



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

Official letter n° 207/2020-P

Brasília, May 19, 2020

Mrs.

Michele Bachelet

United Nations High Commissioner for Human Rights
c/c Niky Fabianic, Coordenador Residente da ONU no Brasil
apires@ohchr.org; angela.pires@one.un.org; adesouza@ohchr.org

Brazil has been going through, since 2016, a series of ruptures in the Democratic Rule of Law, a process that worsened when Jair Messias Bolsonaro took office as President in early 2019.

Bolsonaro is a notorious defender of the Brazilian military dictatorship (1964-1985) and of torture. As a parliamentarian, in reference to the mortal remains of disappeared opponents of the military regime, he used to have a poster in his office saying: " the ones who seek bones are dogs", an attack directed against the families that still try to find the bodies of their relatives.

In the context of Dilma Rousseff's impeachment in 2016, Bolsonaro praised Colonel Brilhante Ustra in his vote. Ustra was head of DOI-CODI (Detachment of Information Operations - Internal Defense Operations Center) from 1970 to 1974, an agency for repression of the regime's opponents. He was the first public agent to be convicted as responsible for kidnapping and torture during the dictatorship.

During the presidential campaign in 2018, in an interview, Bolsonaro said that the dictatorial period in Brazil was a very good one¹. Since taking office in 2019, Bolsonaro has been reiterating his endorsement of the regime and it has worsened recently with his participation in public acts calling for military intervention and closure of the Congress and of the Supreme Court.

Here are the facts.

¹ <https://brasilianismo.blogosfera.uol.com.br/2018/07/31/em-entrevista-a-radio-dos-eua-bolsonaro-defende-a-ditadura-militar/>



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On March 25, 2019, Bolsonaro determined “due celebrations” on the 31st, a date that marked the 55th anniversary of the coup that originated the military dictatorship in Brazil².

On March 27, 2019, he said that the period between 1964 and 1985 was not a dictatorship and that the regime was not repressive: “there must have been someone being tortured out there” at that moment but the military President could not be blamed for that³.

On the same day, the Union Official Diary published the new composition of the Amnesty Commission, with members of armed forces, in addition to people contrary to the granting of reparations to the victims of the military regime⁴.

In the anniversary of the dictatorship, the presidential press office released, via WhatsApp, a video glorifying the regime: “The Army saved us. (...) And all this happened on an ordinary day like today, March 31 ”⁵.

On April 9, 2019, the Human Rights and Minorities Committee of the Chamber of Deputies asked the Minister of the Government Secretariat, General Carlos Alberto dos Santos Cruz, for information on that video⁶. In response, the ministry said it was a service procedure error committed by an employee.

On June 10, 2019, the government published the Decree No. 9,831, determining that the 11 experts of the National Mechanism for the Prevention and Fight against Torture - MNPCT would be, from then on, unpaid.

On July 24, 2019, the Special Commission on Political Deaths and Disappearances issued a death certificate declaring, based on official documents, that Fernando Santa Cruz died in 1974 due to the violence practiced by the State in the exception regime. He was Felipe Santa Cruz’s father. Mr. Felipe is the current president of the Brazilian Bar Association (OAB).

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³ <https://br.reuters.com/article/topNews/idBRKCN1R82QY-OB RTP>

⁴ <http://pfdc.pgr.mpf.mp.br/informativos/edicoes-2019/abril/pfdc-recomenda-revogacao-da-portaria-que-nomeou-militares-entre-os-conselheiros-da-comissao-de-anistia/>

⁵ <https://observador.pt/2019/04/01/governo-de-bolsonaro-celebra-ditadura-militar-em-video/>

⁶ <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-permanentes/cdhm/noticias/cdhm-pede-informacoes-ao-palacio-do-planalto-sobre-divulgacao-de-video-comemorativo-do-golpe-de-1964-oficio-para-a-pgr-solicita-apuracao-do-caso>



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On August 1, 2019, the government changed the composition of the Special Commission on Political Deaths and Disappearances. People with recognized work for the rights to memory, truth and justice were replaced by an advisor with no experience in the area and by two armed forces' members. The justification offered by the President was: "because the president is on the right wing".

