

# ANNUAL REPORT

2021







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Protest held in August 2021 during the Fight for Life camp, when indigenous peoples asked for recognition of their constitutional rights to the territory. Credits: Tuane Fernandes / Greenpeace

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November 2022

# Letter from the Executive Board

Despite the challenging context given the heavy impact of covid-19 on everyone's physical and emotional health, the Bolsonaro government offered no respite. Bolsonaro embarked on a crusade in which he minimized the risks of the pandemic, encouraged people to assemble, criticized social isolation measures, ridiculed the use of masks, recommended the use of drugs with no proven benefits against covid-19 and spread distrust about vaccines. While Brazil passed the milestone of 200,000 lives lost in January 2021 (the number now stands at more than 670,000), the capital of the state of Amazonas was wrestling with shortages of oxygen to treat people affected by the virus.

It was against this backdrop that Conectas released the 10th issue of its Rights in the Pandemic Bulletin, in conjunction with Cepedisa (Center for Studies and

Research on Health Law of the University of São Paulo). Based on a study of federal regulations on covid-19, the document revealed how the Bolsonaro government deliberately acted against the measures to contain the pandemic. The document was used in the Congressional Inquiry Commission that began in April in the Senate.

At the same time, we have witnessed an escalation of attacks on both the electoral system and the Judiciary, also led by the President of the Republic. Even after his bill to require printed ballots was defeated in the Lower House of Congress, Bolsonaro continued to insist, without proof, that the electronic voting machines are not reliable, insinuating that he could reject the result of the 2022 election. Meanwhile, the attacks on members of the Supreme Court reached their peak at the Independence Day celebrations



on September 7, when the president and his followers made speeches referring to institutional rupture.

This backdrop of undemocratic threats and institutional conflicts has required from across civil society a high level of vigilance, coordination and resistance. Conectas redoubled its efforts to stand up against the various attempts to undermine rights, whether in the National Congress or the Judiciary. Our team participated in historic cases in the Supreme Court and closely monitored the progress of legislative bills

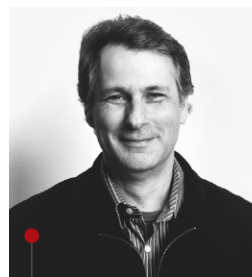
that represented setbacks in environmental protection and the outlook for institutional violence.

This annual report presents a summary of work that makes us very proud and that reminds us that celebrating each victory is as important as resisting. In 2021, we had the chance to look back and retell our history through the publication “Conectas 20”, a document that traces the course of two decades since the foundation of our organization with the stories of twenty activists.

**Hope you enjoy reading it!**



Juana Kweitel



Marcos Fuchs



Camila Asano

# About Conectas

## WHO WE ARE

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We are more than just a non-governmental organization; we are part of an active global movement that is leading the struggle for equality of rights. Connected to an extensive network of partners across Brazil and the world, we are present and make ourselves heard in the various

decision-making arenas that contribute to the advancement of human rights from a Global South perspective. We work to protect and enhance the rights of all people, especially the most vulnerable groups. We propose solutions, avert setbacks and denounce violations to create transformations.



## MISSION

To enforce and promote human rights and combat inequalities to build a fair, free and democratic society from a Global South perspective.

## VISION

To address injustices and propose solutions that have a positive impact on people's lives, particularly the most vulnerable in society.

## VALUES

**PARTNERSHIPS:** we believe that “connection” and partnering with different institutions, movements and organizations in society – in an independent and nonpartisan way – is fundamental, both in terms of respecting the work of other organizations and promoting horizontal cooperation, but also as a strategy for achieving results.

**INNOVATION:** defined as the ability to reassess the organization and to implement innovative ideas, projects and strategies when confronting old and new challenges in the struggle for the protection of human rights.

**PERSISTENCE:** we believe that the desired social transformation will only be achieved through the combination of short, medium and long term actions that are evidence-based and that are planned and executed persistently and with technical rigor. We believe that our activities should be developed strategically and with a view to having a real impact on the prevention or resolution of human rights violations.

**ANTI-RACISM:** understood to be a principle in one's daily routine, in the sense of highlighting and confronting all forms of racism in one's interpersonal relationships, and as a cross-cutting guide for all our activities, considering it essential to implement affirmative action measures to promote racial and ethnic equity.

**CULTURE OF CARE:** we believe that the change we want to see outside starts from within. This is why we pursue a culture of care – both individual and group – as a methodology for building resilience.



## PROGRAM PRIORITIES

We will be swift and decisive in our resistance to setbacks in human rights, while also proactively seeking changes to create a society that is more just, free, egalitarian and democratic. We will work tirelessly to rebuild hope.

### Strengthening Democratic Space

1. **Defense of Civil Society:** we denounce and block initiatives to criminalize and limit the work of human rights organizations, movements and defenders.
2. **Religious Mobilizations and the Rights Agenda:** we defend a Secular State, freedom of religion and religious pluralism.
3. **Defense of Racial Affirmative Action:** we work towards the formulation of public policies that promote racial equality, that consider the specific needs of black Brazilians and that combat discrimination.
4. **Migration and Asylum:** we defend public policies that observe the principles of Brazil's New Migration Law and that respect the rights of migrants and refugees.

### Combating Institutional Violence

1. **Persons Deprived of Liberty:** we work to end mass incarceration and for the State to observe the law and guarantee the dignity of persons deprived of liberty.
2. **Control of Law Enforcement:** we monitor violations and abusive use of force by agents of the State, calling for codes of conduct, the reduction of police lethality and external and internal control mechanisms.
3. **Drug Policy:** we propose an approach to the drug problem that focuses on public health instead of criminal policy and highly militarized police action.
4. **Gun Control:** we work to consolidate public policies to control the ownership and bearing of firearms and to track guns and ammunition. At the same time, we also work to stop the abusive use of less-lethal weapons.

### Defense of Socioenvironmental Rights

1. **Impact of the Extractive Industry:** we denounce

We will be swift and decisive in our resistance to setbacks in human rights.

the impacts of large-scale projects that affect the lives of traditional communities and the environment in a drastic and permanent manner.

**2. Climate Justice:** we seek to adapt political, economic and social processes to the commitments to reduce greenhouse gas emissions.

**3. Combating Contemporary Slavery:** we work to strengthen public policies that combat contemporary slavery.

**4. Financing for Development:** we monitor and encourage human rights policies adopted by development finance institutions.

