



**CONECTAS**

**HUMAN  
RIGHTS**

**2007**  
**ANNUAL REPORT**

## DONORS AND PARTNERS

Conectas would like to thanks and acknowledge the support of its main donors

- European Union
- Foundation Open Society Institute
- Open Society Initiative for Southern Africa
- Open Society Justice Initiative
- Swiss Embassy in Brasilia, Brazil
- The Ford Foundation
- The Oak Foundation
- The Overbrook Foundation
- Tinker Foundation
- United Nations Democracy Fund (UNDEF)

We would also like to thanks the following partners for their contribution towards Conectas' activities:

- Ashoka Social Entrepreneurs
- Friedrich Ebert Stiftung
- Fundação Getúlio Vargas - São Paulo
- International Center for Transitional Justice
- International Service for Human Rights
- Pontifícia Universidade Católica de São Paulo - PUC-SP

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Conectas also has the support of a team of volunteers in each of its projects and receives a small group of graduate students for non-remunerated internships.

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# LETTER FROM THE DIRECTORS

2007 has been a very important and successful year for the consolidation of Conectas's work towards the protection and promotion of human rights.

As part of our Global South Program, we have developed an innovative advocacy campaign, which has united several NGOs from Latin America to defend human rights in an African country – Zimbabwe. Moreover, we have participated in the main UN Human Rights Council (HRC) sessions in Geneva and have organized a meeting in Sao Paulo with other ONGs working with the HRC to evaluate the role of civil society in the HRC during 2007 and to plan joint actions for 2008.

The consolidation of our international activities was confirmed by the success of the VII International Human Rights Colloquium, which brought together 56 activists from 26 countries from the Global South, in Sao Paulo, from 3 to 10 November 2007.

Furthermore, the Human Rights Fellowship Program for Angola and Mozambique has broadened its reach and, in 2008, will receive also participants from Guinea Bissau.

Two issues of Sur – International Journal on Human Rights were released in June and December 2007, including one in collaboration with the International Center for Transitional Justice (ICTJ), on transitional justice. We have also ordered the first outside evaluation of the Journal and reader profile, and are glad to inform that the results indicated that 62% of our readers consider it excellent.

Through our Justice Program, we have consolidated our activities at the Brazilian Supreme Court, by acting as *amicus curiae* in several fundamental rights' issues such as stem cell research, affirmative action and gun control. We also denounced before the Inter-American Commission on Human Rights (IACHR) the outrageous living conditions of the inmates at the Detention Center of Guarujá, Sao Paulo – which was closed subsequently. In addition, our judicial actions in favor of adolescent inmates in the state of Sao Paulo have resulted in important changes in the sentences of the Brazilian courts such as substantial increases in the amounts of compensations for the death of adolescents in state custody, and the closing of some of the worst units of the Sao Paulo Juvenile Detention Center (Fundação CASA, former FEBEM).

Moreover, we have progressed with the dissemination of *pro bono* lawyering ideals: we have contributed to the establishment of *pro bono* initiatives in other states of the Brazilian Federation, besides Sao Paulo, and have won essential support from the legal community for the future approval of a national resolution permitting *pro*


*bono* activities. In 2007 alone, more than five law firms and 80 individual lawyers have adhered to the Instituto Pro Bono (Pro Bono Institute), an affiliate of Conectas since 2002.

Activities involving a new project – Black Women’s Right to Health in Brazil – were launched in 2007. The educational materials of its first phase were elaborated and tested and will be used in capacity-building courses for black women living in Sao Paulo suburbs as well as distributed to professionals and organizations working in this area.

None of this would have been possible without the collaboration and support of partner organizations, in Brazil and in other countries from the North and the South. Our thanks to all. We look forward to continue working together in 2008!



Malak Poppovic - Executive Director



Oscar Vilhena Vieira - Legal Director

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# CONECTAS

Conectas Human Rights is an international non-governmental, not-for-profit organization, founded in Sao Paulo, Brazil, in October 2001. Its mission is to promote respect for human rights and contribute to the consolidation of the Rule of Law in the Global South (Africa, Asia, and Latin America). Conectas was accorded Consultative Status before the UN in 2006.

Accordingly, Conectas develops programs that aim at strengthening activists and academics in the southern hemisphere and increasing their interaction with the United Nations and among them. In Brazil, and in the region, Conectas promotes strategic and public interest litigation.

To achieve its objectives, Conectas has carried out its activities under two broad program areas:

1. Through its **Global South Program**, Conectas conducts research, builds the capacity of local and regional human rights advocates, shares knowledge among and between academics and practitioners, promotes alliances and south-south cooperation, and equips human rights activists to interact with the UN, a key partner in the promotion of human rights;
2. Conectas's **Justice Program** works at the national and regional levels to protect victims of human rights violations, through strategic litigation and the provision of *pro bono* legal services in support of vulnerable groups and of the civil society sector.

The following report describes Conectas's main activities, output and achievements in 2007.

*Palê Zuppani*





## **THE GLOBAL SOUTH PROGRAM**

The Global South Program aims to mobilize and strengthen human rights activists and academics from the southern hemisphere through education, research and advocacy. The goal of the program is to broaden the individual and collective influence of a new generation of human rights defenders.

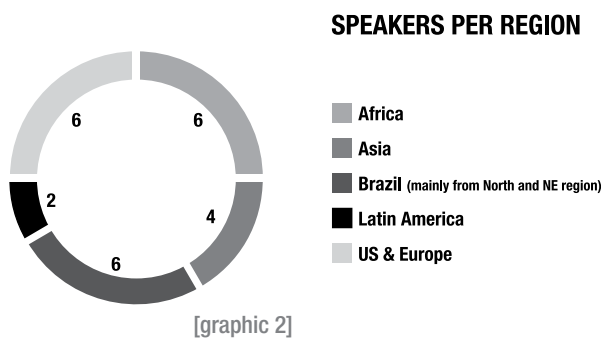
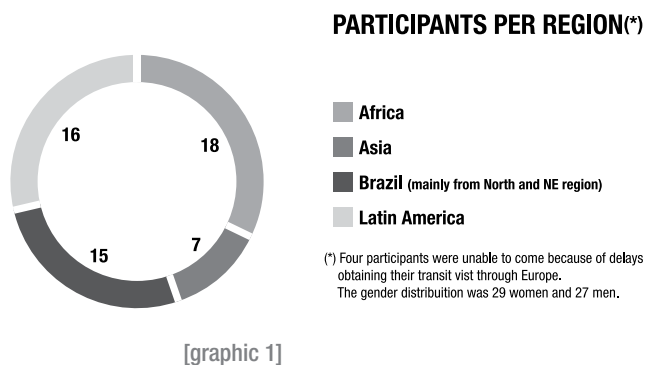


## EDUCATION: INVESTING IN PEOPLE

### *The Colloquium in 2007: “Strengthening Human Rights in the South”*

The objective of the International Human Rights Colloquium is to strengthen the individual and collective impact of human rights activists in Latin America, Africa and Asia, and to encourage them to take on a growing role in the promotion of human rights. The VII Colloquium brought together 56 participants from 26 countries, 24 speakers and 20 volunteers from 3 to 10 November 2007 in Sao Paulo. Participants were selected from among 370 applications.

