

Conectas

Participates at 10th session of the UN Human Rights Council

27/03/2009

During the month of March, the UN Human Rights Council convened for its 10th regular session. Conectas Human Rights, with the support of the Democracy Coalition Project (DCP), took part in this session with the main objective of calling the attention of the representatives of the Council's countries to themes such as the post-electoral situation in Zimbabwe and the democratic crisis in Burma.

In addition to its participation as an official member of the program, Conectas also promoted a meeting between Zimbabwean activists and the delegation of the GRULAC (Group of Latin American and Caribbean Countries) to discuss the situation in Zimbabwe and encourage greater involvement in the region. One of these activists was Okay Machisa of the Zimbabwe Human Rights Association; his participation at the 10th session was facilitated by Conectas.

Conectas, moreover, gave him the opportunity to make an oral statement ([click here to watch the speech](#)) on his behalf during the plenary session. "Civil society in Zimbabwe sent a message to the international community denouncing the humanitarian, human rights, and governance crises through the oral presentation made in the plenary, which would not have been possible without Conectas", said Machisa.

In regard to Burma's case, in addition to co-signing an oral statement made by Forum Asia, Conectas also helped to promote a side-event in order to mobilize the present delegations to include the issue in the session's formal discussions.

Also during this regular session, a report with the final recommendations of the Universal Periodic Review in Cape Verde was approved. With the collaboration of Margareth da Luz, a Cape Verdean lawyer and human rights activist participant in Conectas's Human Rights Program, Conectas made an oral statement in the plenary session, highlighting the issue of domestic violence as one of the items not adequately addressed by the recommendations. ([click here to watch the speech](#)).

According to Lucia Nader, Conectas's International Relations coordinator, who followed the session in Geneva, "The participation of NGOs of the Global South in the UN Human Rights Council, raising issues not just from their home countries, is fundamental for the strengthening of human rights protection. Working together with activists from Zimbabwe, Burma and Cape Verde, for instance, enriched Conectas's participation in this session".

During the session 34 resolutions were adopted. Conectas closely followed Brazil's positions and regrets that it abstained from voting for a resolution about human rights violations in North Korea (Democratic People's Republic of Korea). Another concern was Brazil's vote against the resolution that determines the publication of reports prepared by the defunct Sub Commission on Human Rights. The only countries that voted against this resolution were Brazil, India and the Republic of Mauritius.

Black Woman's Right to Health in Brazil Project launches Rights Center

25/03/2009

On March 14, the Center for the Black Woman's Right to Health Project was inaugurated, in the neighborhood of São Mateus, in São Paulo.



This event marks the beginning of the third stage of the project, implemented since 2007 with the objective of creating a system for monitoring the implementation of public health policies and the health services themselves. The Project, developed by Conectas Human Rights and Geledés – Black Woman's Institute, is supported by the European Union.

The Center, which is located in front of the area's biggest public hospital, was created with three main objectives: receiving and forwarding complaints of racial discrimination, continuing to train the black women leaders of the region and providing sensitivity training to employees of the health system. The Center will operate during business hours, on Wednesdays, Thursdays and Fridays. The first two days will be devoted to receiving complaints of racial discrimination. Therefore, a prosecutor will be on duty at the Center to attend the women and assist in forwarding the complaints.

Fridays will be devoted to courses and cultural activities such as classes, lectures, workshops, debates, exhibitions, films, and dance and other artistic performances. The plan is to develop themes for each month, when central themes of the project such as race, gender and health will be presented from a human rights perspective.

OAS hears case on murder of adolescent detained in São Paulo juvenile detention system

24/03/2009

On March 23, the Inter-American Commission on Human Rights, of the Organization of American States (OAS), held a hearing to discuss the complaint of human rights violations related to the death of an adolescent in 2003 inside the juvenile detention system formerly known as FEBEM (today called Fundação CASA).

In November 2003, the adolescent Lazineo Brambilla da Silva, then aged 16, was shot five times and killed while trying to escape from the Vila Maria Unit III, part of the former FEBEM.

