

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Brazil: Human Rights violations committed in the past must finally be investigated

Amnesty International urged the Brazilian government to investigate serious violations of human rights committed by the military government, after the Inter American Court of Human Rights made public on 14 December a ruling stating that the 1979 Amnesty Law is null and void, and reminded the authorities of their obligation to bring perpetrators to justice.

In 1979 the military regime in Brazil enacted legislation providing a blanket amnesty for 'political or related to political crimes' committed since 1961 and that law has constantly been interpreted as providing immunity from prosecution for crimes committed by state agents, including crimes under international law such as torture and enforced disappearances.

In April 2010, the Brazilian Supreme Court ruled to uphold the interpretation that crimes committed by members of the military regime were political acts and therefore covered by the amnesty.

The law remains in place to this date.

The Court found Brazil responsible for the enforced disappearance of sixty-two people in 1972 and 1974. The pronouncement also states that the state violated the right to humane treatment of relatives of the victims, because it decided not to investigate the disappearances.

In the late 1960s and early 1970s, the so-called Guerrilha do Araguaia was an armed opposition group which operated close to the Araguaia River region, in central Brazil. The military regime at the time, instead of bringing its members to justice in fair trials for the abuses they allegedly committed, subjected them to torture, enforced disappearances and killings. Over thirty years later nobody has been brought to justice for these grave violations.

The Court's ruling makes it clear that the Amnesty Law violates Brazil's international obligations and that it represents an obstacle in the search of the truth.

The Inter- American Court's ruling should now pave the way for justice and full reparations. Impunity should have no role in modern, democratic Brazil.

Between 1964 and 1985 Brazil was ruled by a military government. During this period, civil and political rights were curtailed, and thousands were imprisoned, tortured and subject to enforced disappearance.

Brazil has fallen behind countries such as Argentina, Chile and Peru in addressing the human rights violations of past regimes. While the country still debates issues surrounding the interpretation of the law, others have gone a long way to bring to justice those who oversaw the human rights violations of thousands under past governments.