The graphics below present the geographical distribution of the 2007 Colloquium participants and speakers (see graphics 1 and 2):



The one-week program combined lectures by experts in the mornings from Monday to Saturday, with intensive peer-learning activities in the afternoons. Based on the evaluation carried out with the 2006 Colloquium alumni and in consultation with the Colloquium Advisory Board, the morning lectures of the 2007 Program addressed three main issues:

- The participation of Southern NGOs in the international system, especially with the newly created UN Human Rights Council (HRC);
- The use of law by human rights defenders for social change;
- The acquisition of skills and know-how to ensure the sustainability of civil society organizations in the South.



legenda da foto

## EVALUATION BY PARTICIPANTS

As in previous year, the evaluation of the VII Colloquium was carried out by an external consulting firm, Júnior Pública, of the Getúlio Vargas Foundation. The results showed that the main objectives of the VII Colloquium were successfully achieved. All aspects evaluated received a score ranging from good to excellent. Compared to last year, the overall evaluation of the Colloquium remained the same, achieving the mark of 4.44, in a scale from 1 to 5. The working groups and the regional presentations were particularly well evaluated by the participants, and scored above the average compared to the morning panels. In 2007 for the first time, a complementary qualitative evaluation was also carried out during the Colloquium. Interviews were made with participants randomly chosen at the beginning and at the end of the encounter to assess their expectations as compared to the actual experience. The results indicate that the Colloquium exceeded their expectations.

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Afternoon activities were designed to give participants the time and space for more intensive interaction with one another and opportunities to learn specific skills to improve their impact and effectiveness:

- Two Working Groups on Human Rights Litigation and on the UN Human Rights System;
- The Open Space Forum provided participants with a chance to talk about issues of their choice, in a self-managed discussion;
- Field visits to NGOs based in Sao Paulo (GAPA/Grupo de Apoio a Prevenção à AIDS; MST/Landless Workers' Movement; Centro de Direitos Humanos de Sapopemba and the Instituto Pólis);
- Workshops on Planning and Fundraising;
- Regional Presentations: one of this year's innovations was the presentation by the participants of the main human rights issues in their regions to other activists at the Colloquium;
- HRC Simulation: the Working Group on UN Human Rights System organized a simulation of the Human Rights Council's session that gave the participants the opportunity to have a live experience of international diplomacy.

During the month that preceded the Colloquium, participants were asked to undertake preparatory readings and assignments on the topics addressed during the event.

## SUSTAINING THE EXCHANGE AND NETWORKING ACTIVITIES AFTER THE COLLOQUIUM

Conectas maintains an interactive Internet portal ([www.conectasur.org](http://www.conectasur.org)) in three languages (English, Portuguese and Spanish) to help activists to keep in touch after the Colloquium has finished.

A group of participants of the VII Colloquium decided to use the portal as a tool for communications to share information, build solidarity and act together on human rights violations through a bi-monthly online digest of the news published by them on the portal, Conectasur Bulletin, sent through a list-serve by email.

Besides, participants of the UN Working Group are sharing information regarding the evaluation of their countries at the new Human Rights Council. Conectas is providing information and guidance to organizations that want to participate in the newly created Universal Periodic Review mechanism (UPR).

The Litigation Working Group is also using the Internet to share information about precedents and to analyze ways of collaborating on their cases, as for example, the elaboration of amicus briefs. Meetings of the Litigation Working Group will be held in 2008 during the hearings of the Inter-American Commission on Human Rights and of the African Commission on Human and Peoples Rights to further their cooperation.

The organization of the VII Colloquium was possible due to the generous support from the Foundation Open Society Institute and Open Society



Initiative for Southern Africa (OSISA), the Ford Foundation, the United Nations Democracy Fund (UNDEF), the United Nations Foundation, Ashoka and the Swiss Embassy in Brazil. The Fundação Getúlio Vargas has offered its premises for the whole encounter and the Youth Cultural Center of Sao Paulo hosted the opening cultural activities.

IMPACT – THE OPINION OF FORMER PARTICIPANTS

For the first time, in 2007, an evaluation of the impact of past Colloquia was carried out six months after the event. A questionnaire was sent to 2006 participants, including questions regarding the concrete use of the knowledge gained at the Colloquium and also examples of collaborations with other former participants. A total of 33 out of 58 participants answered the questionnaire: 91% answered that they had used the knowledge gained in the Colloquium in a practical way and provided examples; and more than 80% answered that they were in touch with other participants to exchange information and build partnerships among their organizations.

VII COLLOQUIUM - MORNING LECTURES

Sao Paulo 03 - 10 November

Opening: The UN Reform

Bertrand Ramcharan, IUHEI - Graduate Institute of International Studies, Geneva, former OHCHR

Open dialogue: Voices from the South in the new UN HR Council

Crescencia Lucero, TFDP - Task Force Detainees for Philippines, Philippines  
Hassan Shire, East and Horn Africa HR Defenders Network, Uganda  
Katrine Thomasen, ISHR – International Service for Human Rights, Geneva  
Michael Anthony, Asian Commission for Human Rights, China  
Thami Ngwenya, CCP - Center for Public Participation, South Africa

Using the law for social change

Basil Fernando, Asian Commission for Human Rights, China  
Oscar Vilhena Vieira, Conectas Human Rights, Brazil  
Rodrigo Uprimny, DJS - Centro de Estudios de Derecho Justicia y Sociedad, Colombia

Recent developments in human rights

Optional Protocol to Convention against Torture: Lukas Muntingh, CSPRI - Civil Society Prison Reform Initiative, South Africa

Convention on the Rights of Persons with Disabilities:

Amita Dhanda, NALSAR, India

UN Human Rights Norms for Business:

Alexandre Barbosa, Observatório Social, Brazil

Campaigning and advocacy

Nonhlanhla Ngema, TAC – Treatment Action Campaign, South Africa  
Jorge Beloqui, GIV - Grupo Incentivo à Vida, Brazil  
Patrizia Scanella, Amnesty International, Geneva  
Julie Middleton, Civicus, South Africa  
Tamaryn Nelson, Witness, US  
Building organizational infrastructure  
Bess Rothenberg, Columbia University US, [video presentation]  
Anne Travers, Development Consultant, US  
Andre Degenszajn, Conectas Human Rights, Brazil  
Macarena Sabin Paz, CELS – Centro de Estudios Legales y Sociales, Argentina

Closing: Strengthening human rights in the South

Sueli Carneiro, Brazil Human Rights Fund, Brazil  
Juana Kweitel, Sur – International Journal on Human Rights, Brazil  
Tafadzwa Mugabe, ZLHR – Zimbabwe Lawyers for Human Rights, Zimbabwe

2007 FELLOWS



Cecilia Cassapi Augusto, who has worked in the region of Huila, Angola, for the last 10 years as Executive Director of the Building Communities Association

(“Associação Construindo Comunidades”), did her internship at the Instituto Sócio-Ambiental (ISA) a well-known Brazilian NGO that works on environmental and indigenous issues and on the right to land. During her internship she visited the region of Vale do Ribeira (Sao Paulo state) to meet Quilombola leaders in communities in which ISA works. Back in Angola, Cecilia is presently working with ISA on a project that will take Brazilian community leaders to Angola to discuss access to land issues.



Maira Solange Hari Domingos, who graduated in Geography in 2006, did her internship at the Coletivo Feminista in Sao Paulo. Maira continues her collaboration with the

Coletivo by adapting one of their booklets on health and women sexuality to the Mozambican reality. With the practical and academic experience acquired in Brazil, Maira decided to focus her future work on the promotion of sexual and reproductive rights at the NGO Fórum Mulher in Mozambique.



Eduardo Madope, a graduate in Law, has worked at the Human Rights Center of Univeristy Eduardo Mondlane, as well as at the Movement Justice for All (Movimento Justiça

para Todos) in Mozambique. For his internship in Brazil, Eduardo chose the Instituto Pólis, where he was involved in legal work and collaborated in a campaign for the establishment of public housing funds. Back home, he is presently setting up a project on free legal assistance for women.

The Human Rights Fellowship Program for Portuguese-Speaking Africa

In partnership with the Open Society Justice Initiative (OSJI), Open Society Initiative for Southern Africa (OSISA), and a group of African NGOs, each year since 2004 Conectas hosts an eight-month Human Rights Fellowship Program for participants from Angola and Mozambique.

In 2007, Conectas received three fellows -two from Mozambique and one from Angola. During the first four months of the Program (February to July), the fellows devoted most of their time to academic activities in human rights at the undergraduate and graduate levels at the Pontifical Catholic University of Sao Paulo.

