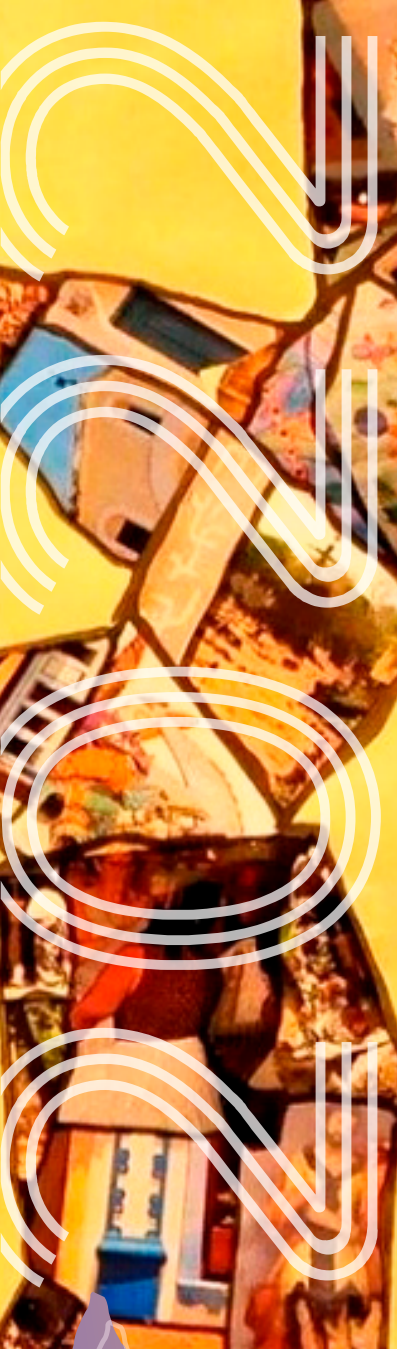


COLETIVO
RPU
BRASIL



UPR
Brazil
Coalition

Human rights defenders and democratic space



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UPR Brazil Coalition

Joint Submission sent to the United Nations High Commissioner for Human Rights as a parallel report of civil society to attend the Universal Periodic Review Working Group in its 41st Session (Nov 2022), 4th cycle of Brazil

2022



**FRIEDRICH
EBERT
STIFTUNG**

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March 2022

About the **UPR Coalition**

The UPR Brazil Coalition is a coalition composed of 31 entities, networks and collective groups of Brazilian civil society. From its creation, since 2017, it has monitored the human rights in the country through the United Nations Universal Periodic Review (UPR) mechanism.

In 2019, it drafted its first Mid-Term Report, in which it assessed 163 recommendations of the 242 accepted by Brazil in this 3rd cycle. From these, 142 were considered as not implemented, 20 partially implemented and only 1 implemented.

In 2020, on the grounds of the pandemic of the novel coronavirus, the UPR Brazil Coalition opted to prepare a new report, called "Civil society report: Human Rights Universal Periodic Review in the Context of Covid-19", whose objective was to denounce

in-depth violations of human rights that have already been evidenced by the group, as well as to record new violations that have occurred at this time of institutional, health and economic crises, as a result, but not only, of the Covid-19 pandemic.

The Report in the Context of Covid-19 evaluated 190 recommendations, 142 of which were considered as not implemented, 47 partially implemented and only 1 was considered to be implemented.

Considering the civic participation in the UPR process, Brazilian civil society participates in the preparation of parallel reports. For this, in this transition from the 3rd to the 4th cycle, the UPR Brazil Coalition articulated to evaluate here the 242 recommendations accepted by the Brazilian State in 2017.



***Easily** navigate through document*

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To check external content, just
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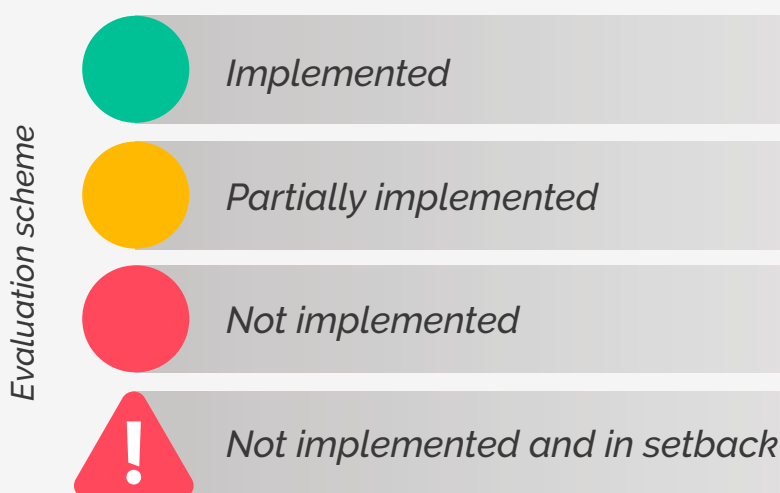
Good reading.