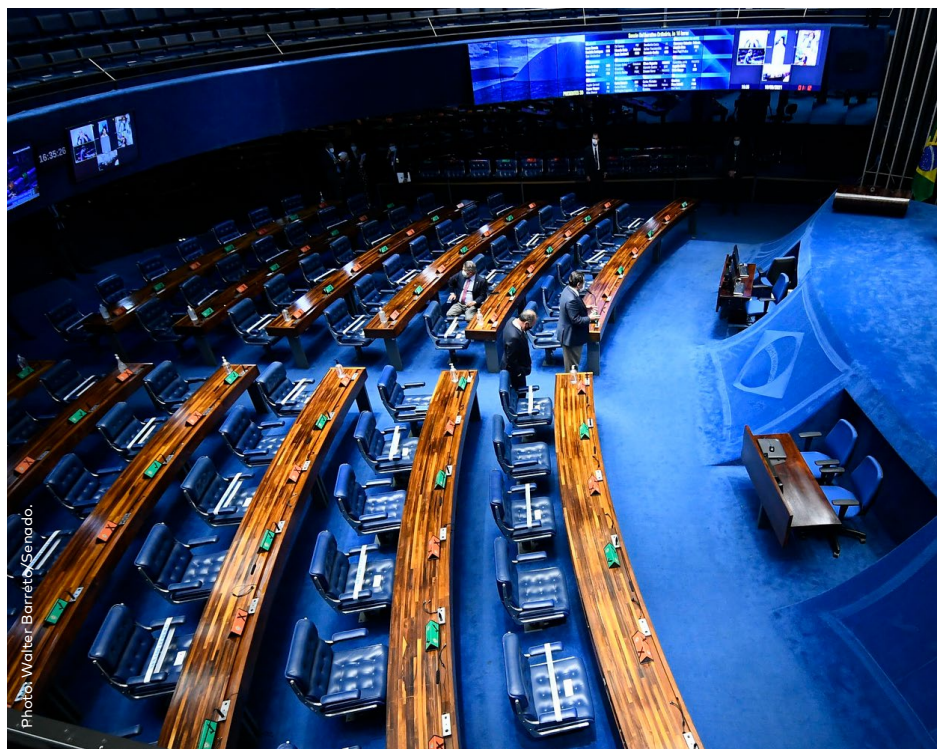


Photo: Marizilda Cruppe/Conectas

# Strengthening Democratic Space

## DICTATORSHIP-ERA NATIONAL SECURITY LAW IS REPEALED

Enacted by the military dictatorship in 1983, the National Security Law was repealed by the National Congress in August. In its place, lawmakers added to the Criminal Code crimes against the Democratic State. The Bill on the Defense of the Democratic State was passed by Congress in 2021 after criticisms of the indiscriminate use of the National Security Law to persecute critics of the Bolsonaro government. The repealed legislation established, among other things, sentences of up to four years in prison for anyone who slanders or defames the President of the Republic, the presidents of the Supreme Court and the Senate or the speaker of the Lower House of Congress. Conectas participated actively in the debates in Congress on the new law and proposed improvements to the text.



**IN THE BOLSONARO GOVERNMENT,** Increase of 285% in the number of investigations opened based on the National Security Law compared to the same period under the government of Dilma Rousseff and Michel Temer.\*

\*Source: LAUT – Center for the Analysis of Freedom and Authoritarianism



## VICTORY AGAINST DIGITAL SURVEILLANCE

In May, Conectas, the Igarapé Institute, the Sou da Paz Institute, the Rede Liberdade network and Transparency International Brazil filed a complaint to the Federal Audit Court pointing out irregularities in the bidding process for the purchase of a supposed spy tool. According to information published in the media, the government had intended to contract the Pegasus surveillance tool, which is known to have been used in various countries to spy illegally on journalists, human rights defenders and government critics. Following the repercussions of the case, NSO Group, the Israeli company that makes Pegasus, dropped out of the bidding process and, since the auction was not suspended, another company – Harpia Tecnologia – won.

In another case, civil society petitioned the Federal Audit Court to stop the Ministry of Justice and Public Security from contracting this spyware system, alleging – like in the previous complaint – that the problem was with the bidding



process, which occurred with no transparency. The petition by the organizations was accepted and in November the Court unanimously ordered the suspension of the surveillance software acquisition auction by the federal government.



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## ANTI-GENDER OFFENSIVE IN BRAZIL

The report “Anti-Gender Offensive in Brazil: State policies, legislation, social mobilization” gives an overview of the offensives against actions in the defense of gender equality in the country, focusing on State policies and proposed legislation, but also including the struggles in the field of education, sport and imprisonment.



“Anti-Gender Offensive in Brazil: State policies, legislation, social mobilization”  
(in Portuguese)”



[Click here](#) to access the report



## BARRIERS TO THE ENTRY OF MIGRANTS

In February, Conectas and Missão Paz filed a representation petition with the Federal Prosecutor's Office requesting an investigation into the discriminatory closure of land borders for migrants and refugees coming from Venezuela. The petition was motivated by a response from Anvisa (National Health Regulatory Agency) to a technical opinion produced by Cepedisa (Center for Research on Health Law of the University of São Paulo) and addressed to the agency in December 2020.

The study demonstrated that the restrictions imposed by the federal government through decrees published over the course of 2020 were selective, discriminatory and not based on legal or health grounds. In response, Anvisa said that it never recommended that the government place tougher restrictions on Venezuelans, nor that it should only open the land border with Paraguay, which occurred in October 2020 due to economic reasons.

As a result, Conectas filed a series of complaints on

the inconsistencies and unconstitutionality contained in the more than 30 inter-ministerial border decrees, demonstrating – based on migration legislation and science – the possibilities of establishing effective health protocols to receive migrants and refugees during the covid-19 pandemic. One such complaint was submitted to the 47th session of the UN Human Rights Council, in June. In the same month, a new decree reopened the possibility for Venezuelan migrants to be accepted by Brazil, paving the way for the regularization of those who entered the country during the pandemic. However, the decree set limits by making the entry of these people conditional on “available resources”, creating legal uncertainty and possibly leading to the creation of migration quotas. By the end of the year, there were thousands of Venezuelans on the streets of the border town of Pacaraima, as the closed borders had created a repressed demand for regularization and undocumented migrants were



not given shelter by the federal government's "Operation Welcome" program.

In a hybrid mission (remote and on-site) by the CNDH (National Human Rights Council) to check on the human rights situation facing migrants and refugees in the towns of Boa Vista and Pacaraima, the Council heard from migrants and refugees

and from local civil society in a Virtual Public Hearing staged in April 2021. The council also met with authorities from the "Operation Welcome" program and the Federal Police, in virtual meetings, and later, in November, it made an in-person visit for on-site inspections. Conectas accompanied the activities of the mission.





Photo: Divulgação

## FAREWELL SISTER TELMA

Telma Lage passed away on June 23, 2021. Head of the Center for Migration and Human Rights of the Diocese of Roraima, Sister Telma played a vital role in welcoming Venezuelans to Boa Vista since the beginning of the humanitarian crisis that affected the neighboring country and forced tens of thousands of people to cross

the land border into Brazil. This great activist used the Law as a tool to achieve the social justice that she practiced so much in her daily life. As a lawyer, she worked in partnership with Conectas on different court cases calling for an end to blatant discrimination by local authorities with regard to the rights of the migrant population.



