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## **Human Rights in Motion**

CONTENTS

LUCIA NADER, JUANA KWEITEL, & MARCOS FUCHS	7 Introduction
PROFILE OF PEDRO PAULO POPPOVIC	"We Did not Create Sur Journal Because We Had Certainties, But Because We Were Full of Doubts"
MALAK EL-CHICHINI POPPOVIC OSCAR VILHENA VIEIRA	Reflections On the International Human Rights Movement in the 21st Century: Only the Answers Change
	LANGUAGE
SARA BURKE	What an Era of Global Protests Says about the Effectiveness of Human Rights as a Language to Achieve Social Change
VINODH JAICHAND	35 After Human Rights Standard Setting, What's Next?
DAVID PETRASEK	45 Global Trends and the Future of Human Rights Advocacy
SAMUEL MOYN	The Future of Human Rights
STEPHEN HOPGOOD	Challenges to the Global Human Rights Regime: Are Human Rights Still an Effective Language for Social Change?
EMÍLIO ÁLVAREZ ICAZA	77 Human Rights as an Effective Way to Produce Social Change
INTERVIEW WITH RAQUEL ROLNIK	81 UN Special Procedures System is "Designed to Be Ineffective"
INTERVIEW WITH PAULO SÉRGIO PINHEIRO	"Besides Human Rights, I Don't See a Solution for Serving the Victims"
INTERVIEW WITH KUMI NAIDOO	"The Rule of Law Has Consolidated All the Injustices That Existed Before It"
	THEMES
JANET LOVE	Are we Depoliticising Economic Power?: Wilful Business Irresponsibility and Bureaucratic Response by Human Rights Defenders
PHIL BLOOMER	Are Human Rights an Effective Tool for Social Change?: A Perspective on Human Rights and Business
GONZALO BERRÓN	Economic Power, Democracy and Human Rights. A New International Debate on Human Rights and Corporations
DIEGO LORENTE PÉREZ DE EULATE	133 Issues and Challenges Facing Networks and Organisations Working in Migration and Human Rights in Mesoamerica
GLORIA CAREAGA PÉREZ	143 The Protection of LGBTI Rights: An Uncertain Outlook

ARVIND NARRAIN	Brazil, India, South Africa: Transformative Constitutions and their Role in LGBT Struggles
SONIA CORRÊA	Emerging powers: Can it be that sexuality and human rights is a 'lateral issue'?
CLARA SANDOVAL	181 Transitional Justice and Social Change
	PERSPECTIVES
NICOLE FRITZ	Human Rights Litigation in Southern Africa: Not Easily Able to Discount Prevailing Public Opinion
MANDIRA SHARMA	201 Making Laws Work: Advocacy Forum's Experiences in Prevention of Torture in Nepal
MARIA LÚCIA DA SILVEIRA	213 Human Rights and Social Change in Angola
SALVADOR NKAMATE	The Struggle for the Recognition of Human Rights in Mozambique: Advances and Setbacks
HARIS AZHAR	The Human Rights Struggle in Indonesia: International Advances, Domestic Deadlocks
HAN DONGFANG	237 A vision of China's Democratic Future
ANA VALÉRIA ARAÚJO	Challenges to the Sustainability of the Human Rights Agenda in Brazil
MAGGIE BEIRNE	Are we Throwing Out the Baby with the Bathwater?: The North-South Dynamic from the Perspective of Human Rights Work in Northern Ireland
INTERVIEW WITH MARÍA-I. FAGUAGA IGLESIAS	"The Particularities in Cuba Are Not Always Identified Nor Understood By Human Rights Activists From Other Countries"
	VOICES
FATEH AZZAM	Why Should We Have to "Represent" Anyone?
MARIO MELO	Voices from the Jungle on the Witness Stand of the Inter-American Court of Human Rights
ADRIAN GURZA LAVALLE	NGOs, Human Rights and Representation
JUANA KWEITEL	Experimentation and Innovation in the Accountability of Human Rights Organizations in Latin America
PEDRO ABRAMOVAY AND HELOISA GRIGGS	323 Democratic Minorities in 21 <sup>st</sup> Century Democracies
JAMES RON, DAVID CROW AND SHANNON GOLDEN	Human Rights Familiarity and Socio-Economic Status: A Four-Country Study
CHRIS GROVE	To Build a Global Movement to Make Human Rights and Social Justice a Reality For All
INTERVIEW WITH MARY LAWLOR AND ANDREW ANDERSON	"Role of International Organizations Should Be to Support Local Defenders"

