

BRAZIL

At the request of the Special Secretary for Human Rights of the government of Brazil, EAAF traveled to Foz do Iguaçu in Southern Brazil to search for the remains of six members of the militant group *Vanguardia Popular Revolucionaria* (Popular Revolutionary Vanguard), who were reportedly killed by the Brazilian security forces in 1974.

BACKGROUND

On March 31, 1964, members of the Brazilian armed forces staged a coup that ousted President João Goulart and installed a military dictatorship that lasted 21 years.¹ Beginning with the administration of Army Chief of Staff Humberto de Alencar Castelo Branco, and under all subsequent military rulers, free expression and political opposition were severely limited. A new constitution drafted under General Artur da Costa e Silva, Castelo Branco's successor, gave broad powers to the president and to a select group of

government officials.² In 1968, Costa e Silva issued the Fifth Institutional Act, suspending the legislative bodies indefinitely and authorizing rule by executive order. Between 1964 and 1985, government security forces routinely committed human rights violations, including torture, disappearances, arbitrary detentions, and extra-judicial executions.³

Military rule in Brazil focused in large part on stabilizing the economy through foreign investments. Goulart's nationalization plan, with steps such as nationalizing oil

refineries and strengthening local industry, was suspended, giving way to policies that not only were friendly to international investors but also encouraged the establishment of multinational corporations in the country, lifting trading barriers and facilitating fiscal credits to foreigners.⁴ These policies led to a high rate of economic growth between 1969 and 1973, while also

exacerbating social tensions by enlarging the gap between rich and poor. Popular dissent against the government's economic policies led to heightened military repression, and eventually to guerrilla attacks on the government and a wave of state-sponsored human rights abuses.⁵



Clélia Morales, from *Tortura Nunca Mais*, holding the file of José Raimundo da Costa, who disappeared under custody during the last Brazilian military dictatorship. Photo by Chiquito Chaves.

Throughout the 1960s and early 1970s, a number of splinter groups associated with the Brazilian Communist Party (*PC do B*) waged campaigns against the dictatorship, targeting Brazilian *fazendas* (large rural estates), government officials, and occasionally foreign diplomats.⁶ In response, the government of General Emílio Garrastazu Médici (1969-1974) undertook a campaign of military repression.⁷ The majority of disappearances, torture, kidnappings, and assassinations of guerrillas and other political dissidents took place during this period. The Dossier



(At left) Map of the region in Iguazu National Park, Brazil, where the 2005 excavations took place. (At right) Workers clearing the area for excavations. Photo by EAAF.

of Those Killed and Disappeared for Political Reasons since 1964, by the *Comissão de Familiares dos Mortos e Desaparecidos Políticos* (Committee of Families of Those Who Died or Disappeared for Political Reasons), the most complete account of human rights violations in Brazil, lists 383 cases of people killed or disappeared by government forces during the dictatorship.⁸

Subsequently, Médici's successor, Ernesto Geisel (1974-1979) declared a blanket amnesty for both guerrilla members and security forces, which exempted the military regime from responsibility for human rights violations and made no provisions to investigate what had happened to the victims or to make reparations to their families.⁹

After democracy returned to Brazil in 1985, the Committee of Families of Those Who Died or Disappeared for Political Reasons, a non-governmental organization formed by relatives of persons killed or disappeared by the military regimes, began to investigate the fates of their loved ones and demand truth and justice. In addition, local non-governmental human rights groups, such as *Movimiento Tortura Nunca Mais* (Torture Never Again Movement), also launched media and advocacy campaigns for the release of official documentation

related to the political disappearances. In 1995, responding to pressure from human rights groups and relatives of the disappeared, the Brazilian State took official responsibility for 132 disappearances that had taken place during the repression.¹⁰ It also created the *Comissão Especial de Mortos e Desaparecidos Políticos* (Special Commission on Those Who Died and Disappeared for Political Reasons, CEMDP) to recognize and compensate the victims of politically-motivated persecutions or their relatives during the period 1961 to 1988.¹¹ The commission, however, was not empowered to investigate or present cases before a court of law; it could only review the investigations of the families of the disappeared.¹²

