

Impunity Continues 8 Years After Brazil's Massacre

Contributed by Amnesty International
Thursday, 18 November 2004

The world has not forgotten. Though it is eight years since the cold blooded massacre of 19 MST activists in Eldorado dos Carajás, in the state of Pará, the world continues to be baffled as to how nobody has yet been imprisoned for these crimes.

The latest appeal hearings, which will take place on 19 November in the city of Belém, mark another step in the extremely sluggish process of justice that has characterised this case throughout.

The hearings that will take place now, as to whether appeals against the conviction of the two commanding officers and the acquittal of the 128 military policemen can be heard, are another important step in the fight against impunity.

Nevertheless, the failure to ensure justice for the hundreds of people who have been killed in their struggle for land and their right to live in peace and security in the state of Pará, makes the outcome of this case all the more important.

It is time for the state judicial system to show that it can ensure equal and fair justice for all and for the state authorities to end the killings and corruption that continue to blacken the name of Pará across the globe.

Background

Massacres such as Eldorado dos Carajás and Carandiru, where 12 years after the killing of 111 detainees in a São Paulo prison nobody has yet been imprisoned for the crime, underlie the profound sense of impunity that surrounds the Brazilian justice system at this time.

As the UN Special Rapporteur on the Independence of the Judiciary recently noted, following his visit to Brazil, socially and economically excluded groups suffer from a severe lack of access to justice.

The second trial into the massacre of 19 land activists by members of the Pará state military police started on 18 May 2002, overseen by the third judge to preside over proceedings.

The previous judge, Dra Eva do Amaral, withdrew following consistent complaints from the prosecution as to her competence and impartiality.

NGOs supporting the prosecution team, withdrew during proceedings claiming that the trial was compromised when the 128 soldiers were tried as one making the identification of individual responsibility impossible.

The two commanding officers convicted were allowed to appeal their sentences in liberty. The 128 military policemen were acquitted.

These hearings will rule whether the pending appeals can be heard. Prosecutors and human rights activists are calling for the upholding of the officers' conviction and a re-trial for the 128 military policemen.

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