## TOOLS

	10023
GASTÓN CHILLIER AND PÉTALLA BRANDÃO TIMO	The Global Human Rights Movement in the 21st Century: Reflections from the Perspective of a National Human Rights NGO from the South
MARTIN KIRK	Systems, Brains and Quiet Places: Thoughts on the Future of Human Rights Campaigning
ROCHELLE JONES, SARAH ROSENHEK AND ANNA TURLEY	A 'Movement Support' Organization: The Experience of the Association For Women's Rights in Development (AWID)
ANA PAULA HERNÁNDEZ	Supporting Locally-Rooted Organizations: The Work of the Fund For Global Human Rights in Mexico
MIGUEL PULIDO JIMÉNEZ	Human Rights Activism In Times of Cognitive Saturation: Talking About Tools
MALLIKA DUTT AND NADIA RASUL	Raising Digital Consciousness: An Analysis of the Opportunities and Risks Facing Human Rights Activists in a Digital Age
SOPHEAP CHAK	New Information and Communication Technologies' Influence on Activism in Cambodia
SANDRA CARVALHO AND EDUARDO BAKER	Strategic Litigation Experiences in the Inter-American Human Rights System
INTERVIEW WITH FERNAND ALPHEN	461 "Get Off Your Pedestal"
INTERVIEW WITH MARY KALDOR	"NGO's are not the Same as Civil Society But Some NGOs Can Play the Role of Facilitators"
INTERVIEW WITH LOUIS BICKFORD	Convergence Towards the Global Middle: "Who Sets the Global Human Rights Agenda and How"
	MULTIPOLARITY
LUCIA NADER	483 Solid Organisations in a Liquid World
KENNETH ROTH	Why We Welcome Human Rights Partnerships
CÉSAR RODRÍGUEZ-GARAVITO	The Future of Human Rights: From Gatekeeping to Symbiosis
DHANANJAYAN SRISKANDARAJAH AND MANDEEP TIWANA	Towards a Multipolar Civil Society
INTERVIEW WITH EMILIE M. HAFNER-BURTON	"Avoiding Using Power Would Be Devastating for Human Rights"
INTERVIEW WITH MARK MALLOCH-BROWN	"We Are Very Much A Multi-Polar World Now, But Not One Comprised Solely Of Nation States"
INTERVIEW WITH SALIL SHETTY	"Human Rights Organisations Should Have a Closer Pulse to the Ground" Or How We Missed the Bus
INTERVIEW WITH LOUISE ARBOUR	"North-South solidarity is key"

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## HUMAN RIGHTS IN MOTION: A MAP TO A MOVEMENT'S FUTURE

Lucia Nader (Executive Director, Conectas)
Juana Kweitel (Program Director, Conectas)
Marcos Fuchs (Associate Director, Conectas)

Sur Journal was created ten years ago as a vehicle to deepen and strengthen bonds between academics and activists from the Global South concerned with human rights, in order to magnify their voices and their participation before international organizations and academia. Our main motivation was the fact that, particularly in the Southern hemisphere, academics were working alone and there was very little exchange between researchers from different countries. The journal's aim has been to provide individuals and organizations working to defend human rights with research, analyses and case studies that combine academic rigor and practical interest. In many ways, these lofty ambitions have been met with success: in the past decade, we have published articles from dozens of countries on issues as diverse as health and access to treatment, transitional justice, regional mechanisms and information and human rights, to name a few. Published in three languages and available online and in print for free, our project also remains unique in terms of geographical reach, critical perspective and its Southern 'accent'. In honour of the founding editor of this journal, Pedro Paulo Poppovic, the 20th issue opens with a biography (by João Paulo Charleaux) of this sociologist who has been one of the main contributors to this publication's success.

This past decade has also been, in many ways, a successful one for the human rights movement as a whole. The Universal Declaration of Human Rights has recently turned 60, new international treaties have been adopted and the old but good global and regional monitoring systems are in full operation, despite criticisms regarding their effectiveness and attempts by States to curb their authority. From a strategic perspective, we continue to use, with more or less success, advocacy, litigation and naming-and-shaming as our main tools for change. In addition, we continue to nurture partnerships between what we categorize as local, national and international organizations within our movement.

