



CONECTAS HUMAN RIGHTS

2008 ANNUAL REPORT

CHALLENGES FOR **2009**

CONECTAS'S BOARD

Margarida Bulhões Pedreira Genevois

President of the Board

Coordinator, Brazilian Network for Human Rights Education

Âmbar de Barros

Director, Children's Programming Center of TV Cultura (São Paulo)

Anamaria Schindler

Superintendent, Arapyaú Institute

Claude Grinfeder

Member of Votorantim Cimentos Board

Guilherme Lustosa da Cunha

Lawyer and former UN Official

Jacques Edgard F. d'Adesky

Researcher, American Study Center/UCAM

Maria Tereza Pinheiro

Journalist, Rede Globo de Televisão

Rosiska Darcy de Oliveira

President, Center for Women's Leadership

Sandra Carvalho

Director, Global Justice

Sérgio Fingeremann

Artist

Theodomiro Dias

Lawyer and Professor, Getúlio Vargas Foundation

FISCAL COMMITTEE

Ana Lucia de Mattos Barretto Villela

Director, Alana Institute

Fabio Caruso Cury

Lawyer, Cury Advogados Associados

Flavia Regina de Souza

Lawyer, Mattos Filho, Veiga Filho, Marrey Jr. e Quiroga Advogados

FUNDERS

Initial funds to launch the organization were provided by the Ford Foundation and the United Nations Foundation (UNF). Today, Conectas main donors are:

- ✓ Better World Fund/ United Nations Foundation (UNF/BWF)
- ✓ European Commission
- ✓ Ford Foundation
- ✓ Oak Foundation
- ✓ Open Society Institute (OSI, OSISA, OSIWA e OSJI)
- ✓ Overbrook Foundation
- ✓ The Netherlands Embassy in Brazil
- ✓ United Nations Democracy Fund

Other donors and partners:

- ✓ Ashoka
- ✓ Consulate General of Canada
- ✓ Democracy Coalition Project
- ✓ Friedrich Ebert Foundation - Brasil
- ✓ Law School of the FGV (São Paulo)
- ✓ Oxfam
- ✓ The German Embassy in Brasil

LETTER FROM THE DIRECTORS

We are pleased to present Conectas Human Rights' new Report of Activities. More complete than the report last year, this report highlights the main achievements of the Justice and Global South Programs in 2008, as well as the advances and challenges in the Institutional Area. The report also includes some activities of the first semester of 2009 and prospects for this year.

2008 was a year of great opportunities to consolidate and integrate our initiatives and reap the fruits of our efforts.

For the 60 year anniversary of the Universal Declaration of Human Rights (UDHR), Conectas actively participated in the celebrations, and structured its various international activities around UN-related work in order to stimulate critical and productive reflection. The eighth annual International Human Rights Colloquium, which brought together around 80 participants in November 2008, was themed "60 Years of the UDHR: The role of Southern organizations". Furthermore, the II Strategic Meeting on Civil Society Participation in the UN Human Rights Council, which included representatives of 11 NGOs from the Global South, focused its work on civil society participation in the Universal Periodic Review (UPR). As all UN Member States will be subject to the UPR, Conectas produced a Roadmap, with partner organizations, to help guide NGOs. In addition to its participation in monitoring Brazil's UPR, Conectas's Foreign Policy project encouraged and trained other NGOs throughout the year to engage in the UPR process. Moreover, the Sur – International Journal on Human Rights published a special issue on the anniversary of the UDHR.

On the national level, the progress made in the defense of access to justice for vulnerable groups and in combating systematic violations of human rights in Brazil exemplifies the combined work of the Justice Program's Artigo 1º Project and the Pro Bono Institute.

After contributing to major changes in the adolescent detention system, such as the deactivation of large prison complexes and improvement of general conditions, Artigo 1º decided to broaden its scope, and, in addition to initiatives related to adolescents, began to develop projects about the detention conditions in public jails. Another focus of intense activity in 2008 involved the Brazilian Supreme Court. Conectas is participating in several actions by contributing *amicus curiae* briefs, including briefs on authorization of induced delivery of anencephalic fetuses, the recognition of gay civil unions, increased autonomy for public defenders and the demarcation of the indigenous land Raposa Serra do Sol. Last year's launch of the site www.stfemfoco.org.br also helped to disseminate information on the Brazilian Supreme Court's work to other civil society organizations.

The Pro Bono Institute (IPB) obtained great achievements in 2008, with emphasis on the state of Alagoas's adoption of a resolution that allowed *pro bono* work in the state. The IPB also undertook a more academic project, called "The Legal Statute of the Third Sector", whose final product was submitted in 2009 to the Ministry of Justice to support the development of general law for organized civil society.

But 2008 was also a year of great challenges. The economic and financial crisis alarmed all sectors of the economy and particularly affected the civil society organizations.

Conectas experienced this period of crisis as an opportunity to change paradigms and renew practices. In recent years, our organization was already facing sustainability challenges. We adopted several measures: reduced our cost of rent by moving our headquarters to a more affordable location; looked to diversify our funding and strengthen our fundraising; substantially strengthened our administrative and financial areas and improved our internal procedures; reviewed and reduced our operating costs; froze wages; and increased the visibility of the organization to strengthen its credibility.

Indeed, the very publication of this report of activities demonstrates the continued improvement of Conectas's presentation of accounts to partners, donors and the general public. The publication also shows that Conectas recognizes that governance and transparency are a path to sustainability.

We thank our motivated, dedicated and talented team, as well as our partners, funders and Board members for their trust and support, which is essential to fulfill the mission that we propose. The successes and challenges reported in this publication belong to all of us.



Malak Poppovic
Executive Director



Oscar Vilhena Vieira
Legal Director

SUMMARY

JUSTICE PROGRAM	6
<i>STRATEGIC LITIGATION AND CONSTITUTIONAL DEBATE</i>	
♦ <i>Artigo 1º</i>	7
<i>PROMOTING LAWYERS' SOCIAL RESPONSIBILITY</i>	
♦ <i>Pro Bono Institute</i>	12
<i>FIGHTING RACIAL DISCRIMINATION</i>	
♦ <i>Black Women's Right to Health in Brazil Project</i>	16
 GLOBAL SOUTH PROGRAM	 20
<i>EDUCATION: SHARING KNOWLEDGE IN THE SOUTH</i>	
♦ <i>International Human Rights Colloquium</i>	21
♦ <i>Human Rights Fellowship Program for Portuguese-Speaking Africa</i>	25
<i>RESEARCH: KNOWLEDGE FROM THE SOUTH</i>	
♦ <i>Sur – International Journal on Human Rights</i>	28
♦ <i>IBSA Project: The Justiciability of Human Rights</i>	31
<i>ADVOCACY: DEFENDING HUMAN RIGHTS IN THE SOUTH</i>	
♦ <i>Foreign Policy and Human Rights</i>	32
 INSTITUTIONAL AREA	 36
 FINANCIAL REPORTS	 41



*Participants, observers and staff of the
VIII International Human Rights Colloquium*



Conectas Human Rights is an international non-governmental, not-for-profit organization, founded in São Paulo, Brazil, in October 2001, with the following mission: Promoting respect for human rights and contributing to the consolidation of the Rule of Law in the Global South (Africa, Asia and Latin America).

Accordingly, Conectas develops programs that aim at strengthening activists and academics in the southern hemisphere and increasing their interaction with the United Nations and among them. Conectas was accorded consultative status before the UN in January 2006.

In Brazil and in the region, Conectas promotes strategic and public interest litigation.

In view of these objectives, Conectas works in two broad program areas:

(1) Conectas's **Justice Program** works at the national and regional levels to protect victims of human rights violations, through strategic litigation and the provision of *pro bono* legal services in support of vulnerable groups and of the larger civil society sector. The Program also participates in the constitutional debate related to human rights issues and contributes to the empowerment of black women leaderships in issues related to the Right to Health;

(2) Through its **Global South Program**, Conectas conducts research, builds the capacity of local and regional human rights advocates, shares knowledge among and between academics and practitioners, promotes alliances and South-South cooperation, and equips human rights activists to interact with the UN, a key partner in the promotion of human rights. In these ways, Conectas is increasing the influence and impact of a new generation of Global South human rights defenders.

The following report describes the main activities and outputs developed by both Programs in 2008, and the institutional achievements and financial reports for this year, as well as the challenges that each one of these areas are facing in 2009.



CONECTAS HUMAN RIGHTS

JUSTICE PROGRAM

The Justice Program of Conectas Human Rights is a combination of three interlocking projects that use the Law to broaden access to justice for vulnerable groups and to combat systematic human rights violations in Brazil.

The program consists of the **Artigo 1º Project**, the **Pro Bono Institute** and **Black Women's Right to Health in Brazil Project**.

In 2008, the **Artigo 1º** project conducted a detailed assessment of its work over recent years, prompting it to take the important decision to broaden its focus area. Now, in addition to activities related to detained adolescents, the project will also develop initiatives on the (inappropriate) detention conditions in Brazilian prisons.

Furthermore, in terms of constitutional debate, 2008 was a remarkably fruitful year for legal cases in which Conectas participated in the Brazilian Federal Supreme Court (STF) sessions. This was the first time that public hearings were held in the Supreme Court where civil society could be officially heard on important issues. Major lawsuits, such as the case on scientific stem-cell research, were judged last year. More information in the following pages.