Methodology

For the drafting of this report, following a methodology similar to that of the [Mid-Term](#) and in the [context of Covid-19 Reports](#), the UPR Brazil Coalition selected and evaluated 242 recommendations, divided into 11 joint submissions, based on topics of human rights and the public affected.

Thus, It features:

- a) the assessments of the recommendations, indicating the level of compliance with these as "Implemented", "Partially implemented" or "Not implemented". In the latter case, indicating whether the topic assessed, in addition to not being implemented, is also in a situation of setback;
- b) for each evaluation, it presents a small text containing data (laws, public policies, official publications, newspaper articles, among others) that justify the assessment;
- c) associated with one or more of the Sustainable Development Goals (SDGs) of the 2030 Agenda.



¹Civil Society Mid-Term Report | 3rd cycle of the UPR. Mid-Term Report

²Civil society report: Human Rights Universal Periodic Review in the context of Covid-19. Relatório RPU.indd (plataformarpu.org.br)

Reports prepared by the **UPR Brazil Coalition:**

1

Health and dignified life:

Right to health; Sexual and reproductive health;;

2

Gender equality and non-discrimination:

*Sexual orientation and gender identity; Discrimination against women;
Violence against women; Participation of women in political and public life;*

3

Human rights defenders and democratic space:

*Female and male human rights defenders; Freedom of expression and the
right to communication; Human rights and anti-terrorism;*

4

Children and adolescents and decent work:

Children and Adolescents; Labor; Prohibition of slavery; Human trafficking;

5

Education, austerity and discrimination:

Right to education; Education in Human Rights;

6

Poverty reduction and the fight against inequalities:

*Right to adequate housing; Right to an adequate standard of living (poverty
reduction and the fight against inequalities); Human rights, drinking water and
sanitation; Right to adequate food and nutrition, Food security;*

7

Indigenous Peoples and the Environment: Indigenous peoples; Environment;

8

Criminal Justice: Prison System, Public Security, and Torture:

*Extrajudicial, summary or arbitrary executions; Prohibition of torture and cruel,
inhuman or degrading treatment; Detention; Administration of justice and fair trial;*

9

Migration, refuge, racism and (in)equalities:

*Migrants and refugees; Racism; Equality and non-discrimination;
Persons with disabilities; Quilombolas;*

10

Obligations and Commitments to Human Rights:

*Institutions and policies; Constitutional and legislative framework; Acceptance of international
standards; International cooperation; National Institution of Human Rights (NHRI);*

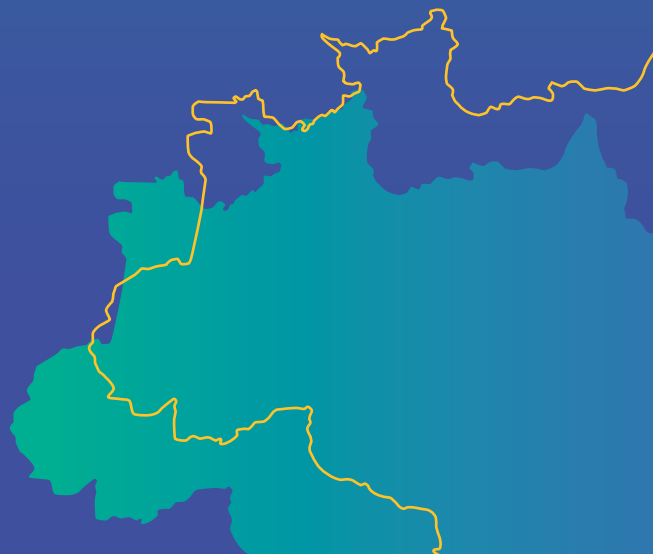
11

Business and Human Rights: Business; Human Rights.

Hope under Torture

This report of the UPR Brazil Coalition, corroborates with a set of reports produced by civil society organized in 2021. Based on material evidence through official data, collected and systematized by non-governmental organizations, show a country that is taking a serious step backwards in legally settled rights and moves toward socio-environmental and political barbarism, as a result of the direct actions of the current federal government and its allies in subnational governments and in the National Congress. Through forged alliances in exchange for the release of public resources without transparency or republican criteria¹, the politics in the country are a farce with institutional backing that consumes the public coffers to expand the private privileges of those elected.

