



CÂMARA DOS DEPUTADOS  
COMISSÃO DE DIREITOS HUMANOS  
E MINORIAS

Official letter nº 364/2020-P

Brasília, June 17, 2020

Mrs. Agnes Callamard

**Special Rapporteur on extrajudicial, summary or arbitrary executions**

[eje@ohchr.org](mailto:eje@ohchr.org)

c/c [lpardo@ohchr.org](mailto:lpardo@ohchr.org)

**Subject: Magno Satiro Alves Gomes, Thiago Henrique Moura Soares e Maykon Douglas Ribeiro Lima**

Mrs. Special Repporteur,


We report to Your Excellency the summary executions of the youngsters Magno Satiro Alves Gomes, Thiago Henrique Moura Soares and Maykon Douglas Ribeiro Lima, as authorized by their family members.

We respectfully request that Your Excellency adopt relevant measures regarding these cases, such as appeals for information, communications, pronouncements, and recommendations.

The Human Rights and Minorities Committee has acted directly regarding these homicides, considering its regulatory duties for receiving, evaluating and investigating complaints of human rights violations.

We also inform that as soon as possible we will send other cases for Your Excellency's exam.

Sincerely,



Deputado Helder Salomão  
PT/ES

Presidente da Comissão de Direitos Humanos e Minorias  
*President of the Human Rights and Minorities Committee*



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Deputado Padre João

PT/MG

1º Vice-Presidente da Comissão de Direitos Humanos e Minorias

*1<sup>st</sup> President of the Human Rights and Minorities Committee*

Deputado Túlio Gadêlha

PDT/PE

2º Vice- Presidente da Comissão de Direitos Humanos e Minorias

*2<sup>nd</sup> President of the Human Rights and Minorities Committee*

Deputado Camilo Capiberibe

PSB/AP

3º Vice-Presidente da Comissão de Direitos Humanos e Minorias

*3<sup>rd</sup> President of the Human Rights and Minorities Committee*

Deputada Erika Kokay

PT/DF

Presidenta da Frente Parlamentar em Defesa dos Direitos Humanos

*President of the Parliamentary Front in Defense of Human Rights*



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**VICTIM:** Magno Satiro Alves Gomes

**FATHER:** Sebastião Gomes Sobrinho

**HOMICIDE:** 05/31/2009

IPL (*Civil Police Inquiry*) nº 64/2011/DELEGACIA DE POLÍCIA CIVIL DE NOVO GAMA– IPM (*Military Police Inquiry*) nº 0065/09 – Ação Penal(*Prosecution*)/TJGO nº 2012.0151-8150 (151815-09.2012.8.09.0160)

**SUMMARY:** In a copy of the case file, filed at CDHM, there are reports by Magno's friends, Cléber dos Santos and Jorge dos Santos, in the sense that they were returning with Magno Sático, when the first two distanced themselves to urinate, they were approached by military police who ordered to put their hands on their heads and turn to the wall, which was attended by Cléber and Jorge. However, Magno Sático, who was already farther away, returned and, in the rapprochement, one of the military policemen ordered him to put his hands on his head, making three shots at Magno Sático, who died. In the police version, Magno Sático would be armed.

The investigation of the fact, in addition to Police Inquiry No. 64/2011, Military Police Inquiry No. 0065/09 and Criminal Action No. 151815-09.2012.8.09.0160, are underway at the Criminal Court of the District of Novo Gama.

There is no determination to carry out an expert examination on the weapon presented by the accused as belonging to the victim. The investigation report, in its turn, does not list the said examination among the measures adopted during the investigation.

It was also not found that, in the cadaverous report, there is a request for an examination to identify firing residues in the victim's hands. Nor does the cadaveric report answer questions such as: how far away was the victim's executioner and whether there was a short-range shot. These questions, if answered, would facilitate assessments by the Public Prosecutor in the case.

There were also repeated requests from the Public Ministry, within the scope of Military Police Inquiry No. 0065/09, for the Legal Medical Institute of Luziânia to conclude the expert examination report on the firearm. After several attempts, the command of the 19th Battalion of the Military



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Police reported that it was not in possession of the weapon that supposedly belonged to Magno Sátiro.

In the final allegations, the Public Prosecutor's Office express itself to absolve the accused MP Francisco Odair Moreira Dantas, without making any mention of the absence of the expert report of the seized firearm or of the examination report of residues of firearm firing in the hands of the victim, who could clarify whether the young Magno Sátiro was actually using or whether he fired that weapon or not.