On August 5, 2019, Bolsonaro stated that police officers who commit on-the-job homicides should not be prosecuted. It is called "autos de resistência" in Brazil, which permits non-investigation of homicides in those circumstances. Referring to "autos de resistência", Bolsonaro said: "The guys are going to die on the street like cockroach, damn it. And it must be like this"⁸. A few days before, on 20 September, Agatha Vitória Sales Félix, 8 years old, was shot dead in the *Alemão* slums complex (city of Rio de Janeiro). She was in a van with her grandfather and was injured in the back by the Pacifying Police Unit teams.

On August 8, 2019, Bolsonaro called Brilhante Ustra a "national hero"⁹ – as he did in the impeachment vote for Dilma Rousseff.

On September 4, 2019, criticizing the UN High Commissioner for Human Rights, Michelle Bachelet, Bolsonaro exhorted those who "had the courage to put an end to the left in 1973", in reference to the former Chilean president's father¹⁰, murdered by the Pinochet regime.

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⁸ <https://oglobo.globo.com/brasil/os-caras-vaio-morrer-na-rua-igual-barata-po-diz-bolsonaro-sobre-criminosos-23855554>

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On February 25, 2020, it became public that Jair Bolsonaro was taking part in the calling for a protest against the National Congress, scheduled for March 15¹².

On March 1, 2020, Bolsonaro stated that "Torture allegation is a scam to earn compensations".¹³

On March 15, the date that became known as Bolsonaro’s Day, there were demonstrations in various parts of the country. Bolsonaro participated in person, in Brasília. The demonstrations requested military intervention and press, National Congress and the Supreme Court closure. On that day Brazil was already facing the pandemic of Covid-19 and yet the President encouraged agglomerations.¹⁴

On March 31, 2020, the anniversary of the military coup, Bolsonaro again claimed that there was no coup in 1964¹⁵. He claimed that this was the “Liberty Day”.¹⁶

On the same date Hamilton Mourão, Vice-President of the Republic, stated that in 1964 the Armed Forces “intervened in national politics to face disorder, subversion and corruption”¹⁷.

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¹³ <https://oimparcial.com.br/politica/2020/03/tortura-e-cascata-para-ganhar-indenizacao-diz-bolsonaro-sobre-ditadura-militar/>

¹⁴ <https://www.gazetadigital.com.br/editorias/politica-de-mt/protesto-em-cuiab-tem-pedido-de-ditadura-e-voto-impreso/610381>

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On May 3, 2020, Bolsonaro participated in another act against Congress and the Supreme Court¹⁹.

On May 4, Bolsonaro received Major Curió, a retired Army lieutenant colonel, one of the officers responsible for the crackdown on the Araguaia Guerrilla in the 1970s, during the military dictatorship. On the following day, the Presidential institutional communication channel published a text and photo of the meeting, with homage to Curió, calling him as a hero of Brazil. Such conduct violates the judgment of the Inter-American Court of Human Rights regarding the Guerrilla, which determined actions by the Brazilian State to repair the violations committed during the military dictatorship (1964-1985). The matter was the subject of a new complaint to the Court.²⁰

On May 5, Bolsonaro told journalists to "shut up"²¹.

On May 7, the Government's Special Secretary of Culture, Regina Duarte, regarding the exception period, stated: "to be charging for things that happened in the 60s, 70s, 80s ... people, let's go...". Then she started singing a military regime jingle: "Forward Brazil, save the Brazilian Team", and continued: "wasn't it good when we sang this?". Asked by the journalist about the tortures, she replied: "Man, I'm sorry, people don't stop dying. If you talk about life, there is death on the other side. There has always been torture". And she concluded: "I don't want to drag a cemetery on my back. I don't want this for anyone. I'm light!"²².

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²⁰ https://politica.estadao.com.br/blogs/fausto-macedo/wp-content/uploads/sites/41/2020/05/corte-interamericana_080520201143.pdf

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On May 10, the Social Communication Secretariat of the Presidency of the Republic used a motto associated with Nazism - "Work liberates" - to publicize the government's actions against the coronavirus: "Work, union and the truth will liberate Brazil ". The Secretariat, however, denied "any association with totalitarian and genocidal ideologies"²³.