For the **Pro Bono Institute** (IPB), 2008 was a year of many triumphs. Another Brazilian state – Alagoas – approved a local resolution permitting the practice of law on a *pro bono* basis in its territory. Meanwhile, a research project called “Legal Statute of the Third Sector” was conducted during the year by IPB staff, and the final document, submitted to the Ministry of Justice, will facilitate the preparation of a bill for the third sector. Read more about the IPB on page 12.

The **Black Women's Right to Health in Brazil Project**, meanwhile, embarked on its second year in 2008. Its main activity was the capacity-building courses it organized to empower black female leaders from two neighborhoods in the outskirts of São Paulo to combat racial discrimination in the public health system. More than 100 people participated in the activity, staged in two modules throughout the year and based on materials produced during the previous year. The project is now embarking on its final stage, with challenges such as the installation of a Center of Rights and ways to make it sustainable. See more on Page 16.

STRATEGIC LITIGATION AND CONSTITUTIONAL DEBATE

Artigo 1º relies on the financial support of the Oak Foundation, the Overbrook Foundation and the Better World Fund (UNF/BWF)

ARTIGO 1º

The work of **Artigo 1º** (*Article 1*) is divided into two principle areas: strategic litigation to combat institutional violence, wherein victims of human rights violations are directly advised by our team of attorneys; and the monitoring of constitutional debates, to stimulate the participation of civil society in cases concerning fundamental rights that come before the Brazilian Federal Supreme Court (STF).

Strategic Litigation

IN DEFENSE OF ADOLESCENTS

In February, Conectas published a compendium entitled "*In Defense of Adolescents: The Role of Families in Protecting the Rights of Adolescents in Fulfillment of Socio-Educational Measures*", produced in conjunction with ILANUD (Latin American Institute of the United Nations for the Prevention and Treatment of Delinquency), AMAR (Association of Mothers and Friends of Children and Adolescents at-risk), and CEDECA - Sapopemba (Center for the Defense of the Rights of Children and Adolescents of Sapopemba), with the support of UNICEF (United Nations Children's Fund). The objective of the publication, which is being distributed to diverse non-governmental organizations, is to clarify the rights of children and adolescents to the public, especially families and others responsible for adolescents in fulfillment of socio-educational measures.



Booklet Cover

After about five years in existence, Artigo 1º has made a complete survey of its work. Since 2003, the project team has brought **more than 170 complaints, judicial actions and administrative procedures**, the majority referring to human rights violations (death and torture) of detained adolescents in the state of São Paulo.

This litigation on behalf of individuals, coupled with more structural measures, such as the presentation of complaints before the Interamerican System for the protection of human rights asking for the **closure of the most problematic detention units**, has put pressure on the state of São Paulo to apply preventative measures, which seek to avoid the repetition of these violations.

It is important to note that the courts have finally recognized the seriousness of the death of detained adolescents while in the state's custody and raised the value of compensation from about US\$7,000 to US \$100,000.

In 2008, Artigo 1º continued filing **new requests for compensation for death and torture** against the institution responsible for detained adolescents (CASA Foundation, formerly known as FEBEM), and initiated various administrative procedures to investigate poor detention conditions and ill-treatment of detainees.

Another important achievement was Artigo 1º' s role in creating monitoring mechanisms for these violations. After a judicial battle of almost three years, the courts finally invalidated a regulation of the former FEBEM, which prevented civil society organizations from entering into detention facilities to monitor the conditions therein. This victory facilitated **in situ monitoring of the situation in the detention units**. For example, Artigo1º, in its first visit to the Franco de Rocha detention unit, in July 2008, found evidence of torture and ill-treatment of adolescents and promptly denounced these acts to the authorities and the media.

International Activities

At times, the domestic legal system is insufficient, on its own, in remedying cases and complaints of institutional violence. Therefore, when the response of the national judicial system is inadequate, Artigo 1º files cases with the Inter-American Commission for Human Rights (IACHR) in Washington, whose penalties and precautionary acts help pressure member states to adopt measures that prevent the most common types of rights violations.

An innovative initiative has been introduced in the **Public Jail of Guarujá**, in São Paulo state. The jail in question, after years of overcrowding and structural deterioration, did not present the minimum security or sanitary standards required to hold people. In addition, adolescents were detained together with adults, in clear violation of their rights.

Artigo 1º, in conjunction with the Pro Bono Institute and the Com-

munity Counsel of the Guarujá and Vicente de Carvalho Jails, brought the case before the IACHR, which imposed measures mandating the removal of adolescents and protective measures for adult prisoners. Finally, in March of 2008, the jail was closed by order of the domestic courts.

Artigo 1º filed **another complaint at the IACHR in 2008**: the case of Gerson Mendonça, who was killed by the police when reacting to an “express kidnapping,” of which he was the victim. The police officer who killed Gerson was found innocent under the domestic judicial system, which stated that the officer acted “in strict compliance with his legal obligations”. The complaint presented to the Commission sought responsibility on the part of the State and remuneration for the victim’s family.

Constitutional Debate: Supreme Court in Focus

The Federal Constitution of 1988 places the Brazilian Federal Supreme Court (“Supremo Tribunal Federal,” or STF) in the role of a guardian of the Constitution. In this role, the Federal Supreme Court has been called upon to decide on issues that have an enormous impact on the human rights agenda.

Therefore, the objective of the Artigo 1º’s **Supreme Court in Focus (STF em Foco)** project is to monitor the cases brought before the Supreme Court to ensure that civil society’s perspective is taken into account by the Justices at

the moment their decisions are made. The systemic participation of Artigo 1º through *amicus curiae* briefs filed in Supreme Court cases also seeks to enhance the role of human rights in the public debate in Brazil.

In 2008, the pace of our staff’s actions before the Supreme Court became quite intense. Two cases in which Conectas had participated as *amicus curiae* – one concerning the legality of induced delivery of anencephalic fetuses and the other concerning the prohibition on the importation of used tires to Brazil – had

CASES BEFORE THE SUPREME COURT

Several important cases with immense repercussions on the national stage went before the Court in 2008. Conectas participated as *amicus curiae* in the majority of them. Three examples follow:

Stem-Cell Research

In March, the Supreme Court decided on an action that sought to prohibit scientific research on embryonic stem-cells, which was regulated by a particular law. Conectas was admitted as *amicus curiae* in the action and defended the validity of the research, arguing that only unviable cells from the embryos would be used, and outlining the potential benefits in the field of health care. Professor Oscar Vilhena Vieira, Legal Director of Conectas, made an oral argument before the court in a session that took place in March. Finally, the court decided that the research was constitutional, allowing it to continue under the conditions outlined in the regulatory law.

Raposa Serra do Sol

In the following months, another important case in which Conectas participated was initiated: the case concerning the Indigenous Territory of Raposa Serra do Sol. This case, which decided the demarcation of indigenous land in the Northeastern Brazilian state of Roraima, received extensive coverage in the international media due to the constant conflicts between the indigenous population and regional landowners.



Joênia Wapichawa, the first indigenous person to present an oral argument before the Justices of the Supreme Court, during the case concerning Raposa Serra do Sol

Various interested parties have called the current demarcation, determined by presidential decree, into question. It proposed that the land be demarcated in "islands," so as to preserve private property already in existence in the region. Conectas presented accounts that underscored the importance of a continuous demarcation in preserving the culture and practices of the local indigenous community. Conectas also publicly supported the movement for continuous demarcation, led by the attorney and indigenous leader Joênia Wapichawa.

After two suspensions, the court session was finished in March 2009, with the decision to maintain the continuous demarcation of the indigenous land and the immediate expulsion of the non-indigenous people of the region.

Affirmative Action

Another case, which was initiated by the court in April but has not yet been decided, concerns the constitutionality of affirmative action programs in Brazilian universities. The case questions a provision of "Pro Uni," a federal government program that seeks to boost the number of low-income students in higher education by providing scholarships in exchange for tax benefits for private universities. The allocation of a certain quantity of these scholarships for black, indigenous and disabled students, as well as those receiving public benefits, was challenged by the National Confederation of Educational Institutions (CONFENEN).

During the court sessions, Conectas, admitted as *amicus curiae* and represented once again by Professor Oscar Vilhena Vieira, was the only party that brought up the issue of affirmative actions, which had been neglected by others who focused on the tax issue presented by the case. However, the case was suspended at the request of the court and has not yet been rescheduled for further proceedings.



Prof. Oscar Vilhena Vieira during the Supreme Court session on affirmative action

public hearings. These hearings, organized by the Supreme Court, are meant to bring together specialists to present technical and scientific arguments that will inform the decision of the Court. As part of these events, Conectas invites specialists to help support its position.

Artigo 1º's actions as *amicus curiae* and its other involvement in some cases has not only helped inform the eventual decisions of the Court, but has made it possible to bring these cases to the media's attention, thereby increasing the role of public opinion in the debates inherent in these cases. For more information on these cases, see the text box included here.

In 2009, cases that had previously been postponed will come to a close. In addition, those cases for which public hearings have been held will be decided by the Court.

The **website for the project** (www.stmfoco.org.br), launched in 2008, is meant to **provide information and content that permits other civil society organizations to monitor the decisions and other work of the Brazilian Federal Supreme Court.**



Homepage of the STF em Foco website (www.stmfoco.org.br)

ACCESS TO MEDICATION

Another important part of Artigo 1º's work is related to the **right to health and access to medication**. Conectas is part of the Intellectual Property Working Group of the Brazilian Network for Social Integration (GTPI/REBRIP). Through this organization, Conectas engages in actions and debates concerning intellectual property, particularly as related to access to medication for the treatment of HIV and AIDS.

