



# COMISSÃO ARNs

ANNUAL REPORT  
FEB 2019 - FEB 2020



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## One-year report on the activities of the Arns Commission and its performance in the Brazilian context: the challenges and our commitment to work with civil society in the defense of human rights

A group of Brazilians with a recognized record of defending human rights met at the end of 2018 to discuss the need to strengthen the democratic rule of law and to avert reversal in basic rights secured by Brazil's 1988 Constitution. As a result, the Commission for the Defense of Human Rights Dom Paulo Evaristo Arns, named in honor of the combative archbishop of São Paulo, was created on February 20, 2019.

Composed of 22 founding members, the Arns Commission includes specialists from various fields – lawyers, academics, journalists and social activists – and across diverse generations, religious and political beliefs. The Commission's activities, carried out on a voluntary and nonpartisan basis, strive to defend and promote human rights in society in general, giving greater visibility to serious violations related to hate speech and its consequences, especially those committed by state agents against discriminated individuals and communities, such as black people, indigenous people, quilombolas (descendants of runaway slave communities), individual with different sexual orientations, women, youths, and urban or rural communities in extreme poverty.

During our first year of existence, we carried out dozens of interventions

and networked with social organizations and human rights defenders, disclosing violations, supporting public accusations, referring cases to courts and international organizations, putting pressure on political leaders, increasing civil society's awareness, and maintaining a presence in the media.

Among our activities, we highlight the launch – in partnership with the Brazilian Bar Association (OAB), National Conference of Bishops of Brazil (CNBB) and the Brazilian Press Association (ABI) – of the National Roundtable of Dialogue Against Violence, and the filing of complaints against Brazil's President at the International Criminal Court, in partnership with the Human Rights Lawyers Collective (CADHu). This work was made possible thanks to the important partnerships we formed with organizations in Brazil and abroad, in addition to the tireless contributions of volunteers in the Support Group and the Communication Group.

As a result of the impact and outcomes we achieved, described in the following pages, we believe we are on the right path, collaborating to strengthen the network for human rights protection in Brazil alongside the social movements, NGOs and public institutions that safeguard our democracy.

Brazilian history is characterized by serious violations of the most fundamental human rights. Although this violence has never been given proper attention by part of the country, there has been undeniable progress under the aegis of the 1988 Constitution. We can not allow setbacks.

The disrespect of human rights, which incidence may increase because of threats unleashed during the recent electoral process, unrelentingly affects the most discriminated sectors of society, made vulnerable by their race, religion, gender, sexual orientation, social and economic status.

In other difficult moments, Brazil realized the importance of human rights organizations pluralistically composed by members of civil society. These entities have demonstrated, even in dramatic scenarios, the indispensable surveillance to provide visibility and legal processing to crimes committed by agents of the State.

The establishment of the Arns Commission for Human Rights Defense strives to help protect the physical integrity, freedom and human dignity of those who may be threatened in this new difficult period of Brazilian history.

With the presence of members of previous entities in this new commission, we intend to gather past experiences with the intent of preserving the future. This is also the reason we pay homage to Cardinal Dom Paulo Evaristo Arns (1921-2016) who, above religious, political, social and ideological differences, was able to join forces in favor of human rights in the most difficult time of the dictatorial regime established in 1964.

From the meeting of old and new human rights advocates, the aim of the commission is to contribute to the visibility and legal follow-up in national and international instances to cases of serious human rights violations motivated by hatred and intolerance, as well as restrictions on the exercise of civil liberties and participation in political life. Arns Commission intends to work in an articulated way with the numerous human rights defense and research organizations already existing in Brazil. The plural unity of those who uphold the inviolability of human rights, within the framework of international treaties and conventions that the Brazilian State has agreed upon, is our common ground.

[FEB 2019]



## About us

The Commission for the Defense of Human Rights Dom Paulo Evaristo Arns is a non-profit civic organization, constituted by a group of founding members who work, on a voluntary basis, to defend the democratic rule of law and to oppose serious human rights violations. The group is made up of 22 internationally renown persons from different professional backgrounds and public experiences all of them with previous outstanding participation in defense of democracy and citizens' rights. The Commission honors Dom Paulo Evaristo Arns (1921-2016), archbishop of São Paulo in the 1970s early 1980s, who dedicated his life to pastoral work in marginalized neighborhoods and played an important role in protecting those who were politically persecuted by the military dictatorship.



