MEMO TO THE
SUB-COMMITTEE ON THE PREVENTION OF TORTURE (SPT)

FROM	OPCAT BRAZIL RESEARCH PROJECT – NATHAN DUNFORD, TAVO HALL, DANIEL LUBARSKY-FORD AND DANE NEILSON, SUPERVISED BY PROFESSOR DANIEL ROTHENBERG AND EMOLINE FOX, PROGRAM COORDINATOR OF THE CENTER FOR LAW AND GLOBAL AFFAIRS, SANDRA DAY O'CONNOR COLLEGE OF LAW, ARIZONA STATE UNIVERSITY, USA
TO	SUB-COMMITTEE ON THE PREVENTION OF TORTURE
SUBJECT	MEMO 3 – HOW TO USE THE SPT DROPBOX
DATE	MAY 5, 2011

This memo provides and overview of the online drop box which stores documents useful for the Sub-Committee on the Prevention of Torture (SPT) for the upcoming visit to Brazil.

The materials stored in the drop box were collected by members of the OPCAT Brazil Research Project of the Center for Law and Global Affairs at the Sandra Day O'Connor College of Law at Arizona State University

Professor Rothenberg has invited the following people to access these documents:

- Victor Manuel Rodriguez Rescia — vervicsa@racsa.co.cr
- Hernan Vales — hvales@ohchr.org
- Michelle Kierulf — MKierulf@ohchr.org

To access the files, simply accept the invitation to the drop box. If you have any problems accessing this material, please contact the Center's program coordinator, Emoline Fox at emoline.fox@asu.edu

SPT Drop Box – Folders and Sub-Folders

The drop box is organized into the following folders (some folders have sub-folders as indicated below):

- Academic Reports and Studies
- Brazilian Constitution
- Brazilian Government Reports
- Brazilian Laws and Regulations
- Brazilian NGO Documents
- IGO Documents
  - OAS Documents
  - UN Documents and Studies
- International NGO Documents
  - Amnesty International Documents
  - APT Documents
  - Human Rights Watch Documents
- State Department Reports

SPT Drop Box – Overview of Documents in Folders and Sub-folders

Academic Reports and Studies

- Jaime Benvenuto Lima, Jr., ed., *Independence of Judges in Brazil*, [*Independência dos Juízes no Brasil: Aspectos relevantes, casos e recomendações]* 2005
- Julita Lemgruber, *Civilian Oversight of the Police in Brazil: The Case of the Ombudsmen's Offices*, at 13, Center for Studies on Public Security and Citizenship, September 2002
- José Virgilio Dias de Sousa, *Espécies De Prisões No Brasil [Species of Prisons in Brazil],* 2010.
- Arthur Trindade Maranhao Costa, *Police Brutality in Brazil: Authoritarian Legacy or Institutional Weakness?* Latin American Perspectives, January 20, 2011.
- Julia Bertino Moreira, *Redemocratização e direitos humanos: a política para refugiados no Brasil [Re-democratization and human rights: refugee policy in Brazil]*, 53 Rev. Bras. Polít. Int. 111 (2010).
- Jodie G. Roure, *Domestic Violence in Brazil: examining obstacles and approaches to promote legislative reform,* 41 Columbia Human Rights Law Review 67 (2010)
- International Human Rights Program, University of Toronto, *Brazil: Country Report for use in refugee claims based on persecution relating to sexual orientation and gender identity,* 17 Aug 2010.

Brazilian Constitution

- Constitution of Brazil.

Brazilian Government Documents

- Instituto Defesa do Direito de Defesa (IDDD)[Office of Defence Law], *Decisões judiciais nos crimes de roubo em São Paulo: a lei, o direito e a ideologia [*Judgments in the crimes of robbery in São Paulo].
- Ministry of Justice (Ministério da Justiça), *Penitentiary System in Brazil Consolidatted Data (Sistema Penitenciário no Brazil Dados Consolidados)*, Deparamento Penitenciario Nacional, 2008.
- Office of the President, Department of Human Rights, General Coordination for Combating Torture, *Integrated Plan of Action to Prevent and Fight Against Torture in Brazil.*
- Secretariat of Human Rights, Brazil, *1st Week of Human Rights: Mental Health and Combat Torture Pernambuco"begins Monday 2 (4) [1ª Semana de Direitos Humanos: Saúde Mental e Combate à Tortura de Pernambuco" começa 2ª feira (4)],* April 1, 2011.