Aside from engaging in strategic litigation, GTPI/REBRIP is also engaged in intense advocacy, which involves close scrutiny of debates in both the legislative and executive branches of government concerning this theme. To highlight the perspective of civil society in the debate, GTPI has published **summaries of legal development, position papers on executive actions, and civil society mobilization campaigns** (www.saudeemrede.org.br).

Challenges and Projects for 2009

Over the past few years, Artigo 1º's work concerning FEBEM has brought some important victories, however many threats to the rights of detained adolescents remain. **Artigo 1º will continue working on this issue, with constant vigilance.**

Even greater challenges are anticipated for Artigo 1º in 2009. Its focus will be expanded and new efforts mounted concerning the prison system as a whole, particularly concerning the **poor conditions in public jails**. More information about these efforts can be found on the following page, in the interview with the project's coordinator, Eloisa Machado. There, she explains the chief motivations behind this shift in priorities.

The challenges presented by this new focus are substantial. According to the Ministry of Justice, over 420,000 people are currently being detained in Brazil. There is a need for an additional 185,000 vacancies, which has resulted in a perpetual problem of overcrowding in detention facilities. In 2007 alone, over 1,000 prisoners died in jails within Brazil. This meant that there were, on average, three deaths a day due to conflicts between inmates or police reaction to riots.

The complaints do not stop there. Unhygienic conditions, insufficient official security measures, militia activity, and rampant drug trafficking are amongst the myriad of factors leading to a situation of insecurity in the nation's detention centers.

The situation is complex because the disrespect of prisoner's rights is systematic, not only amongst those who work in the Brazilian penitentiary system, but also amongst the prisoners themselves.

As regard the activities related to the **constitutional debate**, we hope that 2009 will bring many important decisions. Fundamental issues on the national human rights agenda are anticipated to come before the court and become the focus of Artigo 1º's Supreme Court in Focus Project in 2009, such as sexual and reproductive rights, affirmative action, secularism of the state and the right to health.



Human rights violations are systematic in the Brazilian public jails, such as Guarujá Public Jail (photo)

INTERVIEW

*In this interview, **Eloisa Machado**, coordinator of Artigo 1º, tells us the history of the project and explains how the project's focus will expand to include work in prisons.*

What was FEBEM like (the institution responsible for São Paulo's juvenile detention system) when Artigo 1º began its work in 2003?

The situation was critical in 2003, when FEBEM was considered one of the most serious human rights violators amongst all Brazilian institutions. The mortality index was extremely high, with about one adolescent per month dying in the detention centers. Torture was common and infrastructure was inadequate in large detention centers, which caused FEBEM to devolve into a chaos of riots and all types of rights violations. The majority of these problems were due to the lack of transparency and oversight of the institution's activities.

Has the situation changed over the past five years?

I can say that some things have changed for the better: the biggest detention centers have been closed and replaced by smaller, decentralized detention units. However, we still can't say that the conditions of detention are adequate – rights violations persist, although they do occur with less frequency.

Another significant change was the reduction in cases of torture and deaths in detention. This is the type of violation that is impossible to accept. So even though the number of torture and death cases has dimin-

ished, any such occurrence still warrants an enormous effort in the fight to stop these practices. It's also worth mentioning that there is greater transparency concerning the cases of FEBEM. After a lot of struggle, it is now possible for civil society to monitor the detention units of the CASA Foundation (formerly known as FEBEM).

In your opinion, how has the work of Artigo 1º contributed to these changes?

We believe that the persistent strategic litigation, in conjunction with the mobilization of other organizations and the detainees' families, has contributed to these changes. It is important to insist that the judiciary assume its responsibility as a key player in the fight against rights violations. In this way, the strategic litigation promoted by Artigo 1º over the past five years can be credited with making the judiciary a fundamental actor in the institutional reform process promoted for FEBEM, as well as in insuring that human rights violations carry a huge political cost for the government.

Why is the focus of the project being expanded to include public jails?

We believe that the situation in public jails is the most problematic in the country in terms of human rights violations. It is a complex problem, involving a series of government actions, that have been repeatedly overlooked during the past few decades. We have seen an increase of over 140% in the number of inmates in São Paulo. Overcrowding, poor conditions of detention, organized crime, deaths, riots and torture are common, and found throughout jails in Brazil. Prisons are always viewed as a solution for the country's public security crisis, leaving aside human rights considerations, which only worsens the situation. We hope that the expansion of Artigo 1º's focus can help contribute to the improvement of conditions of confinement, better public defense within prisons, and a reduction in the use of provisional prisons.



*Eloisa Machado,
coordinator of Artigo 1º*

PROMOTING LAWYERS' SOCIAL RESPONSIBILITY

PRO BONO INSTITUTE

The **Pro Bono Institute (IPB)**, affiliated with Conectas since 2001, works primarily on two fronts: (1) locally, it serves as an intermediary between lawyers interested in doing *pro bono* work and NGOs requiring free legal assistance; and (2) nationally and internationally, it encourages and promotes *pro bono* advocacy, lobbying for the creation of a regulation that permits its unrestricted practice throughout Brazil.

The Pro Bono Institute relies on the financial support of the Oak Foundation, the Overbrook Foundation, the Tinker Foundation and the Better World Fund (UNF/BWF)

Pro bono expansion

The year 2008 was marked by some very important breakthroughs for the Pro Bono Institute. Another Brazilian state – **Alagoas** – began in September to benefit from a resolution passed by the local chapter of the Brazilian Bar Association (OAB) permitting *pro bono* legal counsel, a practice that is still not regulated on a national scale, in its jurisdiction.

Besides representing an important step in the expansion of *pro bono* ideals, it also demonstrates the success of the strategy adopted by the IPB with the state bar associations. The ultimate purpose is to secure permission for this type of free legal service one state at a time, thereby gradually expanding the support for the cause. **Since the signing of the resolution in Alagoas**, for example, **more than 50 lawyers** have already signed up for the local volunteer legal assistance program.

In São Paulo, the only other state where the practice is already regulated, the job of the IPB is also to facilitate the contact between NGOs that need high-quality free legal assistance and volunteer lawyers. It does this through a database containing a **growing number of associated lawyers**.

In 2008, the number of new volunteers (61) was similar to previous years. This **increased the capacity to serve NGOs**, especially after the legal department of General Electric (GE), which boasts both internal lawyers and a body of external professionals, joined the program.

Sometimes, IPB staff themselves also help cater to the demand for this type of service. In August 2008, for example, they provided **legal assistance in their first international case**, in conjunction with a group of volunteer lawyers.



IPB volunteers providing legal assistance in their first international case

INTERVIEW

*The Executive Director of the Pro Bono Institute, **Marcos Fuchs**, explains how the state by state expansion strategy works and the main difficulties promoting the creation of a pro bono culture in Brazil.*

Pro bono legal counsel has numerous advocates around the world. Why is it so difficult to approve a national resolution in Brazil permitting this practice all over the country?

A number of factors influence this scenario, but the main one is that a *pro bono* culture has not yet taken hold here. Providing access to justice for those who need it is a constitutional obligation of the Brazilian State. However, with the Public Defender's Service working at saturation point and court appointed defense failing to cope with demand, *pro bono* work is a valuable alternative, principally in public interest litigation.

Why work state by state in the pursuit of nationwide permission?

This state by state approach has proven to be very successful in the forays we have been making. We have visited the states of Minas Gerais, Alagoas, Pernambuco, Rio de Janeiro, Paraná, Paraíba, Mato Grosso do Sul and the Federal District. On all these occasions, I was received by the presidents of the local bar association chapters, including the president of the Federal Council [of the Brazilian Bar Association]. The experience of holding meetings and giving lectures has demonstrated that everyone understands that social responsibility in law is a duty that ought to extend to lawyers. By "contaminating" each state chapter with *pro bono* ideals, we have managed to convey the need and the importance of new local resolutions.

Are any of these states working towards passing a resolution of their own?

Besides Alagoas, which has already passed its resolution, the Paraná state council is debating the issue and the resolution now only has to be put to the vote. Rio de Janeiro has promised

to stage a broad debate on the issue before the end of 2009 and seek approval of a resolution early in 2010.

Why did Alagoas represent such a big victory?

Because the resolution was approved by an act of the state council president, who grasped the urgency and importance of the matter. This measure has already helped register lawyers who are now helping defend, on a *pro bono* basis, prisoners who have been unable to exercise their right of defense. The CNJ (National Justice Council) already uses these lawyers in its national registry. In other words, there is cooperation between the courts and the OAB. It is without question a major victory, because it will also influence the neighboring chapters (Pernambuco and Paraíba).

The National Justice Council (CNJ) recently published a resolution on pro bono law practice. Will this alter how the IPB works?

This resolution is a positive way of stepping up *pro bono* law practice in Brazil. The CNJ intends to sign up lawyers from across Brazil to provide free counsel. This resolution has certainly done more to broaden access to justice than any other we have seen lately.

The beneficiary of this service is a group of researchers linked to an Argentine NGO that is doing research on the legal protection afforded children in South America in the area of healthcare, particularly in relation to cancer.

There are currently a total of **413 individual volunteer lawyers, in addition to a number of law firms that have signed up**. Therefore, the various requests from the organizations that approach the IPB continue, as a rule, to be dealt with on the same day.

