

Brazil

"We have come to take your souls": the *caveirão* and policing in Rio de Janeiro

"Imagine an official armoured vehicle, emblazoned with a skull and a sword, with police who come in shooting – first at the streetlights, then at the neighbourhood's residents... this is the *caveirão*. An eleven-year-old boy had his head torn off his body by shots which came from the *caveirão* – and we, the residents, still have to prove that it was the police." *Resident of Caju community, where the caveirão has been deployed, 2 December 2005.*

"We operate as we would in a conventional war, where the tank leads the way and the infantry surrounds the enemy." *BOPE commander, Colonel Venâncio Moura*

Introduction

The *favelas* of Rio de Janeiro – from the hilltops of the *Zona Sul* (south zone) to the plains of the *Baixada Fluminense* – live in a state of permanent tension. These are some of the poorest and most vulnerable communities in Brazil, enjoying little or no provision of public services. Thrown back on their own resources, Rio's *favelas* have grown into networks of narrow alleys, makeshift lean-tos and improvised plumbing and wiring. For these communities the hardships of poverty are compounded by a constant sense of insecurity and imminent violence.

Drug gangs have rushed in to fill the vacuum left by the state, organising themselves into the rival factions that now dominate the city. The state government's response has been a series of ever more confrontational crack-downs, involving large-scale police operations which target not just criminal gangs, but entire *favela* communities.

Four years ago, with violence escalating, the police brought into service a military-style vehicle, colloquially known as the *caveirão*. The introduction of the *caveirão* marked a new phase for Rio de Janeiro's shanty towns – heavy armoury was now being deployed in the heart of residential areas. The *caveirão* also sent out powerful signals about the state government's thinking on public security. The approach is to meet violence with violence, in a strategy of confrontation and intimidation. Trapped between the police and the drug gangs, Rio's most deprived communities are now paying the price.

What is the *caveirão*?

The *caveirão* is a security van that has been adapted into military-style assault vehicle.⁽¹⁾ The word *caveirão* literally means "big skull" - a reference to the emblem of the *Batalhão de Operações Policiais Especiais* (BOPE), which is prominently displayed on the side of the vehicle. Among the modifications made to the original security vans are a turret, able to rotate through 360 degrees, and rows of firing positions running along each side of the body of the van. The *caveirão* can carry up to 12, heavily-armed officers.

Built to resist high-powered weapons and explosives, the *caveirão* has two layers of armoury, as well as a steel grill for protecting windows when under heavy fire. Its tyres are coated with a glutinous substance which prevents punctures. Its four doors lock automatically and cannot be opened from the outside – two escape hatches, one out of the turret and the other in the floor can be used in emergencies. Although it weighs around 8 tons, the *caveirão* can reach speeds of up to 120km an hour.

So far, the Rio authorities have bought 10 *caveirões*, at a cost of R\$135,000 each (approx. US\$62,000), to police Rio's shanty towns, with plans to increase the fleet in the coming years. In

a sign that this approach to policing may be spreading beyond Rio de Janeiro, Santa Catarina state bought its first *caveirão* in 2004. Police officials claim the *caveirão* is essential for the protection of officers on dangerous missions. Yet for the communities subjected to *caveirão*-led patrols, the reality is very different.

The *caveirão* as a tool of intimidation

Caveirão-led operations use both physical and psychological threats, designed to intimidate whole communities. The BOPE's emblem (see below right) – a skull, impaled on a sword, backed by two gold pistols – sends out a strong, unambiguous message. As explained on the BOPE website, the emblem symbolises armed combat, war and death.

Amnesty International has grave concerns around the manner in which the *caveirão* has been deployed. The organisation has received reports of *caveirões* driving into communities firing at random, sending people running for their lives. According to Edilson Santos, the director of the arts centre *Lona Cultural* in the Complexo da Maré, from 10 o'clock onwards *caveirões* routinely enter the community shooting. "Often, when you are coming back from work, you see mothers, children and other people running in fear. It even seems like they're guilty of something. It's so sad. Everyone – young people, children, old people, artists – we are all anxious about how unsafe this vehicle is."

Loud-speakers mounted on the outside of the vehicle repeatedly announce the *caveirão*'s arrival. Expressions used vary from the polite: "Residents, we are here to defend your community. Please, don't go out of your homes, it's dangerous"; to the alarmist: "Children, get out of the street. There's going to be a shootout"; to outright intimidation: "We have come to take your souls". When the *caveirão* approaches someone in the street, police shout through the megaphone: "Hey, you over there! You are acting suspiciously. Move very slowly, lift up your shirt, turn around... now you can go". Amnesty International has also received reports of police swearing and using derogatory language against residents, particularly women.