Margarida Genevois  
*President of honour*



José Carlos Dias  
*President*



Ailton Krenak



André Singer



Antonio Claudio  
Mariz de Oliveira



Belisário dos  
Santos Jr.



Claudia Costin



Dalmo de Abreu Dallari



Fábio Konder  
Comparato



José Gregori



José Vicente



Laura Greenhalgh



Luiz Carlos  
Bresser-Pereira



Luiz Felipe de  
Alencastro



Manuela Ligeti  
Carneiro da Cunha



Maria Hermínia  
Tavares de Almeida



Maria Victoria de  
Mesquita Benevides



Paulo Sérgio Pinheiro



Paulo Vannuchi



Oscar Vilhena Vieira



Sueli Carneiro



Vladimir Safatle

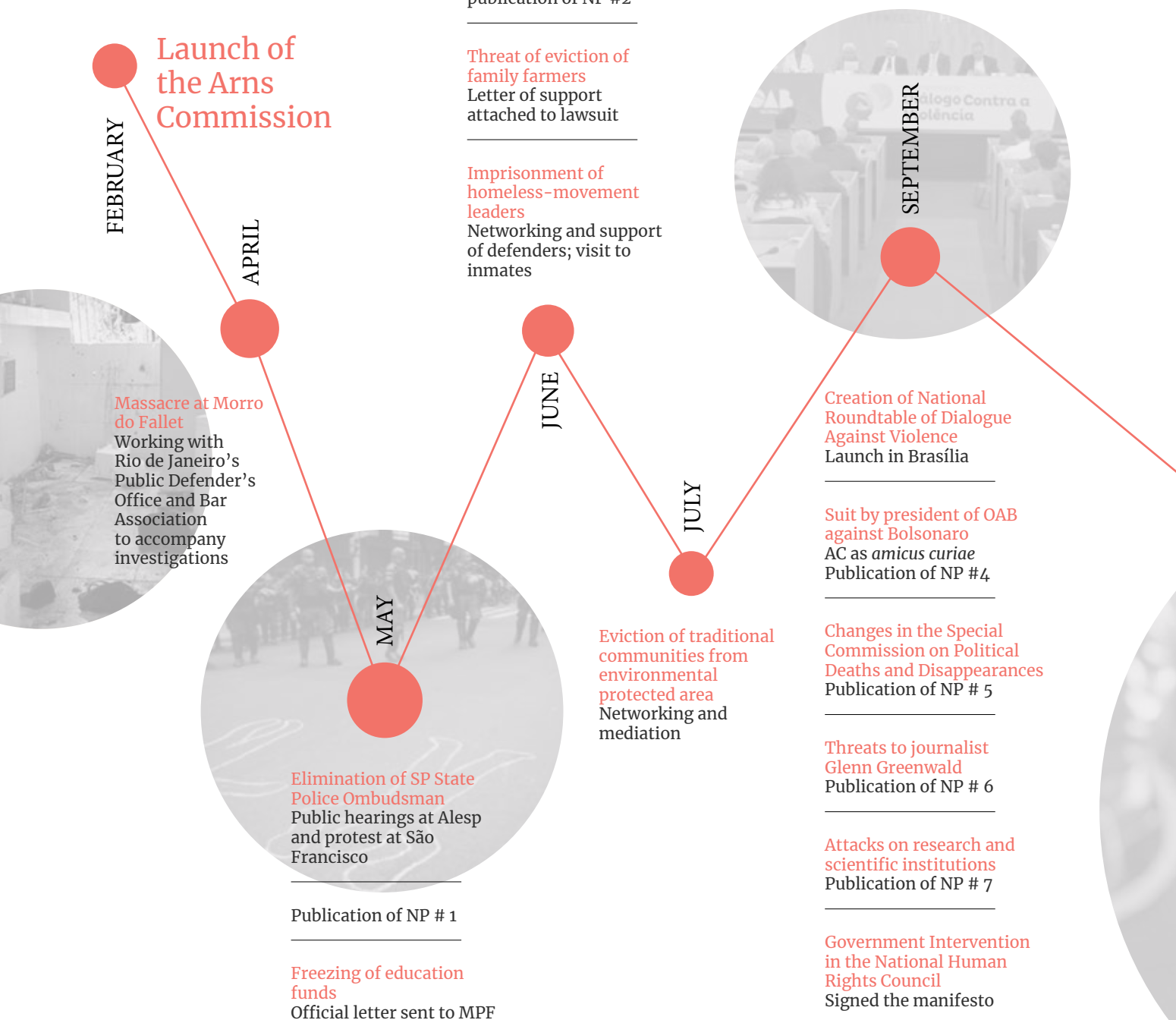
### Support Group

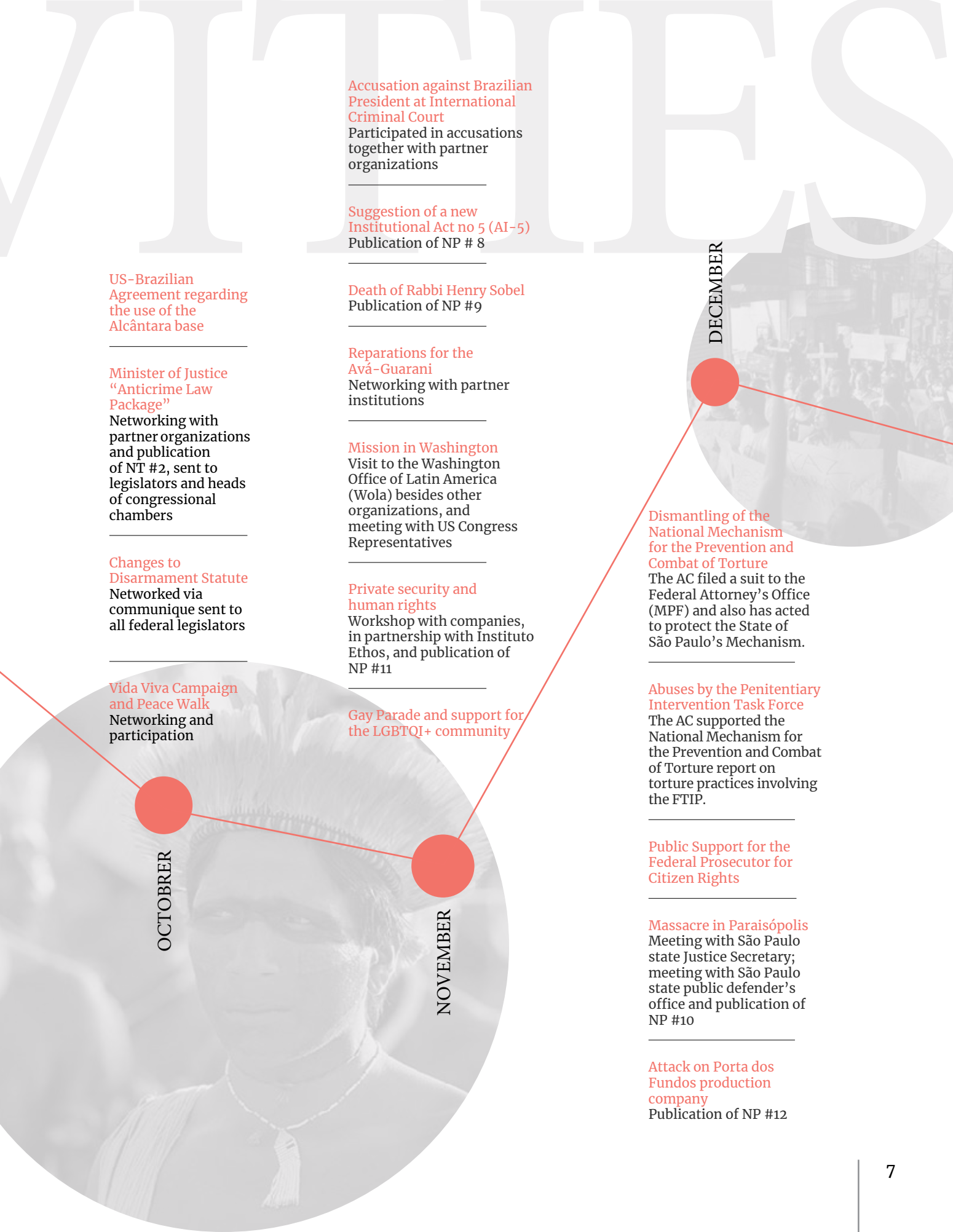
Andrés Martano | Bruna Lavinas Falleiros  
Christine Engelberg | Eloa Chouzal | Leana Naiman Bergel  
Silvia Lopes Menezes | Sofia Antonelli Amaral