There is a sense of growing adherence, by the highest Brazilian authorities, on legitimation of torture, summary executions and dictatorship.

At the same time a group called "300 do Brasil" is defending guerrilla tactics to "exterminate the left" and "take power for the people". Some members have been camped for days at the "Esplanada dos Ministérios", a national security area in the administrative heart of the Capital.²⁴ Its leader admitted the presence of weapons in the camp.²⁵ It shows the wish, by followers of the President, of creating armed militias

As can be seen, the adherence of Bolsonaro, of some of the main figures of the government and of part of his supporters to the dictatorship and authoritarianism is not sporadic. Those are not isolated facts; on the contrary, it is a consistent and repeated way of thinking and proceeding.

For the facts above narrated, we conclude that there is an authoritarian project underway and we warn that there is a current risk of a dictatorial government in Brazil.

The Human Rights and Minorities Commission has a statutory responsibility to receive, evaluate and investigate complaints regarding the threat or violation of human rights, and to collaborate with international entities that act in the defense of human rights (Internal Regulations of the Chamber of Deputies, art. 32 , item VIII, points a and c).

Considering the serious political context in Brazil, statements of national and international institutions that watch over and are guardians of democracy is fundamental. Therefore, we congratulate Your Excellency's statement at a press conference on 5/14, and request that you continue to act in order

²³ <https://noticias.uol.com.br/politica/ultimas-noticias/2020/05/10/secom-usa-lema-associado-ao-nazismo-para-divulgar-aco-es-contra-a-covid-19.htm>

²⁴ <https://oglobo.globo.com/brasil/grupo-que-divulga-taticas-para-exterminar-esquerda-treina-voluntarios-em-brasilia-24419188>

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to clarify which international parameters must be obeyed and which are being disrespected in the case in question. We also request measures, within your competence, that can assist Brazil at this time.

Sincerely,

Deputy Helder Salomão
President
Human Rights and Minorities Committee
Chamber of Deputies

Deputy Padre João
1th Vice-President
Human Rights and Minorities Committee
Chamber of Deputies

Deputy Túlio Gadêlha
2th Vice-President
Human Rights and Minorities Committee
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Brasília, May 19, 2020

Mrs.

Agnes Callamard

Special Rapporteur on extrajudicial, summary or arbitrary executions

eje@ohchr.org

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At the same time a group called "300 do Brasil" is defending guerrilla tactics to "exterminate the left" and "take power for the people". Some members have been camped for days at the "Esplanada dos Ministérios", a national security area in the administrative heart of the Capital.²⁴ Its leader admitted the presence of weapons in the camp.²⁵ It shows the wish, by followers of the President, of creating armed militias

As can be seen, the adhesion of Bolsonaro, of some of the main figures of the government and of part of his supporters to the dictatorship and authoritarianism is not sporadic. Those are not isolated facts; on the contrary, it is a consistent and repeated way of thinking and proceeding.

For the facts above narrated, we conclude that there is an authoritarian project underway and we warn that there is a current risk of a dictatorial government in Brazil.

The Human Rights and Minorities Commission has a statutory responsibility to receive, evaluate and investigate complaints regarding the threat or violation of human rights, and to collaborate with international entities that act in the defense of human rights (Internal Regulations of the Chamber of Deputies, art. 32 , item VIII, points a and c).

Considering the serious political context in Brazil, statements of national and international institutions that watch over and are guardians of democracy is fundamental. Thus, we request the assessment of the Special Rapporteur in order to clarify which international parameters must be obeyed

²³ <https://noticias.uol.com.br/politica/ultimas-noticias/2020/05/10/secom-usa-lema-associado-ao-nazismo-para-divulgar-acoes-contra-a-covid-19.htm>

²⁴ <https://oglobo.globo.com/brasil/grupo-que-divulga-taticas-para-exterminar-esquerda-treina-voluntarios-em-brasilia-24419188>

²⁵ https://noticias.uol.com.br/ultimas-noticias/bbc/2020/05/12/ativista-admite-presenca-de-armas-em-acampamento-bolsonarista-servem-para-a-protecao-dos-membros.htm?utm_source=twitter&utm_medium=social-media&utm_content=geral&utm_campaign=noticias



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

and which are being disrespected in the case in question. We also request measures, within its competence, that can assist Brazil at this time.