The tone and the language used by police during *caveirão*-led operations are hostile and authoritarian. The threats and insults have had a traumatising effect on communities, with children particularly vulnerable. According to local NGOs, since the *caveirão*'s introduction, children have begun to suffer emotional and psychological problems. The innocent fear of "the bogeyman" has been replaced by that of the *caveirão* – a sad reflection on policing in Rio de Janeiro.

The *caveirão* and the escalation of violence

The introduction of the *caveirão* is part of an ongoing arms race in Rio de Janeiro, which has led to an escalation of violence. The *Instituto de Estudos da Religião* (ISER), Institute of Studies of Religion, a research centre in Rio de Janeiro, suggests that drug factions in Rio de Janeiro's *favelas* are trying to match the police's ever increasing fire power.

In response to the *caveirão*, drug gangs have reportedly been buying sophisticated grenade launchers and high-powered rifles to penetrate the *caveirão*'s armoury. In the *favela* of Inhaúma, the BOPE reportedly found a manual, written by drug traffickers, on how to combat the *caveirão*. The manual had chapters on types of explosives effective against the *caveirão*, methods of attacking the vehicle and instructions on urban guerrilla warfare.

Amnesty International is also concerned about the weapons the police routinely use in *caveirão*-led operations. Police inside the *caveirão* are armed with Belgium made FAL calibre 7.62 rifles, capable of piercing a series of targets – an extremely dangerous weapon in the densely populated and flimsily built environment of the *favela*.

The *caveirão* and impunity

Police kill hundreds a year in Rio de Janeiro. Standards of investigation are low, with most incidents ending in impunity for the officers involved. Police repeatedly claim that victims were

drug traffickers who died during a "confrontation". Officially these incidents are filed as *autos de resistência* (records of resistance), a catch-all category that implies the use of legitimate self-defence on the part of the police. Time and again evidence has pointed towards extrajudicial execution and excessive use of force. Grass roots organisations have recently begun challenging police cover-ups, and bringing forward witnesses to contest the police's version of events.

With the *caveirão*, it has become extremely difficult to pursue cases against the police. Although in theory ballistic investigations should be able to trace bullets back to individual guns, in practice procedure is not followed and examinations are rarely carried out. The anonymity that police enjoy while operating from within *caveirão* compounds the problem. As a result, police fire on communities from within the *caveirão* without fear of prosecution. According to residents, there were eleven deaths linked to the *caveirão* between May and September last year in the *favelas* of Manginhos, Jacarezinho and Acarí – five of them on a single day. Despite many accusations, no police officers have yet been tried for an incident involving the *caveirão*.

The *caveirão* and public security policy

The adoption of the *caveirão* is a part of a broader current in Rio de Janeiro's public security policy, based on violent, confrontational policing. For Marcelo Freixo from the Rio-based *Justiça Global* this idea is mistaken: "In cities like Rio de Janeiro there is a culture of war, a notion that the enemy has to be destroyed. Often this serves to legitimize illegal police action." The *caveirão*, as a military-style vehicle, reaffirms this culture, as does the state government's overall strategy of staging "invasions" of *favelas*.

Amnesty International understands the seriousness of the public security problem in Rio de Janeiro and the difficulties faced by the police in dealing with high levels of violence. The police have a legitimate right to protect themselves as they go about their work. But they also have a duty to protect the communities they serve. In many instances, the reckless manner in which the *caveirão* is deployed amounts to excessive use of force. Aggressive approaches to policing have led to untold suffering in Rio's deprived communities, as well as a collapse of confidence in the power of the state to maintain order and guarantee security.

For Amnesty International, the *caveirão* stands as powerful symbol of the failings of public security policy in Rio de Janeiro. Security for all will never be achieved through violence and intimidation. An inclusive public security policy based on respect for human rights must be introduced without delay. Only then will there be an end to the cycle of violence in Rio de Janeiro.

Recommendations:

Amnesty International's action against the *caveirão* forms part of AI's world wide public security campaign, focussing on human rights violations and policing in Brazil today. The campaign was launched in Brazil in December 2005 with the publication of the report 'They come in shooting: policing socially excluded communities in Brazil' (AMR 19/025/2005) (see:<http://web.amnesty.org/library/Index/ENGAMR190252005>).

