



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, on his visit to Brazil**

**Comments by the State\***

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\* The present document is being issued without formal editing.



1. The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch – and has the honor to refer to the letter INT/CV/TRT/BRA/26512, dated April 11<sup>th</sup> 2023, submitted by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Clément Nyaletsossi Voule.
2. The Government of Brazil would like to convey the following comments to the advances unedited version of the report of the visit to Brazil of the Special Rapporteur on the rights to freedom of peaceful assembly and of association between March 28<sup>th</sup> and April 9<sup>th</sup> 2022.
3. Brazil would like to outline that one of the first measures undertaken by the current Government concerned the revocation of the Decree No. 9.759/2019 and enactment of the Decree No. 11.371/2023, in order to strengthen the national commitment to democracy and broad public participation at all levels and with a view to resuming the spaces for dialogue between civil society and Government's authorities.
4. Brazil would like to highlight the resumption of the activities of the National Councils within the scope of the Ministry of Human Rights and Citizenship. These Councils are equipped with new members, wider social participation and the inclusion of new Government's stakeholders in the following areas:
  - The National Council for the Rights of the Older Persons;
  - The Multistakeholder Committee for Following-up and Monitoring of the National Policy for Persons in Situation of Homelessness;
  - The National Council for the Rights of Children and Adolescents in order to mainstream these topics;
  - The National Council for the Rights of the LGBTQIA+ persons in replacement of the National Council for Combating Discrimination;
  - The restructuring of the Amnesty Commission; and
  - The establishment of a Working Group to discuss how to address domestic slave labor at the National Commission for the Eradication of Slave Labor.
5. The Government of Brazil would like to inform that, as part of the medium-term planning of the Ministry of Human Rights and Citizenship, new National Conferences will be convened for the discussion of public policies for children and adolescents and persons with disabilities.
6. Furthermore, the Government of Brazil would like to underscore the resumption of the National Committee for the Prevention and Combat of Torture. Although this National Committee was not dissolved in the previous years, it faced challenges in guaranteeing its functioning, autonomy and full respect for its decisions, as well as in its membership, given the long delays in the selection of its members through a public call process that started in May 2021 and was partially closed in March 2022. The vacancies assigned for the participation of civil society were only filled in December 2022.
7. The first meeting of the National Committee for the Prevention and Combat of Torture took place in March 2023 with the full participation of civil society members. The second meeting of the National Committee is scheduled to be held on May 30<sup>th</sup> and 31<sup>st</sup>, 2023. Moreover, the Government of Brazil included in its work plan the promotion and support to the Committees for the Prevention and Combat of Torture at the state-level. In this regard, the Federal Government has started to hold meetings with federation units' authorities, aiming at disseminating information and awareness on the importance of such Committees based on previous work.
8. A Working Group was established for combating hate speech and extremism as part of the human rights public policies. The creation of the Working Group stands out as one of the measures the Government of Brazil has taken to prevent attacks on democracy, such as those committed on January 8<sup>th</sup> 2023. The Working Group is comprised of scholars and professionals from several areas related to building a culture of peace, respect, and protection

of human dignity, with a view to working as a stepping stone to framing an educational policy from a human rights perspective.

9. Concerning errors of fact of the advanced unedited version of the report written by the Special Rapporteur on the rights to freedom of peaceful assembly and of association, please note that the appropriate reference to the year of promulgation of Brazil's Federal Constitution is 1988, rather than 1998, as mentioned in the sections "Brazil's legal framework" (first paragraph) and "A.Conclusions" (item 1).

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