In December 2002, President Fernando Henrique Cardoso signed Decree 4553, extending the protection of top-secret classified documents related to the repression to fifty years or more,¹³ thus significantly limiting the scope of investigations of human rights violations. Since 2003, pressure had been mounting on President Luiz Inacio Lula da Silva to revoke the decree and make military-era archives public.¹⁴ In November 2005, both Brazil's Attorney General Antonio Fernando Souza and the U.N.'s Human Rights Committee on Brazil recommended that the president open the archives.¹⁵ As of the



EAAF base campsite in Iguacu National Park, May 2005. Photo by EAAF.

present writing, however, this has yet to occur.¹⁶ In spite of this, judicial cases have continued. In July 2003, a federal judge ordered the military to release information to families about the circumstances surrounding the deaths of their relatives. And, in December 2006, the first civil court case against an alleged torturer began in Brazil.¹⁷

EAAF Work

Since 1991, EAAF has conducted several missions to Brazil to collaborate with government officials, *Tortura Nunca Mais* (Torture Never Again), and other organizations of victims' families on cases related to disappearances during the military dictatorship. EAAF has also given presentations on the application of forensic science to human rights investigations.

In March and May 2005, at the request of the *Secretaria Especial dos Direitos Humanos* (Special Secretary for Human Rights, SEDH) EAAF

anthropologists Darío Olmo and Miguel Nieva traveled to Brazil in search of the remains of six members of the militant group *Vanguardia Popular Revolucionaria* (Popular Revolutionary Vanguard, VPR), who reportedly were executed by Brazilian security forces in 1974.

The VPR was formed in 1968 by former members of the *Organização Marxista-Operaria* (Marxist-Labor Organization) and the *Movimento Nacionalista Revolucionario* (Nationalist Revolutionary Movement). According to estimates, a total of 37 members of the VPR were killed in real or contrived clashes with the armed forces.¹⁸ According to testimonies gathered by a presidential commission established to investigate this incident, in 1974, members of the VPR who were exiled in Argentina were coaxed by the Brazilian Intelligence Services into returning to Brazil to participate in a supposed VPR-led operation. Allegedly, the order was a ploy to apprehend the men; all but one of the six—five Brazilians and one Argentinean—were reportedly captured and shot to

death soon after crossing the river separating Argentina and Brazil. With the exception of the leader of the group, Onofre Pinto, who was detained and remains disappeared, the men are presumed to have been executed in the vicinity of Iguaçu National Park.

The first visit of the team took place in March 2005. EAAF traveled to Iguaçu National Park, a jungle region in the southern state of Paraná, bordering Argentina, where they met with groups related to the investigation and visited the site twice, including once with an eyewitness to the executions. According to the witness, the alleged execution site was four kilometers away from a port, close to the Strada do Colono, an old road that traversed the park. However, the witness could not give a precise location of the burials because of the low visibility of the jungle landscape and the time elapsed since the incident. The team collaborated with representatives of Brazil's federal environmental protection agency, IBAMA, and SEDH, as well as with Simone Steigleder Botelho, Executive Secretary, CEMDP, Jorge Luiz Pegoraro, Head of Iguaçu National Park, Almeida from the Federal Police, and Aluizio Palmar, Assistant to the Presidential Cabinet of the Municipal Chamber of Foz do Iguaçu. EAAF designed an excavation plan and arranged to return at the beginning of the dry season in May.

On its second visit, EAAF set up a base camp in the national park at a site provided by IBAMA. Steigleder Botelho, Almeida, and Alcides Rinaldi of the Brazilian Federal Police, and 10 other auxiliary personnel were at the campsite, along with two federal police officers assigned to guard the area.

Accompanied at times by a witness, EAAF excavated a total of 20,000 square meters at different sites, digging over 200 meters of narrow trenches in order to excavate to the level of undisturbed soil during the six day mission. The team used metal detectors at the probable execution sites to search for evidence. IBAMA personnel guided and assisted with the removal of vegetation to minimize the environmental impact of the excavation.