During the second part of the Program, the fellows undertook a four-month internship in Brazilian NGOs and also participated in the VII International Human Rights Colloquium. Their internship was fundamental to help them elaborate the project that they will develop in their countries of origin. Upon their return, the fellows have a one-year period to implement their project within their NGO, with the skills and expertise acquired in Brazil.

It is worth mentioning that the two Mozambican fellows - Eduardo Madope and Maira Domingos - are developing an initiative in the form of a civic rights education course, similar to the one that they attended at the “Escola de Governo” in Sao Paulo – a well-known program on governance and public policies. Conectas is assisting them in adapting the course to the local context and needs.

The coordinator of the Conectas project, Daniela Ikawa, took part as a panelist and resource person in the first Human Rights Camp for Portuguese-Speaking Countries, organized by the Open Society Initiative for Southern Africa, which brought together human rights activists in Angola, in February 2007.







## Research: Knowledge From The South

**SUR – INTERNATIONAL JOURNAL ON HUMAN RIGHTS** was launched in 2004 to provide a communication channel for academics and practitioners dedicated to the promotion and defense of human rights, with special emphasis on specific problems of the Global South. It is the only human rights academic publication of its kind published in three languages —Portuguese, English and Spanish. It is published twice a year in print (with a 2,700 press run) and online (see [www.surjournal.org](http://www.surjournal.org)) and is distributed for free to over 2,000 subscribers in more than 100 countries.

### THE SUR JOURNAL EDITORIAL BOARD

Christof Heyns, University of Pretoria, South Africa  
 Emilio García Méndez, University of Buenos Aires, Argentina  
 Fifi Benaboud, North-South Centre of the Council of Europe, Portugal  
 Fiona MacAulay, University of Bradford, United Kingdom  
 Flavia Piovesan, Pontifical Catholic University of Sao Paulo, Brazil  
 J. Paul Martin, Columbia University, United States  
 Kwame Karikari, University of Ghana, Ghana  
 Mustapha Kamel Al-Sayyed, Cairo University, Egypt  
 Richard Pierre Claude, University of Maryland, United States  
 Roberto Garretón, former - UN Office of the High Commissioner for Human Rights, Chile

The Sur Journal also has an Advisory Board composed of more than 30 academics from all over the world that assist in identifying contributors and serve as reviewers for the articles.

Two issues of Sur – International Journal on Human Rights were released in June and December 2007 (see list of articles in issues No. 6 and 7 in the box beside.)

The issue No. 7 was the first experience of partnership with another organization for the publication of a special thematic issue. Together with the International Center for Transitional Justice, Conectas launched a call for papers and selected articles for a dossier on transitional justice. The result was rewarding as the Journal attracted a large number of contributors who had not previously been known to us.

In order to improve the communication between academics and practitioners from the Global South, some editorial changes were included in the last issues: a new section on human rights centers with a short presentation of their background, teaching activities, publications and research topics; interviews with well-known activists and researchers; and, finally, the inclusion of the authors' photos.

Continuing with the policy of partnerships, the first edition of 2008 will address the issue of Intellectual Property and Access to Medicines, and will be produced in collaboration with the Brazilian Inter-Disciplinary Association on HIV/AIDS ( ABIA - Associação Brasileira Interdisciplinar de Aids).

The Sur Journal also has an Advisory Board composed of more than 30 academics from all over the world that assist in identifying contributors and serve as reviewers for the articles.



### LIST OF ARTICLES – SUR JOURNAL #7

**Lucia Nader**  
 The role of NGOs in the UN Human Rights Council

**Cecília MacDowell Santos**  
 Transnational Legal activism and the State: reflections on cases against Brazil in the Inter-American Commission on Human Rights

**Tara Urs**  
 Imagining locally-motivated accountability for mass atrocities: Voices from Cambodia

**Cecily Rose and Francis M. Ssekandi**  
 The pursuit of transitional justice and African traditional values: a clash of civilizations - the case of Uganda

**Ramona Vijeyarasa**  
 Facing Australia's history: truth and reconciliation for the stolen generations

**Elizabeth Salmón G.**  
 The long road in the fight against poverty and its promising encounter with human rights

**Interview with Juan Méndez**  
 By *Glenda Mezarobba*



### LIST OF ARTICLES – SUR JOURNAL #6

**Upendra Baxi**  
 The Rule of Law in India

**Oscar Vilhena Vieira**  
 Inequality and the subversion of the Rule of Law

**Rodrigo Uprimny Yepes**  
 Judicialization of politics in Colombia: cases, merits and risks

**Laura C. Pautassi**  
 Is there equality in inequality? Scope and limits of affirmative actions

**Gert Jonker and Rika Swanzen**  
 Intermediary services for child witnesses testifying in South African criminal courts

**Sergio Branco**  
 Brazilian copyright law and how it restricts the efficiency of the human right to education

**Thomas W. Pogge**  
 Eradicating systemic poverty: brief for a Global Resources Dividend

During 2007, several debates for the presentation of the Sur Journal were also organized with some of our partners in the North: Columbia University (March 2007), Essex University (May 2007) and Utrecht University (August 2007).

### EVALUATION ON READER'S PROFILE AND ON THE QUALITY OF THE SUR JOURNAL

In 2007, an evaluation of the Journal was conducted for the first time with readers. It revealed that 66% considered the Journal to be excellent and 34% judged it to be good. It showed that most readers are university professors (36.8%) or work at NGOs (31.2%) and use the Journal mainly for educational purposes. The results indicate that we are reaching with this publication our target audience – scholars and practitioners – and that it is being actually used as an instrument to teach a new generation of human rights defenders.

*“The editors of the Sur Journal set themselves a demanding task: to produce a journal of scholarly quality that is relevant to practitioners; and to achieve the best international standards while drawing on and speaking to constituencies in the global South. This complex mix of ambitions breaks new ground.”*  
**Robert Archer – International Council for Human Rights Policy – Switzerland**

*“I have been delighted to receive and read the Sur Journal. It carries interesting perspectives from all over the world, on highly topical and often emerging issues in international human rights law and practice. The quality of the papers is high and a credit to authors, editors and the entire publishing team. Keep up the great work!”*  
**Suzannah Linton - The University of Hong Kong - China**  
*The International Journal on Human Rights is a unique contribution towards the necessity of sharing and divulging internationally critical thoughts on human rights and connected themes. Together with the expansion of the human rights movement, as well as the how-to questions connected with the ethics of politics, the necessity of advancing with theoretical rigour becomes more and more important. Publishing relevant articles of high quality by authors of different cultures and latitudes Sur makes an important contribution to that effect”*  
**José Zalaquett – Universidad Nacional de Chile – Chile**





*The Justiciability of Human Rights  
- a comparative analysis: India, Brazil  
and South Africa*

The project “The Justiciability of Human Rights — a comparative analysis: India, Brazil and South Africa” aims to compare the implementation of human and constitutional rights by the Supreme Courts of India, Brazil and South Africa (IBSA Initiative). The research, carried out by three national teams (see box), seeks to understand how the Constitutional or Supreme Courts of IBSA are fulfilling their role in implementing human and constitutional rights, and analyze which strategies and experiences have been most effective in enhancing recognition and respect for these rights. On May 2007, a one-day meeting was convened by the three teams in Oxford to discuss the results of their research up until that date. The meeting was held at the Centre for Brazilian Studies at Oxford University and was attended by a number of high-profile academics on human rights.

The workshop entitled “Courting justice: the role of constitutional courts in Brazil, India and South Africa in protecting rights” – provided the opportunity for the researchers to present their findings and identify the main topics for comparison to be included in the second part of their work.

