

We are deeply concerned by the rapid deterioration of freedom of expression through the use of legal and extra-legal instruments to intimidate, harass, criminalise and silence journalists, human rights defenders (HRDs) and government critics. The unrelenting violence against HRDs and journalists is also alarming. Attacks continue with impunity as the environment for civil society worsens, with the government unilaterally reducing social participation in policy-making and lawmakers proposing reforms that could criminalise civil society work.

KEY CONCERNS



FREEDOM OF PEACEFUL ASSEMBLY

Repeated use of criminal law to intimidate and prosecute protesters is concerning. Common charges include criminal association. Detentions, investigations and threats of charges are also used to discourage people from taking to the streets.

- Police violence, excessive use of force and arbitrary detention of protesters are widespread and take place nationwide. Other typical rights violations include the failure of law enforcement agents to identify themselves and obstruction of recording by protesters and journalists.

- Communities and small groups protesting in rural or small urban areas have also reported facing increasing violence and retaliation, including from non-state actors and private security agents, when attempting to protest.

- In recent years, dozens of bills were presented in Congress to regulate the right to protest. Most proposed increased penalties and new restrictions, e.g. criminalising the use of masks at demonstrations.



FREEDOM OF EXPRESSION

Respect for freedom of expression in Brazil has sharply deteriorated in the past five years. Government has used executive acts and extra-legal measures to undermine transparency and access to information legislation.

- Censorship and political interference have affected journalism as well as the artistic, education, academic and scientific sectors. According to press groups, content related to politics and human rights, in particular LGBTQIA+ rights, is frequently targeted.

- The justice system is repeatedly abused by powerholders seeking to intimidate journalists, impose financial costs on critics and suppress information. Judicial harassment and censorship are recurrent practices.

- Both the public and private sectors adopt surveillance technologies, citing reasons such as public safety and fraud detection. Surveillance and privacy are prominent concerns.



FREEDOM OF ASSOCIATION

In recent years, the environment for civil society has grown more hostile. CSOs and activists routinely face public vilification and stigmatisation from authorities and non-state actors.

- A complex regulatory framework governing CSOs poses obstacles for groups seeking to register and maintain legal entities.

- Congress is considering changes to the country's anti-terrorism legislation that could enable the criminalisation of social movements and silencing of governments critics. Bills in discussion lack safeguards for civil society.

- Since 2019, executive power has been used to shut civil society out of policy-making. Spaces for civil society participation were reduced while surveillance and funding restrictions increased.

THE PATTERN OF VIOLATIONS AGAINST HUMAN RIGHTS DEFENDERS INCLUDE



Intimidation and attacks on HRDs' lives, integrity and personal security



Criminalisation, false charges and judicial processes marred by due process violations



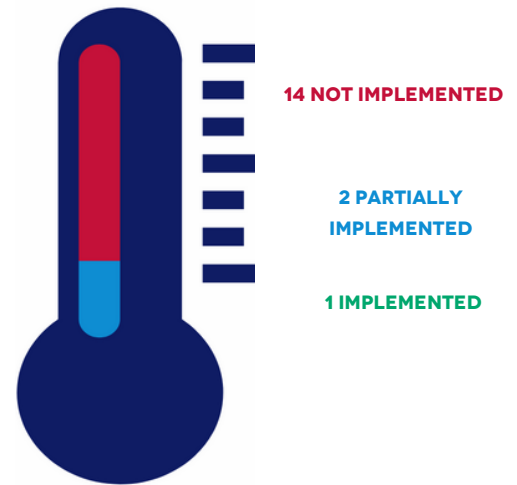
Systematic harassment, including threats and attacks on their lives, integrity and personal security



Stigmatisation and public vilification

PREVIOUS UNIVERSAL PERIODIC REVIEW PROCESS

Recommendations related to the space for civil society in 2017:



RECOMMENDATIONS

- 1 Review the implementation of the National Programme for the Protection of HRDs to ensure that it is universally applied across all regions, received the funding it needs and that civil society participates effectively in the implementation.
- 2 Ensure that counter terrorism legislation includes safeguards for civil society and the rights to association and peaceful assembly.
- 3 Ratify the Escazú agreement and promote responsible business practices.
- 4 Reform defamation legislation in conformity with ICCPR article 19.
- 5 Refrain from censoring social and conventional media and ensure that the freedom of expression is safeguarded in all arenas, including in the arts and sciences.
- 6 Immediately and impartially investigate all instances of excessive force committed by security forces during protests
- 7 Review and update existing human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.

Civic space in Brazil is currently rated **"Obstructed"** by the CIVICUS Monitor