No remains were found.

Despite thorough planning and coordination by the Special Secretary and IBAMA, the investigation was severely hampered by the limited eyewitness testimony, poor visibility, and less than optimal terrain for the archaeological survey.

ENDNOTES

1. According to *Torture in Brazil*, the coup received support from the United States, directly through offers of arms and indirectly through U.S. funding for anti-government propaganda. See Dassin, Joan (Ed.). *Torture in Brazil*. New York: Random House. 1986, p. 47 and pp. 39-74. See also *Brasil: Nunca Mais*, (1985) published by the Catholic Archdiocese of São Paulo.
2. Dassin, Joan (Ed.). *Torture in Brazil*. New York: Random House. 1986.
3. Hamber, Brandon. Living with the Legacy of Impunity: Lessons for South Africa about Truth, Justice and Crime in Brazil. *Latin American Report* 13(2): 4-16. 1997. <http://www.csvr.org.za/papers/papbraz.htm>.
4. Dassin, Joan (Ed.). *Torture in Brazil*. New York: Random House. 1986.
5. *Ibid.*
6. Guerrilha do Araguaia. "Dirigentes –PCdoB." *Forças Guerrilheiras*. 2000. http://www.guerrilhadoaraguaia.com.br/_htm/menu2.htm.
7. Dassin, Joan (Ed.). *Torture in Brazil*. New York: Random House. 1986.
8. Comissão de Familiares dos Mortos e Desaparecidos Políticos. *Dossiê dos Mortos e Desaparecidos Políticos a partir de 1964*. Recife & São Paulo, Brazil. 1995–1996.
9. Hamber, Brandon. Living with the Legacy of Impunity: Lessons for South Africa about Truth, Justice and Crime in Brazil. *Latin American Report* 13(2): 4-16. 1997. <http://www.csvr.org.za/papers/papbraz.htm>.
10. *Ibid.*
11. The commission was created by Law 9.140/95 by Brazil's Special Secretariat of Human Rights. December 18, 1995. http://www.mj.gov.br/sedh/ct/desaparecidos/abert_desaparecidos.htm.
12. Human Rights Watch. "Recomendações da Human Rights Watch para Garantir a Implementação do Programa Nacional de Direitos Humanos," *O Brasil*. May 13, 1999. www.hrw.org/portuguese/press/1999/recommend.html.
13. Some have alleged that this was a negotiated condition for the return to civilian rule in 1985. See Weschler, Lawrence. *A Miracle, a Universe: Settling Accounts with Torture*. New York: Pantheon. 1990; see also, De Castro Santos, Maria Helena. The Brazilian Military in Post-Democratic Transition. *Revista Fuerzas Armadas y Sociedad* 18(3-4): 115-146. 2004. http://www.fasoc.cl/php/fasoc.php?seccion=articulo&id_articulo=500.
14. "Ministros Confirmam: Arquivos Secretos do Araguaia Serão Abertos." *Diário Vermelho*. December 8, 2004. http://www.vermelho.org.br/diario/2004/1208/1208_alencar.asp.
15. Recommendations of the Attorney General of Brazil in regards to records pertaining to the military regime, Office of the Attorney General of the Republic of Brazil, December, 2005. <http://www.prd.fpf.gov.br/www/imprensa/exfile.2005-12-19.9526635139/attach/Notifica%E7%E3%20judicial%20-%20Arquivos%20da%20Ditadura.pdf>.
16. Documentation Center Eremias Delizoicov and Committee of Families of Those Who Died or Disappeared for Political Reasons. <http://www.desaparecidospoliticos.org.br/>
17. Carlos Alberto Brillhante Ustra, Army Colonel, is to be tried by his involvement in the torture of the Teles family. Barbosa, Bia. *Julgamento deve reabrir debate sobre amplitude da Anistia*. Forum of National Human Rights Organizations. November 10, 2006. http://www.direitos.org.br/index.php?option=com_content&task=view&id=2166&Itemid=2
18. For further information, see EAAF's 2001 Annual Report.