Nevertheless, the political and geographic coordinates under which the global human

rights movement has operated have undergone profound changes. Over the past decade, we have witnessed hundreds of thousands of people take to the streets to protest against social and political injustices. We have also seen emerging powers from the South play an increasingly influential role in the definition of the global human rights agenda. Additionally, the past ten years have seen the rapid growth of social networks as a tool of mobilization and as a privileged forum for sharing political information between users. In other words, the journal is publishing its 20th issue against a backdrop that is very different from that of ten years ago. The protests that recently filled the streets of many countries around the globe, for example, were not organized by traditional social movements nor by unions or human rights NGOs, and people's grievances, more often than not, were expressed in terms of social justice and not as rights. Does this mean that human rights are no longer seen as an effective language for producing social change? Or that human rights organizations have lost some of their ability to represent wronged citizens? Emerging powers themselves, despite their newly-acquired international influence, have hardly been able - or willing - to assume stances departing greatly from those of "traditional" powers. How and where can human rights organizations advocate for change? Are Southern-based NGOs in a privileged position to do this? Are NGOs from emerging powers also gaining influence in international forums?

It was precisely to reflect upon these and other pressing issues that, for this 20<sup>th</sup> issue, SUR's editors decided to enlist the help of over 50 leading human rights activists and academics from 18 countries, from Ecuador to Nepal, from China to the US. We asked them to ponder on what we saw as some of the most urgent and relevant questions facing the global human rights movement today: 1. Who do we represent? 2. How do we combine urgent issues with long-term impacts? 3. Are human rights still an effective language for producing social change? 4. How have new information and communication technologies influenced activism? 5. What are the challenges of working internationally from the South?

The result, which you now hold in your hands, is a roadmap for the global human rights movement in the 21<sup>st</sup> century – it offers a vantage point from which it is possible to observe where the movement stands today and where it is heading. The first stop is a reflection on these issues by the founding directors of Conectas Human Rights, Oscar Vilhena Vieira and Malak El-Chichini Poppovic. The roadmap then goes on to include interviews and articles, both providing in-depth analyses of human rights issues, as well as notes from the field, more personalized accounts of experiences working with human rights, which we have organized into six categories, although most of them could arguably be allocated to more than one category:

Language. In this section, we have included articles that ponder the question of whether human rights — as a utopia, as norms and as institutions — are still effective for producing social change. Here, the contributions range from analyses on human rights as a language for change (Stephen Hopgood and Paulo Sérgio Pinheiro), empirical research on the use of the language of human rights for articulating grievances in recent mass protests (Sara Burke), to reflections on the standard-setting role and effectiveness of international human rights institutions (Raquel Rolnik, Vinodh Jaichand and Emílio

Álvarez Icaza). It also includes studies on the movement's global trends (David Petrasek), challenges to the movement's emphasis on protecting the rule of law (Kumi Naidoo), and strategic proposals to better ensure a compromise between utopianism and realism in relation to human rights (Samuel Moyn).

Themes. Here we have included contributions that address specific human rights topics from an original and critical standpoint. Four themes were analysed: economic power and corporate accountability for human rights violations (Phil Bloomer, Janet Love and Gonzalo Berrón); sexual politics and LGBTI rights (Sonia Corrêa, Gloria Careaga Pérez and Arvind Narrain); migration (Diego Lorente Pérez de Eulate); and, finally, transitional justice (Clara Sandoval).

Perspectives. This section encompasses country-specific accounts, mostly field notes from human rights activists on the ground. Those contributions come from places as diverse as Angola (Maria Lúcia da Silveira), Brazil (Ana Valéria Araújo), Cuba (María-Ileana Faguaga Iglesias), Indonesia (Haris Azhar), Mozambique (Salvador Nkamate) and Nepal (Mandira Sharma). But they all share a critical perspective on human rights, including for instance a sceptical perspective on the relation between litigation and public opinion in Southern Africa (Nicole Fritz), a provocative view of the democratic future of China and its relation to labour rights (Han Dongfang), and a thoughtful analysis of the North-South duality from Northern Ireland (Maggie Beirne).

Voices. Here the articles go to the core of the question of whom the global human rights movement represents. Adrian Gurza Lavalle and Juana Kweitel take note of the pluralisation of representation and innovative forms of accountability adopted by human rights NGOs. Others study the pressure for more representation or a louder voice in international human rights mechanisms (such as in the Inter-American system, as reported by Mario Melo) and in representative institutions such as national legislatures (as analysed by Pedro Abramovay and Heloisa Griggs). Finally, Chris Grove, as well as James Ron, David Crow and Shannon Golden emphasize, in their contributions, the need for a link between human rights NGOs and grassroots groups, including economically disadvantaged populations. As a counter-argument, Fateh Azzam questions the need of human rights activists to represent anyone, taking issue with the critique of NGOs as being overly dependent on donors. Finally, Mary Lawlor and Andrew Anderson provide an account of a Northern organization's efforts to attend to the needs of local human rights defenders as they, and only they, define them.