Marcos Fuchs (left), Director of the Pro Bono Institute, and Omar Coêlho de Mello (right), president of OAB/Alagoas, during the ceremony for the signing of the local pro bono resolution



Legal Statute of the Third Sector

Another important development in 2008 was the creation by the IPB, in response to an initiative proposed by the Office of Legislative Affairs of the Ministry of Justice, of a new project - the **Legal Statute of the Third Sector**. The enactment of a specific law for the third sector - which according to the IBGE (Brazilian Institute of Geography and Statistics) statistics consists of some 338,000 non-profit organizations and associations that employ 1.7 million people across the country - is something that social organizations have been requesting for years.

"The laws in place today end up causing numerous antinomies, not only in appearance, but real, undermining the application and interpretation of existing rules. This generates a generalized legal uncertainty among third sector organizations," explained Professor Gustavo Justino de Oliveira, from the University of São Paulo (USP) Law School, one of the coordinators of the project. "We need a specific legislation that addresses the rights and duties of these organizations, in addition to a specific public policy for the development of the sector," he added.

The project in question proposed to study the feasibility and relevance of preparing this specific law. The first year was dedicated to academic research, which involved a comparison with and an analysis of international third sector legislation. "One of the most interesting systems, while still under development, is the Italian

model. It includes, among other things, the creation of a regulatory agency for the third sector in that country," said the professor.

In September 2008, a seminar was held on the subject that brought together more than 100 specialists in São Paulo. This event was an important opportunity to debate the issue, gain new insight and analyze the initial conclusions of the research.

The **Legal Statute of the Third Sector** project was completed early in 2009 when a draft of a bill was presented to the Ministry of Justice. "The draft establishes clear and precise rules, principles and guidelines, and promotes public policy for the development of the third sector. In doing so, it gives identity to a sector of organizations and a segment of activities that is highly diversified, but one that needs a specific legislation", concluded Professor Justino.

Seminar "The Legal Statute of the Third Sector"



Challenges and Projects for 2009

Besides lending continuity to the **expansion of *pro bono* ideals** and maintaining the **growth in the number of associated lawyers**, one of the main challenges for the IPB in 2009 is to **increase the number of public interest cases** it handles.

There is still a very large demand for assistance with cases involving the constitution and legal compliance of newer NGOs, which remain the only kind of entity eligible to be the beneficiary of *pro bono* advocacy. In addition to the legal consulting it performs for these NGOs, the IPB plans **to work in partnership with these same organizations**, helping them adopt the best legal strategies to achieve their goals. Towards this end, the lawyers and law firms enrolled in the IPB's program collaborate with these organizations by engaging in *pro bono* advocacy.

Pro bono work is indeed a practice that should be encouraged and promoted in the legal profession. With this in mind, the IPB, in partnership with the Getúlio Vargas Foundation Law School, intends in 2009 to launch a project it has

been developing for years: the **Junior Pro Bono Institute**. The purpose is to encourage law students to work as volunteers on public interest cases, in partnership with law firms that are already doing *pro bono* work.

Both the implementation of the Junior Pro Bono Institute project and the continued identification of legal issues NGOs must confront constitute challenges the IPB will face in 2009. Moreover, the document resulting from the **Legal Statute of the Third Sector** project – a draft version of a specific law for the area – will be taken into account by the Ministry of Justice when drawing up a bill of its own for the third sector. It is thus worth calling attention to the strong potential of this project, which continues to be discussed even though it has officially ended.



FIGHTING RACIAL DISCRIMINATION

BLACK WOMEN'S RIGHT TO HEALTH IN BRAZIL PROJECT

The **Black Women's Right to Health in Brazil Project** is run by Conectas Human Rights in partnership with Geledés – Black Women's Institute, with the support of the European Union. Scheduled to last three years, the project began its activities in March 2007. Since then, it has been investing, through a number of different activities, to introduce a monitoring system capable of bringing about change in public health services for black women.

The Black Women's Right to Health in Brazil Project relies on the financial support of the European Union and the Netherlands Embassy in Brazil

Capacity-Building Courses

In 2008, the Black Women's Right to Health in Brazil Project developed the main activity of its second year, by staging two **capacity-building courses**, divided into two groups (classes I and II). These courses, designed for black female leaders from the neighborhoods São Mateus and Cidade Tiradentes, in São Paulo, have empowered women to defend their rights, with a view to combating racial discrimination in the public health system.

Each course was split up into eight classes, given by university professors, lawyers and guest lecturers. A special structure was also set up to receive the participants: buses and minibuses were chartered to transport the women from their places of work to the course itself.

More than 100 women, namely grassroots legal assistants, health professionals, community leaders and residents of quilombos – communities originally founded by escaped slaves – from the region of Vale do Ribeira, in the state of São Paulo, participated in the two courses that were offered.

The training addressed matters specifically relating to the right to health for black women, the right to racial equality, sexual and reproductive rights, violence against women and the illnesses that are most prevalent among black women.

The textbook used for the courses was the **Reference Manual on Black Women's Right to Health**, which was produced by the project in 2007. Following the success of these two courses, the participating female leaders are now deeply involved in the third stage of the project: the continued development of activities of the **Center of Rights**, in São Mateus.

SPEAKERS OF THE CAPACITY-BUILDING COURSES

<i>Oscar Vilhena Vieira</i> Main issues of Human Rights (class I)	<i>Rodnei Jericó</i> Racial Equality (classes I and II)
<i>Fernanda Castro Fernandes</i> Main issues of Human Rights (class II)	<i>Ana Flávia Oliveira</i> Reproductive Rights and Gender Violence (classes I and II)
<i>Cláudia Luna</i> Women's Rights (classes I and II)	<i>Robson Zamboni</i> Sexual Rights (class I)
<i>Carmem Dora</i> Women's Rights (classes I and II)	<i>Sérgio Gardengui Suiama</i> Sexual Rights (class II)
<i>Fernando Musa A. Aith</i> Right to Health (class I)	<i>Janaína Leslão Garcia</i> Sexual Rights (class I)
<i>Fernando Camargo</i> Right to Health (class II)	<i>Elisabete Aparecida Pinto</i> Public National Policies of Health for Black People and Black Women's Health (classes I and II)
<i>Elisângela Mendes Queiroz</i> Black Women's Health (class II)	

STATEMENTS FROM PARTICIPANTS OF THE TWO CAPACITY-BUILDING COURSES

"The course exceeded my expectations. I now plan to share what I have learned with other women from Vale do Ribeira"

Denise Aparecida de Deus, physiotherapist and quilombo resident, class I

"I found out about the course from people in my community and I am very pleased with what I have learned. I came into contact with information that I would never have had access were it not for these classes"

Cristiane Alves Wigboski, quilombo resident, class I

"Not only did I learn a lot of new things in the classes, but I could also recapitulate my past experience. What's more, while the teachers were very knowledgeable, there was no problem keeping up with the pace of the course. It was obvious that everyone was very happy to turn up to class"

Maria Aparecida Santos, retired health officer, class I

"I took the course to learn more about racism and healthcare and I began to view the treatment of black people at the hospital where I work in a different light"

Telma Lúcia Farias da Silva, grassroots legal assistant, class I

"The course had a big impact on my life. The debates were excellent, prompting us to confront many dogmas, particularly religious ones"

Danielle Izidoro Vargem, class I

"The course has changed my perspective towards my job and my boss. Now, I know my rights and feel like a more complete person"

Gilsa do Sacramento, former nurse, class II

"The teachers and the lectures were superb. Knowledge, as the saying goes, is no burden. It's very important to know how to listen to people and I now know how to counsel them"

Maria Aparecida de Moura Diniz, affectionately known as Dona Cida, class II

"It is very important to have the opportunity to recycle knowledge and learn new things. The course far exceeded my expectations"

Simone Ribeiro, from Cidade Tiradentes, class II

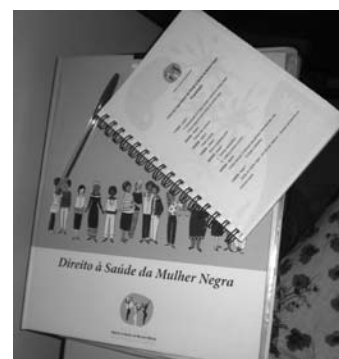


Participants of the class I

Course Materials

In 2007, its first year, the Black Women's Right to Health in Brazil Project worked primarily on the production of the **Reference Manual on Black Women's Right to Health**, a binder containing five booklets on the topics of human rights, race, gender and health. The content is dense and informative, although written in easy and accessible language.

Together with the Reference Manual, a series of 21 short brochures were produced, summarizing the main topics tackled in each of the booklets more simply and concisely. These brochures were reproduced on a large scale and are being distributed in the region where the project takes place, primarily to women who frequent the Center of Rights. In addition, both the Manual and the collection of brochures are also distributed to the various different organizations that work with race and gender issues in Brazil.



Reference Manual on Black Women's Right to Health



Participants of the class II

Besides the capacity-building courses, another initiative was developed in the second half of 2008, when the Project joined the **Campaign for an Inter-American Convention on Sexual Rights and Reproductive Rights**.

Together with the two organizations Catholic Women for the Right to Decide and the Feminist Network for Health, Sexual Rights and Reproductive Rights, the Project produced a **Guide to the Abbreviated Manifesto of the Campaign**, to complement the work that has been done by these organizations since 1999.

