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U.N. Rapporteur Accuses Rio de Janeiro Police of Extradjudicial Killings

by LADB Staff

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A special UN rapporteur has condemned police activities in the favelas slums or shantytowns of Rio de Janeiro, Brazil, activities that he says lead to unnecessary, extrajudicial killings. Phillip Alston, an Australian-born UN official and professor of law at New York University, conducted an 11-day fact-finding tour of Brazil in November, during which he harshly condemned the actions of the region's government officials.

Police officials refuted Alston’s criticisms, saying they would continue to vigorously fight drug traffickers in the slums. Alston is preparing a final report on police violence in Brazil that will be released in March 2008.

Police kill almost 700 in first half of 2007

Alston said there was strong evidence that many of the 694 people killed by police in the first half of 2007 in Rio de Janeiro were victims of extrajudicial killings. He told one news conference that the people of Brazil did not struggle valiantly for 20 years against a military dictatorship to make the country free, only for police officers to kill with impunity in the name of security.

Some officers, he said, participated in the activities of militias and death squads. Alston referred to the 694 people killed by police in the first half of 2007 in Rio de Janeiro and whose deaths were classified by the authorities as acts of resistance. This was often a euphemism for extrajudicial executions and virtually ensures impunity, he said.

"The current system in several [Brazilian] states of classifying killings committed by police as 'acts of resistance' or 'resistance followed by death' is completely unacceptable. Each death is a potential murder and should be investigated as such," said Alston at a press conference at the end of his trip on Nov. 16. "I have received many very credible allegations that specific 'resistances' were, in fact, extrajudicial executions," said Alston.

One of the largest security operations in the city in 2007 took place in June in the Complexo do Alemao shantytown. Alston said he was staggered that such an operation involving 1,300 police officers resulted in 19 deaths, that officers only seized a dozen weapons, and that the most important drug dealers were not arrested or killed. He suggested the operation was driven more by political than security concerns.

The Alemao operation came after two police were killed in May. Alston claimed that no police chief managed to present convincing information about why the operation was conducted and that its outcome was more than questionable. "They offered me many reasons, but with little consistency,"
he said. "The narcotrafficking chiefs were not arrested or killed. No police member was killed or wounded, but the 'resistance' encountered apparently necessitated the death of 19 people."

The office of human rights in the administration of President Luiz Inacio Lula da Silva found evidence that the police assault in Alemao which occurred shortly before the start of the Panamerican Games resulted in extrajudicial killings.

Government news agency Agencia Brasil said a report by the Secretaria Especial dos Direitos Humanos (SEDH) found that the 19 were shot in the head at point-blank range when they were lying on the ground. The entire operation reportedly resulted in 38 deaths and 70 people wounded.

**Recommendations: better police pay, policing improvements**

Among Alston's initial recommendations were higher police pay, better forensics, improved witness protection, and effective investigations into police killings. He said police salaries needed to go up so that officers were not encouraged to get second jobs as members of "extermination groups, death squads, and militias" to complement their pay. He noted that, in 2006, 146 police officers were killed, but only 29 were on duty when they died. "A significant proportion of the remaining 117 have a strong chance of having been involved in illegal activities when they were killed," he said.

Alston also visited Pernambuco and Sao Paulo, speaking with dozens of witnesses, victims' families, human rights organizations, and members of the federal and state governments. The northeastern state of Pernambuco has the highest recorded level of violence in the country. Alston heard several versions of events from both social organizations and officials about extermination squads and violence against indigenous and peasant groups in rural areas.

In Sao Paulo, he looked into violence surrounding the "megarebellion" of the prison-based gang Primeiro Comando da Capital (PCC) in 2006. Hundreds of street clashes and uprisings in dozens of prisons paralyzed Sao Paulo, Brazil's largest city, in May of that year, setting off allegations that police conducted indiscriminate reprisal killings (see NotiSur, 2006-05-26). This is not the first time that UN officials have reached damning conclusions about the police in Brazil and, given the response of authorities, it seems unlikely to be the last.

**Governor pushes back**

Alston's allegations angered authorities in Rio de Janeiro, who argue they are confronting a major threat from the city's drug gangs. A spokesperson for the state government said such conflict was undesirable, but, in the name of civil and human rights, there was no way to back down from this obligation. Officials say firm action against crime is needed to safeguard civil rights.

Rio de Janeiro Gov. Sergio Cabral said on Nov. 21 that police would maintain unceasing war against drug traffickers in the favelas until "the state of democratic law" was re-established. "I am a defender of human rights," said Cabral to the international press. "The residents of the favelas are the principal victims of the cruel and bloody way the traffickers establish their laws, and it is for that reason we are working to set up the state of democratic law, so that the population can rediscover a peaceful life."
"Mr. Alston spent some days here, he listened to witnesses, and he made his conclusions. He never informed me of his visit nor did he seek a meeting with me. If he writes a consistent report that deserves recognition, that should be taken into account," said Cabral.

Alston, during his trip, said he had asked for a meeting with the governor by fax, but, "clearly the governor was busy the days I was in Rio," he said. He refuted government assertions that his criticisms shielded criminals, saying, "Human security is not in competition with human rights. A police force that functions well is on the frontline of defending human rights."

-- End --