### Collaboration

Analítica (Institutional communication) | Áurea Lopes  
(Digital communication) | Bharati Filmes (Institutional video)  
Ricardo de Oliveira (Webmaster)

# ACTIVITIES





Accusation against Brazilian President at International Criminal Court

Participated in accusations together with partner organizations

Suggestion of a new Institutional Act no 5 (AI-5)  
Publication of NP # 8

US-Brazilian Agreement regarding the use of the Alcântara base

Minister of Justice "Anticrime Law Package"  
Networking with partner organizations and publication of NT #2, sent to legislators and heads of congressional chambers

Changes to Disarmament Statute  
Networked via communique sent to all federal legislators

Vida Viva Campaign and Peace Walk  
Networking and participation

Death of Rabbi Henry Sobel  
Publication of NP #9

Reparations for the Avá-Guarani  
Networking with partner institutions

Mission in Washington  
Visit to the Washington Office of Latin America (Wola) besides other organizations, and meeting with US Congress Representatives

Private security and human rights  
Workshop with companies, in partnership with Instituto Ethos, and publication of NP #11

Gay Parade and support for the LGBTQI+ community

DECEMBER

Dismantling of the National Mechanism for the Prevention and Combat of Torture  
The AC filed a suit to the Federal Attorney's Office (MPF) and also has acted to protect the State of São Paulo's Mechanism.

Abuses by the Penitentiary Intervention Task Force  
The AC supported the National Mechanism for the Prevention and Combat of Torture report on torture practices involving the FTIP.

Public Support for the Federal Prosecutor for Citizen Rights

Massacre in Paraisópolis  
Meeting with São Paulo state Justice Secretary; meeting with São Paulo state public defender's office and publication of NP #10

Attack on Porta dos Fundos production company  
Publication of NP #12

OCTOBER

NOVEMBER

# AC TTV

# ITI

# ES

APRIL

## Massacre at Morro do Fallet

In February 2019, the Rio de Janeiro security forces have surrounded a group of youngsters in a house at the Fallet Hill and eventually killed 13 of them. The Arns Commission (AC) engaged the OAB-RJ Human Rights Commission, the Rio de Janeiro Public Defender's Office, and the Rio de Janeiro Public Prosecutor's Office to demand proper investigation of the issue and ensuing proper legal procedures. As official investigations concluded that there has not been evidence of police misbehaving, in January 2020, the AC again demanded that the MPRJ open an investigation, speaking out against the case being dropped.

MAY

## Elimination of SP State Police Ombudsman

The AC participated in public hearings at the Legislative Assembly of the State of São Paulo (Alesp) and in a protest public session held at the USP Law School in defense of the ombudsman for the São Paulo State Police. The AC also issued a public statement (NP # 1) in support of the ombudsman. The proposal to eliminate the job was rejected by the state legislative assembly.

## Freezing of education funds

Together with the Brazilian Association of Anthropology (ABA), the National Graduate Studies and Social Sciences Research Association (Anpocs) and the Brazilian Society of Sociology (SBS), the AC signed an official letter sent to the Federal Prosecutor's Office (MPF) denouncing "serious attacks on free thought, university autonomy, and academic research."





