

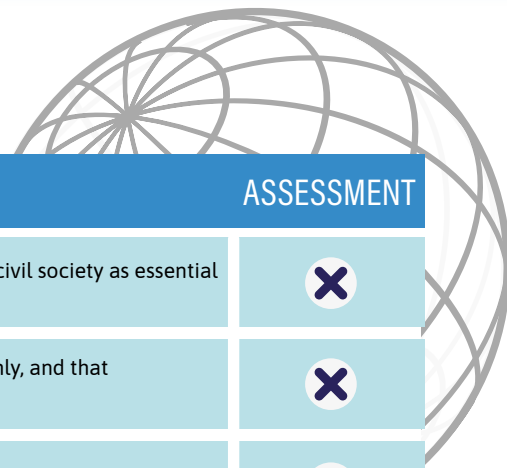


# PROTECTION OF HUMAN RIGHTS DEFENDERS

PARLIAMENTARY OBSERVATORY OF THE UNIVERSAL PERIODIC REVIEW\*

## RECOMMENDATIONS TO BRAZIL

REGARDING THE THIRD CYCLE (2017-2021) OF THE UPR

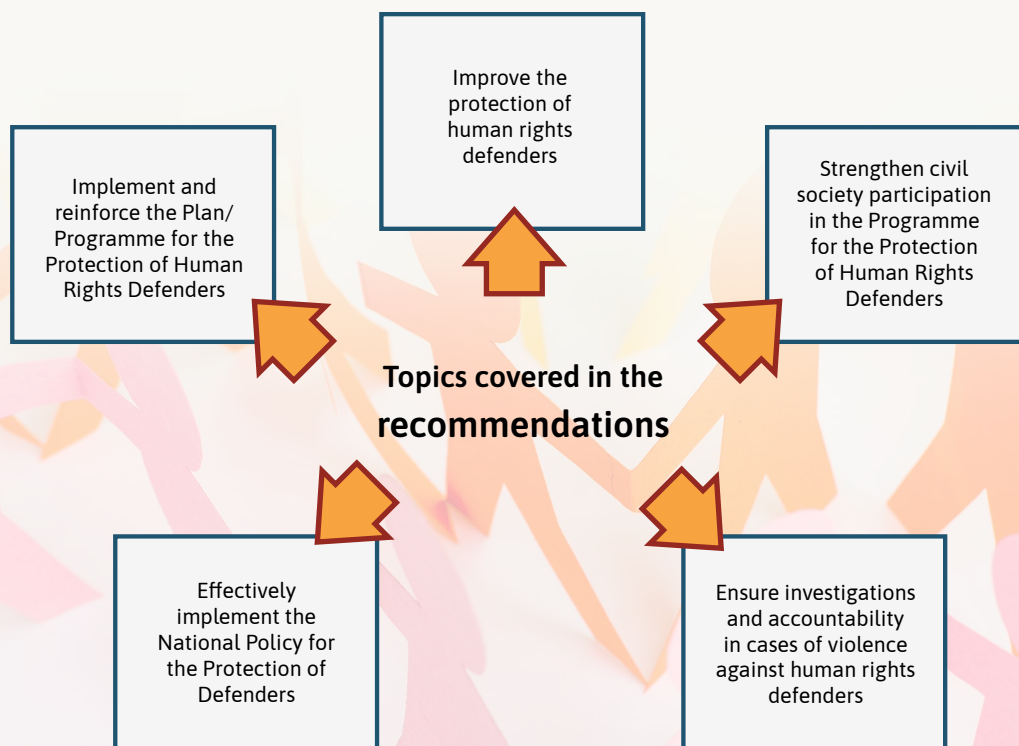


RECOMMENDATION	ASSESSMENT
<b>111.</b> Continue efforts to provide better protection for human rights defenders and strengthen civil society as essential partners in the consolidation of the human rights system (Tunisia)	✘
<b>112.</b> Ensure that the deaths of human rights defenders are investigated promptly and thoroughly, and that those responsible are brought to justice (Belgium)	✘
<b>113.</b> Provide full implementation of the National Policy for the Protection of Human Rights Defenders (Palestine)	✘
<b>114.</b> 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 of violence against human rights defenders (Netherlands)	✘
<b>115.</b> Restore functionality of the National Programme for the Protection of Human Rights Defenders (Norway)	✘
<b>116.</b> Take more decisive steps towards implementing the National Programme for the Protection of Human Rights Defenders (Poland)	✘
<b>117.</b> Review its respective Decree of 2016 related to the 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)	✘
<b>118.</b> Implement the National Plan for the Protection of Defenders (Australia)	✘
<b>119.</b> Strengthen the Programme for the Protection of Human Rights Defenders, in particular its funding and human resources (Czech Republic)	✘
<b>120.</b> Take all necessary measures to guarantee the safety of human rights defenders and journalists as they carry out their tasks (France)	✘
<b>121.</b> 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 (Ireland)	✘
<b>122.</b> Further intensify the implementation of the National Policy for the Protection of Human Rights Defenders and the Programme for the Protection of Human Rights Defenders (Mongolia)	✘

Caption: Not fulfilled ✘

\* The Observatory is a government mechanism to monitor the effectiveness of the recommendations made to Brazil in order to improve our human rights situation. It is a partnership between the House of Representatives and the United Nations High Commissioner for Human Rights.

## 12 RECOMMENDATIONS X NOT FULFILLED



Human Rights Defenders



People and groups that defend rights related to issues such as indigenous lands, quilombolas and traditional communities, land reform, the right to housing, combating racism, sexism and LGBT phobia, defending the environment and others, and suffer various threats and aggressions, even attacks and murders, due to the nature of their work.