This guide, being easy to read and written for a lay public, can be used in any number of workshops and seminars, and it is an important tool for publicizing the campaign for the convention and the manifesto of the campaign. It has been distributed to various organizations that work with issues of race, gender and sexual and reproductive rights.

Finally, the Project also launched a **website (www.saudemulhernegra.org.br)** in 2008. In addition to institutional information, the website also presents research in the field of health and gender and an extensive free database of academic articles, dissertations and the texts of domestic and international legislation on the subject.



Manifesto for the Campaign for an Inter-American Convention on Sexual Rights and Reproductive Rights



Homepage of the Project website

Challenges and Projects for 2009

The Black Women's Right to Health in Brazil Project has a three-year program of scheduled activities. In theory, then, 2009 will be the final year of the Project in its originally intended format.

But there is also an intention for the project to serve as a model, a pilot that can and should be replicated in various other regions across the country. The main challenges are to **make the results permanent in the communities it already embraces** (São Mateus and Tiradentes) and to maintain **effective and detailed records to allow for its replication**.

The main initiative of the Black Women's Right to Health in Brazil Project for the year is the **continued development of activities of the Center of Rights**, inaugurated in March 2009. The Center operates primarily on three fronts: the continued training of women, so they can monitor public health policy; awareness raising for health sector employees; and the

receipt of rights violation charges with a view to taking legal actions against racial discrimination in the healthcare system, in partnership with the São Paulo State Public Defender's Office.

The center is, therefore, key for continuing the goals of the Project. This is why it is so important for the community to embrace the center and its activities, so it can remain in place even after the official closure of the project.

In 2009, the Project will also keep up its work promoting the **Campaign for an Inter-American Convention on Sexual Rights and Reproductive Rights**.

For example, informative workshops and lectures on the campaign have already been scheduled in places of large-scale social mobilization. Through these initiatives, the Project intends to drum up more support for the campaign and raise demand for the convention.

Furthermore, the Project also plans to release an explanatory booklet on another convention – the **Inter-American Convention against Racism and All Forms of Discrimination and Intolerance**. The idea is to distribute this booklet to organizations that work with race, gender and human rights in general, to encourage debate on the draft convention that is still being discussed in the OAS.



Project staff launches Center of Rights, in São Mateus, São Paulo

GLOBAL SOUTH PROGRAM

The **Global South Program** of Conectas Human Rights aims to train, mobilize and strengthen human rights activists and academics from the Global South (Asia, Africa and Latin America) through education, research and advocacy. The main objective of the program is to broaden the individual and collective influence of a new generation of human rights defenders through a series of interconnected activities and projects.

The **International Human Rights Colloquium** is one of the Program's principal activities. This annual gathering of human rights activists and scholars has been carried out since Conectas's founding in 2001, and has involved more than 600 people. In 2008, the event was preceded by the II Strategic Meeting on Civil Society Participation in the UN Human Rights Council, which sought to prepare Colloquium participants for interaction with formal international mechanisms of human rights protection. There is more information about the Colloquium on the next page.

In the area of education, Conectas coordinates, in partnership with other NGOs, the **Human Rights Fellowship Program for Portuguese-Speaking Africa**. In 2008, this project expanded its reach and brought, in addition to activists from Mozambique and Angola, a participant from Guinea-Bissau. In 2009, activists are also being received from Cape Verde. Read more on page 25.

Furthermore, in the area of encouraging research and production of knowledge by the Global South, Conectas has produced a pioneering biannual publication in the area of human rights since 2004: **Sur – Inter-**

national Journal on Human Rights.

In 2008, two issues of the Journal were produced in partnership with other institutions, and distributed free of charge in over 100 countries. More details on page 28.

In 2008 Conectas completed a major three-year research project based on comparative analysis of South Africa, Brazil, and India. The project, entitled **The Justiciability of Human Rights – A Comparative Analysis: South Africa, Brazil and India**, compared a group of paradigmatic human rights cases brought to the Supreme Courts of the three countries. A publication compiling the results should be released in 2009. For more information see page 31.

The Program also has the **Foreign Policy and Human Rights** Project, whose regional, national, and international activities seek to promote the incorporation of human rights standards and principles in the foreign policy arena, especially in Global South countries. In 2008, the development of activities such as the participation in the Brazilian Committee on Human Rights and Foreign Policy; the expansion and consolidation of cross-regional campaigns; and the engagement in the Universal Periodic Review process sponsored by the UN Human Rights Council helped transform Conectas into a reference for civil society participation in international relations. Read the full story on page 32.

The VIII Colloquium relied on the financial support of the Ford Foundation, the German Embassy, the Open Society Institute and the United Nations Democracy Fund (UNDEF), the continued collaboration of the Law School of São Paulo (FGV-SP) and the timely support of the Consulate General of Canada in Brazil, Ashoka and OSISA

EDUCATION: SHARING KNOWLEDGE IN THE SOUTH

INTERNATIONAL HUMAN RIGHTS COLLOQUIUM

The **International Human Rights Colloquium** is a one-week capacity and peer-learning conference which main objective is to strengthen the individual and collective impact of human rights activists in Latin America, Africa and Asia, and to encourage them to take on a growing role in the promotion of human rights. In addition to its capacity-building component, the Colloquium plays an important role in leveraging the political capacity of human rights defenders and organizations that participate in the event. The Colloquium provides an opportunity for the participants to extend the outreach of their work by establishing contact with various human rights networks and groups from other regions with whom they would hardly have the opportunity to interact.

VIII Colloquium

The **VIII International Human Rights Colloquium**, which took place from 8 to 15 November 2008, in São Paulo, Brazil, had as its central theme the 60th Anniversary of the Universal Declaration on Human Rights: Challenges for the Global South. It brought together around 80 participants, observers and speakers from 35 countries.

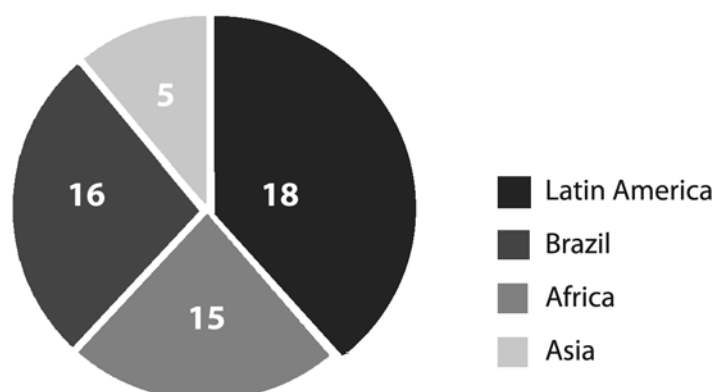
The Colloquium received **350 applications and selected 54 participants** – 29 women and

25 men. The chart below shows the distribution of participants by region.

The eighth edition of the Colloquium, which was conceived and realized taking into consideration the suggestions of former participants, has introduced several innovations and improvements in its Program.

The choice of the speakers for the morning lectures and their availability for discussions was praised

Participants per region



by the participants (see adjoining box for more details). Besides, the video message sent by the UN High Commissioner for Human Rights, Navanethem Pillay, the open discussion on transitional justice by the Secretary for Human Rights of Brazil, Paulo Vanucci, and the unexpected participation of Professor Henry Steiner, from Harvard University, were special highlights of the event.



*Prof. Henry Steiner
debates with the participants*

During the afternoons, peer-learning activities were designed to enable the participants to share experiences and learn from each other in a more direct manner.

The afternoon activities included:

✓ **Working Group on Human Rights Litigation and on the United Nations Human Rights Mechanisms:** participants were split into two working groups, to exchange information and elaborate purposes of collaborative projects for the future;

✓ **The Open Space Forum:** participants were allowed to choose which themes they wanted to discuss and join discussion groups freely;



VIII INTERNATIONAL HUMAN RIGHTS COLLOQUIUM

São Paulo, November, 08 - 15

Morning Lectures

Opening: Opening: 60th Anniversary of the UDHR

Message from the UN High Commissioner for Human Rights *[vídeo]*

Paulo Vannuchi, Secretary for Human Rights, Brazil

Paulo Sérgio Pinheiro, NEV-USP, Brazil

Roxana Vasquez, CLADEM, Peru

Oscar Vilhena Vieira, Professor at GVLaw and

Conectas Human Rights, Brazil

New Issues in Human Rights

✓ *Convention on People with Disabilities*

Anna MacQuarrie, Canadian Association for Community Living, Canada

✓ *UN Declaration on the Rights of Indigenous Peoples*

Joenia Wapichana, CIR, Brazil

✓ *Sexual Rights & Reproductive Rights*

Flávia Piovesan, PUC - SP, Brazil

UN Human Rights Council

✓ *NGOs & Universal Periodic Review*

Iniyana Ilango, Commonwealth Human Rights Initiative, India

✓ *Role of National HR Institutions*

Judith Cohen, South African Human Rights Commission, South Africa

✓ *Evaluation of the impact assessments for foreign investment*

Caroline Brodeur, Rights & Democracy, Canada

Human Rights Litigation

✓ *The use of the African HR System*

Emmanuel Nwaghodoh, CERAC, Nigeria

✓ *Strategic Litigation*

Gastón Chillier, CELS, Argentina

✓ *Regional Cooperation Strategies*

Eloísa Machado, Conectas Human Rights, Brazil

✓ *The US and Human Rights*

Henry Steiner (special guest)

New Approaches to Human Rights

✓ *Video Advocacy*

Tamaryn Nelson, Witness, USA

✓ *Culture and Human Rights*

Todd Lester, freeDimensional, USA

✓ *South-South Cooperation*

Juana Kweitel, Conectas Human Rights, Brazil

*Simulation of a HRC session, realized by the
WG on UN Human Rights Mechanisms*

✓ **Field visits to NGOs based in São Paulo:** on Thursday, participants were divided into four groups to visit four local NGOs: Educational Action, Catholics Supporting the Right to Choose, the Center for the Defense of the Rights of Children and Adolescents (CEDECA- Interlagos), and the Landless Movement (MST).

