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Brazil: Gunman sentenced for Xukuru killing

On 7 February 2003, the current *cacique* of the Xukuru people, Marcos Luidson de Araújo, known as “Marcos Xukuru”, and his 12-year old nephew escaped from an apparent ambush in which two other indigenous men, José Ademilson Barbosa da Silva and Josênilson José dos Santos, were killed.

After long delays, and various attempts to incriminate Marcos Xukuru himself in the incident, José Lourival Frazão confessed to the killings. He faced trial on 22 March 2006 in the State Justice Forum in the city of Caruara. Although absolved for the murder of Josênilson José dos Santos on the grounds of self-defence, he was sentenced to 12 years and six months for the murder of José Ademilson Barbosa da Silva.

Amnesty International welcomes the fact that the killer of José Ademilson Barbosa da Silva has been brought to justice and urges the authorities to continue to investigate the killings of the Xukuru. These killings have taken place against the backdrop of a long history of violence and intimidation that the Xukuru have suffered at the hands of local landowners. Those ordering the killings and violence have never been brought to justice. The climate of impunity means that land owner elites continue to hire local gunmen to harass the Xukuru.

Amnesty International is calling for a thorough investigation into all cases of violence against the Xukuru -- of not only the gunmen, but those who hire them -- in order to end the patterns of intimidation against indigenous peoples who are struggling to regain their ancestral lands.

Background information

Although an area of 27,000 hectares in Pesqueira was demarcated in favour of the Xukuru in 1992 this has been disputed by landowners ever since. The Xukuru currently only occupy 20% of this area. The struggle for full recognition of their land rights has long been marked by bloodshed. Marcos Luidson de Araújo's father, Francisco de Assis Araújo, a previous leader of the Xukuru, was killed by gunmen on 20 May 1998 (see Amnesty International's report, *Brazil: Indigenous leaders marked for death - The killing of Francisco de Assis Araújo*, AMR 19/15/98). On 23 April 2001 another Xukuru leader, Francisco de Assis Santana, was shot dead in Pesqueira while on his way to meet members of FUNAI, the government's indigenous office (see *Brazil: “Foreigners in our own country”: Indigenous peoples in Brazil*, AMR 19/002/2005).