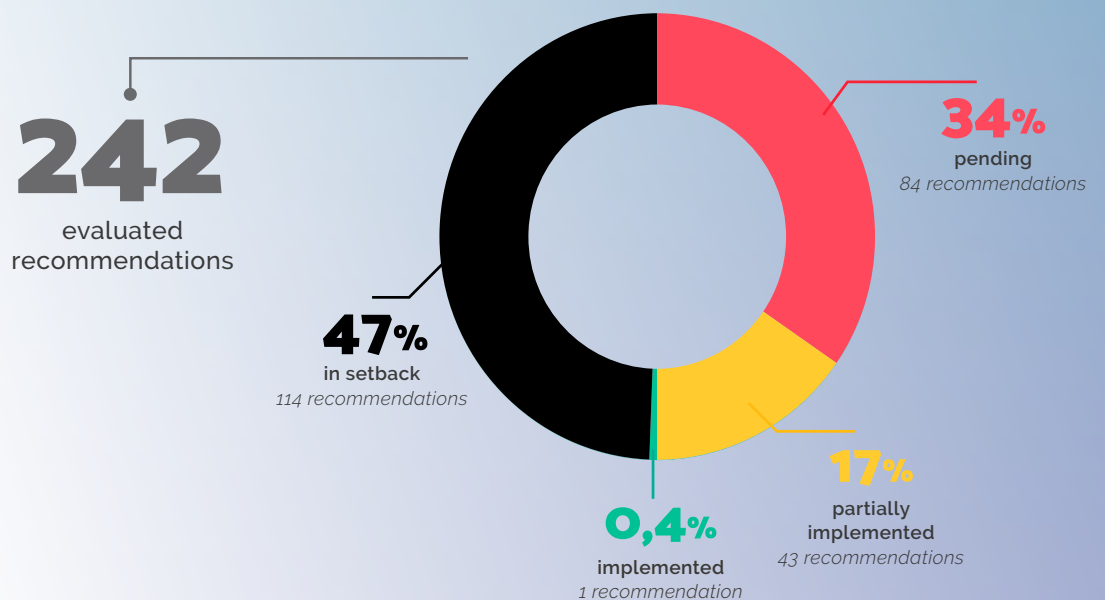
¹Secret budget was of R\$ 16 billion in 2021



Executive Summary

The UPR Brazil Coalition this year evaluated 242 recommendations made by countries in the UN Human Rights Council to Brazil. The analyses indicate a very serious situation: almost half (**47%**) of all the recommendations, besides not being put into practice, are in setback. By adding up to one third (**34%**) of the constantly pending items, **80% of them are not being implemented**. Only **17%** of the recommendations are being partially implemented and **only one has been implemented**.

Overview



This report, therefore, portrays the weakening of the capacity of public institutions to serve the population of the country and, in relation to the international community, more than neglect in complying with the agreements, indicates the violations of the Brazilian state in relation to the socioeconomic and environmental rights.

In the following chapters, we present the dismantling of public policies structured for Brazil, particularly those directed at the most vulnerable populations, and which have been improving in recent decades to reduce social, racial, gender and economic inequalities.

Faced with the challenges presented, we urgently call on the democratic institutions of the republic to reverse the current setbacks, including the proven inadequate management of the new coronavirus pandemic that has already led to the death, at the closing of this report, of more than 620,000 people. [The research of the Institute of Public Health of the University of São Paulo in partnership with the non-governmental organization Conectas Direitos Humanos²](#), mapped 3,049 norms, laws and administrative acts of the federal government during the first year of the pandemic that show the evident intention of spreading the virus in the country, with the aim of social, ethnic and economic cleansing, taking into account the percentage of contingency of unintentional “casualties”, demonstrating the logic of the shrewd military thinking. [Another evidence of the announcement made by the president himself in his inaugural speech that he had not come to build, but to destroy³](#).

²Pandemic Rights Bulletin no. 10: Mapping and analyses of the legal rules of response to the Covid-19 in Brazil. São Paulo: January 20, 2021. Available on: <https://cepedisa.org.br/publicacoes/>

³Bolsonaro: I have not come to build anything, I am here to destroy – Iser Assessoria; 1,000 days of infamy, counter-orders and restlessness | Articles by Elias Fragoso | Opinião - Jornal Extra de Alagoas

The data presented here, produced by the technical body of the public institutions in their areas, show a Brazil in a collision course with the agreements and commitments that it built and assumed of promoting, defending and repairing human rights and with the reduction of inequalities. They are evidence of a perpetual state of exception as a method of administration, generating loss of resources and, worse, of human lives and ecosystems.

Brazil continues to be one of the most dangerous countries for advocates of rights, in particular environmental activists, and trans people around the world. While we were writing this summary, in January 2022, [three people from a family of riparian environmentalists in Pará were executed⁴](#), adding to a series of executions in that territory that have still not been punished in the court of law. Moreover, the country occupies the four worst places in the rankings of murder of indigenous people, women and gay people; with the structural racism of the public security system revealing itself in the deaths practiced by the police against young people, mostly black and residents of the poorest communities of the Brazilian metropolises. In addition, we emphasize the ongoing attack on indigenous peoples who have seen the violation of their territories and rights grow exponentially: according to Articulação dos Povos Indígenas do Brasil (APIB), the Bolsonaro government has transformed its hate speech into state policy, aggravating a situation that was already quite fragile as shown in other parts of the country by the UPR: the current government is working on the non-demarcation of more indigenous territories and to make environmental protection more flexible for those territories already demarcated and approved.