## RELATED REGULATIONS

### Decree No. 6.044/2007

National Policy for the Protection of Human Rights Defenders (PNPDDH): principles and guidelines

### Decree No. 9.937/2019

Programme for the Protection of Human Rights Defenders, Communicators and Environmentalists (PPDDH)

Purpose: to articulate measures to protect people under threat as a result of their defense of human rights.

**Decree No. 300/2018,**  
from the Ministry of Women,  
Family and Human Rights

Regulates the PPDDH

### United Nations General Assembly Resolution 53/144 from 1998

Declaration on the Right and Responsibility of Individuals, Groups or Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Human Rights Defenders)



# THE CONTEXT OF HUMAN RIGHTS DEFENDERS IN BRAZIL

No systematic information. Civil society is mainly responsible for gathering data in comparison to the State. Surveys found use different methodologies.

Possible factors:

- complexity of the topic;
- various situations that promote such violence;
- protective measures in the country have only recently been implemented.

Between  
**2015 and 2019**

**1,323** murders of human rights defenders in the world<sup>1</sup>



**13%** of cases were registered in Brazil

Only behind **Colombia**, with **397 deaths** (a country that has experienced serious armed conflicts)

In  
**2020**

**331** human rights defenders murdered in the world<sup>2</sup>



**5%** of cases were in Brazil

**6th highest** number of deaths among the 25 countries where there were fatalities

**1,576** occurrences due to land conflicts. Highest number since 1985, when the report began to be published, 25% higher than 2019 and 57.6% higher than 2018

**18** people were murdered in land conflicts

**35** people have suffered attacks

**15** people received death threats

<sup>3</sup>

<sup>1</sup> UN (2021). **Report of the Special Rapporteur on the situation of human rights defenders**, Mary Lawlor. Available at: <https://undocs.org/es/A/HRC/46/35>.

<sup>2</sup> FRONT LINE DEFENDERS (2021). **Análisis global de frontline defenders 2020**, p. 4. Available at: [https://www.frontlinedefenders.org/sites/default/files/global\\_analysis\\_2020\\_spanish\\_web.pdf](https://www.frontlinedefenders.org/sites/default/files/global_analysis_2020_spanish_web.pdf).

<sup>3</sup> CPT (2021). **Conflitos no campo: Brasil 2020**. Cento de Documentação Dom Tomás Balduino, Goiânia, Comissão Pastoral da Terra Nacional. p. 138. Available at: <https://www.cptnacional.org.br/downlods?task=download.send&id=14242&catid=41&m=0>.