Two initial articles of the project were published in Sur Journal number 6:

- 1. Upendra Baxi – The Rule of Law in India
- 2. Oscar Vilhena Vieira – Inequality and the Subversion of the Rule of Law

DEFINITION OF THE METHODOLOGY

This interdisciplinary research project departs from a common work plan encompassing similarities and differences between each of the IBSA systems. Therefore, the first part of the research was dedicated to the elaboration of three articles describing the background of the Constitutional Courts in each of the three countries: structure and composition, location of the Court within the political system, accessibility to the Court and its “deliberative performance”. The three articles produced will help researchers understand how the systems of the other countries work and to identify the main differences with their own.

Besides, the three research teams also analyzed the jurisprudence of their respective Constitutional Courts in order to identify paradigmatic decisions on topics agreed on in advance. The decisions were selected on the basis of their relevance and innovation.

RESEARCH COORDINATORS

Brazil: Prof. Oscar Vilhena Vieira (Fundação Getúlio Vargas & Conectas Human Rights)  
India: Prof. Upendra Baxi (National Academy of Legal Studies and Research University, NALSAR)  
South Africa: Prof. Frans Viljoen (Centre for Human Rights, University of Pretoria)

DISSEMINATION AND DISTRIBUTION

During 2007, stronger links of collaboration with some of the most important human rights Masters Programs in the Global South were established, namely:

- American University in Cairo, Egypt
- Beijing University, China
- Cochin University of Science and Technology – School of Legal Studies, India
- National Academy of Legal Studies and Research University, India
- Universidad Andina Simón Bolívar, Ecuador
- Universidad de La Plata, Argentina
- Universidad Iberoamericana, Mexico
- Universidad Nacional de Chile, Chile
- Universidade de São Paulo, Brazil
- Universidade Federal da Paraíba, Brazil
- Universidade Federal do Pará, Brazil
- University for Peace, Costa Rica
- University of Hong Kong, China
- University of Pretoria, South Africa

SELECTION OF ISSUES

RIGHTS	ISSUES
HUMAN DIGNITY AND RIGHT TO LIFE	ABORTION, DEATH PENALTY, TORTURE, PRISONERS RIGHTS, SEXUAL WORKERS
RECOGNITION RIGHTS	GENDER, RACE/ETHNICITY, SEXUAL ORIENTATION
REDISTRIBUTION RIGHTS	EDUCATION, HEALTH, LAND/HOUSING, WORKERS GUARANTEES SOCIAL SECURITY/WELFARE MINORITIES: CHILDREN, PERSONS WITH DISABILITY, INDIGENOUS PEOPLES
FREEDOM RIGHTS	FREEDOM OF EXPRESSION, INFORMATION, RELIGION, ASSOCIATION, ASSEMBLY AND REUNION
PROPERTY RIGHTS	
PUBLIC SECURITY RIGHTS	DISARMAMENT
RULE OF LAW	ACCESS TO JUSTICE AND DUE PROCESS, DEMOCRACY, POLITICAL EQUALITY, RIGHT TO PARTICIPATE, RIGHT TO VOTE, RIGHT TO BE REPRESENTED, PLURALISM.

The Brazilian and South African decisions have been researched and compiled in 2007. The Indian decisions will be completed in time for the meeting scheduled to be held in Delhi, India, on 27-29 April 2008. The focus of the meeting, organized by Prof. Upendra Baxi, will be to discuss and share the findings of each research team to date and to agree on repertoires to be included in the final publication, based on the comments of the participating researchers.

Following the meeting in Delhi, a book made up of the findings of the three teams will be published in English.



Advocacy – Human Rights and Foreign Policy

Conectas aims to promote the incorporation of human rights standards and principles in the foreign policy of southern governments. At the national level, Conectas works towards the creation of formal mechanisms for civil society participation in the foreign policy decision-making process. Additionally, at the international level, Conectas strives to foster cross-regional collaborative actions among NGOs working with the UN system, especially the newly created Human Rights Council, to ensure greater transparency and accountability on the part of their governments.

SOUTHERN VOICES AT THE UN HUMAN RIGHTS COUNCIL

With its UN consultative status, Conectas has been able to participate in the main sessions of the Human Rights Council (HRC) since its creation. In 2007, Conectas focused its participation at the HRC on the process of institutional building in the transition from the former UN Human Rights Commission to the Council. Together with other international and national NGOs, Conectas worked to protect the effectiveness and independence of the new organ’s mechanisms (including the Universal Periodic Review and the review of the Special Procedures and its code of conduct).

During the week-end preceding the VII Colloquium, Conectas organized, in partnership with the International Service for Human Rights (ISHR, Geneva), a two-day “Strategic Meeting on NGO participation at the UN HRC in Sao Paulo. The meeting gathered 27 international, regional and national organizations from all continents to evaluate the participation of NGOs in the HRC” and to set a coordinated agenda of activities for 2008 (see list of participant NGOs).

The main conclusions of the meeting were:

- 1) The importance of building cross-regional support among NGOs working with the UN Human Rights System;
- 2) The necessity of strengthening NGOs’ work in the capitals, both of their respective countries and of strategic member-states of the HRC;
- 3) The need to strengthen the capacity of southern NGOs, through knowledge sharing and financial resources, with a view to foster their participation at the UN.

Regarding the 2008 priorities, participants agreed to develop joint strategies to work on the new Universal Periodic Review mechanism, on the protection of the system of Special Procedures and on issues related to civil society’s participation at the HRC.

*“In 2007 Conectas consolidated and expanded its role as one of the pre-eminent international human rights networks. It had already established its reputation for credibility and integrity and for the breadth of its coverage of locally based human rights non-governmental organizations in many parts of the world. Now it brought the strengths and insights of that network to the highest international human rights forums, particularly the new United Nations Human Rights Council”.*  
*Chris Sidoti – Former Executive Director of the International Service for Human Rights (Switzerland)*

A STRATEGIC MEETING ON NGO PARTICIPATION IN THE UN HUMAN RIGHTS COUNCIL:  
Sao Paulo, Brazil, 2-3 November, 2007

PARTICIPANTS

- African Center for Democracy and HR Studies (The Gambia)
- Amnesty International (United Kingdom)
- Asian Commission for Human Rights (China)
- Cairo Institute for Human Rights (Egypt)
- CELS – Centros de Estudios Legales y Sociales (Argentina)
- Center for Public Participation (South Africa)
- Civicus – World Alliance for Citizen Participation (South Africa)
- Comisión Mexicana de Derechos Humanos (México)
- Commonwealth Human Rights Initiative (India)
- Conectas Human Rights (Brazil)
- Corporación Humanas (Chile)
- Democracy Coalition Project (USA)
- East and Horn of Africa Human Rights Defenders Network (Uganda)
- FIDH – Fédération Internationale des Droits de l’Homme (France)
- Forum Asia (Thailand)
- Human Rights Watch (USA)
- HURISA - Human Rights Institute of South Africa (South Africa)
- IDL - Instituto de Defensa Legal (Peru)
- International Commission of Jurists (Switzerland)
- International Service for Human Rights (Switzerland)
- MacArthur Foundation (USA)
- Open Society Institute (USA)
- Task Force Detainees for Philippines (Philippines)
- The Ford Foundation (Brazil)



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*“Conectas has been very helpful in informing us about recent developments about the HRC particularly on the UPR. As a global south network Conectas is instrumental in bringing to the Council’s attention the issues of countries in the global south, and through the network members who are national based organization were able to involve themselves in international human rights campaigns and issues such as the petition for Zimbabwe. Conectas has also helped us and given us the opportunity to attend the HRC session and see first hand how the Council works”.*  
*Carlo Cleofe - Task Force Detainees for Philippines (Philippines)*

During the 6th Session of the HRC in December 2007, Camila Asano, project assistant at Conectas, was invited, as representative of civil society, to address the opening session of the 60th anniversary of the Universal Declaration of Human Rights, at the Human Rights Council in Geneva. During the visit to Brazil of the UN High Commissioner for Human Rights, Ms. Louise Arbour, in December 2007, Conectas organized a meeting with fifteen civil society organizations based in Sao Paulo. In their dialogue with Ms. Arbour, the participants were asked to describe the main challenges that they face in their respective fields of work, and discuss possible ways of collaborating with the High Commissioner’s Office.