## RELIGIOUS GROUPS IN DEFENSE OF BLACK LIVES

To mark three months since the brutal murder of Beto Freitas in a Carrefour supermarket in Porto Alegre, several religious and human rights organizations and social movements released a video, in February 2022, in defense of the lives of black people and calling for justice for Beto's death. The action was part of the permanent campaign "My Faith is Anti-Racist", which mobilizes people of faith and other actors in society, as well as civil society organizations like Conectas, to combat racial discrimination. In November,

one year after Beto's death, the group came together once again to stage the "Inter-Religious Service: My Faith is Anti-Racist", which was attended by Evangelicals, Buddhists, Catholics and people of Afro-Brazilian religions and other faiths.



Watch the video: "My Faith is Anti-Racist".

[Click here](#) to watch it (in Portuguese)

## ANTI-DEMOCRATIC ACTS AND ATTACKS ON THE ELECTORAL SYSTEM

The anti-democratic offensives led by Jair Bolsonaro reached their peak in 2021, when the president called on his supporters to stage rallies on September 7, Brazil's Independence Day, with threatening messages against the Supreme Court. As a result,

national and international human rights organizations such as APIB (Association of Indigenous Peoples of Brazil), ISA (Socioenvironmental Institute) and Conectas came together to form an Ad Hoc Commission to observe and denounce possible human

rights violations during the protests. The main concern was to guarantee the safety and integrity of the Struggle for Life Encampment, which was attended by more than 6,000 indigenous people during the month of August in mobilizations against the “time frame” thesis for land demarcation.

The president and his allies also launched a campaign against electronic voting machines, alleging the possibility of fraud and raising doubts

about the integrity of the Brazilian electoral system. In the Lower House of Congress, a Constitutional Amendment Proposal supported by the government base to introduce printed ballots was defeated in a full session of the house. In a statement, Conectas said that “there is only one course of action for anyone who is committed to the defense of the Democratic State: oppose the printed ballot and commit to respecting the 2022 election result.”

On the day before the anti-democratic demonstrations staged by supporters of the government of Jair Bolsonaro, the Presidency issued a Provisional Measure (No. 1068/21) that restricts the ability of social media to moderate content and remove profiles that violate their terms of service. Alleging that the measure guarantees freedom of expression, the government proposed to change the Civil Rights Framework for the Internet and the Copyright Law and, according to experts, make it more difficult to combat disinformation and hate speech. The measure, however, was rejected by the president of the Senate, Rodrigo Pacheco, who considered it to be unconstitutional.

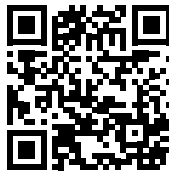
## CRIMINALIZATION OF CIVIL SOCIETY

In December 2021, the government base in the Lower House of Congress attempted to vote a request to fast-track Bill No. 1595/19 that deals with “counter-terrorist actions”. Drafted by Congressman Major

Vitor Hugo, the bill establishes, among other things, the creation of a “secret police” made up of State bodies and directly controlled by the President of the Republic. The text includes excessively vague

and broad provisions that pose serious risks of abuse, particularly against human rights defenders and activists, in addition to creating a parallel system of surveillance and repression commanded by the President of the Republic, which could put opponents of the government at risk. It could be used to criminalize protests, legalize qualified immunity and turn “preparatory acts” into a crime – by enabling

forms of police intervention without the need for a crime to actually have happened, as mere intentions could be considered crimes. Following pressure from civil society, the request for fast-track status was rejected.

**Learn more**

To pressure Congress to stop the passage of Bill 1592/19, several organizations launched the campaign **“Struggle is not a Crime”** (in Portuguese)

Photo: Gabriel Guerra/Conectas



# Defense of Socioenvironmental Rights

## DISMANTLING ENVIRONMENTAL PROTECTION

In a year with a series of bills pending in the National Congress to dismantle environmental protection in Brazil and create loopholes to reduce protected areas and expand illegal mining and agriculture, civil society organizations have mobilized to block the worst setbacks.

One such piece of legislation is Bill 2159/2021, which creates the General Environmental Licensing Law that weakens important procedures for the authorization and control of economic projects that have significant environmental and social impacts. Another is Bill 2633/2020, which facilitates the illegal occupation of public land.

In March, a manifesto signed by 50 organizations, including

Conectas, was submitted to the UN Human Rights Council warning of the weakening of social and environmental legislation and requesting the recognition of the right to a sustainable environment as a fundamental human right. In May, another letter signed by 61 organizations and sent to the new Secretary-General of the OECD (Organization for Economic Co-operation and Development) warned that the possibility of Brazil joining the organization should not be “a rubber stamp for the environmental and social policies and human rights policies of the current Brazilian government” and that these bills pose a threat to the climate, the environment and to human rights.







Photo: Victor Moriyama/Amazônia em Chamas

In July, APIB (Association of Indigenous Peoples of Brazil), Conectas, ISA (Socioenvironmental Institute) and Climate Observatory denounced Brazil in the UN Human Rights Council for proposed legislation that alters environmental licensing and demarcation of indigenous lands.

Also in June, the Lower House of Congress set up a working group to discuss changes to the Mining Code in Brazil. The

report of the Working Group, released in December, was the subject of protests from civil society. Members of the Climate Observatory published a statement with criticisms of the group's final report. Signed by nine organizations, including Conectas, the statement describes the legislation as "inconsistent, irresponsible and unconstitutional" since it prioritizes mining interests at the expense of social and environmental rights.

In 2021, Conectas became involved in the process for

## BILLS THAT WEAKEN ENVIRONMENTAL LEGISLATION

BILL 2159/2021	BILL 2633/2020	BILL 3729/04
The draft text of this bill voted by members of Congress creates a new General Environmental Licensing Law and relaxes environmental licensing, even permitting automatic licenses in some cases.	It relaxes the land-title registration rules for federal public lands and, in practice, can give ownership status to illegally occupied areas. It can also exempt them from monitoring compliance with environmental laws, since the size of the occupied area that can be registered without an inspection by INCRA (National Land Reform Agency) will increase from four to six fiscal land units.	It dispenses with licensing for various polluting activities, such as rural and industrial properties; creates a self-declaratory licensing scheme for activities that have a "lesser impact"; permits state and municipal governments to relax their environmental requirements; and also makes it more difficult to hold financing organizations accountable for any social and environmental impacts of the projects they finance.



## ENVIRONMENT COUNCIL AT STAKE

**RICARDO SALLES LEFT THE MINISTRY OF THE ENVIRONMENT IN JUNE 2021**, but the changes to environmental protection policy he “pushed through” will take time to be reversed. One example is the presidential decree that restructured Conama (National Environment Council) and reduced the participation of public institutions and civil society organizations on the Council. This attempt to undermine the Council was challenged in the Supreme Court through ADPF Case No. 623. On December 17, an injunction issued by Justice Rosa Weber, the rapporteur of the case, suspended the effects of the decree until the matter is judged by a full session of the Court.



## BRAZIL'S LONG ROAD TO JOIN THE OECD

Brazil to join the OECD, giving visibility to human rights violations and the dismantling of the environmental policy that has been ongoing in the country. In July, the OECD's Environmental Policy Committee published a report, translated into Portuguese by Conectas, which shows the challenges facing the Brazilian government to align with some of the organization's legal instruments.