2019 and 2020 data put Brazil among the most dangerous countries in the world for human rights defenders<sup>4</sup>

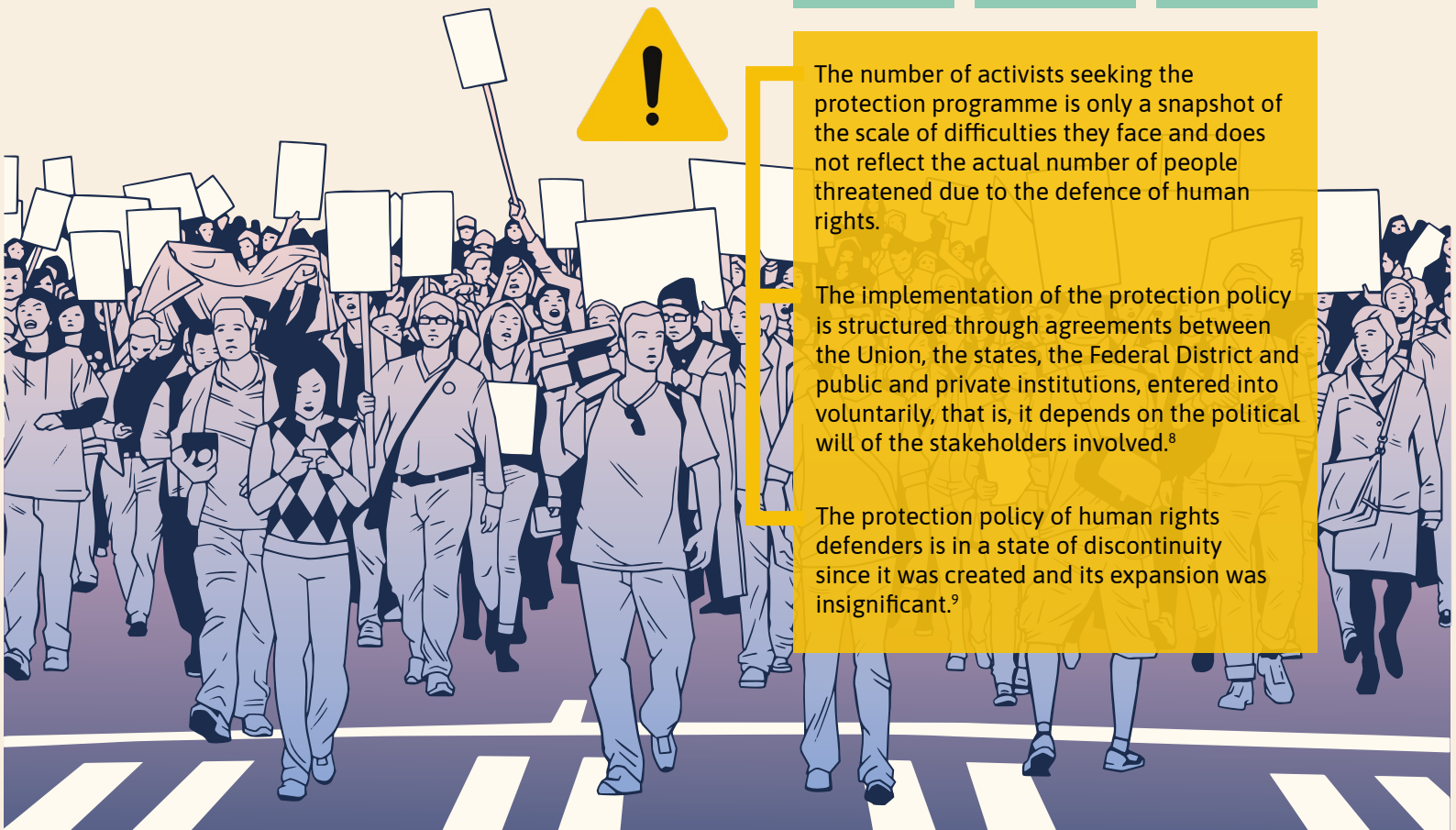
## PROTECTION POLICY AND PROGRAMME



Human rights activists suffering persecution and death threats should seek out the Human Rights Defender Protection Programme (PPDDH).

## NUMBER OF PEOPLE BEING MONITORED BY THE PPDDH

2019 <sup>5</sup>	2020 <sup>6</sup>	2021 (until September) <sup>7</sup>
536	483	604



The number of activists seeking the protection programme is only a snapshot of the scale of difficulties they face and does not reflect the actual number of people threatened due to the defence of human rights.

