



**GENERAL ASSEMBLY
HUMAN RIGHTS COUNCIL**
37th Session

Item 4 : Country Situations that Require the Council's Attention

Joint Oral statement*
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Mr. President,

In Brazil, the institutional coup, which overthrew President Dilma Rousseff, in 2016, installed an interim government, whose modus operandi is to secure the power of conservative forces over the national protection framework built since re-democratization, by dismantling public services and opening the economy to the agenda of transnational corporations.

This context leads to a situation of democratic exceptionality, with serious setbacks in the protection of human rights and contributing to dismantle the progress achieved in last decades of democratic normality lived by the country, since the end of the military dictatorship. Soon after taking interim power, President Temer closed the Ministry for Human Rights, the Ministries for Womens Equality and Race Equality and the Ministry for Agrarian Development.

Under this interim government, the rule of law and the institutional framework of sensitive areas were weakened, such as the combat of forced labour and the protection of indigenous peoples. Frequent attacks continue to threaten human rights defenders and journalists with impunity. Movements hostile to freedom of expression and LGBTI rights attack artists, professors and universities with public support from higher federal authorities.

A Constitutional Amendment freezes key social investments for twenty years. Similarly, a labour reform has restricted fundamental rights of workers, in violation of important ILO Conventions. Both reforms violate the principle of non-progressiveness of ESCRs, protected by the ICESCR's Art. 2.1, ratified by Brazil.

The federal intervention on the State of Rio de Janeiro that transferred the security functions to the armed forces is devoid of any human rights guarantees and the abuses committed thereby fall under military jurisdiction, leading to further impunity.

The Judiciary has proven unable to mediate the country's tensions, omitting to act on the arbitrary removal of Dilma Rousseff and failing to curb abuses in cases of great political repercussion. This scenario was aggravated by the confirmation, on January 24, of the conviction of former President Lula, at the federal appeals Court, in a series of violations of Art. 14 of the ICCPR, such as illegal dissemination of conversations between Lula and Dilma, tapping of Lula's lawyers' communications, rejection of fundamental diligences for his defense, illegal seizure of his passport with a political overtone, and radically different approaches when conservative politicians are investigated. These abuses of due process, which can be considered as political persecution, risk the exclusion of a key leader of the opposition from the electoral process. An alarming example of lawfare.

We urge the international community, that played a key role in Brazil's transition to democracy, and this Council to redouble its attention to this country in order to prevent the aggravation of this crisis and to guarantee the return to institutional normality.

We call upon the Brazilian Government to respect its international and national obligations by rescinding all laws and conducts that are in violation of the Constitution, the International Human Rights Law and the fundamental rights of the Brazilian people.

This statement is co-sponsored also by the following civil society organizations (without ECOSOC status):

Ação Franciscana de Ecologia e Solidariedade (AFES)
African Women United Against Destructive Resource Extraction (WoMin) – Johannesburg, South Africa
Alternative Information & Development Centre (AIDC) – Cape Town, South Africa
Associação Brasileira de Lésbicas, Bissexuais, Travestis, Transexuais e Intersexo (ABGLT)
Centre for Natural Resource Governance (CNRG) – Harare, Zimbabwe
FIAN Brasil
IndustriALL – Global Union
Instituto Brasileiro de Análises Sociais e Econômicas (IBASE)
International Trade Union Confederation (CSI)
Justiça Global
Movimento dos Atingidos e Atingidas por Barragem (MAB)
Movimento Nacional de Direitos Humanos (MNDH)
Peoples Dialogue Africa and Latin America Network
Plataforma Internacional contra la Impunidad
Serviço Interfranciscano de Justiça, Paz e Ecologia (SINFRAJUPE)
Trust for Community Outreach and Education (TCOE) – Cape Town, South Africa
Terra de direitos
HOMA- Centre de direitos humanos e empresas
PAPDA Haïti
FESPAD – El Salvador