To help civil society understand this process, OECD Watch, Conectas and FIDH (International Federation for Human Rights) published the "Civil society guide to influencing the OECD accession process", presenting the three phases of OECD accession and also showing possible ways for civil society to get involved and influence the process.

Formed by 36 countries, the OECD assists in the development of its member nations and promotes actions aimed at financial stability and the improvement of social indicators. To join the organization, countries need to comply with a series of commitments and best

practices in different areas, such as the environment and human rights.

Brazil formalized its desire to join the organization in 2017, but the difference between the government's words and actions reveals the difficult path the country is on towards achieving this objective.



Photo: Hervé Cortinat/OECD

[READ MORE](#)



**OECD REPORT:**  
Evaluating Brazil's progress in implementing Environmental Performance Review recommendations and promoting its alignment with OCDE core acquis on the environment



**CIVIL SOCIETY GUIDE**  
to influencing the OECD accession process

## RISE UP FOR LAND

The future of indigenous lands was voted in the Supreme Court in 2021, in the judgment of Special Appeal 1,017,365 on the so-called “time frame” thesis for land demarcation. Defended by the rural lobby, this thesis ignores traditional land rights and it claims that territories can only be demarcated for indigenous peoples that occupied the land on the date of the promulgation of the Constitution of 1988. Conectas participated in the case as an *amicus curiae*. The judgment was suspended in September and no date has yet been

set for its return to the court’s voting agenda.

In a similar vein as the case in the Supreme Court, a bill pending in Congress (Bill 490/2007) also intends to limit recognition of indigenous lands and open the territories up to economic exploration. It was approved in June by the Constitution and Justice Committee of the Lower House without the participation of civil society or representatives of indigenous peoples.

In response, more than 160 organizations published an





open letter to the speaker of the Lower House of Congress, Arthur Lira, against the passage of the bill. Moreover, in July, APIB (Association of Indigenous Peoples of Brazil), COIAB (Coordination Body of Indigenous Organizations from the Brazilian Amazon), ISA (Socioenvironmental Institute), Arns Commission and Conectas Human Rights submitted an urgent appeal to the United Nations asking it to call for urgent measures regarding the bill from the Lower House of Congress and the Senate.

In August, the UN and the IACHR also asked the Supreme Court to reject the “time frame” thesis and ensure the

future of indigenous lands in the country. Not long afterwards, the IACHR, in another statement, expressed concern over proposed legislation that it said would worsen deforestation and raise the threats and the violence against indigenous peoples in Brazil.

In August, more than 6,000 indigenous people from 176 tribes across the country gathered at the “Struggle for Life” encampment in Brasília. Considered the largest indigenous mobilization of the last 30 years, the purpose was to push back against the judicial and legislative attacks on their constitutional rights.

## LEARN MORE ABOUT THE “TIME FRAME” CASE IN THE SUPREME COURT

The Special Appeal with General Repercussion No. 1,017,365 pending in the Supreme Court is a land repossession claim filed by the Santa Catarina State Environment Institute against the National Indian Foundation (FUNAI) and indigenous peoples from the Xokleng tribe involving an area of the Ibirama-Laklanõ Indigenous Land. The disputed territory was reduced in size over the course of the 20th century and the indigenous peoples never gave up their claim to it. The area has already been identified by FUNAI’s anthropological studies and declared by the Ministry of Justice to be a part of their ancestral land.



WATCH THE **ORAL STATEMENT BY CONECTAS IN THE CASE (IN PORTUGUESE)**





## DEFENDING INDIGENOUS AND QUILOMBO PEOPLES AGAINST COVID-19

The federal government's disregard for indigenous and quilombo peoples during the covid-19 pandemic remained on the agenda of the Supreme Court in 2021. In February, the Court ruled that the federal government must present, within a time frame of 30 days, a national plan to combat the pandemic among the quilombola population. The ruling was given in the ADPF Case (Allegation of Violation of a Fundamental Precept) No. 742, filed by Conaq (National Coordination of Black Rural Quilombola Communities). The Court also ordered the

suspension of territorial rights cases in quilombos, such as land repossession cases. In June, the Court unanimously ordered the protection of the Munduruku and Yanomami indigenous peoples in ADPF Case No. 709. The Supreme Court gave its ruling in the petition filed by APIB (Association of Indigenous Peoples of Brazil) for the urgent removal of intruders and for guaranteeing the physical integrity of the threatened people in the territories. Conectas participated in both cases as an *amicus curiae*.



## THE IMPACT OF WIND FARMS ON TRADITIONAL COMMUNITIES

A report published by Conectas revealed how the installation of the largest wind farm complex in Brazil drastically altered the landscape of the Chapada do Araripe region, located on the triple border between the states of Ceará, Piauí and Pernambuco, and changed the lives of quilombola communities in the area. Inaugurated in 2017, the Ventos do Araripe III Complex, located on the border between the states of Pernambuco and Piauí, was built by the Brazilian company Casa dos Ventos Energias Renováveis S.A. with financing from BNDES (Brazilian Development Bank) and NDB (New Development Bank), the financial institution of the BRICS group (Brazil, Russia, India, China and South Africa).

The report was produced after a visit made in January 2020 by Conectas and the International Accountability Project, which interviewed dozens of families from different communities near Ventos do Araripe III and found that the project has disrupted and divided the community.

[READ THE REPORT](#)

## CLIMATE JUSTICE AND COMBATING ENVIRONMENTAL AND CLIMATE RACISM

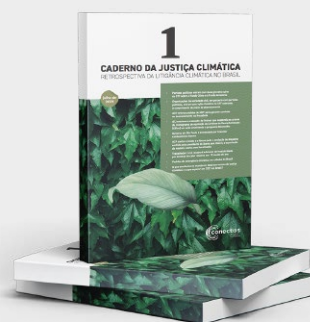
Brazilian social participation was prominent at COP 26 (United Nations Climate Change Conference), held in November in Glasgow, Scotland. Attended by black, indigenous, LGBTI+, women, rural and urban activists, Brazilian civil society, unlike the government, raised issues that included denouncing environmental and climate racism, ways to deliver climate justice and the importance of climate education.

In keeping with these discussions and proposed changes, Conectas supported activists and organizations focused on climate, participated in events and brought together various different voices in the publication “Climate and Human Rights – Voices and Actions”. The organization also launched the “Climate Justice Brochure No. 1”, showing possible ways to use litigation to tackle the climate emergency.

### SEE THE DOCUMENTS PUBLISHED BY CONECTAS ON CLIMATE CHANGE IN 2021



Climate and Human Rights – Voices and Actions (in Portuguese)



Climate Justice Brochure No. 1 (in Portuguese)



## WEAKENING LABOR OVERSIGHT



Supposedly issued to stimulate job creation during the pandemic, a Provisional Measure published in 2021 by the Bolsonaro government ended up including measures that suspended worker rights and undermined the oversight and punishment of contemporary slavery. Also known as the mini labor reform, Provisional Measure 1045/21 determined that employers could only be fined for violating labor laws after two visits by labor inspectors, even for serious violations that pose a risk to workers of illness and accidents.