⁴Riverine people are slaughtered in an area of deforestation in PA - January 13, 2022 - Cotidiano - Folha



The country has also lost in terms of transparency. And it is not only the President of the Republic's vaccination certificate that has been kept secret, but efforts are growing to make government documents, which should be public, a State secret. In addition to the funding cut of institutions, such as the Brazilian Institute of Geography and Statistics and the data collection mechanisms, such as CENSO, there are strong attacks on the Law on Access to Information. While it shows data security fragility through the alleged attack on the base of the Ministry of Health, or when the president of the STF accuses the President of the Republic of leaking passwords from TSE servers. In addition to this, the very serious institutionalized violence against journalists and communicators through threats, censorship, illegal seizure of equipment, surveillance, defamation and even physical violence. The issue has been a matter of concern of international entities, since the Federal Government itself is actively responsible for promoting and legitimizing disrespect concerning freedom of the press.

Not even children escape the national indifference, as indicated by the increase in infant mortality in the country, and the obstacles resulting from the Covid-19 pandemic, which forced millions of children missed classes because of the difficulty of accessing them remotely. The reduction in investments in the fields of education, science and technology, contribute towards setbacks in these sectors and anticipate a medium and long-term impact on the sustainable development process itself. The country is plunged into numerous crises, with politics being the most acute of them all, by preventing the adoption of solutions to the economic stagnation and to two other ongoing cognitive epidemics, which are that of scientific

denialism and disinformation, where hard-won programs and services are questioned by government occupants with theses anchored on fake news and misrepresentation of History.

In addition to this situation, the increased vocalization of the sexist and LGBTQI+phobic groups, fed by a reactionary ideology, under the direction of a government-run somber theocratic military-matrix that deprives rights through the destructuring of public policies aimed at eliminating poverty and reducing inequalities. We have seen, for example, 54% growth in the number of femicides [\(which continue to be in most cases practiced by partners and former partners⁵\)](#), but instead of protection, the government stimulates the culture of violence, promoting the individual possession of weapons and the liberalization of possession.

The context is of a political culture that fuels economic inequalities and institutionally stigmatizing and violent prejudice, including more xenophobic attitudes toward immigrants from South America and Africa.

⁵FBSP Yearbook, 2021: <https://forumseguranca.org.br/anuario-brasileiro-seguranca-publica/>

It is this set of administrative ignominies that undermines the country from the institutions to the mental health of its people, resulting in more children on the streets with the growth of the housing deficit, slave and child labor, of extreme poverty, of hunger and food insecurity, of environmental degradation, of the precariousness of public health services, of education and social assistance, of setbacks in health and reproductive rights, of continuing degradation of the prison system and the injustices committed by a judicial system structurally committed with preserving inequalities and privileges.

To reverse this scenario, it is necessary that the Brazilian State should indeed once again defend democratic principles, acting in accordance with the Federal Constitution. To this end, it is worth considering the opportunities that 2022, the year of elections for the Presidency of the Republic and for the National Congress, offers us. Although the data have already shown that we have lost decades of investment in several sectors analyzed here, the organizations of the UPR Coalition are committed to human rights and are acting for Brazil to be back on track of the sustainable, inclusive and fair development of all people.

UPR Brazil Coalition, March 2022

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Assessments

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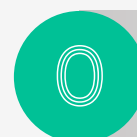
Human rights and democratic spaces



Art: PORTAIS, Gabriela Fernandes.

Total of
evaluated
recommendations

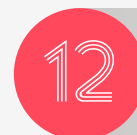
14



Implemented



Partially
implemented







Not
implemented



Not implemented
and in setback



Recommendations 56 and 57 on the Anti-terrorism Law are not being implemented and are in a situation of setback. 

RECOMMENDATION (UPR)	NATION	SDG RELATED	ASSESSMENT
 56. Ensure that its Anti-Terrorist Legislation 2016 corresponds to international human rights standards	Egypt		
 57. That anti-terrorism law combats only terrorist groups and does not consider human rights defenders	Iraq		

Stigmatization, persecution, demoralization and criminalization of dissenting voices and popular organizations and movements in Brazil [have grown at high speed in recent years¹](#), in a context in which social participation and democratic exercise are [increasingly being closed²](#). To this end, the State makes arbitrary use of existing criminal laws: the National Security Act ([now revoked³](#)) and the Criminal Organizations Act ([Law no. 12.850/2013⁴](#)).

Data obtained through the Access to Information Act (Law no. 12.527/2011) reveal that the use of the [National Security Act increased by 285% during Bolsonaro's government⁵](#).

The Brazilian parliament is reformulating the Anti-terrorism Law ([Law no. 13.260/2016⁶](#)) to further harden the risk of civil society organizations. In the National Congress, there are at least 20 Bills dealing with the theme.



