

## **ADVANCE QUESTIONS TO BRAZIL**

### **DENMARK**

- Credible reports on arbitrary and extrajudicial executions by state police (military and civil) in Brazil are numerous. The UN Special Rapporteur, Philip Alston, visited Brazil in November 2007 and his observations confirmed the existence of these widespread problems. What steps does the Federal Brazilian Government intend to take to follow-up on the recommendations made by the Special Rapporteur?
- According to a 2006 report from the UN Office on Drugs and Crime Brazilian women were among the primary victims of international trafficking for the sex industry in Europe. Also internal trafficking of rural workers, mostly men, into forced labour is a serious problem. Has the Federal authorities of Brazil been able to meet these challenges and reverse the trend?

### **FINLAND**

- We acknowledge that the Government of Brazil has made commitments to protect children from violence, including by launching, in 2007, the Child and Teenager Social Plan which includes actions in strategic areas to fight against violence<sup>1</sup>.
- With regard to the United Nations study on violence against children<sup>2</sup>, which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Brazil. In particular, we would greatly appreciate if the Government of Brazil could share with us good practices to prevent and respond to violence against children<sup>3</sup>.

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<sup>1</sup> The national report for the universal periodic review submitted by the Government of Brazil, page 17.

<sup>2</sup> Report of the independent expert for the United Nations study on violence against children (A/61/299).

<sup>3</sup> Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see paragraph 48 and footnotes 25, 44 and 48).

## **GERMANY**

- Considering that prison conditions in Brazil are highly precarious (overcrowding, violence, lack of facilities for young detainees and females, lack of administrative control over prisons) and taking into account the efforts already made by the Brazilian government in order to bring about a change, we ask the GoB what further measures it envisages in order to accelerate the improvement of the situation.
- What are the measures envisaged by the GoB in order to rapidly improve the living conditions in re-educational facilities for young people (which are extremely poor due to overcrowding and lack of hygiene as, for example, in the Espaço Recomeco (Erec) in Pará)?
- What does the federal government intend to do in order to bring about a change in the strategy and culture of violence of police officers at regional states level? Does the GoB intend to implement the latest recommendations of the UN-Special Rapporteur on extrajudicial executions in order to initiate a profound reform of the penal judiciary system?
- Considering that the law of 2004 which allows for human rights violations committed at regional state level to be prosecuted by the federal justice has not been properly applied, what does the GoB intend to do in order to encourage the judiciary at state and local level to end impunity for human rights violations?

## **IRELAND**

- What measures have been taken to ensure full enjoyment of the freedoms of expression, assembly and association, with particular regard to the right to protest?
- What measures have been taken to promote the role of human rights defenders, through education and inclusion in decision-making, in particular amongst national authorities, law enforcement officials and security officers?
- What measures have been put in place to support the work of human rights defenders?

## **ITALY**

- Could you provide more information on the programmes currently in place in Brazil, at all administrative levels, concerning education and training in the field of human rights?

- Brazil has adopted significant provisions aimed at protecting and promoting children's and adolescents' rights and addressing the most serious abuses preventing their effective implementation. How do Brazilian authorities assess the results obtained so far and what are the government's expectations for the near future?

## **NETHERLANDS**

- The constitution has been changed on 1 January 2005 to take legal action against serious cases of human rights violations. Has this change in the constitution been translated into national law yet? Could you also elaborate on the progress made within national legislation to enable federal prosecution of serious human rights violations?
- Could you share your views on how Brazil will pursue its policy of preventing and prosecuting torture cases and extra-judicial killings?
- In the national report cases are mentioned where young female detainees were placed in prison cells with adults who have committed serious crimes. Has there been any legal action against those responsible for this kind of acts?
- It is stated that the gross attendance rate to schools between the age of 7 and 14 is 97,4%. This is an impressive number, but at the same time many children only attend school for half a day or even less. Is it considered to increase the amount of school hours to ensure thorough education of all children and to prevent children from falling victim to being recruited by criminal gangs and other mischief?

## **PORTUGAL**

- Portugal follows with great interest the "*Fome Zero*" programme - a comprehensive, holistic, and innovative approach of the implementation of the Right to food. Could the delegation of Brazil elaborate more on the results achieved on the ground on the promotion of this fundamental human right?

## **SWEDEN**

- The Brazilian constitution of 1988 guarantees the rights of indigenous persons. Brazil has also ratified the ILO Convention on the Rights of Indigenous People. Land allocation and reform in relation to indigenous populations, however, remains a contentious issue, while clashes between indigenous people and land owners continue to occur, in the Amazon region and elsewhere. In its national report to the 2008 Universal Periodic Review, the government of Brazil referred to some of the general measures it has taken to

address the matter. Could the government of Brazil elaborate on its policies to ensure the ability of individual indigenous persons to enjoy equal protection under the law with regard to land issues, such as legal assistance, access to justice in indigenous languages or other measures?

- In its national report to the 2008 Universal Periodic Review, the government of Brazil mentioned some of the measures it has taken to address the problem of domestic and other violence against women, which civil society organizations have reported continues to be commonplace. Among these measures was the adoption in 2006 of a specific law on the issue, law 11340/06, also known as the “Maria da Penha” law. Could the government of Brazil elaborate on the effects that this law and other measures it has taken has had in eliminating violence against women?

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