The Measure received strong resistance from civil society. In a letter to the president of the Senate, Rodrigo Pacheco, several organizations argued that the Provisional Measure was an attack on the fundamental rights of the working class and created loopholes for the worsening of working conditions and for the weakening of important labor protection mechanisms that currently exist in our legal system. The measure was finally rejected by the Senate in early September.

# Fighting Institutional Violence

## ADPF FAVELAS CASE: THE ILLEGALITIES OF THE PUBLIC SECURITY POLICY IN RIO DE JANEIRO

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Despite a Supreme Court ruling to suspend police operations during the pandemic, two violent massacres caused by public security agents aroused public indignation in 2021: in Jacarezinho, in May, and in Salgueiro, in November.

The seriousness of the police operations prompted a coalition of NGOs, social groups and movements involved in ADPF Case (Allegation of Violation of a Fundamental Precept) No. 635 – better known as the ADPF Favelas Case – to call on the Supreme Court for an urgent judgment of the case. Filed in 2019 by the PSB (Brazilian Socialist Party),

the case demands, among other things, the recognition of the unconstitutionality of public security policy in the state of Rio de Janeiro and the preparation of a plan to reduce police lethality. Conectas is participating in the case as an *amicus curiae*.

Echoing the support against institutional violence, six former justice ministers signed an open letter in May calling on the Supreme Court to recognize the need to establish rules to reduce police lethality in the favelas of Rio de Janeiro. A month later, 19 civil society organizations also appealed to the Court requesting the suspension of the secrecy imposed by the



state authorities with regard to police operations that have taken place since June 2020.

In addition to the Judiciary, Conectas was involved in denouncing police violence together with Brazil's CNDH (National Human Rights Council) in the UN and the IACHR (Inter-American Commission on Human Rights), pointing out the non-compliance with the Supreme

Court ruling, the extrajudicial killings, the tampering with crime scenes and the firing of guns from police helicopters.

In the Jacarezinho case, UN rapporteurs called for an “independent, thorough and impartial investigation into the murders”. In early December, the IACHR also condemned the massacre in Salgueiro.



Photo: Divulgação.

#### UNDERSTAND THE MAIN REQUESTS OF THE ADPF FAVELAS CASE:

- » Plan to reduce police lethality with civil society participation.
- » Judicial Observatory to supervise compliance with the measures.
- » A ban on firing guns from police helicopters.
- » A restriction on police operations near schools, day care centers and health clinics.
- » An end to random and illegal raids on homes inside the favelas.
- » The preservation of the scenes of crimes committed during police operations for forensic purposes.
- » Investigations in the event of deaths and other violations caused by security agents.
- » The installation of cameras and GPS equipment in police vehicles and on police uniforms.
- » The release of police action protocols.

### FIGURES ON POLICE VIOLENCE IN RIO DE JANEIRO IN 2021\*



**4.653**  
**shootings**

registered over the  
course of the year

**1.354**

of them (29%) occurred  
during police operations.



**66 massacres**

leaving

**255 dead,**

compared to 44 in 2020.  
An increase of 39%.

46 of them involved a  
police operation **195 dead.**

\*Source: Instituto Fogo Cruzado

## NO "LICENSE TO KILL"

In March 2021, more than a hundred civil society organizations sent a letter to the speaker of the Lower House of Congress, Arthur Lira, calling for the rejection of all bills pending in the house to expand what is known as "exemption from illegality" providing qualified immunity to police officers and military personnel.

According to the organizations, the Brazilian Criminal Code already establishes the possibility of exemption from culpability when lethal use of force is practiced by officers due to necessity, in legitimate self-defense, in strict compliance with their legal duty or in observance of regular law enforcement.

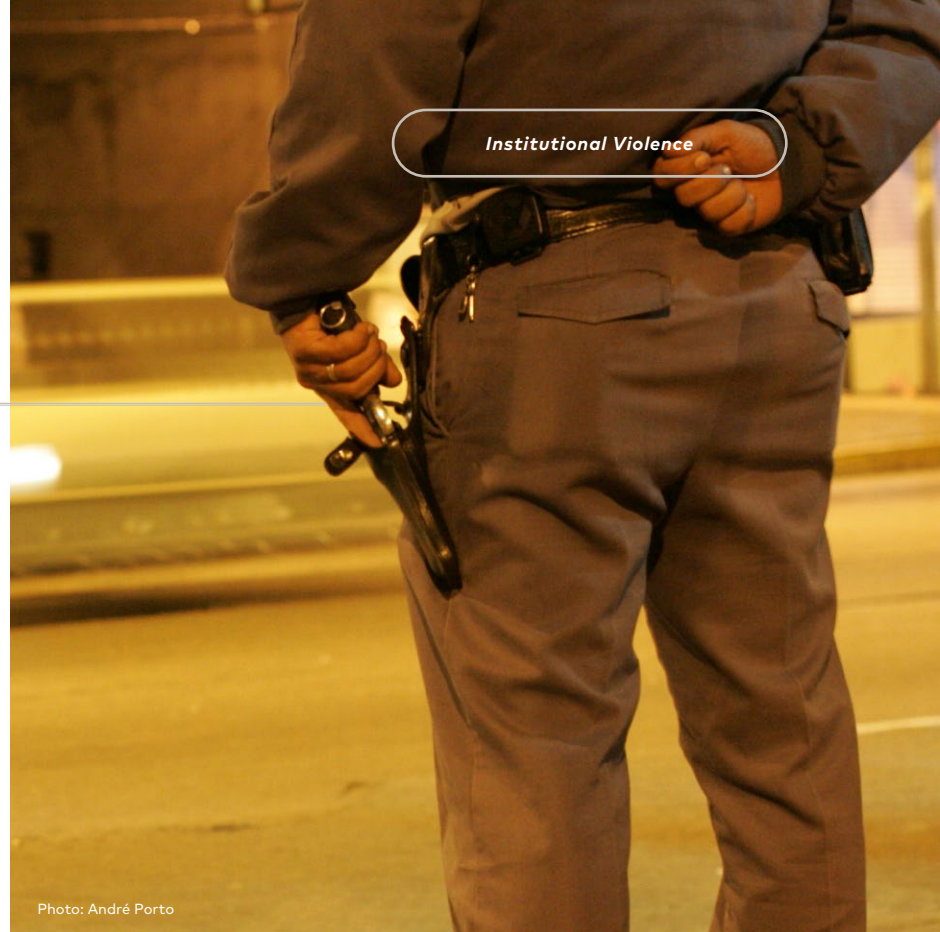


Photo: André Porto

There are at least four bills pending in the Lower House of Congress giving immunity to law enforcement and military personnel who commit willful crimes against life: Bill 6125/2019, Bill 9432/2017, Bill 7883/2017 and Bill 1595/2019.