Tools. In this section, the editors included contributions that focus on the instruments used by the global human rights movement to do its work. This includes a debate on the role of technology in promoting change (Mallika Dutt and Nadia Rasul, as well as Sopheap Chak and Miguel Pulido Jiménez) and perspectives on the challenges of human rights campaigning, analysed provocatively by Martin Kirk and Fernand Alphen in their respective contributions. Other articles point to the need of organizations to be more grounded in local contexts, as noted by Ana Paula Hernández in relation to Mexico, by Louis Bickford in what he sees as a convergence towards the global middle, and finally by Rochelle Jones, Sarah Rosenhek and Anna Turley in their movement-support model. In addition, it is noted by Mary Kaldor that NGOs are not the same as civil society,

properly understood. Furthermore, litigation and international work are cast in a critical light by Sandra Carvalho and Eduardo Baker in relation to the dilemma between long and short term strategies in the Inter-American system. Finally, Gastón Chillier and Pétalla Brandão Timo analyse South-South cooperation from the viewpoint of a national human rights NGO in Argentina.

Multipolarity. Here, the articles challenge our ways of thinking about power in the multipolar world we currently live in, with contributions from the heads of some of the world's largest international human rights organizations based in the North (Kenneth Roth and Salil Shetty) and in the South (Lucia Nader, César Rodríguez-Garavito, Dhananjayan Sriskandarajah and Mandeep Tiwana). This section also debates what multipolarity means in relation to States (Emilie M. Hafner-Burton), international organizations and civil society (Louise Arbour) and businesses (Mark Malloch-Brown).

Conectas hopes this issue will foster debate on the future of the global human rights movement in the 21<sup>st</sup> century, enabling it to reinvent itself as necessary to offer better protection of human rights on the ground.

Finally, we would like to emphasize that this issue of Sur Journal was made possible by the support of the Ford Foundation, Open Society Foundations, the Oak Foundation, the Sigrid Rausing Trust, the International Development Research Centre (IDRC) and the Swedish International Development Cooperation Agency (SIDA). Additionally, Conectas Human Rights is especially grateful for the collaboration of the authors and the hard work of the Journal's editorial team. We are also extremely thankful for the work of Maria Brant and Manoela Miklos for conceiving this Issue and for conducting most of the interviews, and for Thiago Amparo for joining the editorial team and making this Issue possible. We are also tremendously thankful for Luz González's tireless work with editing the contributions received, and for Ana Cernov for coordinating the overall editorial process.



## **Human Rights in Motion**

# **Perspectives**

#### **NICOLE FRITZ**

Human Rights Litigation in Southern Africa: Not Easily Able to Discount Prevailing Public Opinion

#### MANDIRA SHARMA

Making Laws Work:

Advocacy Forum's Experiences in Prevention of Torture in Nepal

#### MARIA LÚCIA DA SILVEIRA

Human Rights and Social Change in Angola

#### SALVADOR NKAMATE

The Struggle for the Recognition of Human Rights in Mozambique: Advances and Setbacks

#### HARIS AZHAR

The Human Rights Struggle in Indonesia: International Advances, Domestic Deadlocks

#### HAN DONGFANG

A Vision of China's Democratic Future

#### ANA VALÉRIA ARAUJO

Challenges to the Sustainability of the Human Rights Agenda in Brazil

#### MAGGIE BEIRNE

Are We Throwing Out the Baby with the Bathwater?:

The North-South Dynamic from the Perspective of Human Rights Work in Northern Ireland

#### INTERVIEW WITH MARÍA-I. FAGUAGA IGLESIAS

"The Particularities in Cuba Are Not Always Identified nor Understood by Human Rights Activists from Other Countries"



#### ANA VALÉRIA ARAUJO

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#### **ABSTRACT**

Providing an overview of the role of organized civil society in Brazil since the end of the dictatorship, this article examines fundamental issues in the debate on the country's social problems, such as the connection between violence and inequality. By pointing out that, although the Brazilian economy has been performing well in recent years, we are a long way from eliminating the causes of social, racial and gender inequality, the article exposes the contradictions of a country that is growing at the same time that its human rights situation is deteriorating. It also includes an analysis of the growing responsibility of human rights organizations as a result of the commitments made by the country on the international stage and how the strengthening and sustainability of these organizations is essential for the consolidation of democracy.