Sincerely,

Deputy Helder Salomão
President
Human Rights and Minorities Committee
Chamber of Deputies

Deputy Padre João
1th Vice-President
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Chamber of Deputies

Deputy Túlio Gadêlha
2th Vice-President
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Deputy Camilo Capiberibe
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Chamber of Deputies



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

Official letter n° 210/2020-P

Brasília, May 19, 2020

Mrs.

Fabián Salvioli

Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

srtruth@ohchr.org

Brazil has been going through, since 2016, a series of ruptures in the Democratic Rule of Law, a process that worsened when Jair Messias Bolsonaro took office as President in early 2019.

Bolsonaro is a notorious defender of the Brazilian military dictatorship (1964-1985) and of torture. As a parliamentarian, in reference to the mortal remains of disappeared opponents of the military regime, he used to have a poster in his office saying: " the ones who seek bones are dogs", an attack directed against the families that still try to find the bodies of their relatives.

In the context of Dilma Rousseff's impeachment in 2016, Bolsonaro praised Colonel Brilhante Ustra in his vote. Ustra was head of DOI-CODI (Detachment of Information Operations - Internal Defense Operations Center) from 1970 to 1974, an agency for repression of the regime's opponents. He was the first public agent to be convicted as responsible for kidnapping and torture during the dictatorship.

During the presidential campaign in 2018, in an interview, Bolsonaro said that the dictatorial period in Brazil was a very good one¹. Since taking office in 2019, Bolsonaro has been reiterating his endorsement of the regime and it has worsened recently with his participation in public acts calling for military intervention and closure of the Congress and of the Supreme Court.

Here are the facts.

¹ <https://brasilianismo.blogosfera.uol.com.br/2018/07/31/em-entrevista-a-radio-dos-eua-bolsonaro-defende-a-ditadura-militar/>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

On March 25, 2019, Bolsonaro determined “due celebrations” on the 31st, a date that marked the 55th anniversary of the coup that originated the military dictatorship in Brazil².

On March 27, 2019, he said that the period between 1964 and 1985 was not a dictatorship and that the regime was not repressive: “there must have been someone being tortured out there” at that moment but the military President could not be blamed for that³.

On the same day, the Union Official Diary published the new composition of the Amnesty Commission, with members of armed forces, in addition to people contrary to the granting of reparations to the victims of the military regime⁴.

In the anniversary of the dictatorship, the presidential press office released, via WhatsApp, a video glorifying the regime: “The Army saved us. (...) And all this happened on an ordinary day like today, March 31 ”⁵.

On April 9, 2019, the Human Rights and Minorities Committee of the Chamber of Deputies asked the Minister of the Government Secretariat, General Carlos Alberto dos Santos Cruz, for information on that video⁶. In response, the ministry said it was a service procedure error committed by an employee.

On June 10, 2019, the government published the Decree No. 9,831, determining that the 11 experts of the National Mechanism for the Prevention and Fight against Torture - MNPCT would be, from then on, unpaid.

On July 24, 2019, the Special Commission on Political Deaths and Disappearances issued a death certificate declaring, based on official documents, that Fernando Santa Cruz died in 1974 due to the violence practiced by the State in the exception regime. He was Felipe Santa Cruz’s father. Mr. Felipe is the current president of the Brazilian Bar Association (OAB).