JUNE

## Violation of rights of the Waimiri Atroari

The AC monitored the construction project for an electric transmission line linking the cities of Boa Vista (Roraima) and Manaus (Amazonas), evaluating the human and environmental impacts. The AC issued a public statement (NP # 2) demanding compliance to International Labour Organization (ILO)'s Convention 169 that states the right of the Waimiri-Atroari indigenous people to be consulted about a project that will intersect their officially recognized territories.

## Threat of eviction of family farmers

The AC published a letter in support of families threatened with eviction from their land, in Ariadnópolis (Minas Gerais). The document was attached to the lawsuit proposed by their lawyers and was cited in court sentence that guaranteed the social function of property for rural workers.

## Imprisonment of homeless-movement leaders

The AC offered technical support to Projeto Aliança lawyers in defense of the members of the Movement of Homeless Workers in São Paulo (MTST). Three founders of the Commission paid a solidarity visit to the MTST leaders being detained at the Santana Women's Penitentiary. Six days later, they were released.

JULY

## Eviction of traditional communities from environmental protected area

The AC mediated talks between the Forestry Foundation of the State of São Paulo and the traditional communities (caíçara) that have lived, since long, in the Estação Ecológica da Jureia, and the protected area authorities in order to avoid their expulsion from a territory they occupied well before it became a protected area. The AC issued a letter supporting the traditional communities of Rio Verde and Grajaúna's claims and participated in the hearings that suspended the land repossession by the environmental agency.

# AC

# TIV

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# ES

SEPTEMBER

## Creation of National Roundtable of Dialogue Against Violence

A joint initiative of the AC, Brazilian Bar Association (OAB), National Conference of Bishops of Brazil (CNBB) and the Brazilian Press Association (ABI), the National Roundtable of Dialogue Against Violence was launched in Brasília with a meeting attended by numerous civil society organizations. This was the first in a series of nationwide actions that seek to strengthen the culture of peace and promote human rights.

## Suit by president of OAB against Bolsonaro

The AC issued a public statement (NP #4) in the face of offenses made by the President of the Republic against the President of Brazilian Bar Association.

## Changes in the Special Commission on Political Deaths and Disappearances

With public statement, the AC issue a Public Statement (NP # 5) repudiating the federal government's measures to restructure the Special Commission on Political Deaths and Disappearances (CEMDP) and to reduce its autonomy. The CEMDP's duties were restricted in February 2020.

## Threats to journalist Glenn Greenwald

Opposing threats encouraged by Brazil's President and members of his administration towards the founder of The Intercept Brasil, the AC issued a public statement (NP # 6) denouncing menaces of imprisonment, deportation, and homophobic comments against the journalist.

## Attacks on research and scientific institutions

Following the firing of the director of the National Institute for Space Research (Inpe), Ricardo Galvão, the AC issued a public statement (NP # 7) in defense of research and scientific institutions autonomy and against what was thought to be the government's retaliation due to public disclosure of data on Amazon Rain Forrest devastation increase.

## Government Intervention in the National Human Rights Council

The AC signed, together with several civil society organizations, the note issued by the National Human Rights Council (CNDH) denouncing the Federal government interventions, through changes in its composition, budget cuts, and censorship to its activities.

OCTOBER

## US-Brazilian Agreement regarding the use of the Alcântara base

In a technical note (NT # 1), the AC pointed to irregularities and harmful impacts on the environment and on traditional communities resulting from the Technological Safeguards Agreement for the use of the Alcântara Launch Base, in the State of Maranhão. Despite our efforts, the agreement was approved in December 2019 without any guarantees to respecting rights traditional people that live there.

## Minister of Justice “Anticrime Law Package”

Acting together with other institutions, the AC responded to the so-called “Anticrime Package”, a law proposal from Ministry of Security and Public Justice with several measures, some potentially harmful to human rights. AC issue a technical note (NT # 2), which was sent to representatives, senators, and the presidents of both legislative chambers.

## Changes to Disarmament Statute

The Instituto Sou da Paz, Instituto Igarapé, and the AC coordinated their actions in the “Não Somos Alvo” (We are not a target) campaign and sent a technical note to all federal representatives on the eve of voting on the substitute text of bill 3723/2019, known as the Disarmament Statute, and which relaxes limits to the private possession of firearms. The AC continues to monitor the bill, which is being discussed in the Senate.

