

Brazil's Review in the Working Group
Friday 11 April 2008 – 9am to 12am
Analytical Summary

The Troika

The troika is composed of Gabon, Saudi Arabia and Switzerland. It's important to note that no member of the troika took the floor, neither on the behalf on the troika, nor on the behalf of their own countries.

Presentation by Brazil

Speaking time: 36 minutes

Presentation made by H.E. Rogério Sottili, Executive Secretary, Special Secretariat of the Presidency of the Republic on Human Rights.

Consultations for the preparation of the report: the delegation pointed out that civil society has been consulted for the national report, as presentations of the draft report have been made in different public hearings.

Challenges and commitments: the statement underlines the fact that Brazil being a big country with a big population, the challenges before it are also consequent. A lot has to be done before reaching full compliance with human rights. Recognition of the importance of human rights, however, does not by itself mean implementation. The aim is to fill this gap and, as an example of this will, the delegation noted that Brazil has been giving standing invitations to Special Rapporteurs. Economic growth is a priority and social development is key: Brazil wants to achieve one of the eight Millennium Development Goals, by reducing extreme poverty and it has already showed achievements in this field. Brazil sees these challenges as complex, and has to take them into account progressively.

Measures: among the measures mentioned by the delegation, there are:

- Family Allowance Programme, to improve health and break the cycle of poverty.
- Establishment of a Minister of social development, which has many programmes, including the "Zero Hunger Programme".
- Programmes integrated in the national policy to promote the rights of the child, among which the establishment of civil registry.
- In June 2008, a conference will be held on the rights of Lesbian, Gay, Bisexual, and Transgender/Transsexual people
- A Secretariat for women's rights has been created in 2003.
- Creation of a Secretariat for racial discrimination, in order to have a racial perspective in the fields of education and work.
- Creation of a committee in order to fight against torture and several districts have participated in the elaboration of this institution.

Interactive dialogue

Number of countries that took the floor

44 States took the floor: **31 Member States** (*Slovenia, China, Azerbaijan, Peru, India, Malaysia, Ghana, Cuba, Pakistan, Netherlands, Republic of Korea, France, Russia, Senegal, UK, Germany, Indonesia, Japan, Mauritius, Nigeria, Mexico, Angola, Bangladesh, Egypt, South Africa, Jordan, Bolivia, Uruguay, Sri Lanka, Guatemala, Canada*) and **13 Non-member States** (*Colombia, Syria, Norway, Australia, Algeria, USA, Chile, Argentina, Venezuela, Ecuador, Palestine, Belgium, Morocco*).

Questions/issues raised by other States and responses given by Brazil:

Extra-judicial Killings

Russia wanted more details on the measures taken to reduce urban crimes and extra-judicial punishments.

UK asked more information on the measures taken against extra-judicial killings and the invasions of the favelas by the police as well as on alleged cases of torture by the police.

USA wanted to learn more about the measures taken to tackle extra-judicial punishments.

Germany asked what is being done to address the problem of violence by police officers.

Indonesia asked more details on the measures taken in order to prevent the killings of civilians by the police and to fight against police impunity.

The delegation didn't directly respond to the questions on extra-judicial killings but highlighted some measures in the area of torture: inter alia, a national plan to combat torture and the intention to ratify the Optional Protocol to the Convention against Torture.

Discrimination against women

Slovenia, Morocco Azerbaijan, Malaysia and Indonesia wondered what the State has done to promote gender equality.

Colombia and Argentina wanted more details on the measures taken to deal with violence against women.

Chile asked how the government is promoting a gender perspective within the justice system

Canada asked for more details on the measures taken to improve the condition of the indigenous women.

The delegation pointed out that two national plans have been launched to promote women rights, with the help of civil society. There is also a bill dealing with violence against women. Brazil plans to have a national treaty: all forms of violence should be taken into account into a structuralized system. In this regard, Brazil works also to deal with the problem of trafficking for sexual exploitation and the right to health for women with HIV.