DEMOCRATIC CONTROL OF THE HUMAN RIGHTS FOREIGN POLICY – THE BRAZILIAN EXPERIENCE

In 2006, Conectas persuaded the House of Representatives to establish a Brazilian Committee on Human Rights and Foreign Policy (see [www.dhpoliticaexterna.org.br](http://www.dhpoliticaexterna.org.br)), composed of members of the executive and legislative branches and of civil society organizations. This Committee aims to monitor the degree to which Brazilian foreign policy decisions comply with constitutional and international human rights standards and to foster civil society participation in its formulation, execution and follow-up.

Being composed by members of the Human Rights Commissions of the Brazilian Congress, the Committee undertakes several activities within the legislative branch, such as public hearings and official requests for information from the Ministry of Foreign Affairs, with the objective of increasing its accountability. During 2007, at the request of Conectas, the Foreign Policy Committee was fully involved in the national consultation process of civil society participation in the Universal Periodic Review mechanism (UPR) of the HRC. This was done through the organization of meetings and public hearing at the Senate as well as the submission of written recommendations to officials at the Ministry of Foreign Affairs and the Human Rights Special Secretariat.

Conectas was elected Executive Secretariat of the Committee in 2006 and 2007 and strongly believes that this initiative, in which it took part since its creation, could be disseminated and replicated in other countries in the Global South as a tool to strengthen democratic control over foreign policy. This initiative has the support of Friedrich Ebert Stiftung - Brazil.





**ADVOCACY-ORIENTED RESEARCH AND PUBLICATIONS**

**1) Comparative research – Brazil and South Africa at the United Nations**

In 2007, Conectas participated in the research on “Performance of Brazil and South Africa at the United Nations: towards a common human rights agenda?”, sponsored by the Instituto Universitário de Pesquisas do Rio de Janeiro (IUPERJ) and the Ford Foundation. The main objective of the research team, composed by Brazilian researchers from Conectas and South African researchers (coordinated by Thamsanga Ngwenya –a former participant of the Colloquium) from the Center for Public Participation in Durban, was to find out whether the formal creation of the IBSA Initiative by the governments of India, Brazil and South Africa had had an impact on the behavior of Brazil and South Africa in relation to human rights in a multilateral sphere.

The findings of the project indicated that Brazil and South Africa had shown common interest and adopted regularly common positions at the UN Human Rights System in matters related to economic and social rights (right to development, elimination of poverty, struggle against racial discrimination and fight against HIV/AIDS). However, it also demonstrated that there had been a low level of coordination between the two countries on human rights policies under country-specific resolutions both at the former Human Rights Commission and at the Human Rights Council, as well as at the Third Committee of the UN General Assembly. In other words, the preliminary conclusions are that the creation of IBSA, although considered an important landmark in the history of south-south cooperation, has not yet affected significantly their human rights foreign policies.

**2) A Yearbook on Brazil at the UN Human Rights System**

To ensure more transparency and accountability in the Brazilian human rights foreign policy, Conectas produced the first edition of the yearbook “Brazil at the UN Human Rights System”. This publication provides an organized source of information on the Brazilian votes and initiatives at the UN Human Rights Council, on visits and recommendations made by the UN Special Rapporteurs on Brazil, as well as on considerations of the treaty-bodies regarding Brazil in 2007. The Yearbook will be launched in 2008 in Geneva.

**3) Article on the role of NGOs in the HRC**

The Coordinator of Conectas’s Foreign Policy and Human Rights Project, Lucia Nader, published an article entitled “The role of NGOs in the UN Human Rights Council” in the Sur Journal number 7, which traces a brief history of the newly created HRC and suggests forms of actions that can be taken by NGOs.



**CROSS-REGIONAL COOPERATION: FRIENDS OF ZIMBABWE COALITION**

In 2007, Conectas, in partnership with the Zimbabwean Lawyers for Human Rights (ZLHR), conducted a Latin-American and African cross-regional advocacy campaign. The request came from former colloquium alumni and colleagues in Zimbabwe who asked Conectas for help in bringing greater pressure on the UN to bear on solutions to the situation in their country. Together with Open Society Initiative for Southern Africa (OSISA), Conectas organized a meeting to promote coordinated cross-regional action among southern NGOs targeting both the foreign policy of their own governments and the UN Human Rights Council. Two Zimbabwean defenders and a group of human rights NGOs from several Latin American countries —Argentina, Brazil, Chile, Mexico, Paraguay, Peru and Venezuela— participated in the meeting in Sao Paulo (20-21 June 2007) where a coalition called “Friends of Zimbabwe” was established.

During the 6th Session of the HRC in December 2007, this coalition organized a press conference, a side-event and made an oral statement at the Council on the country’s human rights situation. The coalition is also planning to organize a solidarity mission to Zimbabwe, together with members of Brazilian political parties, during the election in March 2008.



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## THE JUSTICE PROGRAM

“The Justice Program is made up of two interlocking initiatives and a pilot project: (1) Conectas is home to the Instituto Pro Bono (Pro Bono Institute), which offers *pro bono* legal services to NGOs and facilitates the access to justice of vulnerable groups in cases of human rights violations; (2) Through Artigo 1º (Article 1) project, Conectas undertakes strategic litigation to pursue remedies in the national and international courts for systemic human rights violations; (3) In 2007, the project Black Women’s Right to Health in Brazil was incorporated in the Justice Program, seeking to address discrimination faced by black women in the health services.”





***Enforcing rights through Strategic Litigation -  
Artigo 1° Project***

Created in 2003, the project Artigo 1° (Article 1) consists of a small legal team specialized in constitutional and international human rights law. The team works in close collaboration with community and grassroots organizations that represent the rights of vulnerable groups in the selection of strategic cases with the objective of altering practices of institutional violence and promoting changes in public policies and jurisprudence. The activities of the Justice Program were made possible thanks to the support of the Oak Foundation and the Overbrook Foundation.

**DEFENDING VULNERABLE GROUPS**

Brazil’s Constitution, conceived in 1988 after the dictatorship that lasted from 1964 to 1985, is widely regarded as one of Latin America’s most progressive. Centrally concerned with promoting civil, political, economic and social rights, the Constitution enumerates a lengthy list of rights aimed at protecting such vulnerable groups as children, adolescents, women, indigenous groups, and people living in extreme poverty. Brazil is, moreover, a signatory to the chief international human rights treaties. The problem is not in the laws themselves but in their highly imperfect implementation. The most blatant violations are committed by the law enforcement agencies, which are regularly responsible for arbitrary detentions, ill-treatment, and extra-judicial executions. Again, these abuses are primarily aimed at the poorer segments of society, compounded by racial profiling, and aggravated by institutional corruption.

Under such conditions, it is natural to look to the judiciary to close the gap between laws on paper and actual human rights practice, and there is ample reason to believe that the courts can play an important role in this regard.

**Children and adolescents in risk situation**

Since 2003, Artigo 1° has concentrated its actions on the defense of adolescent inmates at the juvenile detention centers of the state of Sao Paulo, FEBEM (Fundação Estadual do Bem-Estar do Menor – meaning State Foundation for the Well-Being of Minors, recently renamed Fundação CASA), which held an outrageous record of human rights violations, including overpopulation, torture and illegal killings inside the units.

Working hand in hand with one of the few domestic organizations dealing directly with the problem, the Association of Mothers of Adolescents at Risk, AMAR (Associação de Mães e Amigos de Adolescentes em Risco), and with the support of other NGOs working on Children’s Rights, Artigo 1° dedicated to using the courts to reform the juvenile detention system and curb its most destructive practices. Since 2003, Artigo 1° has concentrated its efforts on the legal defense of the families of adolescents killed or tortured inside the detention units. Over 60% of the cases related to death of adolescents in the FEBEM units were taken up by Artigo 1°, with two main objectives: increasing the level of compensations given to the families’ victims; and pressuring the General Attorney’s Office to take pro-active measures to prevent such crimes in the future.