On the eve of the VIII International Human Rights Colloquium, the II Strategic Meeting on Civil Society Participation in the UN Human Rights Council was held, with the purpose of capacity-building the representatives of the southern



Group visiting CEDECA Interlagos

NGOs to promote collaborative work at UN level, especially through the Universal Periodic Review (UPR). Most of the participants of this meeting have also attended to the 8th edition of the Colloquium. Read a more detailed description of this meeting in the chapter on the Foreign Policy and Human Rights Project (pg. 33).

Following the same methodology as in previous years, a daily evaluation was carried out with participants about the relevance of the lectures for their work and the quality of the speakers. Preparatory readings, participatory methodologies and all the logistics (including translation, materials, transport, hotel and meals) were also evaluated. The final questionnaire included the overall evaluation of the Colloquium. Considering the two questions that evaluated the general objectives of the event, the VIII Colloquium achieved a mark of 4,74 in a scale from 1 to 5.

Challenges and Projects for 2009

After eight years of organizing the Colloquium, we have been able to overcome some challenges while some others remain important.

Regarding the methodology of the program, the challenge is to develop a **more horizontal exchange among participants, and between participants and speakers.** We are looking for ways to reduce the “teacher-student” format, while taking into account the additional difficulties posed by the diversity of languages.

We also need to improve the connections between participants of different years, for example,

by giving the possibility of former participants coming back as speakers.

Another important challenge is to **help activists to continue working together after they leave Brazil.** In 2007 we developed a monthly Bulletin that contains the news that participants publish in the Conectasur portal (www.conectasur.org). As a response to our questionnaire, 86% of the participants of the previous Colloquium said that this tool was useful. The remaining 14% said that also other tools as personal meetings and visits would be necessary to continue working together after the Colloquium.



Scene from the video sent by the UN High Commissioner for Human Rights, Navi Pillay

For 2009, besides the Bulletin, each of the Working Groups have developed a specific plan to continue sharing information and developing collaborative actions.

Precisely to help us overcome these obstacles, the 2009 edition of the Colloquium will gather former participants who will be asked to look into the format and content of the capacity-building activities to assess their impact on the creation of South-South dialogue and the strengthening of human rights organizations in the Global South; as well as to help us create bridges among the alumni of previous Colloquia.



Participants during cultural activities on the first day

INTERVIEW

Juana Kweitel, coordinator of the Global South Program and one of the organizers of the Colloquium, talks about the expectations surrounding the next conference.

What is the theme of the next Colloquium?

The theme of the 9th International Human Rights Colloquium will be "An Appraisal of the Global Human Rights System from a Southern Perspective". The intention is to analyze the main challenges to the effective implementation of human rights in southern hemisphere countries, starting from an appraisal to be made by the activists themselves, who will analyze the performance of the main bodies of the United Nations in the area of Human Rights. During the event, the participants will come up with proposals on how to reform these organizations and also discuss strategies for joint action in the years ahead.

Have any important changes been made in 2009?

Unlike in previous years, the upcoming event will place a focus on the former students of the Colloquium. This 9th Colloquium will, therefore, be a golden op-



Juana Kweitel, coordinator of the Global South Program

portunity to create a core group that will facilitate collaboration between participants of all previous Colloquia. This group will also be responsible for evaluating the results of the previous eight events.

And what will the next colloquia be like?

We will define the main characteristics of the 2010 and 2011 colloquia together with the participants of the IX Colloquium. We want to discuss some of the important matters, such as the number of participants and the ideal duration, and whether the event should have a thematic or procedural focus each year.

EDUCATION: SHARING KNOWLEDGE IN THE SOUTH

The Human Rights Fellowship Program relies on the financial support of the Open Society Institute, the Open Society Justice Initiative (OSJI), the Open Society Initiative for Southern Africa (OSISA) and the Open Society Initiative for Western Africa (OSIWA)

HUMAN RIGHTS FELLOWSHIP PROGRAM FOR PORTUGUESE-SPEAKING AFRICA

Ever since 2004, Conectas has developed an exchange program in partnership with the Open Society Justice Initiative (OSJI), Open Society Initiative for Southern Africa (OSISA), Open Society Initiative for Western Africa (OSIWA) and a group of African NGOs. The Human Rights Fellowship Program for Portuguese-Speaking Africa aims to strengthen civil society in countries that speak Portuguese in Africa through the training of human rights activists from these countries.

From 2004 to 2007, human rights activists, almost all from Angola and Mozambique, were selected and received financial support to spend eight months in Brazil, attend classes at the Pontifical Catholic University of São Paulo (PUC-SP), and have internships with local NGOs. On returning to their home countries, the participants still have another year of Program support to develop the human rights project they submitted when they applied.

2008 Program

In the 2008 Program, with support from OSIWA, it was possible to enlarge the scope of the Program using the same framework employed in previous years. Thus, in addition to **two fellows from Mozambique and two from Angola, a participant from Guinea-Bissau was also selected** (see following page for a resume of each of the participants).

During the first four-months of their stay in Brazil, the fellows attended several graduate and under-graduate **classes at the Catholic University of São Paulo**, an in-house course on human rights at Conectas and

took part in seminars and meetings that exposed them to a broad human rights debate, besides visiting well-known Brazilian NGOs. The following four months of the program, the fellows chose a **Brazilian non-governmental organization where they were able to complete their internship**, acquiring practical knowledge beyond the academic experience.

The 2009 Program includes also **human rights activists from Cape Verde**.



*The group of fellows and the volunteer
Alexandre Nápoli at PUC-SP*

FELLOWS 2008



Kitoko Mavolo is a social activist and the president and founder of the NGO Kitomavo Communities. The main purpose of his organization is to support the protection and promotion of human rights. During his stay in Brazil, he completed an internship at the Center for the Defense of Children and Teenagers of Interlagos. On his return to Angola, Kitoko is working on a project of human rights capacity-building in the municipality of Kilamba Kiayi.



Florita Telo works for the Mosaiko Cultural Center in Luanda to empower women to defend their legal rights. She is a law student at the University Agostinho Neto. In Brazil, she completed an internship with the Public Defender's Office of the State of São Paulo and with the Model Office of PUC-SP. Back in Luanda, she plans to continue working on women's rights and empowerment. Florita is also working on a project to monitor Angola's foreign policy on human rights, in particular in the UN Human Rights Council.



Maria de Lurdes works for the Center of Legal Practice at the Eduardo Mondlane School of Law. She is also a law student at the Mondlane School, and works to provide legal assistance to the poor, diminish violence, and reduce discrimination against women. She did an internship in Brazil with the Police Station for Women Protection/ Eliane de Grammont and Geledés – Institute of the Black Woman. Returning to Mozambique, she intends to work on a legal assistance to children project and in the areas of discrimination and violence against women.



Anastácio Elias has a degree in Legal Sciences from the Superior Polytechnic Institute and University and works for Solidarity for the Development and Support of Zambézia, in the Quelimane province of Mozambique. With the academic and practical experience gained in Brazil during internships with state courts in São Paulo (São Caetano) and Rio Grande do Sul (Porto Alegre), Anastácio plans to carry out an awareness raising project with community leaders to reduce the number of criminal law suits based on the Mozambiquan legal code, and introduce Restorative Justice in the country.



Augusto Mário is a lawyer who graduated from the Bissau School of Law and works for the Guinean League of Human Rights and the News Agency of Guinea for the defense and promotion of human rights. In Brazil, he completed an internship with Viva Rio and with the Latin American Center on Sexuality and Human Rights (CLAM). On returning to Bissau, he plans to carry out his project, with other interested institutions on sexuality and human rights, focusing on the discouragement of the practice of female genital mutilation in Guinea-Bissau.

Challenges and Projects for 2009

The biggest challenge of this project is to ensure that the twenty-five alumni of the project maintain contact, develop more work together, and **consolidate a network for the protection of human rights in Lusophone Africa**. To this end, Conectas proposes to more directly **accompany the implementation of the fellows' projects after their return to Africa**, using a virtual web in order to strengthen contacts and institutional support for the Fellows.

Moreover, each year the Fellows participate in the International Human Rights Colloquium, and are thus integrated with our network of activists – the **HR Dialogue** – which now has more than 600 activists and academics from 53 countries throughout the Global South.

INTERVIEW

Florita Telo, one of the 2008 Fellows, explains in her own words the importance of the experience and the fondest memories she took with her at her return to Luanda by the end of the year.

What was the impact that your participation in the Program had on your career and your advocacy?

It provided the opportunity to exchange experiences, to have contact with distinct realities that we are not accustomed to handling, and, above all, to see and get to know a different way of approaching human rights.

What are the best memories from your time in Brazil?