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#### **KEYWORDS**

Human rights – Civil society – Democracy –Violence – Inequalities – Intolerance – Sustainability of rights advocacy organizations



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#### **ESSAY**

# CHALLENGES TO THE SUSTAINABILITY OF THE HUMAN RIGHTS AGENDA IN BRAZIL

Ana Valéria Araújo

The year 2014 marks the passage of 50 years since the establishment of the military dictatorship in Brazil on March 31, 1964. It could be said that the legal landmark that ended this period was the promulgation of the Federal Constitution on October 5, 1988, or just over 25 years later. While the military dictatorship was characterized by the suppression of individual guarantees, such as freedom of expression and the brutal repression of anyone who opposed government acts, the new Constitution not only re-established these classic democratic rights, but also embraced a range of new possibilities, by recognizing the rights of collective subjects, such as social movements, indigenous peoples and quilombo communities.

However, like in many emerging democracies, the end of the dictatorship did not put a stop to the human rights violations that mainly affect the most vulnerable sectors of the population. Indeed, these groups have never really been considered and recognized as rights holders. They are invisible. And while respect for fundamental rights forms the bedrock of the Constitution of 1988, the State has not been effective in preventing the violation of the interests of these groups, who also suffer the consequences of the impunity that still exists in the country to this day.

## 1 Disrespect for human rights, a constant feature of our democracy

One might ask why this situation has remained constant throughout Brazil's transition to democracy, and why it endures despite the advances made. The answer is quite simple: Brazilian society has not changed as quickly as the country's economy. Brazil's growth in recent years has placed it among the world's 10 largest economies, causing it, for example, to assume a more prominent role in agriculture, where it is already the world's leading producer of animal protein. Given the abundance of arable land and water, the country is considered the breadbasket of the world.

Meanwhile, corruption, violence and inequality still persist as major problems. In particular, there is no recognition that inequality goes beyond the purely economic aspect, with structural causes grounded in a legacy of social, racial and gender discrimination.

Broad income distribution policies have lifted millions of people out of poverty and contributed to Brazil's image as a country that can quickly overcome social injustice using democratic channels. Nevertheless, despite all the positive indicators, Brazil is still one of the world's most unequal countries, where the economic and social divide is supported by political and cultural factors. The richest 10% of the population earn half the total income, while the poorest 10% receive just 1.1%. Even though more than half the population owns less than 3% of the farms in Brazil, indigenous peoples and traditional communities, when they claim land to assure their survival, are often seen as obstacles to progress.

For Oscar Vilhena Vieira, the fragility of our rule of law is related to the inequality "that shapes our identities and structures our social relations", distorting "the perception that we are all equally subjects of the same rights and obligations" (VIEIRA, 2014). In practice, however, the perception is that some people are greater subjects of rights than others. According to Vieira, another aspect is of institutional nature and has to do with the corporatist and patrimonial culture of "our law enforcement agents, who appear to be more concerned with the advancement of their own interests and group privileges than with achieving the mission of the institutions they serve" (VIEIRA, 2014).

## 2 New dimensions of intolerance to human rights

Thus the country's current economic and social situation poses new challenges for the debate on human rights in Brazil. Firstly, there is a growing hostility towards people who defend human rights on account of the escalation of urban violence in the country, precisely when the Brazilian economy is not doing too badly. Coupled with an ongoing crisis in public security, the combination—still not properly analysed and understood—of increased violence and robust economic indicators has unleashed a new wave of intolerance against human rights defenders and their organizations.

Indeed, there has been a rise in conservative voices seeking to use low unemployment figures and high crime rates, and shallow arguments on how to solve the problem of violence, to justify a push for harsher laws and punishments. Unfortunately, this type of attitude has led some to support the actions of vigilantes, such as the incident in January 2014 in the city of Rio de Janeiro, when a 15-year-old alleged thief was tied to a street light after being severely beaten. What's more, this episode actually served as encouragement for other similar vigilante acts across the country in an absurd and alarming series of events.

It is essential to reflect on this situation and its outcome to assure the legitimate continuity of human rights organizations' work. These new challenges require innovative and alternative approaches to the problem of violence, beyond invoking the basic and universal principles of protection of the human person. A

PERSPECTIVES ANA VALÉRIA ARAÚJO

huge effort is needed to change the public perception of what human rights are, a perception that becomes even more distorted in times of worsening violence.

We need to face up to the fact that, regardless of how well the economy fares, we are still a long way from eliminating the causes of our social ills, which were also the spark that ignited the wave protests that began in June 2013 and threaten to go on indefinitely. Quality public services in the areas of health, housing and transport cannot be accessed in the private market.

