

Press Release 11/2025 English

BRAZIL IS RESPONSIBLE FOR THE LACK OF DUE DILIGENCE AND VIOLATION OF THE RIGHT TO THE TRUTH IN THE INVESTIGATION OF THE MURDER OF A RURAL WORKER

San José, Costa Rica, February 18, 2025. - In the judgment notified today, the Inter-American Court of Human Rights (I/A Court HR) found the State of Brazil internationally responsible in the case of *Da Silva et al. v. Brazil* for the lack of due diligence and the violation of the guarantee to a reasonable term in the criminal proceedings initiated regarding the murder of Manoel Luiz da Silva in 1997. The Court declared the State internationally responsible for the violation of the rights to the truth and personal integrity to the detriment of the victim's next of kin.

The official summary and the full text of the judgment can be accessed [here](#).

The facts of the case took place on May 19, 1997¹, when Manoel Luiz da Silva left the camp of the Landless Rural Workers' Movement (MST), which they had set up at "Amarelo" farm, along with the rural workers João Maximiano da Silva, Sebastião Félix Silva and Manoel Luiz Silva (namesake of the victim), to go to a food store. On their way back at around 17:30, they were passing through a "carroça" type of path located on land corresponding to Fazenda Engenho Taipú, property of a landowner, when they encountered three private security guards. The security guards were on horse and heavily armed. They warned the rural workers that they were not allowed to transit that path and that the owner of Fazenda Engenho Taipú had ordered them to kill any landless rural worker found on the property. Shortly after, the security guards fired at point-blank range against Manoel Luiz da Silva, who died instantly. The area in which the facts occurred was subject to land disputes.

On September 18, 1997, the final report of the police investigation was issued, which named the two private security guards as those responsible for the homicide. On November 7 of that same year, the Public Prosecutor's Office filed a complaint against them. After the trial was annulled and several remedies were submitted, on December 1, 2009, both security guards were put on trial once again. Although the materiality of the crime and their joint participation in the crime were recognized, they were acquitted. The Public Prosecutor's Office filed an appeal, which was declared inadmissible. The acquittal became final on November 22, 2013.

The State made a partial acknowledgment of responsibility for the violation of the rights to judicial guarantees and judicial protection due to "lack of celerity in the processing of the criminal action." Moreover, it accepted its international responsibility for the violation of the right to personal integrity of the next of kin of Manoel Luiz da Silva, due to the suffering caused by the lack of celerity in the processing of the criminal action.

Without detriment to the foregoing, upon analyzing the case the Inter-American Court confirmed that there were several facts that reflected that lack of due diligence in the investigation of the case, such as: lack of consideration of other lines of

investigation, including the participation of state agents; lack of steps to identify and search for potential perpetrators and masterminds of the crime; the lack of different procedures for taking evidence; several mistakes in the processing of the case that resulted in procedural defects; and lack of consideration of the context of violence against rural workers in which the facts took place.

The Court also found the State responsible for the violation of the right to the truth of the next of kin, due to the lack of clarification of the circumstances of the death of Manoel Luiz da Silva.

In view of the foregoing, the Court ordered several reparation measures, including: to make the publications indicated and hold a public act of acknowledgment of international responsibility and public apology; and to perform a diagnosis of the violence toward rural workers in the state of Paraíba.

¹In this case, several facts were analyzed which took place during the criminal proceedings after December 10, 1998, date on which Brazil recognized the contentious jurisdiction of the Court.

The Court's composition for the issuing of this judgment was as follows: Judge Nancy Hernández López, President; Judge Humberto Antonio Sierra Porto; Judge Eduardo Ferrer Mac-Gregor Poisot; Judge Ricardo C. Pérez Manrique; Judge Verónica Gómez and Judge Patricia Pérez Goldberg. The Court's Registrar, Pablo Saavedra Alessandri and Deputy Registrar, Gabriela Pacheco Arias, were also present. Judge Rodrigo Mudrovitsch, of Brazilian nationality, did not participate in the hearing or deliberation of this order, in conformity with that set forth in Articles 19(1) and 19(2) of the Rules of Procedure of the Court.

This press release was drafted by the Registrar's Office of the Inter-American Court of Human Rights; it is solely responsible for this document.

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