Brazilian Laws and Regulations

- Brazil Torture Laws
- Definition of Torture (English and Portuguese)

Brazilian NGO Documents

- Brazilian Association of Gays, Lesbians, Bisexuals, Transvestites and Transsexuals (ABGLT)[Associação Brasileira de Lésbicas, Gays, Bissexuais, Travestis e Transexuais], *Contribution by ABGLT to the Universal Periodic Review* (2008).

- André Portela Souza, et al., *"Fiscal Impacts of Social Security Reform in Brazil",* ANPEC - Associação Nacional dos Centros de Pósgraduação em Economia [Brazilian Association of Graduate Programs in Economics], 2004.
- Justica Global, *Rio Report: Police Violence and Public Insecurity* (Rio de Janeiro, 20004)
- Instituto de Investigaciones Juridicas (UNAM), *The Dispute over teh Roposa Serra Do Sol Reserve Demarcation: a matter of Indigenous Constitutional Rights or National Sovereignty?*, 2009

<u>IGO Documents</u>

- <u>OAS Documents:</u>
  - Inter-American Convention to Prevent and Punish Torture (IACPPT)
  - IACPPT, Country ratification

- <u>UN Documents and Studies</u>
  - Amnesty Int'l, *Brazil Submission to the UN Universal Periodic Review, First session of the UPR Working Group,* AI Index: AMR 19/023/2007, 7-11 April 2008.
  - U.N. Committee Against Torture [CAT], *Concluding observations of the Committee against Torture : Brazil, UN Doc.* CAT/C/9/Add.16 (16 May 2001).
  - U.N. Committee Against Torture [CAT], *Consideration of Reports submitted by State parties under article 19 of the Convention*, UN Doc. CAT/C/9/Add.16 (18 Aug. 2000).
  - CEDAW, *Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Seventh periodic reports of States parties,* UN Doc. CEDAW/C/BRA/7 (16 Aug. 2010).
  - Committee on the Elimination of Discrimination against Women [CEDAW], *Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined initial, second, third, fourth and fifth periodic reports of States parties,* UN Doc. CEDAW/C/BRA/1-5 (7 Nov 2002).
  - Communication between the Permanent Mission of Brazil to International Organizations in Geneva presents to Subcommittee on the Prevention of Torture, No. 594/08, November 5, 2008.
  - Communication between Permanent Mission of Brazil to the United Nations and the Subcommittee on Prevention of Torture, No. 60/2010, February 4, 2010.
  - U.N. Human Rights Council [HRC], *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Manfred Nowak*, UN Doc. A/HRC/13/39/Add.6 (26 February 2010).
  - U.N. Human Rights Council [UNHRC], *Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya*, UN Doc. A/HRC/12/34/Add.2 (26 August 2009).
  - U.N. Human Rights Council [UNHRC], Working Group on the Universal Periodic Review, *Compilation prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(b) of the annex*

to human rights council resolution 5/1 (Brazil), U.N. Doc A/HRC/WG.6/1/BRA/2 (March 31, 2008).
    - U.N. Human Rights Council [UNHRC], Working Group on the Universal Periodic Review, *Report of the Working Group on the Universal Periodic Review, Brazil*, UN Doc. A/HRC/8/27 (22 May 2008).
    - U.N. International Covenant on Civil and Political Rights [ICCPR], *Consideration of Reports submitted by State parties under article 40 of the Covenant, Concluding observations of the Human Rights Committee*, UN Doc. CCPR/C/BRA/CO/2 (1 December 2005).
    - U.N. Economic and Social Council [UNESC], *Report of the Special Rapporteur, Manfred Nowak on Civil and Political Rights, Including the questions of torture and detention,* UN Doc. E/CN.4/2006/6/Add.2 (21 March 2006).
- The World Bank, *Implementation, Completion and Results Report on a Loan in the amount of US$572.2 Million to the Federative Republic of Brazil for the Bolsa Familia Project,* Report No. ICR00001486 (June 28, 2010)

<u>International NGO reports</u>

- Amnesty International Reports
    - Amnesty Int'l, *Amnesty International Report 2010 - Brazil*, 28 May 2010.
    - Amnesty Int'l, *Brazil: Human Rights violations committed in the past must finally be investigated*, AI Index: AMR 19/018/2010, 15 December 2010.
    - Amnesty Int'l, *Brazil ratifies the Enforced Disappearance Convention but fails to make a key declaration*, AI Index: AMR 19/017/2010, 2 December 2010.
    - Amnesty Int'l*, Briefing on Brazil's Second Periodic Report on the Implementation of the International Covenant on Civil and Political Rights,* October 2005.
    - Amnesty Int'l, *From burning buses to caveirões': the search for human security*, AI Index AMR 19/010/2007, 2 May 2008.
    - Amnesty Int'l, *Picking up the pieces: Women's experience of Urban violence in Brazil*, AI Index AMR 19/001/2008, April 17, 2008.
    - Amnesty Int'l, *Brazil; Supreme Court Vindicated Indigenous Land Rights*, AI Index: PRE01/316/2008, 12 December 2008.