For an idea of what the drama of poor quality public services really means for low-income populations and how it impacts a number of aspects of their lives, it is worth noting what Aline Kátia Melo and Bianca Pedrina have to say in an article entitled "Os direitos avançam para todas as mulheres? Não" (Have rights advanced for all women? No), on the struggle for home ownership in the outskirts of Brazil's cities:

The right to adequate housing is essential for the realization of all the other rights afforded to women. For women who live in the outskirts of cities, the distance makes transport an ordeal. Traveling along unlit streets makes the journey frightening. Not having a home in your own name is like being hostage to an abusive husband or, in this case, to high rents.

(MELO; PEDRINA, 2014).

## 3 Perpetuation of inequalities and violence

There is no way of delaying the debate over whether it is possible to solve the problem of epidemic violence without first eliminating the roots of social, racial and gender inequality that exist in the country. And, in this discussion, it will be necessary to affirm and reaffirm that this inequality is also a form of violence as serious as any other, in that it institutionalizes and perpetuates the enormous disparity between the different segments of the population.

One question we shall have to ask is whether we want to drastically reduce violence across the board, or whether we are only talking about keeping it away from the more privileged pockets of society. The answer will reveal to us the type of development we shall have, as well as the quality of the civilizing process that will guide our country's future projects.

When answering this question, we should remind ourselves what happened in South Africa under apartheid, when the neighbourhoods occupied by whites were like an island of tranquillity while the *bantustans*, where the blacks lived, were hellholes of unending violence. We need to realize that we are facing a similar situation, if we compare police actions in wealthy areas of the city of São Paulo to what happens in distant neighbourhoods like Jardim Ângela, at the city's impoverished southern tip.

We should also consider the economic impacts of the slaughter of black youth in the outskirts of Brazil's major cities, which, aside from the pain and suffering inflicted on their families, represents a waste of human capital that is vital for the country's future. As early as 2020, Brazil could face a sharp decline in its

population replacement rate, which will lead to problems such as labour shortages and, possibly, the need for solutions that involve restoring an immigration policy to attract more foreigners.

It needs to be shown that defending human rights is also about exposing the folly of a country that is unconcerned about the extermination of a portion of its youth, causing untold economic damage. Apart from being a racist country, we are also economically short-sighted.

A study by the Applied Economic Research Institute (IPEA) conducted in 2013, entitled *Vidas Perdidas e Racismo no Brasil* (Lost Lives and Racism in Brazil), examined the extent to which the differences in violent death rates are related to economic and demographic disparities and even racism. The study revealed that:

Considering only the range of individuals who suffered violent deaths in the country between 1996 and 2010, we find that, in addition to socioeconomic characteristics—such as education, gender, age and marital status—the skin colour of the victim, when black or brown, makes increase the likelihood of this victim to be killed by about eight percentage points.

(CERQUEIRA; MOURA, 2013, p. 14).

Considering only those individuals who died a violent death between 1996 and 2010, the IPEA found that, besides socioeconomic characteristics such as schooling, gender, age and marital status, the skin colour of the victim, when black or brown, increased the likelihood of them being murdered by nearly eight percentage points.

In the state of Alagoas, for example, homicides reduce the life expectancy of black men by four years. Among non-blacks, the figure stands at just three-and-a-half months. The murder rate among the black population in the state, in 2010, was 80 for every 100,000 individuals. There, 17.4 blacks were killed for every one victim of a different skin colour, making Alagoas the state with the worst result anywhere in the country.

What causes an even greater impact is the study's assertion that "life expectancy upon birth is one of the main indicators associated with the socioeconomic development of countries". A country where being born black comes with as many life-threatening risks as living through a civil war in the Middle East still has a long way to go on its journey toward civilization. In this context, the work of human rights organizations is essential and needs to be strengthened.

## 4 The urgency of now

This is why the protests of June 2013 stressed the urgency of meeting the demands placed on public and private decision-makers on a wide range of problems. The population that protested in the streets demanded immediate solutions, which brings to mind Martin Luther King's legendary "I Have a Dream" speech, given more than 50 years ago, when he spoke of the "fierce urgency of now" to solve the racial problems of the United States, declaring that "this is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism" (KING, 1963).

PERSPECTIVES ANA VALÉRIA ARAÚJO

This also seems to be the perception of André Singer, when he states,

New and old social movements, such as the Passe Livre (Free Transitfare) Movement on the one hand and the Homeless Movement on the other, decided not to keep waiting any longer. They realized that the centre-left government will only bow to the demands of the subjugated class under pressure. Encouraged by the results of June, they are taking to the street.

(SINGER, 2014).

### 5 The impact on traditional populations and the environment

If the context above deals with the new dynamics of pressure on the human rights situation in their most common forms, we should also note that the resumption of economic growth has unleashed a new wave of pressure on traditional populations and the environment in which they live. This has been caused by the planning of large-scale infrastructure projects, particularly roads, ports and hydroelectric dams. To have an idea, of the 50 largest infrastructure projects being designed around the world, 14 are located in Brazil.

