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Brazil: Eldorado dos Carajás -- hopes betrayed

The largest trial in Brazil's history, lasting 120 hours over five sessions, has once again exposed deep flaws in the system of justice in the Brazilian state of Pará, Amnesty International said today as the Eldorado dos Carajás massacre trial came to a close in the Amazonian city of Belém.

The trial into the massacre of 19 land activists six years ago saw the prosecutions of a Colonel, two Majors, one Captain, four lieutenants, 11 sergeants and 127 soldiers of the Pará Military Police. Of these, only Col. Mario Pantoja and Major José Maria Oliveira were convicted for their part in leading the police operation to clear land protesters from the road at Eldorado dos Carajás on 17 April 1996. Their conviction was widely recognised as an apparent victory in the fight against impunity.

"However, these convictions now appear to be little more than a symbolic gesture, given the inability of the police investigation and the judicial process to identify those with individual criminal responsibility for the shooting and hacking to death of 19 land activists," Amnesty International said. The sense that impunity is prevailing has been compounded by the decision not to charge any of those with clear political responsibility for police actions on that day, including the state governor and the state secretary for public security.

"The litany of mistakes and cover-ups which has plagued the process of bringing those responsible for the massacre to justice, has given weight to the belief, among relatives of the victims and campaigners alike, that impunity has long been the aim of both the police and the state judicial system," Amnesty International said.

"Among the many fundamental faults in this process have been the inept and flawed police investigation, failure to offer protection to witnesses who received threats, military policemen charged with murder continuing to be on active service, and the decision to try 127 soldiers in one session, all of which have helped to undermine any credibility the state's justice system may have had," the organization added.

"As the number of assassinations of rural activists in the south of Pará increased last year, it is important that those with an interest in continuing to use violence are not allowed to take heart from the failures of the Eldorado judicial process," Amnesty International said. "It is now time for the Federal government to take responsibility, by creating a clear, just, professional

and well resourced federal system to investigate human rights crimes and bring those responsible to justice."

Background

The 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.

Members of the Landless Workers Movement (MST), supporting the prosecution, withdrew from the trial following challenges to the legal appointment of a new judge. Members of the *Sociedade Paraense de Defesa dos Direitos Humanos*, (SDDH), Pará Society for the Protection of Human Rights, a non-governmental organization also supporting the prosecution team, withdrew during proceedings claiming that the trial was compromised.

The two officers convicted will be allowed to appeal their sentences in liberty. All the rulings are being appealed.

Public Document

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