



EXCELLENT Ms. MICHELLE BACHELETT - HIGH COMMISSIONER OF HUMAN RIGHTS OF THE UNITED NATIONS.

The Angels of Liberty Institute, with its abbreviation its identification IAL, Non-Governmental Organization for the Defense of Human Rights, a regular institution registered in its country of origin, registered with CNPJ / MF under No. 06.030.501 / 0001.05, with address located at Avenida Graça Aranha, nº 145, room 407, Rio de Janeiro, RJ, according to its statutes, without legitimate exercise of its primary activity, comes very respectfully to request the :

***UNITED NATIONS FOLLOW-UP
WITH OBSERVER ON SITE***

By the United Nations High Commissioner for Human Rights, due to the growing increase of a strong evidence of a democratic rupture that may be articulated in Brazil.

The IAL requestes directly from the Rapporteurship for Freedom of Expression, on-the-spot follow-up on explicit threats to the fundamental right of press freedom, from public statements, “viralized” on the World Wide Web, launched by the President of the Federative Republic of Brazil, Jair Bolsonaro, against the Globo Organizations, with explicit threats of use of administrative proceedings, subject to review by the Judiciary under the Constitution, use of office powers for personal purposes in order to terminate activities of that which, without discussing merit or ideologically oriented, it is the largest television station in Latin America. State issues and, in the present case, come up against questions of International Geopolitics, of real and imminent, very concrete threats to Individual Freedoms and Fundamental Guarantees, attacks on Human Rights, such questions do not allow, until they are effectively resolved, discussions. provincial or ideological. Freedom of Expression is a fundamental right guaranteed to everyone, regardless of ideology, and when the very

existence of telecommunications vehicles and the press as a whole is threatened with being subject to explicit vassalage to a person who eventually holds office, or else the Personal use of the post will be launched to terminate the activities of telecommunications companies, this is set in a set of signs that have been seen before, and internal leniency, minor ideological issues, not being denounced, led to more than governments autocrats of only formal democracies, the new dictatorial state is apparently democratic, it is alleged that there are periodic elections, but individual freedoms are eroded as a result of the deconstruction of public institutions.

We have as a concrete case of a never-before-seen threat of personal power from the office of President of the Republic, to the allegation of administrative proceedings, generally of a tax nature, subject, under the constitutional immutable clause, to be reviewed by the Judiciary branch, never threatening formerly seen by an attorney-in-office as Head of Federal Executive, to use profanity already in the slang to use the powers of office for explicit personal

purposes to terminate the activities of telecommunications companies.

The freedom of the press is unequivocally explicit in art. 19 of the International Covenant on Civil and Political Rights.

In the legal scope of the Brazilian State, according to art. 5th, §§ 2nd and 3rd, and art. 60, §4, inc. IV, of the Constitution of the Federative Republic of Brazil, The International Covenant on Civil and Political Rights, the ratification having previously been authorized by the National Congress to authorize the ratification of International Treaties, given exclusive competence in the form of art. 49, inc. I, of the Federal Constitution, made by Legislative Decree No. 226 of 1991, and internalized as law in force and cogent by Decree No. 592 of July 1992, this International Treaty was integrated as legislation that cannot be denounced in unilateral act by the President of the Republic. as it falls within the constitutionality block, it becomes a materially constitutional norm.

It is indispensable and fundamental the analysis of Brazil's domestic legislation, to put it in clear, unambiguous perspective, that an attack by the President of the Republic on freedom of the press and freedom of expression as a whole proposes a simultaneous attack on an international compromise, assumed by Brazil through the International Covenant on Civil and Political Rights, as well as an attack on the Constitution itself.

Attacks made in a video posted on the Internet, where offenses are pronounced, that common configured crimes, committed by the President of the Republic, common crimes under the jurisdiction of the Supreme Court judge while the President exercises authority, these crimes are not allowed in the criminal punishment form of the Brazilian law.

The threat becomes not just about a specific broadcaster, in that case the TV Globo, but a threat to all telecommunications and press vehicles that do not "bow" to the Brazilian commander-in-chief or do not provide unrestricted irrigation services to the feathered

government , but to President Jair Bolsonaro, configurations:

They stand as clear attacks and threats of silencing press freedom and expression against all press vehicles.

In the present moment, the latest movement so far recorded of signs of a dangerous escalation of an autocratic power project, unequivocally and explicitly decorated due to the dissemination of a journalistic article. Since 1988, all the Presidents of the Republic have faced reports and criticisms that put their personal conduct in check, some publications even whistleblowing crimes, and that treatment has always been that provided and protected by the Legal System, always by lawful means. Since the end of the military dictatorship in Brazil, there has never been such a escalating intensity of threats of use of the power of the office for personal reasons, including the threat to shut down television broadcasters. In order to "break" the threats against free-press vehicles. There is no room for hollow discussions of minor ideological nature, free press captures the freedom of all ideological spectra,

within a roll provided for in the International Treaties on Human Rights themselves.