The implementation of the protection policy is structured through agreements between the Union, the states, the Federal District and public and private institutions, entered into voluntarily, that is, it depends on the political will of the stakeholders involved.<sup>8</sup>

The protection policy of human rights defenders is in a state of discontinuity since it was created and its expansion was insignificant.<sup>9</sup>

<sup>4</sup> GALVANI, Giovanna (2020). **Brazil was the fourth country that most killed human rights activists in 2019**. Article published on 1/14/2020. Available at: <https://www.cartacapital.com.br/sociedade/brasil-foi-o-4o-pais-que-mais-matou-ativistas-de-direitos-humanos-em-2019/> (accessed on 08/29/2021).

<sup>5</sup> COLETIVO RPU (2019). **Relatório de Meio Período. Sociedade Civil – 3º ciclo da RPU (2017-2019)**. Available at: [https://plataformarpu.org.br/storage/publications\\_documents/EBjg7FaLV2uMZCvhAdSkkMnLRm4mLYk2Gd8wpFPm.pdf](https://plataformarpu.org.br/storage/publications_documents/EBjg7FaLV2uMZCvhAdSkkMnLRm4mLYk2Gd8wpFPm.pdf).

<sup>6</sup> COMITÊ BRASILEIRO DE DEFENSORAS E DEFENSORES DE DIREITOS HUMANOS (2020). **Vidas em luta: criminalização e violência contra defensoras e defensores de direitos humanos no Brasil: volume III (2018-2020)**, Layza Queiroz Santos et al., organizadores /; 3. ed. - Curitiba: Terra de Direitos. p. 144.

<sup>7</sup> CÂMARA DOS DEPUTADOS (2021). **Shorthand Notes of the Extraordinary (virtual) Public Hearing of the Commission on Human Rights and Minorities**. Held on: 9/15/2021.

<sup>8</sup> GOMES, Paloma; CARVALHO, Sandra; FRIGO, Darci. A Política Nacional de Proteção a Defensoras e Defensores de Direitos Humanos no Brasil nos três últimos anos (2018-2020). In: **Comitê Brasileiro de Defensoras e Defensores de Direitos Humanos (2020)**. p. 152.

<sup>9</sup> GOMES, Paloma; CARVALHO, Sandra; FRIGO, Darci. A Política Nacional de Proteção a Defensoras e Defensores de Direitos Humanos no Brasil nos três últimos anos (2018-2020). In: **Comitê Brasileiro de Defensoras e Defensores de Direitos Humanos (2020)**. p. 152.

## LEGAL AND ADMINISTRATIVE PROBLEMS OF THE PROTECTION PROGRAMME:



- > It does not articulate public bodies responsible for guaranteeing rights.
- > It does not mobilize public policies that address the structural issues that lead to the vulnerability of human rights defenders and social movements.
- > It does not exist as a State policy, and a legal framework for the programme has not yet been approved, being supported only by presidential decrees.<sup>10</sup>

## METHODOLOGICAL PROBLEMS:



- > It inserts only individuals without considering that the concept of human rights defenders encompasses people, groups, movements, civil society organizations, etc.
- > There is an absence of clear and standardized procedures.
- > There is no methodological framework.
- > There are no protection strategies that consider the specificities of certain groups.
- > Lack of civil society participation in the overall coordination and management of the PPDDH.

## LEARN MORE

### FULL REPORT – Protection of Human Rights Defenders

- Public Hearing on 9/15/2021
- Report on the hearing
- Parliamentary Observatory of the Universal Periodic Review

<sup>10</sup> COLETIVO RPU (2019). **Relatório de Meio Período. Sociedade Civil – 3º ciclo da RPU (2017-2019)**. Available at: [https://plataformarpu.org.br/storage/publications\\_documents/EBjg7FaLV2uMZCvhAdSkkMnLRm4mLYk2Gd8wpFPm.pdf](https://plataformarpu.org.br/storage/publications_documents/EBjg7FaLV2uMZCvhAdSkkMnLRm4mLYk2Gd8wpFPm.pdf). The text cites Bill No. 4575/2009, which “Establishes the Programme for the Protection of Human Rights Defenders - PPDDH, within the Special Secretariat for Human Rights of the Presidency of the Republic”. The text is pending in the National Congress, was approved by four committees and is ready for consideration in the House of Representatives. Available at: <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2147133>