## NEGLIGENCE IN THE INVESTIGATION OF POLICE VIOLENCE

In partnership with IDDD (Defense of the Right to a Defense Institute), Conectas in May released the report "Labyrinthine Investigations: the course of inquiries into reports of police violence

made at custody hearings". The report reveals that reports of violations, such as torture and bodily injury, committed by arresting police officers are often shelved. The violations occur even when



pre-trial custody hearings are held in-person and, in the opinion of experts, holding virtual hearings can make the situation even more serious. The report presents recommendations so that complaints are investigated and victims compensated.

The qualitative report analyzed 53 complaints of assault made against military police officers at custody hearings held in São Paulo in two distinct periods. First, in 2015; then, between 2017 and 2018, when Law 13,491 transferred cases of police violence reported at custody hearings to the Military Justice system. In the first period of analysis, from 2015, all the cases were investigated and 52% were shelved after the initial assessment. In the second period of analysis (2017 and 2018), 86% were shelved without opening a Preliminary Investigation or a Military Police Inquiry.



## MILITARY JUSTICE

Until 2017, complaints against military police officers were investigated by the Military Justice and the Civilian Justice systems. Following the change in jurisdiction made by Law No. 13,492, complaints against the military have been investigated exclusively by the Military Justice system. As a rule, crimes by military police officers are investigated in a preliminary inquiry, a procedure with no legal basis overseen by an officer from the same battalion, which partly explains the lack of accountability in the cases studied. The research analyzed the impact of this law and identified refinements in the mechanisms for shielding the structural violence of the State.



**READ IN FULL:**

**Labyrinthine Investigations:** the course of inquiries into reports of police violence made at custody hearings" (in Portuguese)



Photo: Depen/MG.

## PRE-TRIAL CUSTODY HEARINGS: YOU CAN'T SEE TORTURE ON CAMERA

The so-called virtualization of criminal justice was on the agenda on several occasions in 2021, requiring strong action from civil society organizations in defense of holding in-person pre-trial custody hearings, a procedure that assesses the legality of the detention and whether the detained person has been subjected to acts of torture or other types of degrading treatment during the police contact.

In January, in an urgent appeal submitted to the IACHR (Inter-American

Commission on Human Rights), more than 60 civil society organizations denounced the approval by the CNJ (National Council of Justice) of a resolution “on the possibility of holding custody hearings by video conference during the pandemic when these hearings cannot be held in person within 24 hours of the arrest”. Prior to this, the CNJ itself had “expressly forbidden custody hearings from being held by video conference for the duration of the covid-19 pandemic in the country”. In March,



Brazil was the target of a complaint in the UN on this topic during the 46th Session of the Human Rights Council in Geneva, Switzerland.

In May, the National Congress reinstated mandatory in-person custody hearings, when it overturned the vetoes by President Jair Bolsonaro to the so-called “anti-crime” package, a 2019 bill that made a series of changes to public security legislation. The overturning of the vetoes came in response to demands from civil society organizations that work to combat torture. In the same month, however, the Senate approved a bill that once again permitted custody hearings to be held remotely, reversing the May decision of Congress.

The topic has also been on the agenda of the Supreme Court. In ADI (Direct Action of Unconstitutionality) No. 6841,

anti-torture organizations have called on the Court to uphold the congressional veto guaranteeing that custody hearings are held in-person. In June 2021, Justice Nunes Marques granted an injunction dispensing with the need for state governments to hold in-person custody hearings. And after an adjournment requested by Justice Gilmar Mendes, the injunction was suspended. No date has been set, but the case will now have to be judged by an in-person session of the court. Together with IDDD (Defense of the Right to a Defense Institute), ITTC (Land, Labor and Citizenship Institute), ProBono Institute, APT (Association for the Prevention of Torture), GAJOP (Office of Legal Counsel to Grassroots Organizations) and the National Decarceration Agenda, Conectas filed a request for amicus curiae status in this case.

## CRIMES OF MAY: 15 YEARS WITHOUT JUSTICE

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On the date marking 15 years since the Crimes of May, the São Paulo Public Defender's

Office, the Mothers of May Movement and Conectas sent a petition to the IACHR asking

for the Brazilian government to be held accountable for the disappearances that occurred during the deadly episode on the outskirts of the city of São Paulo in 2006. In August, the IACHR accepted another complaint against the Brazilian State regarding the Crimes of May. This time, it was a request from the São Paulo State Public Defender's Office calling on Brazil to be held accountable for nine deaths in the Baixada Santista region of the state – there are already three cases on the killings with the Organization of American States. Conectas has also submitted complaints to the UN Committee on

Enforced Disappearances and, alongside the Mothers of May Movement and Justiça Global, participated in a public hearing of the National Human Rights Council on the 15th anniversary of the crimes, which was held in August 2021.

#### LEARN MORE

While the country was celebrating Mother's Day in 2006, the urban outskirts of São Paulo faced a wave of terror and unprecedented violence following attacks mounted by a criminal gang against military police officers. More than 500 people, the majority young and black, were murdered between May 12–21 in the episode that has become known as the Crimes of May. Most of the victims were killed at close range by death squads – hooded, heavily armed men in vehicles without license plates.



**WATCH THE VIDEO ABOUT THIS STORY (IN PORTUGUESE):**



Photo: João Brito/Conectas.



## CONSTITUTIONAL LIMITS OF MILITARY JUSTICE

In September, a report released by the UN Committee on Enforced Disappearances in Brazil stated that investigations into murders and disappearances committed by public security agents and military personnel should be handled by jury trials and civilian justice systems, and not by the military justice system. The document makes harsh criticisms of Brazil and exposes the fact that these courts have overstepped their constitutional bounds of resolving strictly military affairs.

In the military justice system, the majority of cases are overseen by career military

personnel who often have no legal training, which raises suspicions about crony militarism and partiality when judging their peers. Moreover, it also raises concerns about the judgment of civilians and of military personnel who commit crimes against civilians when on public security duty, in operations to guarantee law and order.

There are currently six cases being heard by the Supreme Court that propose to set limits on the constitutional jurisdiction of the military justice system. Of these, Conectas is serving as amicus curiae in three cases:

MILITARY JUSTICE IN THE SUPREME COURT		
ADPF 289	ADI 5901	ADI 5032
Asks the Supreme Court to disqualify military courts from judging civilians.	Challenges Law 13,491/2017 that amended the Military Code and transferred to the Military Justice system the role of investigating and judging military personnel, removing from the Civil Police the authority to conduct investigations into military officials who kill civilians during operations to keep the peace and guarantee law and order.	Asks that Armed Forces personnel who commit crimes while exercising non-standard military activities, especially in the field of public security, must not be prosecuted by Military Justice courts but instead by the Civil Justice system.



**"The current situation of Military Justice in Brazil does not provide civil society with legitimate means of controlling military activity. The courts run by the military cannot be detached from society, with dynamics and rules that do not apply to the population and other civil legal institutions."**

*Gabriel Sampaio, coordinator of the program to Fighting Institutional Violence at Conectas.*

## LOOSENING CONTROL OF GUNS AND AMMUNITION

In February, the Igarapé Institute, Sou da Paz Institute and Conectas released the campaign "We Are Not Targets", a mobilization to stop the presidential decrees that loosened the control of guns and ammunition in Brazil, ahead of Carnival.