**CDHM (HUMAN RIGHTS AND MINORITIES COMMITTEE) UNDERTAKINGS:**

- a) Official Letter 125/18, sent on 03/22/18, to the General Delegate of Civil Police of Goiás, requesting immediate referral of the expert examination of the firearm to the Criminal Court of Novo Gama, as well as requesting measures to investigate the conduct of the director IML for failing to respond to repeated requests for the preparation of this report. There was no answer.
- b) Official letter 134/18, sent on 03/22/18, to the Corregedor-General of the Civil Police of Goiás, requesting immediate referral of the expert examination of the firearm to the Criminal Court of Novo Gama, as well as requesting measures to investigate the conduct of the director IML for failing to respond to repeated requests for the preparation of this report. There was no answer.
- c) Official letter 135/18, sent on 03/22/18, to PGJ / GO, requesting immediate referral of the expert examination of the firearm to the Criminal Court of Novo Gama, as well as requesting measures to investigate the conduct of the IML director for not responding repeated requests for the preparation of such a report. There was no answer.
- d) Official letter 170/19, sent on 05/30/19, to the Public Prosecutor's Office of GO, asking him to investigate the omissive conduct of the member of the Public Prosecutor who acted in the case in question.

**ANSWER:** in response to Official Letter 170/19, CDHM received Official Letter 692/2019/SEC, of 08/28/2019, where the Internal Affairs Department of the Public Prosecutor of Goiás forwarded a copy of Opinion / 3rd PJC / nº 24, of 27 / 08/19, in which it appears that the Prosecutor who acted in



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the case, using the legal means, ascertains the reason that the firearms expert examination report was not appended to the homicide records on screen. It was the only answer we got.



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**Alto Comissariado das Nações Unidas para os Direitos Humanos**  
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Instruções: Favor preencher seu(s) nome(s) e/ou da (s)vítima(s), incluindo, se necessário, quaisquer informações adicionais nos espaços indicados. Favor marcar "sim" ou "não" conforme for pertinente. Favor assinar e datar este documento.

*Instructions: Please fill in your name(s) and/or that of the victims(s) including any additional information in the space provided, as necessary. Please check "yes" or "no" as relevant. Please sign and date this document.*

Caso você seja **parente** (s) da (s) suposta (s) vítima (s), favor indicar se:  
*If you are **relative** (s) of the alleged victim(s), kindly indicate if:*

Eu/Nós, Substício S. Gomes da Silva sobrenome (s), nomes (s), dou/damos meu/nosso consentimento para que meu/nossos nome(s) seja (m) revelados em correspondência que pode ser remetida, conforme a pertinência, ao governo de meu país ou a outras instituições, como organizações intergovernamentais, incluindo as entidades das Nações Unidas, empresas, militares ou companhias de segurança.  
*I/We, last name(s), first name(s), give my/our consent to have my/our name(s) disclosed in a letter that may be sent as relevant to the Government, or others, such as intergovernmental organizations including United Nations entities, businesses, military or security companies.*

Sim  Não

Eu/Nós, Substício S. Gomes da Silva sobrenome (s), nomes (s), dou/damos meu/nosso consentimento para que meu/nossos nome(s) apareça (m) em relatórios públicos apresentados ao Conselho de Direitos Humanos e seja (m) inserido (s) em uma base de dados pública.  
*I/We, last name(s), first name(s), give my/our consent to have my/our name(s) appear in public reports presented to the Human Rights Council and inserted in a public database.*

Sim  Não

Magnos Satiro Alves Gomes  
Favor indicar o(s) nome (s) da vítima, aqui  
*Please indicate the name(s) of the victim, here.*

FALTEI DO EM 30 03 DE 2019.  
Favor indicar a razão para impossibilidade de consentimento das vítimas, aqui  
*Please indicate reason for inability to consent by the victims, here.*

Informações adicionais  
*Additional information*

Substício S. Gomes da Silva  
Assinatura e Data  
*Sign and Date*



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**VICTIM:** Thiago Henrique Moura Soares

**MOTHER:** Elaine Moura

**HOMICIDE:** 10/27/2016.

IPL(*Civil Police Inquiry*) nº 472/2016 (Processo[*Process*] nº 0034952-74.2016.8.07.0001)

**SUMMARY:** According to information provided by the lawyers working in the case, on October 12, 2016, Thiago Henrique Moura Soares was approached by the Military Police in the vicinity of block 712 south, in the city of Brasília, and was taken to the city's 1st Civil Police Station. That same night he was admitted to the Intensive Care Unit of the Hospital de Base do Distrito Federal (a public institution) in critical condition, presenting head trauma, kidney failure, among other injuries. After several days of hospitalization in the intensive care unit, Thiago Soares died in the early hours of October 27, 2016, at the age of 22.

The versions presented by the officers involved in his detention do not clarify the facts. On the contrary, they raise doubts about what really happened, with strong evidence of police brutality and/or abuse of authority. According to the police officers involved, Thiago injured himself. On the other hand, the severity of the injuries that led to his death defies the version of self-injury. At the same time, videos recorded by policemen and made available in the press show images from the period when Thiago was at the police station, before being taken to the Hospital. The footage shows Thiago lying on the floor, panting and immobilized by more than one agent, one of whom kept a knee on his neck.