¹See <https://terradedireitos.org.br/uploads/arquivos/Dossie-Vidas-em-Luta.pdf>

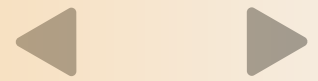
²Source https://artigo19.org/wp-content/blogs.dir/24/files/2021/02/ARTIGO-19_Consulta-Espaco-Civico-Brasil-FINAL.pdf

³See <https://www12.senado.leg.br/noticias/materias/2021/09/02/sancionada-a-revogacao-da-lei-de-seguranca-nacional-artigo-contra-disseminacao-de-fake-news-e-vetado> e <https://www.in.gov.br/en/web/dou/-/lei-n-14.197-de-1-de-setembro-de-2021-342334198>

⁴See http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2013/lei/l12850.htm

⁵PF investigations based on the National Security Act have grown 285% in the Bolsonaro government. March 19, 2021. Available on: <https://politica.estadao.com.br/noticias/geral,inqueritos-da-pf-com-base-na-lei-de-seguranca-nacional-crescem-285-no-governo-bolsonaro,70003652910>

⁶See http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/lei/l13260.htm



Most try to expand the concept of terrorism to encompass the actions of social movements and organizations. Bills no. [272/2016](#)⁷ and no. [1595/2019](#)⁸ are among the most worrying. Both propose increasing the scope of the definition of terrorism and bring issues that could harm the exercise of the free demonstration of social movements and civil society organizations. The proposals are widely criticized by civil society and international organizations, mainly due to the risk of criminalizing [male and female human rights defenders and the risk of violating the rights of organization, assembly and demonstration](#)⁹. What is worrying is the lack of transparency and social participation in the discussions on these projects, which has worsened during the Covid-19 pandemic, even because it has become increasingly common for them to be dealt with in [special regimes or as a matter of urgency](#)¹⁰. In a letter to the Brazilian government, seven special United Nations rapporteurs expressed concern for the consideration of both projects.

According to the rapporteurs, "the lack of definition of concepts could include organized public demonstrations, [such as protests and strikes, as well as any action or demonstration](#)"¹¹.

Bill no. 272/2016 introduces the idea of an apology for terrorism, punishing with an even longer prison sentence content that is disseminated over the Internet and that has "political and ideological" motivations. Bill no. 1595/2019 proposes the creation of a secret police force centered on the President of the Republic, altering the operations of the public security structure in the country. Any public servant may be summoned for secret actions, which creates a parallel and generalized system of surveillance and censorship, and allows the persecution and punishment of social movements, leaders and civil society organizations. The bill also establishes the exclusion of lawfulness, which allows public security agents not to be held responsible for abuses during the so-called ["actions against terrorists" and allows agents to infiltrate social movements](#)¹².

⁷PL (Bill) by Senator Laiser Martins (PODEMOS-RS), which was forwarded to the Comissão de Constituição, Justiça e Cidadania (Constitution, Justice and Citizenship Commission). Source: <https://congressoemfoco.uol.com.br/direitos-humanos/onu-ve-ameacas-em-pls-que-mudam-lei-antiterrorismo/>

⁸PL (Bill) by Congressman Major Vitor Hugo (PSL-GO), which is even more worrying because it has already been approved in the Special Committee and is now going to the Plenary session. Source: https://www1.folha.uol.com.br/amp/poder/2021/09/comissao-da-camara-aprova-texto-base-de-projeto-sobre-contraterrorismo-criticado-por-licenca-para-matar.shtml?utm_source=twitter&utm_medium=social&utm_campaign=twfolha&__twitter_impression=true

⁹Source <https://terradedireitos.org.br/noticias/noticias/onu-brasil-brasil-relatores-da-onu-alertam-que-lei-antiterrorismo-e-muito-ampla-e-pode-restringir-direitos/19073> and <https://artigo19.org/wp-content/blogs.dir/24/files/2019/04/5-Anos-de-2013.pdf>



















¹⁰See example in <https://artigo19.org/2021/04/13/organizacoes-sem-unem-contravotacao-em-regime-de-urgencia-da-lei-de-seguranca-nacional/>

¹¹See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26450>

¹²Source: <http://www.global.org.br/wp-content/uploads/2021/05/Atualizacao-CC-A7a-CC-83o-Apelo-Urgente-1595-portugu%C3%AAs.pdf>









Recommendations 111, 113, 115 116, 117, 118, 119, 121, 119 and 122, which concern the **strengthening of civil society and the protection of Male and Female Human Rights Defenders**, are not being implemented.

RECOMMENDATION (UPR)	NATION	SDG RELATED	ASSESSMENT
111. Continue efforts to provide better protection to human rights defenders and strengthen civil society as an essential partner in boosting the human rights system	Tunisia		
113. Provide full implementation of the National Policy for the Protection of Human Rights Defenders	State of Palestine	 	
115. Restore functionality of the National Programme for the Protection of Human Rights Defenders	Norway	 	
116. Take more decisive steps towards implementing the National Programme for the Protection of Human Rights Defenders	Poland	 	
117. Review its respective Decree of 2016 related to protection of human rights defenders in order to ensure wider participation of civil society and enhanced protection of human rights defenders and their families	Slovakia		
118. Implement the National Plan for the Protection of Defenders	Australia	 	
119. Strengthen the national programme for the protection of human rights defenders, in particular its funding and human resources	Czechia		





