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BRAZIL

**Extrajudicial execution of prisoner in
Corumbá**

July 1993
AI Index: AMR 19/16/93
Distr: SC/CO/GR

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Amnesty International is concerned at reports that indicate that Reinaldo Silva, a Paraguayan citizen, was extrajudicially executed on 20 March 1993, by members of the military police while in custody at the Hospital de Caridade, Corumbá, Mato Grosso do Sul, Brazil.

According to the information received by Amnesty International, Reinaldo Silva, age 18, was being sought by the police accused of killing an off-duty police officer, on 19 March, in Corumbá, during a failed attempt at assaulting a taxi driver. During the exchange of fire with the off-duty police officer Reinaldo Silva was wounded in the cheek. The following day he gave himself up to the police under the protection of the Paraguayan consul in Corumbá, to whom the authorities had given assurances for Reinaldo Silva's physical safety.

Reinaldo Silva was taken under police custody to the local hospital, Hospital de Caridade, to be treated for his wound. While he was undergoing treatment, the hospital was reportedly invaded by over 40 uniformed military police officers, who stormed the hospital's emergency treatment room and, overcoming the resistance of the hospital staff and the police guard, shot Reinaldo Silva dead. After killing Reinaldo Silva the police officers reportedly celebrated in the street by firing their weapons to the air.

After the killing, the general command of the Mato Grosso do Sul military police ordered the removal of the commander of the Corumbá military police force from his post and the detention of the police officers involved in the assassination. However after a demonstration in favour of the detainees by the local population the police officers were set free pending a military police inquiry. The military police accused of participating in the killing, continue to serve on active duty.

All of the 45 military police accused of participating in the killing of Reinaldo Silva have denied firing their weapons. In order to determine which police fired on Reinaldo Silva in the hospital the Public Prosecutor assigned to the case has asked for weapons carried by the 45 military police to be matched with bullets from the body. According to the local human rights defence centre, Ronald Selva's body was transferred directly to Paraguay for burial without the eight fatal bullets being removed as evidence for the investigation. The Prosecutor has asked for the body to be exhumed in Paraguay and the bullets retrieved as evidence for the prosecution of military police involved in the killing. This will need the cooperation of the Paraguayan authorities.

BACKGROUND

In Brazil the military police are organized at state level for what is called policiamiento ostensivo, that is the control of crime in the streets, and maintaining public order and internal security in each state. They are responsible to the Secretary of Public Security of each state. Organized in battalions, members of this police force are subjected to military justice. Successful prosecution of police officers charged with human rights violations are rare and can take years. 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.

In recent months Amnesty International has received several reports of alleged extrajudicial executions by members of the military police in different states of Brazil. In September 1992 three escaped prisoners were killed in Democracia, Amazonas State Brazil by a military police patrol in circumstances that indicate that they were extrajudicially executed (see Amnesty International: "Brazil. Prisoners Extrajudicially Executed in Democracia (Amazonas State)" - AI Index AMR 19/02/93). In October 1992 111 prisoners were killed when military police quelled a disturbance in a Sao Paulo prison. An Amnesty International delegation found overwhelming evidence to suggest that the majority of prisoners had been extrajudicially executed after surrendering (see Amnesty International: "Death has arrived. Prison Massacre at the Casa de Detenção, São Paulo." - AI Index AMR 19/08/93). On 14 March 1993 Renildo José dos Santos, a homosexual local councillor from Coqueiro Seco, Alagoas State, was violently abducted from his home by three heavily armed men who were later reportedly identified as members of the state military police. Renildo José dos Santos' headless body was found two days later in an area of waste ground bearing marks of torture (see Weekly update 11/26/93, AMR 19/WU 02/93).

Amnesty International is requesting the state authorities that the killing of Ronald Selva be promptly and thoroughly investigated and that those responsible for it are effectively brought to justice. The organization is also expressing concern to the Federal authorities at recent cases of killings of prisoners and escaped prisoners by the military police in different states of Brazil. Amnesty International is urging the Council for the Defense of the Human Person, Conselho de Defesa da Pessoa Humana to start an inquiry into these killings.

Legislation is currently before National Congress to transfer jurisdiction for crimes by members of the military police on duty, from military courts to common civilian courts. A draft bill proposed by deputies Helio Bicudo and Cunha Bueno was passed in the House of Deputies in May and awaits consideration by the Senate.