A month later, the same organizations denounced in the UN Human Rights Council the lack of security policies and called on the Judiciary and Congress to take action. According to the organizations, this deregulation not only affects Brazil's security and democratic stability, but it also poses a threat to other countries that will be impacted



by the increased trafficking in guns and ammunition.

Also on the subject of weapons, the São Paulo State Public Defender's Office, Conectas and the Igarapé Institute petitioned the São Paulo

Municipal Audit Court to suspend a municipal decree allocating R\$400,000 for the purchase of 10 rifles and 25 carbines for the Metropolitan Civil Guard. These types of weapons are not compatible with the duties of the Guard – which include protecting public property and pacifying

conflicts – and could increase human rights violations, particularly in the area known as Cracolândia (Crackland), in downtown São Paulo where the petitioners say there are already many records of abuse by the Guard against drug addicts.

## DEREGULATION



Since 2019, **the federal government has issued more than 30 measures** that have **increased the amount of guns and ammunition available to the population** and the access to high-caliber weapons that were previously **restricted to the security forces**.

## LEGAL GUNS IN THE HANDS OF CITIZENS\*

INCREASE  
OF 65%



2018  
**697,000**



2021  
**1,151 million**  
legal guns in the  
hands of citizens\*

\*According to data from Army and the Federal Police.

## VIOLENCE



**43,000**  
people murdered  
in the country  
in 2020



**70% of the**  
**murders**  
were committed  
with firearms



**Black people**  
**represented 3/4**  
of the murder  
victims

Source: Atlas da Violência 2020



# Litigation



Strategic human rights litigation is used by organizations like Conectas to guarantee that rights enshrined in the Brazilian Constitution and in international treaties are observed by the Brazilian State. Its purpose is to confront the State and companies directly and to achieve structural changes via individual court cases. In 2021, Conectas pursued this strategy in various courts, mainly in the Supreme Court and in the inter-American (OAS) and universal human rights system (UN).

To compile all the cases on which Conectas is working, the organization launched a new section on the website with exclusive content focused on the topic of strategic litigation. This makes it easier to view the strategic litigation cases that are in progress and how they impact the life of the Brazilian population in general and social groups more specifically.



**CHECK THE NEW SITE SECTION:**  
[www.conectas.org/en/litigation/](http://www.conectas.org/en/litigation/)



See below the main cases by the Litigation area in 2021:

» **ADPF 635:**

known as the ADPF Favelas Case, this lawsuit is suing the state of Rio de Janeiro in the Supreme Court for its public security policy and is asking, among other things, for a concrete plan to reduce police lethality.

» **ADPF 289:**

a case in the Supreme Court to guarantee that military courts only judge cases relating to the functioning of the Armed Forces.

» **ADI 5032:**

asks the Supreme Court to recognize that the use of military courts to prosecute agents of the Armed Forces who commit crimes while performing public security activities is incompatible with constitutional values.

» **ADI 5901:**

a case in the Supreme Court claiming that the Armed Forces justice system should not be allowed to judge military personnel who commit crimes against civilians.

» **TC 014.995/2021-2:**

a case in the Audit Court filed by civil society organizations calling for the suspension of purchases of spyware by the federal government.

» **P.777-21:**

a case in the Inter-American Commission on Human Rights calling for Brazil to be held accountable for concealing bodies to prevent investigations within the context of the Crimes of May of 2006.

» **CASE 13,754 - PARQUE BRISTOL SHOOTING (CRIMES OF MAY)**

» **CNMP - Criminalization of the Mothers of May Movement (Case: 1.00746/2021-64):**

# Advocacy

Whether in the National Congress or the International Human Rights System, the advocacy work of Conectas draws on the topics of interest to society, takes an approach based on rights and the defense

of democracy, and denounces setbacks and violations. Conectas has had consultative status in the UN since 2006. See below a summary of our advocacy work in 2021:

## » RATIFICATION OF THE INTER-AMERICAN CONVENTION AGAINST RACISM

The fight against racism in Brazil acquired a new tool in 2021: the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, of the OAS (Organization of American States). According to the text of the Convention, ratifying countries undertake to prevent, eliminate, prohibit and punish all acts and manifestations of racism, racial discrimination, and related forms of intolerance. The ratification of the document is a victory for the black movement and anti-racist organizations.



### » **BRAZILIAN GOVERNMENT AND COVID-19: COMPLAINT IN THE EUROPEAN PARLIAMENT**

At a hearing of the European Parliament in April, Conectas denounced measures taken by the Brazilian government to weaken the fight against covid-19. To illustrate the proactive steps taken by the federal government to prevent measures that could protect the population and combat the pandemic, the organization cited some cases, namely the expansion of activities considered essential, the interruption of emergency income support for months and the failure to distribute oxygen to hospitals in the city of Manaus. It also exposed the escalation of human rights and socio-environmental violations in Brazil in the context of the pandemic.

### » **GUARANTEED SOCIAL PARTICIPATION IN CONGRESS DURING THE PANDEMIC**

In October, representatives of civil society organizations met with Congressman Arthur Lira, speaker of the Lower House of Congress, to request transparency and a guarantee of social participation in the discussions in the House during the covid-19 pandemic. Two manifestos signed by 160 organizations were submitted, reinforcing the importance to democracy of a free and active civil society. Organized by the Parliamentary Front for the Defense of Democracy and Human Rights, the meeting was attended by representatives of the local organizations Conectas, Terra de Direitos, Oxfam Brasil, Pact for Democracy, Rural Landless Workers Movement, National LGBTI+ Alliance and Collaborative Advocacy Network. The meeting was held in the same week that the Lower House of Congress resumed its in-person sessions.

## **ADVOCACY ACTIVITIES IN THE INTERNATIONAL HUMAN RIGHTS SYSTEM**

### **UN**

#### **Events:**

- Migration and asylum in Brazil: setbacks and border closures
- The role of the UN in accountability for police violence against Africans and Afro-Descendants
- Police violence in Brazil



**Speeches:**

- Pre-trial custody hearings
- Responses of the State to the covid-19 pandemic
- Gun decrees
- Legislative bills on mining in indigenous lands, land occupation and environmental licensing
- Drug policies
- Police operations in the favelas of Rio de Janeiro
- Migration, asylum and border closure decrees
- Business and human rights

**Urgent appeals:**

- Pre-trial custody hearings
- Torture Mechanism
- Jacarézinho
- Legislative bills on anti-terrorism/surveillance
- Legislative bills on mining in indigenous lands, land occupation and environmental licensing
- Salgueiro favela complex

**INTER-AMERICAN COMMISSION****Hearings:**

- Human rights situation facing migrants and refugees in South America in the context of the covid-19 pandemic
- Virtual custody hearings in the Americas in the context of the covid-19 pandemic
- Persons deprived of liberty



# Institutional



## CONECTAS 20

In 2021, Conectas completed 20 years of work defending and promoting human rights and democracy. To celebrate this milestone, we compiled in the publication Conectas 20, a project overseen by the journalist Fernanda Mena, the history of the organization's founders, former employees and partners. It tells

the stories of 20 prominent figures from these two decades, showing how the organization became essential in the consolidation of an innovative human rights movement formed by various actors who transform social realities in the Global South.