²<https://g1.globo.com/politica/noticia/2019/03/25/bolsonaro-determinou-que-defesa-faca-as-comemoracoes-devidas-do-golpe-de-64-diz-porta-voz.ghtml>

³ <https://br.reuters.com/article/topNews/idBRKCN1R82QY-OBRTP>

⁴ <http://pfdc.pgr.mpf.mp.br/informativos/edicoes-2019/abril/pfdc-recomenda-revogacao-da-portaria-que-nomeou-militares-entre-os-conselheiros-da-comissao-de-anistia/>

⁵ <https://observador.pt/2019/04/01/governo-de-bolsonaro-celebra-ditadura-militar-em-video/>

⁶ <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-permanentes/cdhm/noticias/cdhm-pede-informacoes-ao-palacio-do-planalto-sobre-divulgacao-de-video-comemorativo-do-golpe-de-1964-oficio-para-a-pgr-solicita-apuracao-do-caso>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

On June 29, 2019, Bolsonaro declared, regarding Fernando Santa Cruz: "One day, if the president of the OAB wants to know how his father disappeared during the military period, I'll tell him. He won't want to hear the truth." Later on, in an unusual video recorded during a haircut, he claims that it was Fernando Santa Cruz's allies who killed him – despite official documents proving that Santa Cruz was killed by the regime⁷.

On August 1, 2019, the government changed the composition of the Special Commission on Political Deaths and Disappearances. People with recognized work for the rights to memory, truth and justice were replaced by an advisor with no experience in the area and by two armed forces' members. The justification offered by the President was: "because the president is on the right wing".

On August 5, 2019, Bolsonaro stated that police officers who commit on-the-job homicides should not be prosecuted. It is called "autos de resistência" in Brazil, which permits non-investigation of homicides in those circumstances. Referring to "autos de resistência", Bolsonaro said: "The guys are going to die on the street like cockroach, damn it. And it must be like this"⁸. A few days before, on 20 September, Agatha Vitória Sales Félix, 8 years old, was shot dead in the *Alemão* slums complex (city of Rio de Janeiro). She was in a van with her grandfather and was injured in the back by the Pacifying Police Unit teams.

On August 8, 2019, Bolsonaro called Brilhante Ustra a "national hero"⁹ – as he did in the impeachment vote for Dilma Rousseff.

On September 4, 2019, criticizing the UN High Commissioner for Human Rights, Michelle Bachelet, Bolsonaro exhorted those who "had the courage to put an end to the left in 1973", in reference to the former Chilean president's father¹⁰, murdered by the Pinochet regime.

⁷ <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-permanentes/cdhm/noticias/presidente-da-cdhm-classifica-como-desumana-sadica-e-mentirosa-a-declaracao-de-bolsonaro-sobre-fernando-santa-cruz>

⁸ <https://oglobo.globo.com/brasil/os-caras-vaio-morrer-na-rua-igual-barata-po-diz-bolsonaro-sobre-criminosos-23855554>

⁹ <https://g1.globo.com/politica/noticia/2019/08/08/bolsonaro-chama-coronel-ustra-de-heroi-nacional.ghtml>

¹⁰ <https://www.facebook.com/jairmessias.bolsonaro/photos/a.250567771758883/1577243422424638/?type=3>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

On October 3, 2019, he sustained that a police officer should have several “autos de resistência”, not 20, but 50, a “sign that he works”¹¹.

On January 16, 2020, the Special Secretary for Culture, Roberto Alvim, used excerpts from a speech by Joseph Goebbels during an official pronouncement. After pressure from various sectors, including the Israeli community, the Secretary was dismissed.

On February 25, 2020, it became public that Jair Bolsonaro was taking part in the calling for a protest against the National Congress, scheduled for March 15¹².

On March 1, 2020, Bolsonaro stated that "Torture allegation is a scam to earn compensations".¹³

On March 15, the date that became known as Bolsonaro’s Day, there were demonstrations in various parts of the country. Bolsonaro participated in person, in Brasília. The demonstrations requested military intervention and press, National Congress and the Supreme Court closure. On that day Brazil was already facing the pandemic of Covid-19 and yet the President encouraged agglomerations.¹⁴

On March 31, 2020, the anniversary of the military coup, Bolsonaro again claimed that there was no coup in 1964¹⁵. He claimed that this was the “Liberty Day”.¹⁶

On the same date Hamilton Mourão, Vice-President of the Republic, stated that in 1964 the Armed Forces “intervened in national politics to face disorder, subversion and corruption”¹⁷.