Despite of being under the tutelage of the State, that had a duty to provide adequate medical care, Thiago was only taken to the Hospital after his father's arrival at the police station when he noticed the critical health condition in which his son was - he was convulsing - and asked for medical help. Likewise, the investigation of possible police abuse, which should be initiated immediately, was undertaken only after a police report was submitted by Thiago's mother, who, after arriving at the hospital, verified the severity and types of injuries suffered by her son.

The investigation of the facts, notably the wounds suffered by Thiago that culminated in his death, was the subject of Police Inquiry No. 472/2016 (Case No. 0034952-74.2016.8.07.0001), which was archived due to lack of evidence. Despite the evidence of police violence, the hypothesis of abuse of



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power was not effectively considered by the authorities. Thus, the investigation was closed without the adoption of basic measures to determine what happened, such as the identification and hearing of all the Military and Civil Police who took part in Thiago's approach, as well as all health professionals who provided care to Thiago on the night of the facts (October 12 and 13, 2106, SAMU and Hospital de Base).

It is worth noting the difficulty encountered by the mother, Elaine Moura, in gaining access to information that could be useful to the investigation. As an example, it was necessary to file a writ of mandamus ("Mandado de Segurança", a judicial remedy to curb illegal acts by public agents) to gain access to Thiago's medical record and guarantee its joining to the police investigation. In addition, in spite of the relevance of the imaging exams for the investigation and the Hospital's legal duty to store the patient medical records in full, the Federal District stated in court that it did not have the records. That was the context in which the case was closed for lack of evidence.

For the reopening of the investigation, it is necessary to produce new evidence, especially by expert witnesses, effectively considering the hypothesis of police violence and, also, the excessive use of tear gas.

**CDHM UNDERTAKINGS:**

- a) Official letter 397/16, sent on 10/14/16, to the SSP / DF, requesting information on the progress of the case.
- b) Official letter 432/16, on 10/27/16, was sent to the director of IML-DF, asking him to inform if the investigation identified that the injuries existing on the victim's body were caused by self-injury or external agents. No reply
- c) Official letter 435/16, sent on 10/31/16, to the SSP / DF, requesting information on the progress of the case. No reply.
- d) Official letter 400/16, sent on 10/14/16, to the PGJDF, requesting information on the progress of the case. No reply.

**ANSWERS:** in response to item 'a', CDHM received the Official Letter 1433/2016-GAB / SSP, dated 11/8/16, which clarified that IPM 2016.001.0083.0338 was established to investigate the conduct of Leonardo de Siqueira Lima and Viviane de Lima Ribeiro, for the crime of alleged bodily injury (art. 209 / CPM).





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*Instructions: Please fill in your name(s) and/or that of the victim(s) including any additional information in the space provided, as necessary. Please check "yes" or "no" as relevant. Please sign and date this document.*

Caso você seja **parente** (s) da (s) suposta (s) vítima (s), favor indicar se:

*If you are **relative** (s) of the alleged victim(s), kindly indicate if:*

Eu/Nós, Elaine maura de Carvalho, sobrenome (s), nomes (s), dou/damos meu/nosso consentimento para que meu/nossos nome(s) seja (m) revelados em correspondência que pode ser remtida, conforme a pertinência, ao governo de meu país ou a outras instituições, como organizações intergovernamentais, incluindo as entidades das Nações Unidas, empresas, militares ou companhias de segurança.

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Sim  Não

Eu/Nós, Elaine maura de Carvalho, sobrenome (s), nomes (s), dou/damos meu/nosso consentimento para que meu/nossos nome(s) apareça (m) em relatórios públicos apresentados ao Conselho de Direitos Humanos e seja (m) inserido (s) em uma base de dados pública.

*I/We, last name(s), first name(s), give my/our consent to have my/our name(s) appear in public reports presented to the Human Rights Council and inserted in a public database.*

Sim  Não

Thiages Henrique maura Soares

Favor indicar o (s) nome (s) da vítima, aqui  
*Please indicate the name(s) of the victim, here.*

Favor indicar a razão para impossibilidade de consentimento das vítimas, aqui  
*Please indicate reason for inability to consent by the victims, here.*

Informações adicionais  
*Additional information*

Elaine Maura de Carvalho  
Assinatura e Data  
*Sign and Date*

BSB - 30/06/2020



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**VICTIM:** Maykon Douglas Ribeiro Lima

**PARENTS:** Mrs. Aurineide Lopes Lima e Mr. Vanderlei P. Ribeiro

**HOMICIDE:** 20/02/2019

IPL(*Civil Police Inquiry*) nº 222/2019-4/SR/PF/DF (Inicialmente apurado pela ocorrência policial [*Initially ascertained by police report*]) nº 1934/2019-16ª DPCivil)

**SUMMARY:** The reports are that the victim was celebrating his birthday with friends at the Gas Station called Itiquira, in Planaltina, Distrito Federal. Military officers were called in because of the loud sound. Federal Highway Patrolmen who passed by arrived to support the military. A federal highway policeman shot the boy, who died on the spot.