Flaws in the investigation prevented the discovery and condemnation of those responsible for the crime, yet another example of the culture of impunity in Brazil, especially when the suspects are state agents. The investigation was terminated without the issuance of an indictment.

Given this situation, the family of Lazineo and the non-governmental organizations Conectas Human Rights and AMAR - Associação de Mães e Amigos de Crianças e Adolescentes em Risco (the Association of Mothers and Friends of Children and Adolescents at Risk), presented a complaint to the Inter-American Commission on Human Rights in September 2005.

The case was admitted in July 2007, for the analysis of possible violations of the rights to life, of judicial guarantees, judicial protection and the special protection for children and adolescents, referenced in the American Convention on Human Rights, of which Brazil is a signatory.

At the hearing on Monday, both Brazil and the petitioners, represented by Attorney Daniela Ikawa, presented additional arguments in an attempt to persuade the Commission. During the hearing, members of the Commission asked several questions of Brazil's representatives, especially due to the explicit flaws in the investigation of the homicide.

According to Eloisa Machado, lawyer of Conectas Human Rights, "the Commission was perplexed with the flaws in the investigation of Lazineho's death and is aware that this is not an isolated case, but is representative of the institution's conduct. The Commission knows this firsthand because their agents have visited FEBEM in the past and, at the present moment, the Commission is analyzing other cases of human rights violations that occurred there".

UN Special Rapporteur on Right to Health meets with NGOs from South America 24/03/2009

Anand Grover, UN Rapporteur on the Right to Health, came to Sao Paulo on March 25th and 26th to meet with NGOs of various South American countries. During the meeting, organized by Conectas Human Rights with ABIA (the Brazilian Interdisciplinary Association on AIDS) and SPW (Sexuality Policy Watch) and entitled "South American Consultation on the Right to Health", the Rapporteur discussed the priorities for the region in his mandate with over 40 representatives of civil society organizations from countries such as Argentina, Colombia, Paraguay, Uruguay, Peru, Venezuela and Brazil.

The meeting with the Rapporteur dealt with the issue of women's health, sexual and reproductive rights and the new strategies to ensure access to medicines, particularly for the treatment of HIV / AIDS and other infectious diseases. There was a particular interest in learning more about the situation of indigenous people in Latin America and the impact of racial discrimination in the access to health services for afro-descendants. The issue of the right to health in the context of armed conflict in Colombia was also the subject of debate.

"The Consultation gave the Rapporteur the opportunity to know more about the concerns of the organizations that work with the right to health in South America. Moreover, it allowed these organizations to directly approach the personnel running one of the most effective mechanisms of protection of human rights at the UN. Now, it is up to each of the participants of the meeting to make an effective use of this new communication channel for the protection of the right to health of vulnerable people", said Juana Kweitel, of Conectas Human Rights.

Mandate

Special Rapporteurs are independent experts appointed by the Human Rights Council to examine and report back on a country situation or a specific human rights theme.

The mandate of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health was originally established by the Commission on Human Rights in April 2002 by resolution 2002/31. Subsequent to the

replacement of the Commission by the Human Rights Council in June 2006, the mandate was endorsed and extended by the Human Rights Council by its resolution 6/29 - introduced by Brazil, supported by 24 countries and approved by consensus - of 14 December 2007. Grover replaced Paul Hunt, who held the post of Special Rapporteur on the Right to Health from 2002-2008.

For further information on the Special Rapporteur

For further information on the Special Rapporteur, visit the website of the UN High Commissioner for Human Rights (<http://www.ohchr.org/english/issues/health/right/index.htm>) and the website of the organization Lawyers Collective (<http://www.lawyerscollective.org/>).

New OHCHR handbook

15/03/2009

The UN High Commissioner for Human Rights has just released a manual that aims to enhance the participation of NGOs in the UN human rights system. The manual, called "Working with the United Nations Human Rights Programme: A Handbook for Civil Society", has a number of examples and stories of successful engagement by NGOs in recent years.

