

WORLD NEWS AMERICAS

Truth commission divides Brazil

BRASILIA

Critics on both sides ask whether nation will face dictatorship-era crimes

BY SIMON ROMERO

After years of wrangling with Brazil's military hierarchy, the authorities here have created a truth commission to examine the abuses of the 21-year dictatorship, a move hailed as a sign that the country could be ready for a more active role against rights abuses, not just at home but also globally.

But in the weeks since President Dilma Rousseff signed the laws creating the commission and a separate measure on freedom of information, Brazil has begun to face the possibility that in the realm of human rights — unlike on regional economic and diplomatic matters — the mantle of leadership may not come so easily, after all. Skeptics on both sides are asking: Is the nation prepared to fully grapple with the crimes of its past?

Ghosts from the period of military rule, from 1964 to 1985, have begun to stir, revealing how Brazil, despite emerging as Latin America's rising power, still trails its neighbors in prosecuting officials for crimes that include murder, disappearance and torture.

In a display of public fury that has resonated within Brazil's military establishment, a retired military official, Pedro Ivo Moézia de Lima, himself the focus of torture accusations from his time overseeing interrogations in the 1970s, is publicly chafing at the new laws and has filed a lawsuit to block the commission from starting its work in January.

The commission has come under fierce criticism from the opposite side of the spectrum, too: some torture victims and relatives of people killed by the dictatorship. They view the commission as a largely token effort, because those responsible for abuses committed during military rule remain shielded from prosecution by a 1979 amnesty law.

"The commission isn't about justice, but simply about what's possible in today's Brazil," said Cecilia Coimbra, a psychologist who heads Torture Never Again, a group pushing for prosecution of rights abuses. "It reminds us that we're shamefully behind other countries in coming to terms with our past."

Other South American countries that had military dictatorships around the same time as Brazil — notably Argentina, Chile and Uruguay — have been far more assertive in pursuing old crimes. In Argentina, numerous former military officials have received life sentences, including Jorge Videla, the former dictator. In October, the Uruguayan Congress overturned an amnesty law that had protected officers from prosecution during

military rule lasting from 1975 to 1983.

Brazil, by contrast, has upheld its amnesty law despite a ruling last year by the Inter-American Court of Human Rights that it was invalid. The court, part of the Organization of American States, adheres to a regional human rights agreement that Brazil has signed.

Some human rights specialists maintain that Brazil's new laws are positive steps, compelled partly by the Inter-American Court ruling and also by Brazil's ambitions to lead a new Open Government Partnership, a project to increase government accountability around the world.

"They could hardly assume that role without actually passing a freedom-of-information law and moving into the 21st century on the issue of transparency," said Peter Kornbluh, a senior analyst at the National Security Archive, a Washington group that works with declassified documents.

Still, Mr. Kornbluh said, "the Brazilian military is among the most recalcitrant in the world when it comes to acknowl-



DOUGLAS ENGLE FOR THE NYT

Victória Grabois's husband, brother and father were killed by the military in the 1970s.

edging its responsibility for abuses."

Even those intimately familiar with the attempts to shed light on Brazil's military years are often at a loss about why such resistance is tolerated. After all, Ms. Rousseff, who is completing her first year as president, is a former Marxist guerrilla, captured at the age of 22 during the dictatorship and tortured with electroshock methods.

Ms. Rousseff, 64, now rarely refers to the brutality she endured, but details emerging from that time offer views into her ordeal and that of others. One black-and-white photograph from 1970, published in December by *Época* magazine, stunned many Brazilians. It showed Ms. Rousseff at a military hearing in Rio de Janeiro, seated upright with composure, while her uniformed questioners covered their faces in an apparent attempt to shield their identities from the photographer.

While the truth commission and information law may allow more disclosures along these lines, those who have waited decades for justice remain disappointed about Brazil's hesitance in pursuing those responsible for the dictator-

ship's crimes.

Victória Grabois, 68, whose husband, brother and father were killed by the military in the 1970s, attributes the reluctance to a political culture that remains "deeply conservative," dating from Brazil's long experience with slavery, despite recently being guided by leaders who resisted the dictatorship.

Another explanation involves the scale of the dictatorship's crimes. Military officials, employing what they describe as a more "surgical" counterinsurgency than in other countries, killed an estimated 400 people, compared with killings numbering well into the thousands in Argentina.

The 1979 amnesty law also covered crimes by leftist opponents to the regime as well, thus enabling exiles to return. Moreover, while Brazil has lacked trials of officers, it had something of a reckoning years ago through *Brasil Nunca Mais*, a project that documented torture methods and published its findings in a best-selling 1985 book, said Glenda Mezarobba, a political scientist who advised officials on creating the commission.

Ms. Mezarobba said she believed that the commission could be an important first step in giving victims a forum to tell their stories. "Punishment for crimes can also be achieved by submitting the amnesty law to legal challenges in the courts," she said.

Military officials protected to this day by the amnesty law disagree, suggesting a bitter legal battle. "I participated actively in it all," Mr. Moézia de Lima, the retired colonel who filed a suit to block the truth commission, said in an interview. "I'm very proud of what I did."

"Torture does not exist," he said, employing the present tense in discussing the treatment meted out to suspected subversives. "You can say there's a rigor in the interrogation, a rigor in the interview. But this stuff about torture that they talk about, they exaggerate, they invent. Even though I was intensely active, I never laid a hand on any of them."

Such posturing against scrutiny is still ingrained in Brazil's military. When Ms. Rousseff's predecessor as president, Luiz Inácio Lula da Silva, tried to create a truth commission in 2009, the heads of the army, navy and air force threatened to resign along with the defense minister at the time.

Given such opposition, some here worry that the truth commission, which will have just two years to complete its work in investigating and reporting on the military's abuses, could fall victim to time as those responsible for crimes dwindle in number.

"They're all either in their 80s," said Ms. Grabois, whose family was torn apart by the dictatorship's crimes, "or dead."

Lis Moriconi and Erika O'Connor contributed reporting from Rio de Janeiro.