

£BRAZIL

@Prisoners Extrajudicially Executed in Democracia (Amazonas State)

Amnesty International is concerned at reports which indicate that three escaped prisoners killed in Democracia, Amazonas State Brazil, might have been victims of an extrajudicial execution. The three men, Mário César Bastos, Deusmar Demo nicknamed "Capixaba" and Roselei Fernandes Rosa, were killed on 6 September 1992 in Democracia, Amazonas State, Brazil, in circumstances that indicate that they were extrajudicially executed.

According to the information received by Amnesty International, on 5 September 1992 Mário César Bastos, Deusmar Demo, nicknamed "Capixaba" and Roselei Fernandes Rosa escaped from a jail in the village of Maricoré by the river Madeira, Amazonas state, and, after crossing the river Manicoré, headed by foot to the nearby village of Democracia, where they intended to reach the road to Manaus. Anticipating the route taken by the fugitives, the Maricoré authorities send a party of three military police officers in search of the escapees. The military police patrol went by motorboat on the river Madeira and reached Democracia before the fugitives in the early hours of Sunday 6 September. According to local witnesses, while waiting for the fugitives' arrival, the military police officers started to drink and told local people that they "had orders" to kill the escaped prisoners.

Later on Sunday morning the military police patrol recaptured the unarmed prisoners in the outskirts of the village without any resistance. However, instead of taking the prisoners back to Maricoré, the police officers took them by foot to a road leading to the nearby village of Jatuarana. Villagers who started to follow them were stopped by the police officers, with the exception of two local men who were walking to their homes in Jatuarana. Shortly afterwards the two men are said to have noticed that the police officers had taken the prisoners away from the road to a dirt track and heard several shots being fired. The shots were reportedly also heard by other local people. Afterwards the military police officers returned alone to Democracia where they took a boat back to Manicoré. Reportedly local people that saw the bodies of the dead prisoners alleged that they had several bullet wounds to their head and neck, one of them had a bullet in his wrist and all showed handcuffs' marks. Mário César Bastos and Deusmar Demo "Capixaba"'s thumbs had been cut off and Roselei Fernandes Rosa had been gagged with a piece of cloth.

Later the same day, an investigating party composed by the Manicoré police chief [delegado] and the mayor [prefeito] of Manicoré, together with the director of the local hospital a nurse and two other persons arrived to Democracia to investigate the killings. The police chief

reportedly asked in a jokingly way to local people whether the deceased had been bitten by a snake or killed by a jaguar. At the scene of the killings the investigators allegedly made only a cursory examination of the bodies. Reportedly the doctor told the nurse that each man had received a single shot. The doctor alleged that the piece of cloth in Roselei's Fernandes Rosa's mouth was a "robber's mask". No photos were taken at the scene of the killings and the villagers of Democracia were not questioned. The investigating party confiscated all the dead men's personal belongings and arranged for the bodies to be immediately buried locally. The commission left after allegedly spending only about one hour in Democracia.

Six days after the murders had occurred, a new group of investigating officers visited Democracia. The investigators reportedly took photos of the murder scene and interrogated some local witnesses. Other witnesses were interrogated at a later date in Manicoré police station by the investigators. A number of military police officers were lined up for identification by witnesses. It was alleged by witnesses that two out of the three military police officers responsible for the killings were not among those in the line up. However the three officers have now reportedly been identified. People who have denounced the killings, including the local bishop, have been allegedly subjected to death threats. The investigation continues under the jurisdiction of a military court. The three military police officers remain free awaiting the military court's decision whether they are to be brought to trial.

BACKGROUND

In Brazil the military police forces are responsible for what is called policiamiento ostensivo, that is the control of crime in the streets, and the maintaining of public order and internal security in each state. They may therefore often arrest criminal suspects, but not necessarily be involved in investigating a particular crime. They are responsible both to the Secretary of Public Security of the relevant state and to the General Inspectorate of Military Police, which is under the command of the Chief of Staff of the Armed Forces. Organized in battalions, members of this police force are subjected to military justice. Many human rights lawyers believe that the militarization of the police has led to a tendency to combat crime and public order problems with tactics more appropriate to a military operation than to normal police procedures. Successful prosecution of police officers charged with human rights violations are rare and can take years.

On 28 February 1992 seven prisoners were killed by members of the Assault Battalion (Batalhão de Choque) of the Military Police during a riot at the Aníbal Bruno prison in Recife, Pernambuco state. At least some of the seven prisoners had been killed in circumstances suggesting that they may have been extrajudicially executed after surrender. Although a police investigation was opened, to Amnesty International's knowledge no one has been brought to trial for this incident.

In October 1992 military police killed 111 prisoners while quelling a disturbance in a São Paulo prison. An Amnesty International delegation found considerable evidence to suggest that the majority of prisoners had been extrajudicially executed after surrendering. A four-month military police investigation into the killing concluded that they had been "excesses" by the police but that it was impossible to determine individual responsibility as there was no proof as to who shot whom. The state public prosecutor however has announced that he will press charges against around 100 military police officers.

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