

Brazilian Federal Police Tap and Threaten the Press

Contributed by Newsroom
Friday, 10 November 2006

Reporters Without Borders today, November 10, condemned the action of the federal police in tapping the phones at the Brasília bureau of A Folha de S. Paulo daily newspaper. The newspaper learned of the tapping on November 8.

The telephone violation occurred in the course of an investigation into an alleged attempt by members of President Luiz Inácio Lula da Silva's reelection campaign to buy a "dossier" of documents that supposedly incriminated his rival.

The authorities have flouted the constitutional right of journalists to protect the confidentiality of their sources, Reporters Without Borders said, noting that it was the second time in 10 days that the so-called "dossier scandal" had cast a pall on the elections and led to press freedom violations.

"After the attempts to intimidate three journalists with the weekly *Veja*, the federal authorities are once again abusing their power to force journalists to reveal their sources of information in a scandal involving members of the president's entourage," the press freedom organization said.

"Do they seriously think they are protecting the government by putting the press under surveillance," Reporters Without Borders added. "The right of journalists to protect their sources is guaranteed by the federal constitution and the Chapultepec Declaration on freedom of expression and information, which President Lula signed on 3 May. We call on the judge who approved the tapping to rescind the order."

Folha de S. Paulo discovered that two of the phone numbers - a fixed line and a mobile - of its bureau at the chamber of deputies press office in Brasília were tapped between August 1st and September 29. They were on a list of 168 lines which a judge said could be tapped as part of the investigation into the "dossier scandal."

During the election campaign, members of President Lula's Workers Party (PT) allegedly tried to buy a dossier of fabricated documents intended to compromise the rival Brazilian Social Democratic Party (PSDB) and its unsuccessful presidential candidate, Geraldo Alckmin.

A PT intermediary and member of Lula's reelection campaign, Gedimar Passos, was arrested in a São Paulo hotel on 15 September in possession of 1.7 million reais (about US\$ 800,000).

The police in charge of the investigation say they wanted to intercept all the calls made and received by Passos. Police inspector Diógenes Curado at first claimed he did not know the two lines belonged to the newspaper. He later said Folha was the only news organization to have contacted Passos.

In fact, according to the Brazilian Association of Investigative Journalism (ABRAJI), *Veja* spoke to Passos two days before A Folha. On 31 October, the police tried to get three *Veja* journalists to name their sources in this case.

This tapping of national newspaper, which has been widely condemned by Brazilian journalists' organizations, comes two years after the phones of the daily A Gazeta in the southeastern state of Espírito Santo were tapped during the investigation into a judge's murder.

The *Veja* Affair

Reporters Without Borders has also condemned unwarranted pressure against three journalists working for the weekly *Veja* designed to discredit them and to get them to reveal their sources of information.

The three, Julia Duailibi, Camila Pereira and Marcelo Carneiro, were subjected to questioning in São Paulo on 31 October in connection with an internal federal police investigation.

"If *Veja*'s accusations against the federal police turn out to be correct, then the summoning of Julia Duailibi, Camila Pereira and Marcelo Carneiro appears to be intimidatory and an abuse of power," said Reporters Without Borders.

"Journalists do not have to be police auxiliaries. We urge the federal government to open an investigation into the conditions of this interrogation and to punish abuses," it added.

In a recent edition of the weekly, *Veja* revealed that federal police investigating the purchase of false documents designed to compromise opponents of President Lula before the first round of general elections, had tried to exonerate Freud Godoy, an adviser to the re-elected president. The scandal had a serious effect on the electoral campaign.

In order, officially, to find out how police responsible for the investigation into the "dossier scandal" had tried to stifle it, Commissioner Moysés Eduardo Ferreira summoned five Veja journalists, three of whom, Duailibi, Pereira and Carneiro, were finally questioned. But, according to the weekly, the journalists were treated as suspects and not as witnesses.

Ferreira reportedly tried to put pressure on Julia Duailibi by asking her for her reasons for writing "misleading things". To her surprise, the police officer tried to attribute the word "misleading" to her in her statement.

The officer also took advantage of questioning to obtain information about the scandal. Still according to Veja, Julia Duailibi was ordered to reveal who had given her a CD containing photos of the sum of money intended to buy the dossier. She declined to give her sources. Ferreira then accused the Veja journalists of having fabricated evidence against the federal police.

Camila Pereira had written a linked piece based on interviews with lawyers, explaining the extent to which the "dossier scandal" could compromise Lula's re-election. The police officer tried to get included in the statement that Pereira had been told "the paper does not normally pay for this type of contribution".

The three journalists, who were in fact summoned as witnesses, did not have the right to consult the lawyer who accompanied them, were banned from communicating among themselves and were refused copies of their own statements.