Conditions of detention

Germany and Azerbaijan asked for more details on the measures taken and recalled the recommendations of the Human Rights Committee concerning prisons overcrowding and the lack of administrative control.

The delegation referred to the fact that, thanks to a 2007 law, prison population went down considerably and that other reforms to the criminal system were envisaged.

Human Rights Defenders

UK asked more about the reports of arrests of Human Rights Defenders.

Canada and Belgium asked for details on the measures taken to protect Human Rights Defenders.

Brazil responded that a programme was created in 2004, and policies are being implemented to prosecute those who attack human rights defenders. The delegation also stressed that civil society plays a necessary role in the protection of human rights defenders.

Poverty and development

Cuba asked Brazil to provide more details on the Zero Hunger Programme.

Algeria wanted more information on the concrete measures on a law for the food security.

Chile, Argentina and South Africa asked for more information on the Family Allowance Programme.

Morocco and Jordan asked about the measures taken by the State to fight poverty.

The delegation reaffirmed the importance of the Zero Hunger Programme, elaborated with the participation of civil society. The delegation underlined that the programme envisages different measures, including a programme to provide food for indigenous population. Brazil argued that the government is thus centralizing its efforts to reduce poverty. Regarding education, the Family Allowance Programme is also an essential measure in the efforts to combat poverty.

Racial discrimination

Senegal and the Mauritius asked about the measures taken to ameliorate the integration of African descendants.

Angola asked about the effects of the actions taken in this field.

The State underlined the importance of this issue. As an example, a programme, called "University for All", has been created providing scholarships to those in need, and many African descendants and indigenous people have benefited from this programme.

Right of the child

Ecuador wonders what are the main challenges for street children.

Slovenia and Ghana asked, concerning the high rates of juvenile violence, how the Government is addressing the situation.

The delegation responded by highlighting that, in 2007, numerous meetings to deal with this issue have taken place.

National Human Rights Institutions

The Netherlands and Mexico asked the delegation whether the State had planned to establish a National Human Rights Institution.

The delegation did not provide an answer to this question.

Recommendations

Excessive use of police force and detention conditions

Germany, UK, the Republic of Korea and Uruguay recommended taking action in order to ameliorate detention conditions. Uruguay particularly recommended the transformation of many prisons into rehabilitation centres.

Ghana also recommended keeping a commitment in order to deal with the issue of excessive use of force.

Women

Slovenia recommended introducing in a gender perspective in the follow-up process to the UPR review.

Human rights defenders

Belgium and the UK recommended intensifying the efforts to improve the security of human rights defenders

Poverty

Belgium recommended the intensification of efforts to reduce poverty and inequalities.

Ghana recommended that the State continue to implement the programme of land reform.

Indigenous peoples and minorities

The UK recommended evaluating the outcomes of activities undertaken in the area of protection of indigenous communities.

The Republic of Korea recommended that the State take into consideration human rights violations of indigenous people.

Nigeria recommended Brazil to improve the conditions of African descendants and Indian minorities.

National Human rights institutions

Mexico recommended the establishment of a national human rights institution in line with the Paris Principles.

Right to information

Peru recommended that the law on access to citizens to public information be adopted.

States that made solely welcoming statements

It's important to note that some States took the floor but didn't ask any questions or recommendations to the delegation. It was the case of **Palestine and Bolivia**.

Human Rights mentioned during the review but on the delegation of Brazil did not give a response

Extra-judicial killings, National Human Rights Institutions.

Speaking times

Brazil

- Opening statement: *36 minutes*
- Overall speaking time employed to respond to other States' questions during the interactive dialogue: *32 minutes*
- Closing statement: *4 minutes*

Disclaimer: this summary is by no means exhaustive as it is just an indication of the discussion that took place during the review and should therefore not be quoted as an official document of the UPR process.