¹¹ <https://extra.globo.com/noticias/brasil/bolsonaro-diz-que-auto-de-resistencia-sinal-de-que-policia-trabalha-23992176.html>

¹² <https://brpolitico.com.br/noticias/bolsonaro-manda-video-convocando-para-ato-anti-congresso/>

¹³ <https://oimparcial.com.br/politica/2020/03/tortura-e-cascata-para-ganhar-indenizacao-diz-bolsonaro-sobre-ditadura-militar/>

¹⁴ <https://www.gazetadigital.com.br/editorias/politica-de-mt/protesto-em-cuiab-tem-pedido-de-ditadura-e-voto-impresso/610381>

<https://congressoemfoco.uol.com.br/opiniao/colunas/bolsonaro-day/>

<https://www.noticiasagricolas.com.br/noticias/politica-economia/254525-bolsonaro-junta-multidao-em-frente-ao-planalto-e-diz-que-poderes-tem-que-se-entender-com-o-povo-reuters.html#.XrV-wmhKhPY>

¹⁵ <https://www.facebook.com/jairmessias.bolsonaro/posts/1844236745725303>

¹⁶ <https://www.opovo.com.br/noticias/politica/2020/03/31/dia-da-liberdade---diz-bolsonaro-sobre-aniversario-do-golpe-de-64--apologia-a-ditadura-e-crime-no-brasil.html>

¹⁷ <https://twitter.com/GeneralMourao/status/1244929367773523969>



CÂMARA DOS DEPUTADOS
COMISSÃO DE DIREITOS HUMANOS
E MINORIAS

On April 19, Bolsonaro participated in a new demonstration, in front of the Army Headquarters. The demonstrators called for the closure of the National Congress and the Supreme Court, military intervention and the return of Institutional Act nº 5¹⁸, published in 1968, which allowed the closure of Congress, the revocation of political rights and the hardening of the regime. The act took place at an advanced stage of coronavirus transmission in Brazil.

On May 3, 2020, Bolsonaro participated in another act against Congress and the Supreme Court¹⁹.

On May 4, Bolsonaro received Major Curió, a retired Army lieutenant colonel, one of the officers responsible for the crackdown on the Araguaia Guerrilla in the 1970s, during the military dictatorship. On the following day, the Presidential institutional communication channel published a text and photo of the meeting, with homage to Curió, calling him as a hero of Brazil. Such conduct violates the judgment of the Inter-American Court of Human Rights regarding the Guerrilla, which determined actions by the Brazilian State to repair the violations committed during the military dictatorship (1964-1985). The matter was the subject of a new complaint to the Court.²⁰

On May 5, Bolsonaro told journalists to "shut up"²¹.

On May 7, the Government's Special Secretary of Culture, Regina Duarte, regarding the exception period, stated: "to be charging for things that happened in the 60s, 70s, 80s ... people, let's go...". Then she started singing a military regime jingle: "Forward Brazil, save the Brazilian Team", and continued: "wasn't it good when we sang this?". Asked by the journalist about the tortures, she replied: "Man, I'm sorry, people don't stop dying. If you talk about life, there is death on the other side. There has always been torture". And she concluded: "I don't want to drag a cemetery on my back. I don't want this for anyone. I'm light!"²².

¹⁸ <https://www.youtube.com/watch?v=bL7nmc33j1U>

¹⁹ <https://www1.folha.uol.com.br/poder/2020/05/ato-pro-bolsonaro-em-brasilia-tem-carreata-e-xingamentos-a-moro-stf-e-congresso.shtml>

²⁰ https://politica.estadao.com.br/blogs/fausto-macedo/wp-content/uploads/sites/41/2020/05/corte-interamericana_080520201143.pdf

²¹ https://www.em.com.br/app/noticia/politica/2020/05/05/interna_politica,1144575/cala-a-boca-bolsonaro-repete-fala-de-general-da-ditadura.shtml

²² <https://www.youtube.com/watch?v=v9gLHRP7RNw>



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²⁴ <https://oglobo.globo.com/brasil/grupo-que-divulga-taticas-para-exterminar-esquerda-treina-voluntarios-em-brasilia-24419188>

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