

Rio de Janeiro, June 11th, 2019.

REF.: Report on the dismantling of the National Mechanism for Preventing and Combating Torture

Dear Mr Nils Melzer, Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment,

JUSTIÇA GLOBAL, INSTITUTO DE DEFENSORES DE DIREITOS HUMANOS and TERRA DE DIREITOS report to the Office of the Special Rapporteur on the publication of Presidential Decree 9831, which extinguishes 11 positions of the National Mechanism for Preventing and Combating Torture. Such a measure makes it impossible for this important body to operate and represents a serious attack on policies to prevent and combat torture and to the protection of human rights in Brazil.

Brazilian President Jair Bolsonaro dismissed today, June 11th, the eleven members of the MNPCT (National Mechanism for Preventing and Combating Torture), a federal government group that monitors human rights violations and acts to prevent torture, specially by monitoring prison and places of detention across the country. According to the Presidential Decree 9831, the group will be formed for now on by unpaid participants, as a voluntary position.

The MNPCT is an international obligation that stems from the recognition of the United Nations Convention against Torture and its Optional Protocol by the Brazilian State. The Optional Protocol sets out the Mechanism as a mean to meet the obligation

to prohibit and prevent torture, by establishing a system of regular visits to places of detention by independent bodies.

Brazilian Human Rights Organizations received the just issued presidential decree as a direct threat to the valorous work that the Mechanism has been doing over the years. The continuity of the MNPCT becomes impossible if its work is done with voluntary and unpaid members, as it requires structural resources and people with exclusive dedication to this work. This is a key aspect to guarantee autonomy and independence to receive and investigate complaints of human rights violations. The decree maintains the Mechanism only on paper, as it wipes out its operational capacities.

The presidential decree came during yet another crisis in the Brazilian prison system. During the past month, 55 prisoners were killed in the state of Amazonas. The Mechanism's work has been essential to report human rights violations during these critical events, and also to comprehensively describe the structural state of degradation that continues to characterize Brazilian prisons as a whole.

We kindly ask this Rapporteurship to request further information from the Brazilian State, as well as to issue a public statement emphasizing the threat that this decree could impose to the fulfillment of the international obligation to prohibit and prevent torture in Brazil.

JUSTIÇA GLOBAL

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