These projects include the construction of large hydroelectric dams that cause massive social and environmental damage. Since companies do not have to account for social and environmental impacts in their production costs, hydroelectric power is currently Brazil's cheapest source of energy. As a result, industry is putting enormous pressure on the government to speed up the construction of large dams in the Amazon, particularly now that, in the first half of 2014, there is talk about the need for another round of electricity rationing as low rainfall has caused water levels to recede in reservoirs in the southeast of the country.

Since most of these projects will have significant impacts, civil society organizations are confronted with the difficult task of identifying, from among the many being planned, which ones deserve priority attention, considering the limited human and material resources that most of these organizations have to work with.

The establishment of these priorities will require a complex reading of the perceptions of Brazilian society about the need for infrastructure expansion, in order to define the best strategies for addressing the problem. It is also essential to change the impression held by many people that civil society organizations unreasonably oppose efforts to correct the shortcomings in the country's infrastructure.

The organizations working in this field need to be prepared to present consistent criticisms of the projects developed by governments or private companies, based on studies that clearly indicate their negative effects and the alternatives available to meet the real needs of society without harming traditional populations or the environment. This serves as a powerful antidote to fend off accusations that civil society organizations are opposed to progress and the enemies of development.

It is the quality of the criticism of infrastructure projects that violate human rights that will legitimize, in the eyes of society, the role of human rights organizations, considering that exercising social control over the government and private initiatives is part of democracy. And it is also what will allow organizations to win over more allies to human rights causes. This is because the notion of progress as an absolute value has long been relativized, precisely on account of the environmental crisis generated by the accelerated development throughout the world since the industrial revolution.

For Tzvetan Todorov,

the people, freedom and progress are constitutive elements of democracy (...), but if one of them breaks free from its relationships with the others, thereby escaping any attempt at limitation and rising up alone and absolute, they turn into threats: [beginning to constitute the real] inner enemies of democracy.

(TESTEMUNHAMOS..., 2014).

## 6 The paradox of a more autarkic Brazil

The growth of the Brazilian economy has also allowed the country to step up its presence in international forums. Over the past 10 years, during the governments of Luiz Inácio Lula da Silva and Dilma Rousseff, an intense diplomatic agenda strengthened the country's influence over various different blocks of nations. This prompted Brazil to exponentially increase its leadership, exemplified by the appointment of Brazilian ambassador Roberto Azevêdo as director-general of the World Trade Organization (WTO).

While this means that Brazil is an important enough player to influence debates in multilateral forums, it also means that the country, paradoxically, on account of the rise of its international status, is less susceptible to pressure from other countries to change practices that may violate human rights.

This requires internally stronger human rights organizations in order to seek, inside the country and in parallel to what is done on the international stage, the changes that could previously have been achieved with an expression of concern by multilateral organizations or by European countries and the United States.

There is no doubt that the greater autarky has been driven by the country's new pattern of trade relations, which used to be concentrated in Europe and the United States, but which in recent years have been diversified. Indeed, China is now an important economic partner of Brazil, particularly for its exports of mineral and agricultural products. One consequence of this diversification has been to reduce the weight that Brazilian agricultural exports to Europe and the United States used to have on the trade balance. As a result, the pressure that European and U.S. organizations can exert on Brazil to change practices that violate human rights will also tend to diminish.

The fact that we are viewed as the breadbasket of the world, at a time when food prices are rising due to growing demand, makes the country even more important and powerful in the complex game of trade and diplomatic relations. After all, it could be a long time before Brazilian organizations can rely on allies in China, for example, to denounce human rights violations by companies that export goods to that country.

On the other hand, the greater presence of Brazilian companies operating

PERSPECTIVES ANA VALÉRIA ARAÚJO

overseas, particularly in Africa and Latin America, has placed on Brazil the burden of being considered a country that violates human rights outside its borders. This further increases the responsibility of local human rights organizations, because we now need to do to African and Latin American partners what we used to get from European and U.S. organizations. To make matters worse, human rights organizations are currently facing enormous funding challenges and they have been weakened.

## 7 The emerging agenda

The year 2014 will be of key importance for the promotion of human rights in Brazil, precisely on account of the escalation of tensions that began with the protests of June 2013. The so-called "June protests" swept the country into a whirlwind of events that made social movements, politicians, the media and other sectors of society embark on a tough and painful debate that is still far from reaching any consensus that would permit the formulation of an agenda of solutions.