- ATP Documents
    - Association for the Prevention of Torture [ATP], *2nd Regional OPCAT Seminar in Mersocur*, 21 October 2010.
    - ATP, *Election of the members of the Preventive Mechanism of the state of Rio de Janeiro*, 14 December 2010.
    - ATP, *Federal Prosecutors for the Rights of Citizens*, 2 September 2010
    - ATP, *Preventing Torture in São Paulo,* 24 September 2010.

- Human Rights Watch Documents
    - Human Rights Watch [HRW], *World Report: Brazil (2009)*
    - HRW, *World Report: Brazil (2011)* [in English and Portuguese]
    - HRW, *Cruel Confinement: Abuses Against Detained Children in Northern Brazil,* April 2003
    - HRW, *In the Dark: Hidden Abuses Against Detained Youths in Rio de Janeiro,* June 2005 Vol. 17, No. 2(B).

    - HRW, *Real Dungeons: Juvenile Detention in the State of Rio de Janeiro,* December 2004 Vol. 16, No. 7(B).
    - HRW, *Leathal Force: Police Violence and Public Security in Rio de Janeiro and São Paulo,* December 2009.
  - Hemispheric Brief, *Dilma's Human Rights Agenda*, 6 Jan 2011.
  - International Bar Association [IBA], Human Rights Institute, *One in Five: The Crisis in Brazil's Prisons and Criminal Justice System*, February 2010.
  - International Disability Rights Monitor (IDRM), *Regional Report of the Americas 2004*, July 2004.
  - Transgender Europe, *Trans Murder Monitoring Project: Reported Deaths of 197 Murdered Trans Persons in 2009* (2010).
  - World Organization Against Torture (OMCT), *Brazil: A Follow-up Report to the UN Committee on Economic, Social and Cultural Rights on the Economic, Social and Cultural Root Causes of Torture and Other Forms of Violence in Brazil*, April 2009.

Newspaper Articles

  - *Brazil gay man wins U.S. asylum,* 365Gay News, 8 Feb 2010.
  - BBC news, *Brazil's battle for shanty town residents*, Gary Duffy, 4 February 2009.
  - Business Week, *Brazil, the New Oil Superpower*, Joshua Schneyer Nov. 17, 2007.
  - Folha Online, *Política indigenista é lamentável e caótica, diz general [Indian policy is unfortunate and chaotic, general says],* Italio Nogueria (17/04/2008).
  - Folha Online, *Military Police of Amazonas Dismisses Major Suspected of Torture*, Katia Brazil , March 4, 2011.
  - Global Voices*, Brazil, The National Program for Human Rights—Part 1*, 27 Jan 2010.
  - O Globo*, Federal Public Ministry of Amazonas Denounces Torture of Indians in the Amazon* [MPF denuncia militares por tortura a índios no Amazonas], September 11, 2010.
  - O Globo, *Female inmates of penal colony produce clothes, bicycles and packages to 11 companies*, Letícia Lins, 26 Jan 2008.
  - Wikileaks Cable, *Reforming Sao Paulo's Juvenile correction system, available at* http://www.thepressproject.gr/cablegate/details.php?id=102889 [accessed 28 March 2011].

State Department Reports

  - US Department of State [USDS]*, 2005 Human Rights Report: Brazil*, March 8, 2006.
  - USDS, *2006 Human Rights Report: Brazil*, March 6, 2007.
  - USDS, *2007 Human Rights Report: Brazil*, March 11, 2008.
  - USDS, *2008 Human Rights Report: Brazil*, Feb. 25, 2009.
  - USDS, *2009 Human Rights Report: Brazil*, March 11, 2010.

OPCAT Brazil Research Project, Center for Law and Global Affairs

  - *Country Brief – Brazil*
  - *Memo 1 – Preparation for the Site Visit*
  - *Memo 2 – How to use the SPT drop box*