

Annex 1. UPR of Brazil (2nd Cycle – 13th session) - Thematic list of recommendations pertaining civic space

Recommendation	Position	Full list of themes	Assessment/ comments on level of implementation	Suggested recommendations
Right or area: 2.1. Acceptance of international norms				
119.10. Ratify the ILO conventions No. 189 and 87 regarding, respectively, decent conditions of work for female and male domestic workers and freedom of association and protection of the right to organise (Chad) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 12	Supported	2.1 Acceptance of international norms 14.5 Freedom of association 23.2 Right to just and favourable conditions of work Affected persons: - general	Status: Not implemented Source: see paragraph 2.1	Ratify ILO Convention No. 87 concerning freedom of association and protection of the right to organise
Right or area: 5.1. Constitutional & legislative framework				
119.86. Adopt a law to confirm the official status of the national programme for the protection of human rights defenders (Belgium) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	5.1 Constitutional and legislative framework 36 Human rights defenders Affected persons: - human rights defenders - general	Status: Not implemented Source: see paragraph 3.2	Adopt a specific law confirming the official status of the national program for the protection of human rights defenders in accordance with Council resolution 27.31 of the Human Rights Council. Bill 4575/2009 has been proposed in 2009 and has not progressed since 2011.
Right or area: 5.2. Institutions & policies				
119.31. Pay particular attention to seek even more effective results in the implementation of policies addressing the following issues: protection of the rights and promotion of the socio-economic situation of indigenous peoples and Afro-descendent Quilombo communities; access	Supported	5.2 Institutions & policies - General 12.3 Extrajudicial, summary or arbitrary executions 12.5 Prohibition of torture and cruel, inhuman or degrading	Status: Not implemented Source: see paragraphs 3.3, 3.4, 3.6 & 3.7.	Address violence and discrimination against indigenous and quilombola HRDs by guaranteeing appropriate tools and mechanisms for meaningful good-faith prior consultation and participation of indigenous communities regarding large-

<p>to justice and combating impunity; extrajudicial executions, torture in detention and; protection of human rights defenders (Cape Verde)</p> <p>Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 5</p>		<p>treatment</p> <p>15.1 Administration of justice & fair trial</p> <p>16 Right to an effective remedy, impunity</p> <p>22 Right to an adequate standard of living</p> <p>32 Members of minorities</p> <p>33 Indigenous peoples</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - human rights defenders - indigenous - persons deprived of their liberty - minorities/ racial, ethnic, linguistic, religious or descent-based groups 		<p>scale or high-impact development projects, and ensuring participatory impact assessments and redress for any harm caused.</p> <p>Senior government officials should publicly condemn instances of harassment and intimidation of civil society activists and organisations.</p> <p>Ensure a safe and secure environment for civil society members, journalists and human rights defenders to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.</p>
<p>119.83. Consider the development of a comprehensive policy to address the problem of human rights violations against its defenders founded on strategies for strengthening the independence of the judiciary and increasing the awareness of the population and public authorities as to the important role of these defenders (Timor-Leste)</p> <p>Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13</p>	Supported	<p>5.2 Institutions & policies - General</p> <p>36 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - human rights defenders - judiciary 	<p>Status: Not implemented</p> <p>Source: see Section 3.</p>	<p>Expand the Protection Program for Human Rights Defenders (PPDDH) to explicitly include journalists and bloggers who have been received threats or suffered murder attempts. Involve CSOs, and particularly freedom of expression and press organizations, in the process of developing this program, which should be established by law and applied both at the federal and the state levels.</p>
<p>Right or area: 6. Human rights education and training</p>				
<p>119.65. Revise the human rights training programmes for the security forces,</p>	Supported	<p>6 Human rights education, trainings</p>	<p>Status: Not implemented</p>	<p>Review and if necessary update existing</p>