RECOMMENDATION (UPR)	NATION	SDG RELATED	ASSESSMENT
<p>121. Take further steps to protect human rights defenders, including those working in relation to the rights of indigenous, including through ensuring impartial, thorough and effective investigations into all attacks, harassment and intimidation against human rights defenders and prosecution of all alleged perpetrators of such offences; and further, fully implement the national programme to protect human rights defenders through the adoption of a specific legal framework, allocation of a budget and the setting up of multi-disciplinary teams to implement it</p>	Ireland	 	
<p>122. Further intensify the implementation of the National Policy for the Protection of Human Rights Defenders, and the Programme to Protect Human Rights Defenders</p>	Mongolia	 	

The National Program for the Protection of Human Rights Defenders (PPDDH) was implemented in 2004. Currently, it has 617 male and female human rights defenders (DDHs) being monitored across Brazil (in the so-called "symbolic protection"), [whereby 506 are included and 111 are under analysis to be included in the program, in 2021¹³](#). 7 state programs (Minas Gerais, Pernambuco, Ceará, Maranhão, Pará, Rio de Janeiro and, since August, Paraíba) have been considered. The other 20 States have the assistance of the Federal Technical Team.

Even after 17 years of existence of the PPDDH, male and female defenders suffer from the same neglect and lack of political will from the Brazilian State and the Federated States to build and implement a public policy that allows the full exercise of citizenship by those who fight for rights in Brazil. The inclusion of people in the PPDDH does not stop threats, criminalization, and attacks against defenders. This is because the structural causes that generate these actions have not been resolved and are almost always relegated and take a backseat by the State – as if it were not its responsibility – which adds to the impunity of crimes against male and female defenders, one of the strongest signs in Brazil.



¹³See <https://oglobo.globo.com/politica/com-menos-verba-programa-de-protecao-defensores-de-direitos-humanos-perde-folego-sob-damars-1-25069381>



PPDDH is not yet provided for in law, despite the existence of Bill no. 4575/2009, which is taking place in the National Congress and is ready for voting. It is based on Presidential Decrees¹⁴ which makes it deficient as a state policy, being susceptible to the will of the governments. Decree no. 8724/2016, instituted the National Program of Human Rights Defenders and created its Deliberative Council and [brought critical changes that have deteriorated the PPDDH structure](#)¹⁵ because it restricted its scope to people in a situation of threat, contrary to OAS's Resolution 53/144 and the Manual of Procedures of the PPDDH. The most significant change was the exclusion of civil society from the national coordination of the PPDDH, the space for formulating and implementing public policy. Decree no. 300/2018 regulated the inclusion of social communicators and environmentalists in the PPDDH. It also regulated the Program's Deliberative Council, but maintained the same composition.

Decree no. 9.937/2019 made further adjustments to its association with the new ministerial structure of the current federal government. It regulates that the cooperation between public authorities and other sub-national players will take place on a voluntary basis, weakening and further compromising the implementation of the PPDDH depends on the political will of those who are in contact with the executives of the Government and of the Federated States.

Decree no. 10.815 of September 27, 2021, drawn up without any dialog with civil society, introduced significant changes to the functioning of the PPDDH. It substantially changes the Deliberative Council, adding the participation of civil society with three organizations, changing its competences, provisioning on the "casting vote" and extending the powers of the Council's coordinator. The measure does not meet the demand to increase the participation of civil society, since the Council will not yet have a joint composition between civil society and public authorities, [since vacancies for civil society account for just over 33% \(thirty-three percent\) of the total vacancies](#)¹⁶.



¹⁴First by Decree no. 6.044/2007; then by Decree no. 8724/2016; Decree no. 9.937/2019; and recently Decree no. 10.815/2021, practically one change every four years

¹⁵See the Technical Note of the CBDDH on <https://comiteddh.org.br/wp-content/uploads/2018/05/Reivindica%C3%A7%C3%B5es-C%C3%B4mite-para-PPDDH-fev2017.pdf>

¹⁶See the Technical Note of the CBDDH on <https://comiteddh.org.br/wp-content/uploads/2021/11/CBDDH-Nota-Tecnica-Decreto-10815-2021.pdf>



Civil society points out methodological and budgetary challenges to be faced in order to overcome the difficulties in implementing the PPDDH. They are: a) the inclusion of individuals only, excluding groups, movements and civil society organizations which, according to their own concept, are also DDHs; b) the absence of standardized procedures and parameters to assess risks and threats to DDHs for entry into the programs; having these that sometimes, on their own and/or with the help of emergency funds from civil society, seek ways to protect themselves from threats while awaiting the deliberation to enter the Program; c) lack of national procedural protocols to care for specific groups/populations that are served, collective protection measures and intersectional approaches (gender, race/ethnicity and sexual diversity) and the consequent lack of training of the technical team for this purpose.