[See the publication](#)



## RIGHTS IN THE PANDEMIC BULLETIN

The 10th issue of the Rights in the Pandemic Bulletin, an initiative of Cepedisa (Center for Studies and Research on Health Law of the University of São Paulo), in partnership with Conectas Human Rights, revealed the Bolsonaro government's strategy to undermine the measures to combat the covid-19 pandemic. The data from the study were

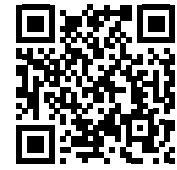
compiled over the course of 2020, when 3,049 federal regulations and 4,427 state-level regulations were passed related to covid-19, with the purpose of assessing their impact on human rights. The document was widely used by the Congressional Inquiry Commission in the Senate that investigated the government's handling of the pandemic.

[See the publication](#)

## VLADIMIR HERZOG AWARD

Although staged remotely on account of the covid-19 pandemic, the jury of the 43rd Vladimir Herzog Journalism Award for Amnesty and Human Rights in October elected the winners of the 2021 edition of the Award.

The event included a round table conversation with the winners and an award ceremony broadcast on the YouTube channel. Conectas has served on the Organizing Committee of the Award since 2016.



See the publication

## CONECTAS RECOGNIZED BY BEST NGOS AWARD IN 2021

Conectas featured among the one hundred best non-governmental organizations of Brazil in 2021. The “Best NGOs Award” selected the organizations that stood out during the year for best practices in the areas of governance,

transparency, communication and funding. According to the organizers of the award, 1033 organizations registered this year. This is the third time Conectas has figured among the top 100.

## SUR 31: HUMAN RIGHTS IN THE CONTEXT OF THE PANDEMIC: IMPACTS AND RESPONSES

Conectas, in partnership with Associação Data Privacy Brasil de Pesquisa, released the 31st issue of Sur – International Journal on Human Rights under the theme “Human rights in the context of the pandemic: impacts and responses”, which addressed three subtopics: “The Covid-19 pandemic and its impacts on

human rights”; “Indigenous peoples, black/afro-descendant communities, climate justice and the environment” and “Surveillance and security”. With a view to expanding and diversifying the voices in the journal and strengthening the internal policy of affirmative action, in August 2021 Conectas





announced its second call for applications for writing grants for articles and essays to be published in Sur 31, which was aimed specifically at black and indigenous people living in Brazil. During the grant period, each recipient received financial support and the mentorship of Dr. Vera Rodrigues (UNILAB/ABPN).

The issue featured the contributing editors Eliana Sousa Silva, Usha Ramanathan, Luis Gilberto, Murillo Urrutia, Rafael Zanatta and Bruno Bioni. The journal is published in Portuguese, English and Spanish and can be accessed for free.

**Acess** SUR 31

#### TRIBUTE

We pay tribute to Antônio Gomes da Rocha, also known as Toni, who for nearly two decades supported the administrative department of Conectas with his courier services. A dear friend of the team and a highly responsible and committed professional, Toni was one of the people working behind the scenes to ensure the smooth running of the organization. He passed away in June 2022, leaving a wife and three children, to whom we offer immense solidarity. Our eternal gratitude!





# Transparency

## TEAM: DIVERSITY AND WELL-BEING

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Given the persistence of the covid-19 pandemic in 2021, well-being and mental health were one of the priorities in the area of institutional development. Conectas continued to provide the team with health security and to conduct its activities remotely for most of the year, restricting travel only to extremely

necessary cases and providing psychological care.

With regard to the composition of the team, since 2016 Conectas has been committed to achieving racial parity. To reflect on this ethical commitment, the organization created a working group to combat racism formed by

people who work at Conectas. The group conducted several activities, such as holding work meetings, supporting the Sur journal staff in the selection of authors to receive writing grants and organizing

a qualitative and quantitative census that showed that the organization is moving in the right direction towards achieving racial diversity. See the composition of the staff at Conectas<sup>1</sup>:

### TOTAL NUMBER OF EMPLOYEES

GENDER		MANAGEMENT POSITIONS		AGE BRACKET	
Cis men	12	3		Up to 25	7
Cis women	24	5		26 to 35	17
Non-binary	1	0		36 to 45	6
<b>Total</b>	<b>37</b>	<b>8</b>		46 to 59	7

### RACIAL DIVERSITY

2021			2016		
Race	Staff	Management Positions	Race	Staff	Management Positions
White	19 (51.4%)	4	White	21 (67.7%)	6
People of color	16 (43.2%)	3	People of color	8 (25.8%)	0
Oriental	2 (5.4%)	1	Oriental	1 (3.2%)	1
Non declared	0	0	Non declared	1 (3.2%)	0

<sup>1</sup>.  
Data from December 31, 2021



## FINANCIAL STATEMENT

Conectas receives donations from national and international foundations, as well as cooperation agencies and individuals who are aligned with the human rights agenda and who believe in the impact of our work. For us, the independence of our work is a fundamental value. This is why we do not accept donations from the Brazilian government or from national

political parties, nor from the tobacco, alcohol or weapons industries. The funds raised are fully invested in actions for the promotion and defense of human rights, in addition to the infrastructure and the human resources necessary to carry out the work. Our accounts are audited by an independent consulting firm and made publicly available.

### REVENUES 2021 (BRL)

Open Society Foundations	2,784,286
Luminate Foundation	1,652,959
Sigrid Rausing Trust	1,241,170
Oak Foundation Ltd	1,200,384
Laudes Foundation	585,514
Stiftung Auxilium	489,102
The Ford Foundation	486,574
Stichting Onderzoek Multinationale Ondernemingen	324,016
Instituto Clima e Sociedade – ICS	255,565
Charles Stewart Mott Foundation	187,891
Derecho, Ambiente Y Recursos Naturales	153,849

Fundação Tide Azevedo Setúbal	116,500
Donations from individuals	41,707
Dutch Embassy	34,701
Instituto Ibirapitanga	26,491
Instituto Galo Da Manhã	24,500
Tides Foundation	10,377
Instituto Betty e A. Jacob Lafer	8,534
European Climate Foundation	1,088
Eira & Sigaki Serviços Digitais Ltda	824
Volunteering	732
<b>Total</b>	<b>9,626,764</b>

## EXPENSES 2021 (BRL)

Administrative and Financial	942,048
Fundraising	1,056,913
Communication	675,778
Institutional Development	531,420
Combating Institutional Violence	1,503,442
Strengthening Democratic Space	1,803,512
Development and Socioenvironmental Rights	1,591,247
Strategic Litigation	1,069,643
<b>TOTAL</b>	<b>9,174,003.00</b>

# ANNUAL REPORT

## 2021

