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Brazil Must Face Neglected Legacy of Impunity

São Paulo Symposium to Address Need for Truth and Accountability

NEW YORK, May 24, 2007—The time has come for Brazil to follow the examples set by its Latin American neighbors and address its troubled past, the International Center for Transitional Justice (ICTJ) said today.

The Center, with Brazil's Attorney-General's Office, is co-hosting a two-day international symposium in São Paulo on truth and accountability. The conference started today and is one of the first public efforts by the government to address the continuing impunity for past crimes committed by the former military dictatorship.

"A perverse mathematical calculation has long held that Brazil need not look into its own troubled past because the military 'merely' murdered hundreds, not thousands of people," said ICTJ Senior Associate Eduardo Gonzalez, an expert on Latin America. "This kind of relativity runs counter to any conception of human rights. The families of the disappeared should not be asked to waive their rights to truth and justice simply because there were fewer victims in Brazil than in neighboring countries."

While Latin America as a whole has been at the forefront of transitional justice initiatives that sought to address the crimes and legacies of past regimes, Brazil—an otherwise seemingly well-functioning and thriving democracy—surprisingly has left its own troubled past untouched.

The impunity marking Brazil's military dictatorship, which spanned more than 20 years (from 1964 to 1985), has been left virtually unaddressed, in part due to an amnesty law passed in 1979. The law effectively blocked all avenues to truth and justice by denying families the right to inquire about missing relatives, sanctioning a permanent ban on certain documents from ever being released to the public, and guaranteeing alleged perpetrators complete impunity by barring prosecutions against them and allowing them to stay in public office.

In spite of the amnesty, Brazilian civil society actors catalyzed some important truth-seeking efforts after the end of the military dictatorship. One example of these initiatives was an investigation into the torture that the military regime used to deal with its political opponents. The investigation was conducted by lawyers for the political prisoners, working with the Roman Catholic Church. In 1985, their efforts culminated in the report *Brasil: Nunca Mais*, which compiled more than 2,700 pages of testimony by political prisoners documenting hundreds of forms of torture. Nevertheless, it took more than a decade after the report's publication for the armed forces to publicly acknowledge that such torture had ever taken place.

The symposium—"The South American Seminar on Truth and Accountability for Human Rights Violations"—will bring together a diverse group of legal experts, government representatives, human rights activists, and journalists to discuss official truth-seeking and other measures that the government could take to grapple with this dark chapter of its past. The gathering will feature public debates among the participants, as well as discussion of country case studies comparing transitional justice efforts taken in other post-dictatorial democracies where similar obstacles to truth and justice—in particular, amnesty laws, unresolved disappearances, and government secrecy around private archives—were confronted and overcome.

“Brazil’s otherwise healthy democracy is marred by a refusal to take responsibility for the past,” said Gonzalez. “As long as government archives are kept secret and amnesty laws shielding alleged perpetrators are upheld, both victims and ordinary citizens will be deprived of their right to know the truth about the past and condemned not only to a shameful silence, but to perpetual injustice.”

The Symposium is taking place on May 24 and 25, at the Auditorium of the Regional Office of the Attorney General in São Paulo, and will be open to the public.

For more information about the event, or to schedule an interview with one of the Center’s experts, please contact ICTJ Director of Communications, Suzana Grego, at + 1 917 7031106 or sgrego@ictj.org.

About the ICTJ

The International Center for Transitional Justice (ICTJ) assists countries pursuing accountability for past mass atrocity or human rights abuse. The Center works in societies emerging from repressive rule or armed conflict, as well as in established democracies where historical injustices or systemic abuse remain unresolved.

In order to promote justice, peace, and reconciliation, government officials and nongovernmental advocates are likely to consider a variety of transitional justice approaches including both judicial and nonjudicial responses to human rights crimes. The ICTJ assists in the development of integrated, comprehensive, and localized approaches to transitional justice comprising five key elements: prosecuting perpetrators, documenting and acknowledging violations through non-judicial means such as truth commissions, reforming abusive institutions, providing reparations to victims, and facilitating reconciliation processes.

The Center is committed to building local capacity and generally strengthening the emerging field of transitional justice, and works closely with organizations and experts around the world to do so. By working in the field through local languages, the ICTJ provides comparative information, legal and policy analysis, documentation, and strategic research to justice and truth-seeking institutions, nongovernmental organizations, governments and others.

To find out more about the Center’s work around the world, please visit our website at www.ictj.org.