It is also necessary to note the low budget forecast and realization, added to the instability and interruptions, in addition to the lack of progressiveness. Although in recent years the budget has increased, compared to previous years, [the forecast for 2018 was R\\$ 14,718,780.00, which dropped to R\\$ 11,720,000.00 in 2019¹⁷](#). In 2020, the budget was R\$ 11,340,189.00 – but [the actual budget was lower than the 2015 figures¹⁸](#).

The Federal Public Prosecutor of Rio Grande do Sul, at the suggestion of civil society at a public hearing, filed a Public Civil Action to sign an agreement with the Government to draw up the National Plan for the Protection of Male and Female Defenders of Human Rights, according to the determination of art. 2 of Decree no. 6.044/2007. The Federal Regional Court of the 4th Region (TRF4) has determined the Government's obligation to draw up this Plan, [for which it also provided for the establishment of a Working Group with a joint composition of civil society¹⁹](#). The fact is that an obligation that was foreseen by the Executive Authority itself will only be carried out almost 15 years later by a judicial determination suggested by civil society organizations and received by the Federal Public Prosecutor and then by the Judicial Power.



¹⁷Presentation of the MMFDH in Jun/2019 to the CDHM/CD, available on <https://www2.camara.leg.br/atividade-legislativa/comissoes/comissoes-permanentes/cdhm/noticias/apresentacao-mmfdh>

¹⁸To see the latest data <https://oglobo.globo.com/politica/com-menos-verba-programa-de-protecao-defensores-de-direitos-humanos-perde-folego-sob-damarea-1-25069381>

¹⁹See https://www.trf4.jus.br/trf4/controlador.php?acao=noticia_visualizar&id_noticia=15831 and <http://www.mpf.mp.br/regiao4/sala-de-imprensa/noticias-r4/grupo-que-elaborara-plano-nacional-de-protecao-aos-defensores-de-direitos-humanos-deve-ter-participacao-paritaria-da-sociedade-civil>. For the vote of the rapporteur http://www.mpf.mp.br/regiao4/sala-de-imprensa/docs/50055940520174047100_relatorio_pndh.PDF and for the judgment see http://www.mpf.mp.br/regiao4/sala-de-imprensa/docs/50055940520174047100_acordao_pndh.PDF



Recommendations 112, 114 and 120 on the **investigation of the deaths of male and female human rights defenders** are not being implemented.

RECOMMENDATION (UPR)	NATION	SDG RELATED	ASSESSMENT
112. Ensure that the deaths of human rights defenders are promptly and thoroughly investigated, and that those found to be responsible are brought to justice	Belgium		
114. Take all necessary measures to ensure the physical integrity of journalists and human rights defenders, including an explicit and published decision on instituting a federal investigation and prosecution in all cases involving violence against human rights defenders	Netherlands		
120. Take all necessary measures to guarantee the safety of human rights defenders and journalists as they carry out their tasks	France		

Brazil is one of the most violent countries for male and female communicators to work in, occupying the sixth place in the ranking of the most dangerous nations for journalists, according to UNESCO. This makes Brazil lag behind only countries manifesting institutional, political and even humanitarian crises, like Syria, Iraq, Pakistan, Mexico and Somalia..

The persecution and criminalization of journalists and human rights defenders is on the rise in Brazil, as demonstrated by [data of the international organization Reporters without Borders²⁰](#), of the [National Federation of Journalists \(FENAJ\)²¹](#) and of [Frontline²²](#). The country has the sum of sixty-four episodes of murders of these agents since 1995. They took place in all of the five regions. Impunity and delays mark the judicial proceedings, without political signs of seeking their federalization, despite recommendations from the National Human Rights Council (CNDH), [which makes the national situation worrying²³](#), even because of the possible international accountability of the Brazilian State for violating human rights commitments.



²⁰See <https://rsf.org/pt-br/um-ano-sombrio-para-liberdade-de-imprensa-no-brasil-580-ataques-contra-m%C3%AAdia-em-2020>

²¹See https://fenaj.org.br/wp-content/uploads/2021/01/relatorio_fenaj_2020.pdf

²²See <https://www.frontlinedefenders.org/pt/location/brazil>

²³According to the Report Violence against communicators in Brazil: a picture of the verification in the last 20 years of the National Council of the Public Ministry, launched in 2019, available on <https://www.cnmp.mp.br/portal/publicacoes/12109-violencia-contra-comunicadores-no-brasil-um-retrato-da-apuracao-nos-ultimos-20-anos>



President Jair Bolsonaro has been the main aggressor of journalists and media channels. In 2020, alone, he was responsible for 40.89% of the aggressions registered by FENAJ. In Report 2020 – Violence against Journalists and Freedom of the Press in Brazil, the entity recorded 428 episodes, a growth of 105.77% in relation to 2019 (a year that registered an increase in attacks by 54.07% in comparison to the previous year, reaching 208 cases). The acts of discrediting the press were the most frequent attack category in 2020, according to the Federation: 152 cases, which represented 35.51% of the total. Cases of censorship have grown and have been institutionalized in the Brazilian Communication Company (EBC), with 76 cases of censorship registered. There have been 464 public statements made by the President of the Republic, his ministers and close advisers who have attacked or delegitimized journalists and their work, a level of public aggression that has not been seen since the end of the military dictatorship. Violations against journalists and communicators add up to 254 cases. Of these, almost 50% (123 violations) were committed by public agents and 18% (46 cases) contained racist, sexist or LGBTQIA-phobic expressions, [recorded by the Organization's Global Report on Freedom of Expression \(2020-2021\) Article 19](#)²⁴.