According to the police version, Maykon was allegedly shot because he had a gun in his hand, disobeying the order to stop by the federal highway police. However, the video <sup>1</sup> shows that the proportionality of the police reaction is not very plausible.

**CDHM UNDERTAKINGS:**

- a) Official letter 36/19, sent on 03/11/19, to the Coordinator of the 7th Chamber of External Control of Police Activity and Prison System of the Attorney General's Office, requesting measures in the case.
- b) Official letter 336/19, sent on 8/20/19, sent to the Secretary of Public Security of the Federal District, requesting clarification on the procedure of any police investigation initiated to ascertain the circumstances of the homicide in question, object of Occurrence 1,934 / 19, registered by the 16th Civil Police Station of Planaltina.
- c) Official Letter 338/19 was sent on 8/20/19, to the Regional Superintendent of the PF / DF, requesting clarification on the process of any police investigation initiated to ascertain the circumstances of the homicide in question, object of Occurrence No. 1,934 / 19, registered by the 16th Civil Police Station of Planaltina.

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<sup>1</sup> <https://g1.globo.com/df/distrito-federal/noticia/2019/02/20/agente-da-prf-atira-e-mata-jovem-de-18-anos-em-posto-de-gasolina-no-df-video.ghtml>



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- d) Official letter 80/20, sent on 03/16/20, to the Regional Superintendent of PF / DF, requesting information on the progress of the case.

**ANSWERS:** CDHM received Official Letter 1952/2020-IPL 0222 / 2019-4 SR / PF / DF - DELINST, dated 3/17/20, which clarified that the case is awaiting hearing from all involved; collection of all material of conviction, produced by the Civil Police (expert reports), as well as video images produced by different sources; records of functional settlements and handouts from the Federal Highway Police Academy, as well as awaiting information requested from the PRF's Internal Affairs Department, in order to enable the simulated reproduction of the facts at the murder site, which will provide the final report of the police investigation, for referral to the Judiciary.

CDHM received Official Letter 8012/2019 - IPL 0222 / 2019-4 SR / PF / DF -DELINST, of 08/28/2019, for which it forwarded, as "confidential", a full copy of IPL 0222/2019, no completed so far.



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Caso você seja parente (s) da (s) suposta (s) vítima (s), favor indicar se:  
*If you are relative (s) of the alleged victim(s), kindly indicate if:*

Eu/Nós, Aurineide Lopes Lima / Vanderlei P. Ribeiro, sobrenome (s), nomes (s), dou/damos meu/nosso consentimento para que meu/nossos nome(s) seja (m) revelado(s) em correspondência que pode ser remtida, conforme a pertinência, ao governo de meu país ou a outras instituições, como organizações intergovernamentais, incluindo as entidades das Nações Unidas, empresas, militares ou companhias de segurança.

*I/We, last name(s), first name(s), give my/our consent to have my/our name(s) disclosed in a letter that may be sent as relevant to the Government, or others, such as intergovernmental organizations including United Nations entities, businesses, military or security companies.*

Sim  Não

Eu/Nós, Aurineide Lopes Lima / Vanderlei P. Ribeiro, sobrenome (s), nomes (s), dou/damos meu/nosso consentimento para que meu/nossos nome(s) apareça (m) em relatórios públicos apresentados ao Conselho de Direitos Humanos e seja (m) inserido (s) em uma base de dados pública.

*I/We, last name(s), first name(s), give my/our consent to have my/our name(s) appear in public reports presented to the Human Rights Council and inserted in a public database.*

Sim  Não

Eu/Nós, Aurineide Lopes Lima / Vanderlei P. Ribeiro

Favor indicar seu (s) nome (s) e sobrenome (s) aqui.

*I/We, Please indicate your own name(s) and last name(s) here*

Maurício Douglas Ribeiro Lima

Favor indicar o (s) nome (s) da vítima, aqui.

*Please indicate the name(s) of the victim, here.*

Favor indicar a razão para impossibilidade de consentimento das vítimas, aqui.

*Please indicate reason for inability to consent by the victims, here.*

Informações adicionais  
*Additional information*

Aurineide Lopes Lima  
Vanderlei P. Ribeiro 24/06/2020

Assinatura e Data  
*Sign and Date*