In this section, Conectas is cited for its work with the Universal Periodic Review mechanism (p. 151) and the UN Human Rights Council, as well as for its engagement with the Brazilian mechanisms and also for its cooperation and exchange of information with organizations from other countries (such as Argentina, Peru, Philippines, Colombia and Guatemala), stimulating the participation of civil society through its work.

[Click here](#) to read the manual.

For further information, please visit:

<http://www.ohchr.org/EN/NewsEvents/Pages/NewCivilSocietyHandbook.aspx>

Supreme Court begins trial on the importation of used tires

11/03/2009

In a hearing that took place on March 11th, the Plenary of the Brazilian Supreme Court began to analyze the case concerning the importation of used tires. The session was suspended in the late afternoon due to a request from one of the Justices. The lawsuit was proposed by President Luiz Inacio Lula da Silva, and has two main objectives: to declare the validity of the Ordinances emitted by the Secretariat of Foreign Trade (SECEX – Portarias da Secretaria de Comércio Exterior) and by the National Environmental Council (CONAMA), which already prohibit the importation of used tires; and the repealing of sparse juridical decisions of lower courts that had allowed the importation of used tires

Representing Conectas Human Rights, Justiça Global (the Center of Global Justice) and Associação de Proteção ao Meio Ambiente de Cianorte (Association for the Protection of the Environment of Cianorte) - APROMAC, admitted as “amici curiae”, Oscar Vilhena Vieira, Conectas’s Juridical Director, made an oral statement during the session. In his argument in defense of the prohibition, he said that the burdens imposed by the European

developmental model, which has negatively impacted the environment for centuries, cannot fall on developing countries such as Brazil. He also stated that the Brazilian Constitution is both clear in asserting the supremacy of the environment over economic activities and innovative in its discourse about the importance of protecting the environment as a pact between generations, so that future generations in Brazil may have the same rights that are presently guaranteed.

After the first vote, a Minister requested that the session be suspended. It is not yet known when the next hearing will be.

Participants of the Human Rights Fellowship Program for Lusophone Africa have already arrived in Brazil

10/03/2009

All of the participants of the 2009 Human Rights Fellowship Program for Lusophone Africa have already arrived in Sao Paulo. The Program, in its sixth year, now includes the participation of another country; in addition to the activists from Angola (Simao Hossi and Paulo Lucas), Mozambique (Salvador Nkamate and Dario de Souza) and Guinea Bissau (Bacar Queta), a representative of Cape Verde (Margareth da Luz) was also accepted into the program.



The Program's activities have started and all of the participants are attending classes at PUC (the Pontifical Catholic University), internal workshops and other activities that constitute their training in the different areas of human rights with which the members of the group work.

Margareth da Luz is a lawyer and the representative of the Cape Verdean Association of Women Lawyers, which provides legal assistance to women who are victims of violence in Cape Verde. She intends to develop a project of legal and psychological assistance for Cape Verdean women victims of violence, broadening the discussion of gender in her country. This month, she will help Conectas monitor the UPR (Universal Periodic Revision) of Cape Verde, a mechanism used by the UN Human Rights Council to protect human rights in its Member States.

Salvador Antoninho Nkamate and Dario Caetano de Souza, both from Mozambique, are lawyers, but work in different areas of the human rights movement. Dário founded the organization LAMBDA, which advocates for the rights of sexual minorities. His project for the second year of the Program is to develop strategies to promote and protect the rights of the LGBT community. Salvador works for the Mozambican League of Human Rights, and his project for 2010 seeks to curb institutional violence, by training the Community Police in a manner consistent with human rights norms, as a way to eliminate practices of torture and summary executions by the police in his country.

Coming from Guinea Bissau, Bacar Queta is the founder and current president of the organization FALCOLSIDA – Forum of Community Associations Fighting against AIDS.

His project for the second year of the Program aims to combat discrimination against people living with HIV/AIDS.

Two Angolans complete the group of 2009, Paulo Justino Guerra dos Santos Lucas and Simão Hossi. Paulo represents the NGO Humanitarian Action, Assistance and Reintegration of the Arrested and Exiled. Currently this NGO works with the protection and empowerment of people deprived of freedom and, for the second year of the Program, he intends to continue developing the work that his NGO presently undertakes. Simão works for the organization Angolan Action for Women (AAM) in projects concerning the theme of gender. In 2010, he intends to help educate women about their rights, strengthening women's leadership in Angola.