## Vida Viva Campaign and Peace Walk

Conceived by a group of popular movements, the organization and promotion of the Vida Viva Campaign was supported by the AC. A representative of the AC participated in the Peace Walk (Caminhada da Paz) – which is linked to the campaign – in the Jardim Ângela, a poor São Paulo neighborhood.

NOVEMBER

## Accusation against Brazilian President at International Criminal Court

Jair Bolsonaro was the target of a suit filed with the International Criminal Court for “crimes against humanity” and “inciting the genocide of indigenous peoples in Brazil.” This initiative was sponsored by the AC and the Human Rights Lawyers Collective (CADHu), and the suit is awaiting review by the court and its prosecutors, who may decide to open an investigation against the Brazilian president. “The destruction of socio-environmental policies, emptying out of environmental agencies, encouraging and facilitating deforestation and the invasion of indigenous lands, reluctance to demarcate these lands, omissions regarding forest fires, and deviations in the investigation conducted so far, are acts that place indigenous peoples in risk of genocide,” the document says.

## Suggestion of a new Institutional Act no 5 (AI-5)

The Institutional Act nº 5 has been the most important piece of legislation issue, in December 1968, by the authoritarian military regime (1964-1985) to suppress democratic institutions and civil liberties. It is therefore a symbol of the authoritarianism in Brazil. It has been frequently mentioned by the President Bolsonaro and his entourage. In the public statement (NP # 8), the AC expressed its “repudiation of and deep concern about the recurring threats to democracy and human rights perpetrated by representative Eduardo Bolsonaro, who suggested the adoption of “a new AI-5”.



# AC TIV ITI ES

## Death of Henry Sobel

Through a public statement (NP # 9), the AC remembered the importance of Rabbi Sobel's work against human rights violations during the military dictatorship (1964-1985).

## Reparations for the Avá-Guarani

The AC supported the defenders of the Avá-Guarani after the Federal Public Prosecutor's Office (MPF) withdrew a civil lawsuit that requested compensation for damages caused by the construction of the Itaipu hydropower plant. The consequences of that project upon the indigenous community are still felt, and the AC recommended a new lawsuit.

## Mission in Washington

Together with a Conectas director, an AC member had a series of meetings in Washington to introduce the Commission and discuss future collaboration. They have paid a visit to the Washington Office of Latin America (Wola), a renowned United States non-governmental organization, which focuses on promoting human rights. They also met with a researcher from the organization People for the American Way, who specializes in the study of extreme-right political movement; were received by the President of the Organization Of American States' Human Rights Commission and, helped by Wola, visited and talked to the staff of US Congress Representatives Kanna, Grijalva and Haaland and had a Briefing sessions with the Latin American Sub-Committee of the House Western Hemisphere Committee.

## Private security and Human Rights

After the killing of a young man by a private security agent, in a Rio de Janeiro supermarket, the AC joined the Ethos Institute to raise awareness in the private sector about the issue of human rights, especially where private security firms are in charge of venues attended by significant amount of public, such as supermarkets, shopping malls and huge retailers' shops. AC and Ethos have organized a workshop on the issue with businesspeople from São Paulo state. The AC issued a public statement (NP # 11) addressing the prevention of violence carried out by private security agents.



## Gay Parade and support for the LGBTQI+ community

The AC participated in a meeting of the Association of the LGBT Pride Parade of São Paulo, sitting down with leaders from dozens of state pride parades and discussing with them how to raise awareness to this issue and avoid police violence during the events.

DECEMBER

## Dismantling of the National Mechanism for the Prevention and Combat of Torture

As signatory of the UN International Convention Against Torture, Brazil had to organize the Mechanism for Prevention and Combat of Torture, at National and State levels. In 2019, some governors and the Federal government have tried to dismantle those agencies. The Institute for the Defense of the Right to Defense (IDDD) and the AC filed a suit to the Federal Attorney's Office (MPF) denouncing the emptying out of the National Mechanism for the Prevention and Combat of Torture and demanding the reinstatement of the 11 agency experts who had been dismissed. The AC also has acted in the same vain to protect the State of São Paulo's Mechanism from the São Paulo's government attacks.