<p>emphasizing the use of force according to the criteria of necessity and proportionality and putting an end to extra-judicial executions (Spain)</p> <p>Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 15</p>		<p>12.3 Extrajudicial, summary or arbitrary executions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	<p>Source: see paragraphs 5.4, 5.5 & 5.6</p>	<p>human rights training for police and security forces with the assistance of independent nongovernmental organizations to foster more consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.</p>
Right or area: 13.1. Liberty & security – general				
<p>119.89. Take all necessary measures to ensure the physical integrity of journalists and human rights defenders (France)</p> <p>Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13</p>	<p>Supported</p>	<p>13.1 Liberty and security - general</p> <p>36 Human rights defenders</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - human rights defenders - media 	<p>Status: Not implemented</p> <p>Source: see Section 3</p>	<p>Expand the Protection Program for Human Rights Defenders (PPDDH) to explicitly include journalists and bloggers who have been received threats or suffered murder attempts. Involve CSOs, and particularly freedom of expression and press organizations, in the process of developing this program, which should be established by law and applied both at the federal and the state levels.</p> <p>Take measures to foster a safe, respectful, enabling environment for civil society, including through removing legal and policy measures that unwarrantedly limit the right to association.</p> <p>Repeal Law No. 13.260 so its vague definitions of terrorism cannot be used to criminalize human rights defenders.</p>
Right or area: 14.3. Freedom of opinion and expression				

<p>119.130. Consider freedom of expression concerns when drafting cybercrime legislation (Estonia)</p> <p>Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 5</p>	<p>Supported</p>	<p>14.3 Freedom of opinion and expression</p> <p>5.1 Constitutional and legislative framework</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - media 	<p>Status: Not implemented</p> <p>Source: see paragraph 4.3</p>	<p>Ensure freedom of expression and media freedom by all bringing national legislation into line with international standards, including article 19 of the International Covenant on Civil and Political Rights (ICCPR).</p> <p>Amend the Marco Civil da Internet by repealing and prohibiting data retention requirements that are not necessary to network performance, replacing them with provisions allowing for preservation requests authorized by the judiciary; and by removing liability of application providers and Internet service providers for the actions of their users.</p> <p>Avoid or narrowly circumscribe any notice-and-takedown laws in future legislation about the web.</p> <p>Reform defamation legislation and privacy provisions to ensure that they are not used to censor reporting on sensitive issues, including online.</p> <p>Federalize crimes against free expression and give federal authorities broader jurisdiction to investigate and prosecute such crimes. In the meantime, ensure the</p>
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			<p>implementation of Constitutional Amendment 45 granting the Attorney General's Office the power to transfer a case to federal jurisdiction when serious human rights violations are suspected.</p> <p>Ensure that journalists and writers may work freely and without fear of retribution for expressing critical opinions or covering topics that the government or private actors may find sensitive.</p> <p>Guarantee the safety of journalists during demonstrations by training law enforcement and establishing police protocols based on the non-violence procedures adopted by the Council for the Defence of Human Rights in Resolution No. 6 of 18 June 2013.</p> <p>Develop an action plan ensuring that Internet laws comply with the government's commitment to guarantee freedom of expression and information, so as to ensure free access to electronic media, liberalize electronic media ownership rules and allow national bloggers, journalists, other Internet users to play a full and active role in promoting and protecting human rights.</p>
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				<p>Refrain from adopting any laws providing for censorship or undue control over the content of either social or conventional media and ensure that freedom of expression is safeguarded in all forms, including the arts.</p> <p>Guarantee unfettered access for all persons in Brazil to domestic and foreign media information, both offline and online.</p> <p>Establish mechanisms to facilitate public access to information in line with best practices available.</p>
Right or area: 33. Indigenous peoples				
<p>119.163. Further entrench in standard administrative procedures the right of indigenous peoples to be consulted, in accordance with ILO Convention 169 (Netherlands)</p> <p>Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 21</p>	Supported	<p>33 Indigenous peoples</p> <p>18 Right to participation in public affairs and right to vote</p> <p>26 Rights to protection of property; financial credit</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - indigenous 	<p>Status: Not implemented</p> <p>Source: see paragraphs 3.8</p>	<p>Address violence and discrimination against indigenous and quilombola HRDs by guaranteeing appropriate tools and mechanisms for meaningful good-faith prior consultation and participation of indigenous communities regarding large-scale or high-impact development projects, and ensuring participatory impact assessments and redress for any harm caused.</p>
<p>119.164. Ensure the rights of indigenous peoples, in particular the rights to traditional lands, territories and resources, and their right to be consulted (Norway)</p>	Supported	<p>33 Indigenous peoples</p> <p>26 Rights to protection of property; financial credit</p> <p>Affected persons:</p>	<p>Status: Not implemented</p> <p>Source: see paragraph 3.8</p>	<p>Same as above</p>

Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 21		- general - indigenous		
119.166. Continue promoting internal debates towards a better regulation of the consultation processes with indigenous peoples on issues that affect them directly (Peru) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 21	Supported	33 Indigenous peoples 18 Right to participation in public affairs and right to vote Affected persons: - general - indigenous	Status: Not implemented Source: see paragraph 3.8	Same as above
119.167. Ensure that indigenous peoples are able to defend their constitutional right to ancestral lands without discrimination and their prior, informed consent is sought in cases of projects that may affect their rights (Slovakia) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 21	Supported	33 Indigenous peoples 18 Right to participation in public affairs and right to vote 26 Rights to protection of property; financial credit Affected persons: - general - indigenous	Status: Not implemented Source: see paragraphs 3.3 to 3.8.	Same as above
119.169. Ensure indigenous peoples adequate consultation as well as full participation in all legislative or administrative measures affecting them (Germany) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 21	Supported	33 Indigenous peoples Affected persons: - general - indigenous	Status: Not implemented Source: see paragraph 3.8.	Same as above
Right or area: 36. Human rights defenders				
119.79. Adopt a policy of taking an explicit and published decision on instituting a federal investigation and prosecution in all cases involving violence against human rights defenders (Netherlands) Source of position: A/HRC/21/11 - Para.	Supported	36 Human rights defenders 5.2 Institutions & policies - General 16 Right to an effective remedy, impunity	Status: Not implemented Source: see paragraph 3.7	Conduct impartial, thorough and effective investigations into all cases of attacks, harassment, and intimidation against them and bring perpetrators of such offenses to justice.

119 & A/HRC/21/11/Add.1 - Para. 14		Affected persons: - human rights defenders - general		
119.80. Pass legislation, without undue delay, to confirm the official status of the National Programme for the Protection of Human Rights Defenders, and give priority to its wide implementation (Norway) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 5.1 Constitutional and legislative framework Affected persons: - human rights defenders	Status: Not implemented Source: see paragraph 3.2.	Adopt a specific law confirming the official status of the national program for the protection of human rights defenders in accordance with Council resolution 27.31 of the Human Rights Council. Bill 4575/2009 has been proposed in 2009 and has not progressed since 2011. Repeal Law No. 13.260 so its vague definitions of terrorism cannot be used to criminalise human rights defenders.
119.81. Ensure that the National Programme for the Protection of Human Rights Defenders be implemented in all states of the nation (Spain) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 5.2 Institutions & policies - General Affected persons: - human rights defenders - general	Status: Implemented Source: see paragraph 3.2.	
119.82. Ensure the protection of human rights defenders, notably the leaders of indigenous communities fighting for their rights (Switzerland) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 13 Right to liberty and security Affected persons: - human rights defenders - indigenous	Status: Not implemented Source: see Section 3.	Ensure a safe and secure environment for civil society members, journalists and human rights defenders to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.

119.84. Ensure adequate safeguards are in place to ensure protection of human rights defenders, including those working within indigenous communities (United Kingdom) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 13.1 Liberty and security - general Affected persons: - human rights defenders - indigenous	Status: Not implemented Source: see Section 3.	Same as above
119.85. Increase funding to provide human rights advocates with adequate protection (Australia) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 13.1 Liberty and security - general Affected persons: - human rights defenders - general	Status: Not implemented Source: see paragraph 3.2.	Adopt a specific law confirming the official status of the national program for the protection of human rights defenders in accordance with Council resolution 27.31 of the Human Rights Council. Bill 4575/2009 has been proposed in 2009 and has not progressed since 2011.
119.87. Respect the rights of Human Rights Defenders and protect them in their everyday struggle (Poland) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 13.1 Liberty and security - general Affected persons: - human rights defenders	Status: Not implemented Source: see Section 3.	Same as above Ensure a safe and secure environment for civil society members, journalists and human rights defenders to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.
119.88. Intensify efforts for the security of human rights defenders and reinforce cooperation with all stakeholders, in particular, the states and military police (Czech Republic) Source of position: A/HRC/21/11 - Para. 119 & A/HRC/21/11/Add.1 - Para. 13	Supported	36 Human rights defenders 13.1 Liberty and security - general Affected persons: - human rights defenders	Status: Not implemented Source: see Section 3.	Same as above Repeal Law No. 13.260 so its vague definitions of terrorism cannot be used to criminalise human rights defenders.

Total number of civic space recommendations	Supported/Noted (%)	Assessment on level of implementation
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		Fully implemented (%)	Partially implemented (%)	Not implemented (%)
20	100/0	5	0	95