First, the classes at PUC-SP; second, the internship with the Public Defender's Office of São Paulo; and third, contact with the slum community called Boqueirão in the south of São Paulo.

What was the project that you submitted when you applied? And how is the implementation going?

My project was about education in the human rights field, with the formation of community groups in three Angolan provinces. The implementation is going very well, despite some constraints that do not directly come from me or my organization. But, so far, everything is going very well.

Why would you recommend the Program to other people?

Mainly because of the different realities, the differences between what we see in our countries and what we see in Brazil. Moreover, for the exchange of experiences and constant learning with regard to human rights through ongoing participation in seminars and symposia on the subject that are provided by the Program.



Florita Telo, participant of the 2008 Program

RESEARCH: KNOWLEDGE FROM THE SOUTH

SUR – INTERNATIONAL JOURNAL ON HUMAN RIGHTS

The only human rights academic publication of its kind published in three languages — Portuguese, English and Spanish —, the Sur Journal allows for an internationalization of Southern voices, as authors writing in their own languages can be read by colleagues in other regions. It is published twice a year in print and is distributed free of charge to over 100 countries, as well as in electronic format (see www.surjournal.org).

The Sur Journal relies on the financial support of the Ford Foundation and the United Nations Democracy Fund (UNDEF)

Publications

Two issues of Sur - International Journal on Human Rights were published in 2008: in July, the number 8 of the Sur Journal, on **Right to Health and Access to Medicines**, was published, resulted from a partnership with the Brazilian Interdisciplinary AIDS Association (ABIA); and in December, the Number 9 was launched, in commemoration of the **60th Anniversary of the Universal Declaration of Human Rights**, in partnership with the International Service for Human Rights of Geneva.

For the **eighth issue**, we received 20 articles from authors coming of several different regions, including some from prestigious academics. The final selection reflected the various aspects of the debate, including the discussion of **public policies for the access to medicines, the role of civil society and also of the judiciary**.

For the **number 9**, besides the **articles on the Universal Declaration on HR Anniversary**, an excellent selection of articles on other issues was attained, including an **interview with Anthony Romero**, Director of the ACLU, given to the journal's staff.

SUR JOURNAL #8 LIST OF ARTICLES



Human Rights for all: from the struggle against authoritarianism to the construction of an all-inclusive democracy - a view from the Southern Cone and Andean Region
Martín Abregú

Constructing a new Human Rights lexicon: Convention on the Rights of Persons with Disabilities
Amita Dhanda

Legal recognition of sexual rights - a comparative analysis with reproductive rights
Laura Davis Mattar

The virtue of following: the role of Inter-American litigation in campaigns for social justice
James L. Cavallaro and Stephanie Erin Brewer

RIGHT TO HEALTH AND ACCESS TO MEDICINES
The human right to medicines
Paul Hunt and Rajat Khosla

Medicines for the world: boosting innovation without obstructing free access
Thomas Pogge

Access to medical treatment for people living with HIV/AIDS: success without victory in Chile
Jorge Contesse and Domingo Lovera Parmo

Access to medicines and intellectual property in Brazil: reflections and strategies of civil society
Gabriela Costa Chaves, Marcela Fogaça Vieira and Renata Reis



SUR JOURNAL #9 LIST OF ARTICLES

Perpetrating Good: Unintended Consequences of International Human Rights Advocacy
Barbora Bukovská

Prisons in Africa: An evaluation from a human rights perspective
Jeremy Sarkin

Lost in Translation: Expressions of Human Suffering, the Language of Human Rights, and the South African Truth and Reconciliation Commission
Rebecca Saunders

SIXTY YEARS OF THE UNIVERSAL DECLARATION ON HUMAN RIGHTS
Sixty years after the Universal Declaration: Navigating the contradictions
Paulo Sérgio Pinheiro

Poverty and human rights: From rhetoric to legal obligations - a critical account of conceptual frameworks
Fernanda Doz Costa

A new frontier in economic and social rights advocacy? Turning quantitative data into a tool for human rights accountability
Eitan Felner

From Commission to Council: Has the United Nations succeeded in creating a credible human rights body?
Katherine Short

Interview with Anthony Romero, Executive Director of American Civil Liberties Union (ACLU)

Academic Certifications and International Achievements

After its initial external evaluation in 2008, Sur dedicated the year of 2009 especially to obtaining certification for its academic quality, besides its other routine activities. Academic certification is important for many reasons: on the one hand, a duly certified journal succeeds in attracting better articles and, on the other, higher academic standards represent a competitive advantage in obtaining financial resources.

Thus, during the year 2008, Sur succeeded in being **indexed by the IBSS** – International Bibliography of the Social Sciences, produced by the London School of Economics and Political Science (<http://www.lse.ac.uk/collections/IBSS/>). This index is the most important of all for the Anglo-Saxon public, including African and Asian academics.

After a long process, Sur has also been incorporated, by the **Scientific Electronic Library Online (SCIELO, www.scielo.br)** which significantly increases access to the journal by Brazilian academics, considering that SCIELO is one of the main channels of academic research in Brazil. Furthermore, SCIELO permits access to a control mechanism which discloses the number of requests for each published article as well as the number of quotes of Sur articles in other academic journals.

Also during 2008, in partnership with Partners in Development of Egypt, we worked on plans for the **launching of an Arabic version of Sur Journal**. This organization was founded by Mustapha Al Sayed, a member of our Editorial Board, and one of Sur's founders. The Arabic version will be published annually with the translation of a selection of articles previously published by us, with the addition of some original articles written by regional authors. A seminar was held in Cairo, Egypt, with the participation of authors and members of our editorial staff, to launch the project in February 2009.

Wanhong Zhang, one of the participants of Conectas's VIII International Colloquium, is Professor of Jurisprudence at Wuhan University Law School and the Director of Wuhan University Public Interest and Development Law Institute (China). During the Colloquium we discussed several ways for future collaborations. One of the main projects is the **publication of an annual version of the Sur Journal in Chinese**, similar to the Arabic version. The launch is scheduled for the end of 2009.

ARTICLES SELECTION

Articles are peer-reviewed by at least two international authorities on the subject after initial short-listing of contributions by the editorial staff. Priority has been given to authors from the Global South who made up approximately 70% of the contributions in the 9 issues published until now.

Challenges and Projects for 2009

It has always been clear to us that the three main challenges of the journal were 1) editorial quality, 2) Global South representation and 3) distribution. During its first years, our attention was mainly concentrated on academic standards and diversity of authorship. That our efforts were aimed in the right direction was confirmed by the external evaluation of almost **400 readers from 60 countries, who rated Sur Journal as excellent (66%) and good (34%).**

Encouraged by these results, in 2008, we dedicated a lot of effort to **distribution, by obtaining academic certification, inclusion in commercial data-banks and other means.** During 2008, we also significantly enlarged the list of similar journals with whom we have exchange deals in several parts of the world, and were glad to note that **our publication had been indexed by many prestigious libraries**, among which the British Library and the Library of Congress of the United States.

All these efforts have had cumulative results. For instance, the **call for papers we released in partnership with UNHCR generated more than 30 articles** coming from different parts of the world. For the first time, we had the problem of choice, of leaving out good articles coming from authors of the Global South. The interest shown by the Yale University Law School and by Amnesty International to publish in partnership with us also indicates that the Sur Journal is considered a serious academic publication by prestigious international players.

But in spite of these successes, the challenges continue. As the number of subscribers grows, coming from many far countries in the world, the **costs of printing and mailing**, among others, increase, making it even more difficult for a not-for-profit NGO to carry the burdens. The cost just for mailing, for instance, with the **increase of the number of subscribers** has grown to become the biggest item in our list of costs.

We are figuring out ways to meet these costs, either by **finding partners** who are willing to pay for a part of the total burden (for instance, paper, translations, printing, layout etc.) or by eliminating the printed editions, **transforming the journal into a digital publication**, in spite of the obvious loss of substance and of readership in the Global South that this decision would involve.

EDITORIAL BOARD - SUR JOURNAL

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

The IBSA Project
relies on the finan-
cial support of the
Ford Foundation

RESEARCH: KNOWLEDGE FROM THE SOUTH

IBSA PROJECT: THE JUSTICIABILITY OF HUMAN RIGHTS

THEMES

- ✓ Citizenship;
- ✓ Enforcement of International Human Rights Law;
- ✓ Human Dignity;
- ✓ Human Rights Beyond the State Judicial Perspective;
- ✓ Right to Recognition: Gender, Sexual Minorities and Religion;
- ✓ Right to Redistribution: Affirmative Action, Livelihood, Health, Land and Indigenous Peoples;
- ✓ Social movements and Constitutional Courts;
- ✓ Constitutional Activism.

RESEARCH TEAM

BRAZIL: Conrado Hubner, Flavia Scabin, Juana Kweitel, Octavio Ferraz, Oscar Vilhena Vieira, Thiago Acca and Thiago Amparo;

INDIA: Amita Dhanda, Ghanshyam Singh, Ranbir Singh, Shylashri Shankar, Sudhir Krishnaswamy and Upendra Baxi;

SOUTH AFRICA: Danie Brand, David Bilchitz, Frans Viljoen, Henk Botha, Jaco Barnard, Mmatsi Mooki, Owen Mhango, Pierre de Vos, Sammy Adelman, Theunis Roux, Tshepo Madlin-gozi, Vinodh Jaichand, Wessel Le Roux and Zac Yacoob.