## Abuses by the Penitentiary Intervention Task Force

The president of the AC participated in a public hearing at the Human Rights and Minorities Committee of the Chamber of Deputies to discuss the activities of the Penitentiary Intervention Task Force (FTIP) in the states of Brazil's North and Northeast regions. Based on a report by the National Mechanism for the Prevention and Combat of Torture, the AC demanded that complaints about serious human rights violations in prison venues under the intervention of the FTIP be investigated.

## Public Support for the Federal Prosecutor for Citizen Right

The AC went to Brasília to express support for Déborah Duprat, federal prosecutor for Citizens' Rights, due to her removal from the National Human Rights Council (CNDH).

## Massacre in Paraisópolis

The São Paulo Military Police conducted a raid in a black youth multitudinous party. Trying to escape from the police several youths died trampled in the narrow streets of Paraisópolis, a poor neighborhood in São Paulo. While closely monitoring investigations into police actions in the Paraisópolis community, the AC met with the Secretary of Justice of the State of São Paulo and members of the Public Defender's Office of the State of São Paulo. The AC issued a public statement (NP # 10) demanding measures to restrain police violence against black youths living in these marginalized communities.

## Attack to audiovisual production company

After producing a Christmas TV Program thought be disrespectful to religious faith, the comic group "Porta dos Fundos" was submitted to attacks from the extreme-right users of social network and also from members of Bolsonaro's government. The studios where the video has been produced suffered a night arson attack claimed by an extreme-right unknown organization. In a public statement (NP # 12), the AC expressed its repudiation to the attack on the producer of the "Porta dos Fundos" program, demanding public attention. "The type of violence employed causes deep concerns because it is not an isolated incident", the note said.

The Arns Commission closely monitored instances of threats and attacks on human rights in Brazil during 2019. On several occasions it spoke out, issued Public Statements, and was consulted as an expert source in national and international media reports.

- **488** publications were written about the Arns Commission
- **173** on suits at the ICC against indigenous genocide
- **138** concerning other institutional repercussions and disclosures
- **91** on the launch of the Arns Commission
- **49** on the press conference held in April
- **37** about the National Roundtable of Dialogues Against Violence
- Various media outlets published 30 interviews with members of the group
- The Arns Commission was discussed on TV news broadcasts at least **23** time
- In terms of articles, interviews, and briefs, the Arns Commission was mentioned **36** times in international media outlets

>FACEBOOK

2.373 followers

247 posts

>TWITTER

568 followers

397 posts

>INSTAGRAM

886 followers

167 posts





## Awards

In December 2019, the Arns Commission was honored with the Alceu Amoroso Lima Human Rights Award, granted by the Alceu Amoroso Lima Human Rights Center, with support from Cândido Mendes University. Claudia Costin received the award.



The honorary president of the Arns Commission, Margarida Genevois, was honored in December 2019 with the Dom Paulo Evaristo Arns award from the São Paulo Municipal Secretariat for Human Rights and Citizenship, and with the XXXV Human Rights Award from the São Paulo Bar Association.



## Public Statements

- # 1 - Support for the São Paulo Police Ombudsman
- # 2 - Support for the Waimiri Atroari people
- # 3 - For the preservation of the principles of Criminal Justice
- # 4 - Respecting the right to memory and truth
- # 5 - In defense of the Special Commission on Deaths and Disappearances
- # 6 - Solidarity with journalists at The Intercept Brasil
- # 7 - In defense of research and scientific institutions
- # 8 - Threat to democracy and human rights
- # 9 - In memory of Rabbi Henry Sobel (1944-2019)
- # 10 - Repudiation of police violence in the Paraisópolis community
- # 11 - Preventing violence by private security agents
- # 12 - Statement on the attack on Porta dos Fundos production company

## Technical Notes

- # 1 - The Alcântara Agreement and the 1988 Constitution
- # 2 - The mistaken notion of punishment as a means of preventing crime

## Articles

**81** articles were published on the Arns Commission website's blog, and 64 articles on the Arns Commission blog on UOL



