MEPCT were subjected in the exercise of their mandate, and to avoid similar obstructions in the future. The APT hopes that these abuses happened in isolation. We urge both local and federal authorities to guarantee the necessary conditions for the fulfilment of the MEPCT's mandate to prevent torture and other ill-treatment in the State of Pernambuco.

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