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Brazil: The murder of a judge must not go unpunished

Yesterday's murder of Alexandre Martins de Castro Filho, a judge from the state of Espírito Santo, must not go unpunished if it is not to undermine the fight against organized crime, systematic human rights violations and the very process of Brazilian justice, Amnesty International said today.

The killing of Judge Costa Filho reportedly follows a long-standing pattern in the state of Espírito Santo of executions at the hands of hired gunmen. The police organization Scuderie Detetive Le Coq, which is believed to have links with powerful economic and political groups in the state, has long been accused of being involved in execution style killings which systematically go unpunished.

Judge Castro Filho risked his life in the fight against organized crime and death squads in Espírito Santo. His killing, in the wake of consistent death threats, raises serious questions of the authorities' ability to provide effective protection to all those involved in investigations linked to organized crime and human rights violations -- including judges, public prosecutors', investigating police, witnesses and local human rights activists.

Amnesty International welcomes the important successes achieved by the joint federal and state special mission sent to Espírito Santo to investigate allegations of death squad activity and organised crime, including the arrest of prominent political figures and police officers. However, the organization fears that these achievements will not be sustained if those few members of the judiciary prepared to openly support the fight against long-standing impunity are not provided with the conditions to work independently and fairly without fear of attack, retaliation, or defamation.

The organization's concern is all the more acute as the execution of Judge Castro Filho follows the killing of Judge Antonio José Machado Dias, in the state of São Paulo, less than two weeks ago.

"We fear that this killing may also be linked to organized crime, underlining the risks faced by those prepared to stand up to this insidious problem and the inability of the authorities to deal with it," Amnesty International emphasized.

The organization now urges the new state and federal government to build on their promises to end organised crime and impunity for human rights violators in Espírito Santo by:

- ensuring a fast, thorough, effective and independent investigation of the killing, which brings all of those responsible to justice;
- implementing measures, in collaboration with members of the human rights community, for the development of comprehensive policies to ensure human rights defenders can carry out their work without fear of retaliation. They should also ensure that practical protection programs include judges,

prosecutors and other government officials, who suffer human rights violations due to their commitment to human rights protection, as well as witnesses, but that such programs take into account the differing needs of these different sectors;
asking the federal justice to support the work of federal prosecutors and police as well as state judges in Espírito Santo, and to initially show this support by pronouncing sentence on the federal case against Scuderie Detetive Le Coq, which has been pending for eight years.

Background

Amnesty International has long documented and denounced the systematic killings, threats and corruption which have afflicted the state of Espírito Santo for so many years. Last year, following consistent pressure from state and national human rights defenders with the support of international condemnation, the federal and state authorities set up a 'special mission' -- including federal prosecutors and police -- to investigate the allegations and provide protection for those under threat.

This year the arrest of the former president of the legislative assembly, a high ranking police officer and a leading local businessman indicated the apparent success of the 'special mission'. New federal and state authorities, which came to power in January of this year, have stressed their intention to continue the concentrated effort to end organized crime, human rights violations and impunity in the state.

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