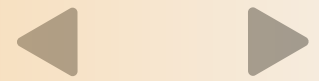
Violence is revealed in concrete cases, such as that of the lawsuit against the omission of the Federal Government to promote security measures to ensure the work of journalists and communicators who cover the interviews of President Jair Bolsonaro in the area near Palácio Alvorada, popularly known as "cercadinho" (fenced area). In May 2021, [the MPF gave a favorable decision to the lawsuit](#)²⁵. In the same sense, [it is worth highlighting the time the president threatened to "punch his face in"](#)²⁶.



²⁴See <https://artigo19.org/2021/07/29/relatorio-global-de-liberdade-de-expressao-2020-2021/#:~:text=Segundo%20o%20documento%2C%20que%20re%C3%BAne,considerado%20uma%20democracia%20em%20crise>

²⁵See <https://vladimirherzog.org/mpf-da-parecer-favoravel-a-acao-do-ivh-contra-governo-federal/>

²⁶ARTICLE 19 condemns the threat of Bolsonaro of physical aggression to a journalist and August 23, 2020: <https://artigo19.org/2020/08/23/artigo-19-condena-ameaca-de-bolsonaro-de-agressao-fisica-a-jornalista/>



In addition to delegitimize and promote aggressive actions against the press, communicators and journalists, the President has targeted especially communicative women, also violating the obligations assumed by the Brazilian State with regard to violence against women. This is an [example of Patrícia Campos Mello²⁷](#), who not only was attacked by the President and his sons, but also suffered massive attacks on the Internet – including serious threats, such as death threats – after the action of the political agents.

During the Covid-19 pandemic, the scenario of attacks on the physical integrity of journalists and communicators was aggravated. In this context, it was possible to monitor attacks on pandemic-related content, as well as communicators and journalists related to them. In the first five months of the pandemic period, at least 82 of these attacks occurred – many of them in which the aggressors [repeated and reiterated the phrases used by the President in his actions to discredit the confrontation made by the press²⁸](#).

²⁷See <https://congressoemfoco.uol.com.br/area/governo/bolsonaro-ataca-jornalista-da-folha-com-comentarios-sexuais/>

²⁸The monitoring records 82 violations to journalists covering the Covid-19 pandemic in Brazil. August 25, 2020. See <https://artigo19.org/2020/08/25/monitoramento-registra-82-violacoes-a-jornalistas-cobrindo-a-pandemia-de-covid-19-no-brasil/>



Recommendations



Human rights defenders and democratic spaces **Recommendations**

- 1** Reject all Bills dealing with changes that aggravate the attacks on the DDH (Human Rights Defenders) in the 2016 counter-terrorism act;
- 2** Change the composition of the Deliberative Council of the PPDDH, to ensure that it has joint composition among civil society organizations representing populations served by the PPDDH with a right to voice their opinions and vote and public organizations;
- 3** Accelerate the implementation of the PPDDH in the States where it is not yet implemented, setting annual targets for increasing coverage, with criteria that take into account the rates of violence against registered defenders, environmentalists and communicators, maintaining the National Coordination and co-responsibility to assist the beneficiaries by the federal government;
- 4** To carry out the elaboration of the National Plan for the Protection of Human Rights Defenders, with wide participation of civil society organizations throughout the Country, at all times of the process and with their analysis in the National Human Rights Council before its adoption;
- 5** To expand the availability of budgetary resources by the federal government to quality the work of the PPDDH throughout the Country as well as the development of a broad national debate with the participation of the DDH organizations in the construction of methodologies and protocols adapted to the needs of protection of the DDHs.

About the art



Art: PORTAIS

Artist: Gabriela Fernandes

Techniques: Photo collage

About the art: The work translates Gabriela Fernandes' vision and her senses during a visit to the Jacuba Farm, where she got to know the work and the mystical/artistic universe of Mãe Romana, a seer and spiritual leader

History with art: She is a visual artist and researcher. Develops researches covering body in illustration form, overlapping the use of monochrome and geometric figure as a background, based on the symbolism of forms

Learn more: <https://coresdagabi.blogspot.com>

Olhares do Brasil (Brazilian sights)

Promoted by the Instituto de Desenvolvimento e Direitos Humanos (IDDH), the first edition of the call for proposals "Olhares do Brasil" selected 10 artworks by Brazilian artists to illustrate the covers of reports on human rights in the country, which will be presented at a session of the UN Human Rights Council in 2022.

See more about the artworks and the call for proposals Olhares do Brasil [here](#).





Access RPU platform [here](#)