

VISIT TO BRAZIL

On 28 June 2023 the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément N. Voule presented his Brazil Country Visit Report to the Human Rights Council ([A/HRC/53/38/Add.1](#)) disclosing the findings and recommendations based on his official country visit to Brazil from 28 March to 9 April 2022.

In the report, the Special Rapporteur expressed concern at the closing of civic space and the ongoing and increasing police violence that has been coupled in recent years with political violence as a consequence of the emerging populist narrative, which have threatened the effective enjoyment of the rights to freedom of peaceful assembly and of association. The UNSR in particular identified disproportionate challenges and obstacles for the enjoyment of the rights to peaceful assembly and of association of human rights defenders, women, LGBTI+ communities, traditional communities, including Quilombolas, Afro-Brazilian and indigenous peoples.

The Special Rapporteur recognized the vibrant civil society which despite populist discourse and restrictive laws has played a key role in recent general elections. Rebuilding trust between the new authorities and civil society is crucial he stated, and he welcomed steps taken by the new Government to reverse the closing of civic space and adopt measures to promote an enabling environment for the exercise of fundamental freedoms.

This brief extract the key recommendations to the Government of Brazil.

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“I recommend that the Brazilian Government carry out a broad and deep national dialogue with civil society, including human rights organizations, academia and trade unions, to strengthen democratic institutions, and to prevent future crises that could jeopardize democracy and social cohesion.”

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Key recommendations to the Government of Brazil

- Ensure, in law and in practice, that the rights to peaceful assembly and of association are freely exercised so that they may play a decisive role in the transition to and maintenance of an effective democratic system and act as a channel for dialogue, pluralism, inclusiveness, tolerance and broad-mindedness. To this effect authorities must ensure:
- a conducive and safe environment for everyone exercising or seeking to exercise the rights to freedom of peaceful assembly and of association, free from discrimination.
- that victims of violations and abuses of the rights to freedom of peaceful assembly and of association have the right to an effective judicial remedy and obtain redress;
- that a wide range of civil society actors with diverse views are systematically consulted before the adoption of any legislative initiative and policies;
- to ensure that national security laws are in accordance with international human rights norms and standards and are not arbitrarily used to silence civil society and undermine the rights to freedom of peaceful assembly and of association.

More specifically, UNSR Voule recommends the following:

- a. In consultancy with civil society, develop a unified protocol for law enforcement officials on the facilitation of peaceful protest that is in compliance with international standards and which should prioritize de-escalation and negotiation strategies;
- b. Create an effective, well-resourced and independent federal oversight mechanism to effectively investigate complaints with regard to the conduct of law enforcement officers in the context of protests, including of those in positions of authority;
- c. Amend anti-terrorism laws in line with international human rights norms and standards and refrain from adopting any reforms to existing counter-terrorism laws and policies contradicting those norms and standards;
- d. Ensure that the new national security law is applied in strict compliance with international human rights norms and standards, and repeal criminal defamation laws;