Summary of Amnesty International's main concerns

- The *caveirão* is often deployed in operations involving excessive use of force. This contravenes Article 3 of the UN Code of Conduct for Law Enforcement Officials which states that force should be used only when strictly necessary and that "the force used should not be disproportionate to the legitimate objectives to be achieved".
- The *caveirão* is used as a part of an overall strategy of discriminatory policing to intimidate whole communities, through random firing, the aggressive use of loudhailers, and menacing symbolism (the skull emblem).

- Far from providing protection, the *caveirão* is deeply unpopular amongst the communities targeted, who fear and resent the insensitive and disrespectful way their neighbourhoods are policed.
- *Caveirão*-led operations endanger the lives of residents, several of whom have been killed or wounded by bullets fired by police from inside the *caveirão*.
- The use of military-style equipment has further fuelled an arms race between the police and drug gangs, contributing to an escalation of violence and human rights abuses.
- The *caveirão* gives police anonymity, making prosecutions against them far more difficult to bring.

Amnesty International's recommendations

Amnesty International is urging the state authorities to stop using the *caveirão* to:

- kill indiscriminately
- intimidate whole communities
- mount violent policing operations involving excessive use of force.

Amnesty International is also calling on the state authorities to introduce human rights based policing policies, which should be representative, responsive and answerable to local communities.

** This action is being launched in partnership with Control Arms, Justiça Global, the Rede de Comunidades e Movimentos contra a Violência, and the Centro de Defesa de Direitos Humanos de Petrópolis.*

'Sai Caveirão' Rap

The *caveirão* is an armoured car
 Bristling with weapons, rifles on all sides
 It arrives in the *favela* and soon starts shooting
 Hitting innocent people
 The government has to provide security
Favela residents can't bear to suffer any more.

*O caveirão é o carro blindado
 Cheio de cana, fuzil pra todo lado
 Ele chega na favela e vai logo atirando
 Pessoas inocentes ele vai alvejando
 O governo tem que dar segurança
 Quem viva na favela não agüenta mais sofrer*

Excerpted from the lyrics of 'Sai Caveirão' by Edilson Ernesto from the community of Maré, Rio de Janeiro

Appendix 1: Translation of postcard text

Exma. Governadora Sra. Rosângela Rosinha Garotinho de Oliveira

Carlos Henrique was on his way home when police stormed the Vila do João *favela* in July 2005. According to eyewitnesses, he was shot in the head by a bullet fired from a military-style vehicle, popularly known as the *caveirão*. He was 11 years old. Between May and September 2005, 11 people were killed in *caveirão*-led operations.

The militarization of policing policies has failed to provide security for Rio de Janeiro's most vulnerable communities.

I urge you to stop using the *caveirão* to:

- kill indiscriminately
- intimidate whole communities
- mount violent policing operations involving excessive use of force.

An inclusive public security policy based on respect for human rights must be introduced without delay. Only then will there be an end to the cycle of violence in Rio de Janeiro.

Yours sincerely

Name:

Country:

Signature:

Exma. Governadora Sra. Rosângela Rosinha Garotinho de Oliveira

Carlos Henrique estava indo para casa quando a polícia invadiu a favela Vila do João, em julho de 2005. De acordo com testemunhas, ele recebeu um tiro na cabeça disparado pelo veículo militar blindado popularmente conhecido como caveirão. Ele tinha 11 anos de idade. Entre maio e setembro de 2005, 11 pessoas foram mortas em operações envolvendo caveirões.

A militarização da polícia falhou em proporcionar segurança às comunidades mais vulneráveis do Rio de Janeiro.

Eu peço que as autoridades estaduais do Rio parem de usar o caveirão:

- *para matar indiscriminadamente*
- *para intimidar comunidades inteiras*
- *para realizar operações policiais violentas com uso excessivo de força*

Uma política pública de segurança, baseada no respeito aos direitos humanos, deve ser introduzida sem demora. Somente então poderá ter um fim o ciclo de violência no Rio de Janeiro.

Atenciosamente,

Nome:

País:

Assinatura:

(1) While all armoured police vehicles are popularly known as caveirões, the police make the distinction between three types of vehicles, deployed by different forces: the "caveirão" is used by the Batalhão de Operações Policiais Especiais, (BOPE); the "paladino" ("gladiator") by the Batalhão de Choque and the "pacificador" ("pacifier") is used to police the Complexo da Maré, in central Rio de Janeiro. Following colloquial usage, Amnesty International is using the caveirão as a cover term, which includes the paladino and the pacificador