It cannot be unaccounted that the previous video posted on the Internet by the personal Twitter account of Mr. Jair Bolsonaro, posing like a lion that was attacked by hyenas, the video explicitly subtitled, linked as hyenas to various press groups as well as the United Nations itself. Telecommunications, vehicles not only from Globo Organizations, such as the Folha Group, the Folha de Sao Paulo newspaper, the Abril Group, the Veja magazine, and also put the Federal Supreme Court itself as hyenas, this shows a propensity for printing Free as a personal enemy.

Watching the passivity of the Federal Supreme Court and the Federal Prosecution against explicit common crimes and liability crimes. We reaffirm an autocratic escalation, due to the fact that contemporary autocracies hold only the shell of formal democracies, there is no freedom of speech, freedom of the press, independence of the legislature and the judiciary, only in paper. This passivity of the Supreme Court, the Supreme Court, which has been the target of threats from various sectors of the so-called

"Bolsonarismo", is a sufficiently reason to cause concern by the United Nations High Commissioner.

All governamental coups an all recent autocratic escalations have ending up in grave Crimes Against Humanity, punishable by the International Criminal Court. Some of these autocracies still resist in Latin America, supported by punishable practices in the International Criminal Court, with their similar formal rise. Brazil is just today`s exemple.

As first measures of the laws, the transgressed autocrats in the formal democracies, but the evidence of the facts, they must always repeatedly remove the independence of the legislature and the judiciary, and silence the free press from the point where there is no more freedom. of expression. , just oppression. Sometimes, when it is not possible, in the face of legal norms, there is a creative interpretation of constitutional mechanisms to gain meaning and apply the fact that it does not have.

So became imperative to denounce to the United Nations and the the High Commissioner of Human Rights, the risk of an authoritarian adventure by the means of a democratic break with the claim of constitutional provisions, those who do not support the "autocratic or authoritarian experience".

The legal possibility of military intervention done by the Executive over the other powers, its false, demonstrated by the following parts of the Brazilian Law.

Article 42 of the Federal Constitution of the Federative Republic of Brazil reads as follows.

Article 142. The Armed Forces, constituted by the Navy, Army and Air Force, are permanent and regular national institutions, organized on the basis of hierarchy and discipline, under the supreme authority of the President of the Republic, and are intended for the defense. of the Homeland, the guarantee of constitutional powers, and the initiative of either of them, law and order.

It is a constitutional norm that can be modified or even removed from the Federal Constitution by Constitutional Amendment.

Defend the interpretation of the nominee art. 142 to justify “military intervention” is a crime, according to the Federal Constitution of the Federative Republic of Brazil itself.

The art. 5 of the Brazilian Federal Constitution is a immutable clause, according to art. 60, §4, inc. IV, cannot even be the subject of a constitutional amendment, and its item XLIV is exhaustive.

XLIV. The action of armed groups, civil or military, against constitutional order and the Democratic State constituted an unenforceable and unenforceable crime;

Given the evidence spreading on the Internet, linked directly to Mr. Jair Messias Bolsonaro, videos in which he speaks, or linked to his personal Twitter account, evidence of the use of personal power as President of the Federative Republic of Brazil to pursue freedom of the press, threaten

to terminate activities of TV stations, in this case the largest audience in the country and certainly the largest broadcaster in Latin America, having the concrete context of previous demonstrations a few hours earlier, where the National Congress and the Supreme Court Federal, along with the press, in Mr. Bolsonaro's personal Twitter account video, are captioned as attacking hyenas, and there is a need for immediate direct follow-up by the United Nations High Commissioner for Human Rights. The price of not conducting these follow-ups, would allow for preventive measures to be proposed internationally. The price of compromising with such situations, remains well known, local problems that seem provincial can become serious international problems.

There is no shortage of threats from the so-called “Bolsonaro Clan”, such as those on the bench in the Chamber of Deputies, implying that if there are protests in Brazil similar as the ones in Chile, “the military dictatorship will settle again”. And what do you know? Such statements constitute, given the constitutional text, a clear breach of parliamentary decorum, punishable by the

loss of parliamentary mandate. In other words, the issue is the possible erosion, that may already be in progress, of democratic structures and institutions in Brazil.

Mr. Jair Bolsonaro's attacks on freedom of expression, freedom of the press in conjunction of his threats of misuse of office power and the use of personal power for his own purposes while exercising the office of President of the Republic, have strong ties to the defense of his "clan. ". Meaning that they represent a same pattern of thought.

Importantly, to conclude this request for monitoring in real time and direct observation, *in locu*, it is essential to be very clear that on account of §4 of art. 5° of the Federal Constitution of the Federative Republic of Brazil the jurisdiction of the International Criminal Court for crimes against humanity committed in Brazil or linked to sanctions under Brazilian law are an immutable constitutional clause, have become constitutional norm that cannot be modified, except a new constituent national assembly .

The Angels of Liberty Institute very respectfully requires that, through the High Commissioner of Human Rights, the United Nations be able to make requests to the Federal Supreme Court, the Attorney General's Office, and the National Congress to demonstrate which measures are being effectively carried out to prevent an autocratic escalation. We can affirm, without fear of levity, that evasive answers or silence mean a thermometer, making it a clear indicator that democratic freedoms either have already been protected or no longer exist.

Rio de Janeiro, Brazil, October 30 of 2019.

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