According to Simão, this will be a great opportunity for him, as the "reality of Angola, with many armed conflicts and poverty, directly affected my life, leaving me out of school and without good work opportunities. Being a human rights activist was what allowed me to contact people and to be in a position to continue fighting. It is a privilege to be here." The activist also comments that this long time away from home and far from his family will leave an indelible impression on his life: "I was happy to know that there are NGOs in Brazil that are concerned about young Africans, and this opportunity will make me grow more".

The Program was created in 2004 by Conectas in partnership with the Open Society Initiative for Southern Africa (OSISA), the Open Society Justice Initiative (OSJI) and the Open Society Initiative for Western Africa (OSIWA) and has already received 25 human rights activists from Lusophone African countries.

The Program is divided into two phases, the first one in Brazil, where they have the opportunity to live for eight months, splitting their time between classes at Brazilian university and internships in local non-governmental organizations. The second stage is held in their countries of origin, where they will implement the project on human rights protection that they developed while here in Brazil.

All of the 2009 participants are very excited and expect to contribute substantially to the exchange of experiences and information between African countries and Brazil, building a network for the protection of human rights for the countries involved in the program.

Sur Journal is published in Arabic

06/03/2009



Malak Popovic, Executive Director of Conectas who participated in the seminar in Cairo, and Mustapha Al-Sayyed

Partners in Development for Research, Consulting and Trading (PID), in collaboration with Sur - International Journal on Human Rights, organized a two-day conference entitled "Human Rights: Perspectives from the South" in Cairo, Egypt (18-19 February, 2009) which brought together professors, journalists and scholars from Algeria, Brazil, Egypt, Jordan, Kuwait, Lebanon, Peru, South Africa, Syria, Tunisia and the United Kingdom. There were several round tables where panelists presented their papers and took part in a discussion on the main contemporary human rights topics ([click here to see the agenda](#)). Malak Poppovic, Executive Director of Conectas Human Rights, and Daniela Ikawa, co-editor of Sur Journal, participated in the seminar.

Besides the rich discussion, the conference was also the stage for a breathtaking announcement: the Sur Journal will be published in Arabic! According to the editor, Mustapha Kamel Al-Sayyed, the first issue will be released in 2009.

ACCESS TO JUSTICE: National Council of Justice approves new resolution regulating volunteer lawyering

11/02/2009

Yesterday, the National Council of Justice approved Resolution 62, which regulates pro bono advocacy and creates a national registry of volunteer lawyers.

The main part of the resolution suggests that “the courts, directly or by a cooperation agreement signed with the Public Defenders of the Union, of the States or Federal District, will implement a means of registration, preferably on-line, of lawyers and volunteers interested in providing legal assistance without financial compensation from their client or from the State, in any capacity”.

The measure has been criticized by the Brazilian Lawyers Association (OAB), which states that this regulation should be promulgated by the OAB itself, not by the Council. However, only the States of Sao Paulo and Alagoas have pro bono resolutions, which allow volunteer lawyering but restricts its beneficiaries to third sector organizations.

The Pro Bono Institute (IPB) praises this decision. Created in 2001 by prestigious lawyers in Brazil, the IPB is the only organization that brings together lawyers who donate their legal services for public interest causes. Nowadays, the IPB database includes more than 400 registered lawyers and 27 large and mid-size law firms throughout the country. According to the regulation of the OAB, only third sector entities demonstrably without financial resources can take advantage of pro bono lawyering.

For Marcos Fuchs, Executive Director of the IPB, the decision of the Council comes at a good time: “there is a substantial lack of access to justice for a large portion of the Brazilian population. We have been trying for more than eight years to lobby for a national regulation allowing public interest volunteer lawyering, with legal services rendered directly to individuals. This has become viable with the Council’s Resolution”. He continues, “for example, in São Paulo there is one public defender for every 58 thousand people who can’t afford to pay for a lawyer.”