The project also dealt with cases of torture, which continues to be a widespread practice in several detention units without proper judicial remedy, despite the existence of severe legislation against it. Artigo 1° has

**THE VALUE OF LIFE**

The great success obtained by Artigo 1° in 2007 was the recognition of its legal claim, developed since 2003, related to the value of life of adolescents deprived of liberty. In two individual cases of death of adolescents, filed by Conectas in 2003, the Sao Paulo Court of Appeal defined that compensations given in cases of adolescents’ death should start at a minimum of the equivalent to US\$ 100,000. Until this decision by Sao Paulo state courts, the average compensation given in cases of death of adolescents in state custody was approximately US\$ 7,000, which is insignificant compared to other moral compensations given by the Brazilian justice system, indicating profound disregard for the lives of adolescent inmates.

**FEDERALIZATION OF HUMAN RIGHTS CRIMES**

Conectas filed a series of law suits, both at the national and international levels, in a case of summary execution with the objective of obtaining the first transfer of a case from the state to the federal level, as authorized since 2004 by the 45th amendment of the Brazilian Constitution. In 2007, the Inter-American Commission on Human Rights (IACHR) adopted the first decision in a case regarding the federalization of human rights crimes. Supporting Conectas thesis, the IACHR decided against the Brazilian Government and affirmed that in this case, as the Attorney General had not requested the inquiry to be transferred to federal jurisdiction, “the petitioners were not under the obligation to exhaust this remedy”.



filed the first lawsuit against torture of an adolescent in FEBEM, and is presently working on cases of “collective torture” involving hundreds of adolescents.

Although the situation is not yet ideal, it is rewarding to report that human rights conditions have considerably improved in the last couple of years in the juvenile detention centers in Sao Paulo. Part of the credit can undoubtedly be attributed to Artigo 1°’s successful and intensive work to protect rights and promote changes in the detention conditions. As most lawsuits filed had a paradigmatic dimension, favorable court decisions have resulted in changes in public policies that benefited hundreds of victims in 2007.

The most eloquent indicator is the drop in the number of adolescents killed inside the FEBEM units. From 2003 to 2006, an average of one adolescent was killed every month inside its detention units. The causes of death included fire caused by the poor security conditions in the units, killings by state agents or inmates, suicides, rebellions and direct confrontation with the police. In 2007, the total number of deaths fell to two cases for the whole year.

The number of rebellions has followed the same pattern and large detention units, which were stages for mass human rights violations, were shut down or are in the process of substitution for smaller and decentralized units. The closing of the Tatuape unit in Sao Paulo in October 2007, which housed almost five thousand adolescent inmates, is an example of this trend. The unit was the object of several law suits and legal sentences, which included:

- filing of class actions for shutting down the unit and international precautionary measures demanding the discontinuation of the unit;
- condemnation in cases of death of adolescents (12 cases in 2 years) and a tenfold rise in the amount of compensation given in cases of death;
- dismissal of FEBEM's directors and employees responsible for human rights violations.

As a result of these multiple actions, the unit was closed and the inmates were relocated in smaller units.

**Defending prisoners’ rights**

Artigo 1° has also focused its work, for the past five years on changing the inhuman conditions of detentions in prisons and police precincts. It has filed lawsuits denouncing the precarious conditions of the detention units and the absence of alternative sentences, such as community work. In 2007, Artigo 1° has concentrated its activities on the fight against pre-trial detentions in overcrowded and deteriorated public jails.

**Victims of Police Violence**

Artigo 1° also acts in cases of summary executions by state agents, seeking compensation for victims and punishment of the perpetrators. A research has been carried out with the Universidade do Estado do Rio de Janeiro (Rio de Janeiro State University) to investigate the role of the police in the deaths of 492 persons in May 2006 during the two weeks that followed the rebellion of criminal factions in the Sao Paulo prisons.

In 2007, Conectas has shared its documentation and findings on the main summary execution cases with the UN Special Rapporteur on Summary and Arbitrary Executions, Philip Alston, during his visit to Sao Paulo.



## DEFENSE OF THE RIGHT TO HEALTH AND ACCESS TO TREATMENT AND MEDICINES

Since 2005, Conectas has been an active member of the Intellectual Property Working Group (IPWG) of the Brazilian Network for the Integration of Peoples (REBRIP), a network that brings together the most important organizations working in human rights and social justice in Brazil. Artigo 1º has worked with IPWG members on the elaboration of strategic juridical strategies to question the system of intellectual property protection in relation to the right to health, and especially an assessment of its impact on people living with HIV/AIDS.

In 2007, o Artigo 1º organized, in collaboration with the Interdisciplinary Association on HIV/AIDS (ABIA) and the Instituto Pro Bono, a Seminar on “Pipeline Patents and the Access to Medicines” with a view to debate the impact of pipeline patents on public health and budget.

On December 1, 2007, the International Day on the Prevention and Fight against HIV/AIDS, Artigo 1º and other IPWG members filed a request to declare the unconstitutionality of the mechanism known as “pipeline”. The pipeline mechanism is an institution created by the Industrial Property Law that allows the filing of patents in technological fields that, prior to 1996, had not yet been granted in Brazil. The requests for patents via the pipeline mechanism are only subject to a formal analysis and are not submitted to a technical evaluation on whether the product meets the patent requirements -novelty, innovation and industrial application. A total 1,182 patents were filed under the pipeline mechanism, many of which are for essential medicines used in the treatment of HIV/AIDS and leukemia, thus jeopardizing public programs of free access to drugs.

## FIGHTING CORRUPTION AND LACK OF TRANSPARENCY

In its various judicial actions on torture, summary execution and discrimination, Artigo 1º has strived for access to information and transparency, as there is strong resistance on the part of public authorities to make the information available. In 2007 the recognition of the right of human rights organizations to obtain information from public organs on collective rights was consolidated by the Brazilian Tribunals.

Artigo 1º is also part of a National Network of Social Control and Fight against Corruption, composed of a large number of NGOs and community associations, whose main objective is to monitor public budget spending. During 2007, it has given juridical opinions on budget control to over 30 community organizations

## CAPACITY-BUILDING ACTIVITIES FOR MEMBERS OF HUMAN RIGHTS MOVEMENTS

One of the project’s main activities is to raise awareness and build capacity of vulnerable groups to defend their rights.

Conectas produced in 2007, in collaboration with ILANUD – Instituto Latino Americano das Nações Unidas para Prevenção do Delito e Tratamento do Delinqüente; AMAR; CEDECA – Centro de Defesa da Criança e do Adolescente de Sapopemba, under the sponsorship of UNICEF, an educational booklet for members of inmate families,



explaining the entitlements of the young inmates and the functions of the authorities involved. The booklet was elaborated on the basis of an extensive survey of the main questions raised by mothers and other family members. The preliminary results show that families of inmates do not receive information on their rights and on the legal procedures to be followed.

The booklet will be used by AMAR to raise the awareness of the families of adolescent inmates regarding their rights and to help them in their dialogue with the police and other authorities.

Also in 2007, Artigo 1º organized a capacity-building course, in collaboration with the Instituto Pro Bono and Pangea (Centro de Estudos Socioambientais) for some 30 leaders of the National Movement of Street Pickers of Recyclable Materials (Movimento Nacional dos Catadores de Material Reciclável - MNCR ). The one-week event curriculum dealt with fundamental rights, with special emphasis on the most common violations in the daily lives of the pickers -such as police violence, lack of decent conditions of work, child work and violence and prejudice against women- and on how the judicial system can be used as an instrument to defend these rights.

## PARTICIPATION IN THE CONSTITUTIONAL DEBATE ON FUNDAMENTAL RIGHTS

In the last 18 years, the Brazilian Supreme Court, as a court of last resort with binding powers over state and federal courts, became one of the major domestic fora for advancing the protection of fundamental and human rights. To democratize these proceedings, in 1999, Congress passed a bill allowing third parties to present *amicus curiae* briefs to the Court.