One might say that the country is even more uneasy than usual, as if all the problems brewing under the surface, apparently forgotten on account of the improvement of the economy, had erupted at once, challenging us to address them all at the same time and, just like the Sphinx and its riddle, threatening to devour anyone who cannot decipher them.

It is against this backdrop of uncertainty and high emotions—exacerbated by the imminence of the presidential elections and renewed appeals for authoritarian solutions, like the kind that led the National Congress, for example, to discuss a law to combat terrorism—that we need to work ever more diligently so that Brazilian society does not allow human rights to be left behind, like an unwanted burden to be discarded because it holds back economic growth.

We need now more than ever to expose the contradiction that a country cannot be considered rich, developed and accepted as a member of the first world while it contends with the chilling statistic that a woman is killed every 90 minutes, whether in São Paulo or in the more remote regions of the country.

Therefore, it is our job to demonstrate that denouncing the racism manifest in income inequality is an effective way of working for the development of the country on fair and sustainable grounds. Using the safeguards of human rights to protect those who are in conflict with the law serves, for example, to revitalize the workings of the state institutions that assure the proper functioning of a democracy, such as the judicial branch, without which there can be no strong and prosperous nation.

This is the work that human rights organizations need to bring to Brazil's attention, in order to legitimate their work and ensure that they can count on the indispensable financial support of the population, which is essential for them to operate independently. There is obviously a long way to go to build a culture of donating to civil society organizations. However, there are already some successful initiatives along these lines in Brazil that positively indicate the need for strong investment, in addition to the experiences of independent funds—the Brazil Human Rights Fund being one such example—that are committed to strengthening the

rights advocacy organizations that can lead the transformation process to make Brazil a better country.

#### REFERENCES

### Bibliography and Other Sources

- CERQUEIRA, D.R.C.; MOURA, R.L. de. 2013. Vidas Perdidas e Racismo no Brasil. Brasília: Ipea, nov. (Nota Técnica, n. 10). Available at: <a href="http://www.ipea.gov.br/">http://www.ipea.gov.br/</a> portal/images/stories/PDFs/nota\_tecnica/131119\_notatecnicadiest10.pdf>. Last accessed in: July 2014
- KING, Martin Luther Jr. 1963. I have a dream. Washington, EUA: Lincoln Memorial. Aug. 28.
- MELO, A.K.; PEDRINA, B. 2014. Os direitos avançam para todas as mulheres? Não. Folha de S.Paulo, São Paulo, 8 mar. Available at: <a href="http://www1.folha.uol.com.br/opiniao/2014/03/1422445-os-direitos-avancam-para-todas-as-mulheres-nao.shtml">http://www1.folha.uol.com.br/opiniao/2014/03/1422445-os-direitos-avancam-para-todas-as-mulheres-nao.shtml</a>. Last accessed in: July 2014.
- SINGER, A. 2014. Fogo cruzado e confuso. Folha de S.Paulo, São Paulo, 8 mar. Available at: <a href="http://www1.folha.uol.com.br/fsp/opiniao/155405-fogo-cruzado-e-confuso.shtml">http://www1.folha.uol.com.br/fsp/opiniao/155405-fogo-cruzado-e-confuso.shtml</a>. Last accessed in: July 2014.
- TESTEMUNHAMOS a corrosão mundial da democracia. 2014. Folha de S.Paulo, São Paulo, 21 fev. Available at: <a href="http://www1.folha.uol.com.br/livrariadafolha/2014/02/1415796-testemunhamos-a-corrosao-mundial-da-democracia-diz-todorov.shtml">http://www1.folha.uol.com.br/livrariadafolha/2014/02/1415796-testemunhamos-a-corrosao-mundial-da-democracia-diz-todorov.shtml</a>. Last accessed in: July 2014.
- VIEIRA, O.V. 2014. Incivilidade. Folha de S.Paulo, São Paulo, 8 fev. Available at: <a href="http://www1.folha.uol.com.br/colunas/oscarvilhenavieira/2014/02/1409207-incivilidade.shtml">http://www1.folha.uol.com.br/colunas/oscarvilhenavieira/2014/02/1409207-incivilidade.shtml</a>. Last accessed in: July 2014.

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**SUR 17,** v. 9, n. 17, Dec. 2012

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CRISTINA RĂDOI

The Ineffective Response of International Organisations Concerning the Militarization of Women's Lives

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Right of Petition by Individuals within the Global Human Rights Protection System

**SUR 18**, v. 10, n. 18, Jun. 2013

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#### **SUR 19,** v. 10, n. 19, Dec. 2013

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