Artigo 1º holds the record for the greatest number of amicus briefs submitted to Brazil’s Supreme Court – 31 so far – filed on behalf of a wide variety of causes, including affirmative action, rights of people with disabilities, gun control, abortion, freedom of religion, contemporary slavery, and funding for public education.

In accordance with its policy to involve the NGO community, in 2007 seven new amicus briefs were submitted by Conectas with partner organizations to the Supreme Court. The cases dealt with: access to justice, children’s rights, right to education, access to water and electricity, environmental rights, digital television/access to information, and separation between church and state.

In 2007 also, the first results of Conectas’s activities started to appear. The constitutionality of the Gun Control Statute -a law was created in 2001 to disarm the civil population- was definitely established by the Supreme Court in 2007. Conectas, in collaboration with two other organizations whose mission is to combat urban violence, Instituto Sou da Paz and Viva Rio, submitted an *amicus curiae* sustaining the law in favor of disarmament, which was accepted by the Court.

**Monitoring the Supreme Court’s Decisions on Human Rights: STF em Foco**  
To increase public awareness on human rights cases pending at the Brazilian Supreme Court, Conectas has created an Observatory of the Supreme Court, named STF em Foco (Supreme Court in Focus – see [www.stfemfoco.org.br](http://www.stfemfoco.org.br)), which will monitor, select and systematize

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relevant information on human rights cases addressed by the Court. Its main objective is to serve as a source of information for all organizations dedicated to the defense of human rights.

PUBLIC HEARING ON STEM CELL CASE

In April 2007, the Federal Supreme Court held the first ever public hearing in its history. The purpose was to gather information from the scientific community in order to fully understand all the factors involved in embryonic stem cell research in Brazil. The hearing was part of the fact finding process of an ADIN case (direct action of unconstitutionality) filed by the former Attorney General, who questioned the validity of the Bio-Security Law. This law authorizes stem cell research, but it has come under harsh criticism from those who claim that it breaches article 5, a main clause of the Brazilian Constitution, which protects the right to life. Conectas Human Rights was granted *amicus curiae* status in the case by the Supreme Court. Conectas argued that “the fact that embryos have biological life does not mean they should have a legal status comparable to that of a human being. Morally speaking, we should not confuse the value of the life of a person, which is fully protected by the Constitution, with that of an embryo, especially in the case of embryos that have been frozen for more than three years and are completely unviable for fertilization, as recognized by law.”

DIGITAL TELEVISION AND ACCESS TO INFORMATION

In association with Intervozes and the Instituto Pro Bono, Conectas presented an *amicus curiae* against the Brazilian National Digital Television System, just enacted by the Brazilian Government. According to this new system, companies that already owned a concession over one open television channel, have automatically received the privilege to run eight new digital channels, without any approval from Congress, as required by the Brazilian Constitution for new TV channel concessions.

CHILDREN AND ADOLESCENTS' RIGHTS

Conectas, in cooperation with the Association of Mothers of Adolescents at Risk (AMAR), Abrinq Foundation, Travessia Foundation, and the National Association of Centers for the Defense of Children's and Adolescents' Rights, among other organizations, submitted an *amicus curiae* to defend the Child and Adolescent's Rights Statute. Its main objective was to defend the core clause of the Statute that obliges the judiciary to apply the principles of brevity and exceptionality when issuing sentences of imprisonment against adolescents in conflict with the law, which is under attack by right-wing political parties at the Supreme Court.

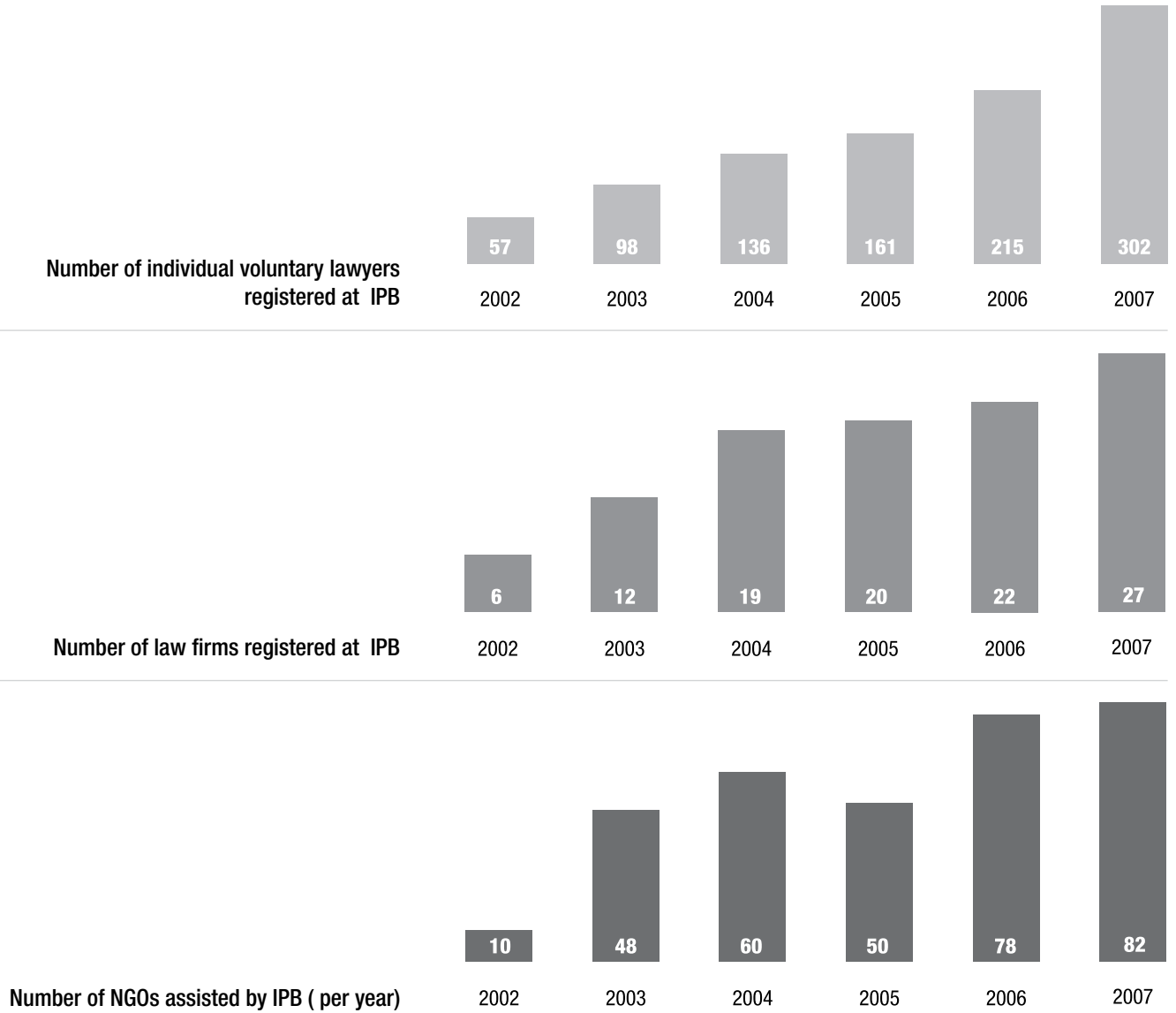
ACCESS TO JUSTICE AND PUBLIC DEFENSE

Conectas, in association with the Minas Gerais Human Rights Office, the Institute Work, Land and Citizenship (ITTC), the Instituto Pro Bono (IPB), and the Council of Ombudsman of the Public Defense Office of Sao Paulo, submitted an amicus against the failure of the State of Santa Catarina to constitute its own Public Defense Office. Nineteen years after the enactment of the new Constitution, Santa Catarina is the only state in the federation that has not complied with its constitutional obligations.

Promoting Lawyers’ Social Responsibility – Instituto Pro Bono

The Instituto Pro Bono - IPB (Pro Bono Institute) is an initiative hosted by Conectas that started its activities in 2001 with the objective of improving access to justice to vulnerable groups through the assistance of volunteer lawyers dedicating their time to public interest causes. IPB spearheaded the practice of *pro bono* law services in Brazil: because of its advocacy campaign at the São Paulo State Bar Association, a state resolution was approved in August 2002 allowing the practice only for non-profit organizations that otherwise would not have access to legal assistance. Providing free legal services, the Institute currently mobilizes 302 attorneys from Sao Paulo’s top law firms to volunteer their time and expertise in support of a broad range of public interest causes. Services offered run the gamut from providing expert advice to furnishing legal representation.

The three graphs below show the number of lawyers and law firms that adhered to IPB throughout its years of existence and the number of NGOs assisted by the Institute.







The examples below are noteworthy of the type of work developed by IPB:

**INSTITUTO GIRASSOL:** The Institute works with persons who carry special nutrition needs. IPB, in partnership with the District Attorney's Office, filed several preliminary injunctions against the state seeking access to free medicine for this vulnerable group. As the courts started to rule in favor of the injunctions, which constituted great costs to the state, the Health Secretary and the State Attorney's Office contacted IPB to discuss the issue. In November 2007, a settlement was reached among the parties, which resulted in a resolution guaranteeing access to free medicine to all associates of the Instituto Girassol. This means that an effort that started with individual law suits resulted in a public policy that now benefits hundreds of people.

**BRAZILIAN ASSOCIATION OF OSTEOGENESIS IMPERFECTA (ABOI):** The Association is the only national organization dedicated to improving the lives of people living with Osteogenesis Imperfecta (OI), which is a serious congenital disease that affects the bones. Those affected by the disease, based on its congenital character, are not entitled to social security benefits. The Association sought assistance of IPB to investigate the possibility of filing a class action on behalf of this group. After a discussion with a *pro bono* lawyer, the strategy adopted was to develop a law draft to be submitted to Congress, extending the social security benefits to persons living with congenital diseases.

## EXPANSION OF PRO BONO PRACTICE IN BRAZIL

The year 2007 was particularly important for the expansion of *pro bono* activities in Brazil. With the exception of Sao Paulo — that allows *pro bono* exclusively to non-profit institutions, not individuals — all other Brazilian states do not have a formal provision authorizing the *pro bono* practice. In this context, one of the central objectives of the Instituto Pro Bono is to expand the *pro bono* culture in Brazil and to allow its practice in the entire country, extending its free juridical services to individuals, in addition to organizations. In that sense, IPB has strived for a national resolution with a broader scope, hoping to improve the access to justice of vulnerable groups.

After trying for years to persuade the Federal Council of the Bar Association to authorize the *pro bono* practice, in 2007, IPB decided instead to work at the local level in several Brazilian states. The idea, which is being quite successful, was to convince state Bar Associations to formally authorize *pro bono* practice, thus creating a growing national *pro bono* movement that should result with the adoption of a Federal Resolution in favor of *pro bono* advocacy.

### IPB'S SUPPORT TO PRO BONO INITIATIVES IN OTHER BRAZILIAN STATES

**Paraná:** a *pro bono* resolution is about to be approved by the State Bar Association.

**Rio de Janeiro:** a *pro bono* institution — Institute for Human Rights Defense (IDDH) — was created in December, 2007.

**Alagoas:** after a meeting with IPB, the President of the Alagoas State Bar Association appointed a Rapporteur to draft a resolution along the lines of the one approved in Sao Paulo.

**Pernambuco:** a group of lawyers, concerned about the difficulty of access to justice of vulnerable groups, is working with IPB to establish a similar organization for the whole Northeastern region.

### IPB INTERNATIONAL WORK

The Instituto Pro Bono took part in two international initiatives. It contributed to the discussion on the Pro Bono Declaration for the Americas, both a statement of principle and a plan of action for expanding the engagement of lawyers to provide legal services to vulnerable groups in the Americas. Also, its Executive-Director, Marcos Fuchs, was a member of the Selection Committee of the Pro Bono Award given by the Latin Lawyer Magazine (Volume 6, Issue 6) to the law firm most committed to the *pro bono* practice.



### ADVISORY BOARD

In August 2007, the project's staff set up a one-day meeting with its Advisory Board composed of seven women with expertise on human rights, gender, race and/or health, in order to discuss the project's objectives and methodology, to analyze the draft of the educational material and to incorporate their suggestions and guidance in the implementation of the project.

### MEMBERS OF THE ADVISORY BOARD:

Alaerte Leandro Martins - *Black Women's Network in Paraná State*

Carmen Simone Grilo Diniz - *Public Health Faculty, University of Sao Paulo*

Daniela Ribeiro Ikawa - *Sur - International Journal on Human Rights*

Fátima Oliveira - *Medical School, Minas Gerais Federal University*

Leila Linhares Barsted - *CEPIA*

Lucia Xavier - *Criola*

Maria Betânia Ávila - *SOS Corpo*

Sueli Carneiro - *Geledés - Instituto da Mulher Negra*

### DATABASE

Another activity developed by the Project was the compilation of materials related to race, gender, human rights and health. The compilation, done simultaneously with the research for the production of the booklets and brochures, created a database in Portuguese of academic texts and official documents from the UN and OAS. Together with all the material produced by the project's staff, this database will be available online and accessible through Conectas's website ([www.conectas.org](http://www.conectas.org)) and Geledés's website ([www.geledes.org.br](http://www.geledes.org.br)).

## Fighting racial discrimination in the Brazilian public health system – Black Women's right to health in Brazil

Implemented by Conectas Human Rights in partnership with Geledés - Instituto da Mulher Negra - and financed by the European Union, the Black Women's Right to Health Project aims to combat racial discrimination in the public health system. With this objective, the project promotes the empowerment of women in two poor districts of Sao Paulo (Sao Mateus and Cidade Tiradentes).

### PRODUCTION OF EDUCATIONAL MATERIAL

During 2007, the first of a three-year project, educational materials, in the form of booklets, were produced to be used in capacity-building courses that will take place throughout the first semester of 2008. These courses will follow the methodology known as "Legal Popular Prosecutors", a training program developed by the Brazilian feminist organization, Themis, to empower women.

The educational material covers the following subjects: right to health, racial discrimination, Black women's most prevalent diseases, sexual and reproductive rights and women's rights. The five booklets together constitute a Reference Manual on Black Women's Right to Health that will be distributed to community leaderships during the courses.

In addition to these publications, short brochures were also produced targeting a wider public. Written in a simple and more accessible language, these brochures will be used by the leaders to improve awareness of rights among Black women in their communities.

All educational materials were tested with a group of women from Cidade Tiradentes who are expected to join the capacity-building courses. This test, carried out with the help of two experts in popular education, was very important to adapt the vocabulary of the materials to its future users.

### SUBMISSION OF A DOCUMENT TO THE 39TH SESSION OF CEDAW COMMITTEE

In July 2007, Conectas Human Rights, together with Geledés, submitted to the 39th session of the UN Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), a document drawing attention to Black women's right to health and reproductive rights. The document discussed two main points in relation to Black women's health. First, the omission of the State in taking specific action in regard to diseases that affect more the Black than the white female population — such as miomas, arterial hypertension, pelvic inflammatory disease, diabetes mellitus, and lupus, among others. The second is the absence of reliable statistics regarding race/color, which means that there are no data to subsidize the elaboration of public policies focusing on the Black population. The Committee's final recommendations included several of the issues raised by Conectas and Geledés. Both organizations will monitor the Brazilian Federal government's compliance with the recommendations of CEDAW.

One of the most important suggestions of the Board was the need to incorporate official social control mechanisms in the project's monitoring activities. The idea is not to create new mechanisms, but to use the ones that already exist, such as health councils, which are made of government and civil society representatives, to monitor health policies.





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