The overall objective of “**The Justiciability of Human Rights - a comparative analysis: the India, Brazil and South Africa Project**” (IBSA Project) is to analyze the challenges faced by the Supreme Courts of India, Brazil and South Africa (IBSA) through **a comparative assessment of legal and political strategies, judicial precedents and institutional designs** that have impacted issues related to constitutional and human rights in IBSA.

The research teams were composed of three senior researchers, one from each IBSA country – Prof. Oscar Vilhena Vieira, from Brazil, Prof. Upendra Baxi, from India, and Prof. Frans Viljoen, from South Africa, who have collaboratively established the general parameters of the project.

They were in charge of coordinating its implementation in their respective countries through local research teams. At the end of this research phase, the Project will produce a **publication**, which will gather the resulting articles in a book. This document represents a unique effort, because it is the result of a comparative analysis produced by the three research teams through cooperative work, instead of the common strategy of doing it separately.

Project conclusion

The first part of the research phase, which lasted until the end of 2007, was dedicated to the elaboration of **articles describing the background of the Constitutional Courts** and to the analysis of the jurisprudence of each IBSA Constitutional Court, identifying paradigmatic decisions regarding some topics agreed upon in advance.

In April 2008, the three teams convened at a meeting in New Delhi, India, to discuss the results of their research up to that date. This workshop provided the opportunity for the teams to **discuss the methodological bases of the research to construct a database** comparing substantive cases from the three jurisdictions.

In December 2008, the three teams convened in Pretoria, South Africa for the last Conference on the IBSA research. The main objectives of the Conference were to **present draft papers on the list of topics or cases proposed**, aimed at establishing “horizontal comparisons” by looking at the Brazilian, Indian and South African perspectives on a particular issue; and to provide an opportunity to discuss these papers, enabling the researchers to conclude the elaboration of the articles.

The researchers were also divided into groups according to a final list of authors by topic, through which they will collaborate to the elaboration of the articles. During 2009, they will **conclude the papers that are still in progress**.

*Members of research teams
at the meeting in Pretoria*



ADVOCACY: DEFENDING HUMAN RIGHTS IN THE SOUTH

FOREIGN POLICY AND HUMAN RIGHTS

Promote the prevalence of human rights in the foreign policy of Global South countries, through civic participation and democratic control. This is the objective of the **Foreign Policy and Human Rights** Project, developed and evolved by Conectas since 2005.

For this purpose, the project aims to:

- ✓ encourage the participation of NGOs from Africa, Asia, and Latin America in the development, execution, and monitoring of the foreign policy of their countries, and specifically its impact on human rights;
- ✓ promote initiatives and cross-regional campaigns, especially in countries where civil society is threatened or unable to act; and
- ✓ strengthen the participation and joint action of these organizations in regional and international human rights systems, with an emphasis on the UN Human Rights Council (HRC).

Voices of the South in the UN Human Rights Council (HRC)

Participation in the Universal Periodic Review

In 2008, 48 States were submitted to the first round of the new **Universal Periodic Review (UPR)** mechanism of the HRC. The UPR requires that all UN Member States pass, every four years, through a review that assesses compliance with international human rights obligations and commitments.

Brazil was among the first countries evaluated and Conectas actively participated throughout the review process (see the activities in the adjoining box).

In addition to participating in the Brazilian process, Conectas shared information and gave support to NGOs in other countries of the Global South who underwent UPR throughout the year, particularly **India, Philippines, Argentina, Guatemala, Peru and Colombia.**

On the eve of the VIII International Human Rights Colloquium, the **II Strategic Meeting on Civil Society Participation in the UN Human Rights Council** was held, and was attended by representatives of NGOs, national human rights institutions, and universities from 12 countries. The objectives of the meeting, made in partnership with the International Service for Human Rights (ISHR), were to promote the exchange of experiences and empower civil society organizations to work with the UPR and define joint actions and strategies for working with the UN HRC.

Based on discussions during the meeting, the document "**Roadmap for Civil Society Participation in the UPR**" was prepared to help civil society to engage in the UPR process.

The Foreign Policy and Human Rights Project relies on the financial support of the Ford Foundation, the Oak Foundation and the Open Society Institute and the continued collaboration of Friedrich Ebert Foundation (FES) and the Democracy Coalition Project (DCP)

BRAZIL IN THE UN UNIVERSAL PERIODIC REVIEW (UPR): PARTICIPATION OF CONECTAS

In 2008, Conectas actively participated in Brazil's UPR mechanism by:

- ✓ Encouraging and participating in the national consultation for the preparation of the official report of the Brazilian State, including a hearing held in the Senate;
- ✓ Transmitting information to the UN High Commissioner for Human Rights, with an emphasis on torture, summary executions and access to justice in Brazil;
- ✓ Taking joint action with delegations in Geneva with the goal of influencing the questions and recommendations made to Brazil;
- ✓ Participating in Geneva at the session in which Brazil presented its report and oral statement to adopt the 15 recommendations to the country;
- ✓ Translating and disseminating these recommendations to be implemented by Brazil in the next four years.

Conectas believes that the UPR should be an ongoing process at the national level and therefore intends to work from 2009 to 2012 on monitoring the recommendations that Brazil has committed to implementing.



"From the Dominican Republic, I send my gratitude for the opportunity to learn about the UPR mechanism and thus serve as a multiplier of knowledge in my country, and also for the Roadmap tool"

(Christian Manuel Jiménez - Fundación Comunidad Esperanza y Justicia Internacional – Dominican Republic)

"My presence at both the International Human Rights Colloquium and the Strategic



Meeting broadened my horizons and the horizons of my organization. Since I left Brazil I have worked on an initiative that helps civil society organizations in southern Africa to work with the UN Human Rights Council and

the Universal Periodic Review (UPR)"
(Mary Mutupa, AWOMI – Zambia)

Encouraged by the meeting in Brazil, participants from Angola, China, Dominican Republic, Zam-

bia, and Kenya conducted or will conduct activities related to the UPR in their countries in 2009.

UPR Sessions and Interaction with Special Mechanisms

In addition to the work with the UPR, Conectas was present at the **7th and 8th regular sessions of the HRC in Geneva.**

Through its consultative status with the ECOSOC, Conectas mobilized efforts during the session to influence: the renewal of mandates of Special Rapporteurs; the treatment given by the HRC of the human rights situations in specific countries, especially in Burma/

Myanmar, Zimbabwe, and Sudan; and the guarantee and definition of modalities for NGO participation in the work of the Council.

It is noteworthy that since 2006, Conectas is part of HRCNet – a network of regional and international organizations working with the HRC.

In 2008, Conectas also promoted activities related to UN special mechanisms, such as:

- ✓ Dissemination in the media and civil society of the recommendations made by the Rapporteur to Brazil for Extra-judicial, Summary, or Arbitrary Executions, **Philip Alston**; and

- ✓ The campaign for the choice of thematic Special Rapporteurs, with recommendations of names for the Rapporteur of indigenous rights, foreign debt and human rights, arbitrary detentions, right to health (in partnership with the Brazilian Interdisciplinary AIDS Association - ABIA) and forced disappearances. For the latter two, candidates suggested and supported by Conectas were chosen, namely **Anand Grover and Jeremy Sarkin.**

Finally, Conectas is finalizing the 2008 edition of the **Yearbook "Brazil at the UN Human Rights System"** – a publication that compiles and analyzes the Brazilian votes in the human rights bodies of the UN.

Cross-Regional Cooperation

"Friends of Zimbabwe"

Since June 2007, Conectas has facilitated the **"Friends of Zimbabwe"** campaign, composed of seven NGOs in Latin America and carried out in partnership with the Zimbabwe Lawyers for Human Rights (ZLHR). In 2008, the campaign focused efforts on the presidential elections that

took place in Zimbabwe. Before the elections, letters were sent to some Latin American governments asking them to ensure the transparency of the electoral process. In Brazil's case, Conectas successfully advocated to send an official mission of observers.

During the first round of the elections, in March, Conectas supported sending a **mission of Brazilian journalists to monitor the electoral process in the country**. And during the VIII International Human Rights Colloquium, a **petition requesting the restoration of the rule of law in Zimbabwe was adopted**. The petition,

"Friends of Burma"

A new initiative also began to take its first steps in 2008: the **"Friends of Burma"** (official known as Myanmar) campaign. In March, a representative of the International Burmese Monks Association (IBMO) gave a speech during the 7th session of the HRC in Geneva using Conectas's consultative status with the UN.

In August, Conectas organized a trip to Brazil for a **mission of Burmese monks**, members of IBMO, with the support of the Burma Project (OSI). The objectives of the mission were to pressure the Brazilian government to reaffirm its commitment and efforts at the UN to human rights protection, to end the political crisis in Burma and to raise awareness of the Brazilian society regarding human rights violations and political repression in the country. To achieve

signed by 14 NGOs from 13 countries, was sent to the government of Zimbabwe, the Southern African Development Community (SADC), the African Union, and members of the UN Human Rights Council.

these goals, meetings were held with government authorities, parliamentarians, intellectuals, social movements and trade unions, religious bodies, and vehicles of communication. A seminar was also held with the former UN Special Rapporteur for Myanmar, Paulo Sergio Pinheiro, and an exhibition of photographs was set up in a location with a circulation of 30,000 people per day. At the end of the mission a preliminary plan of action to continue the initiative was agreed upon.

Innovative Mechanisms of Participation

In many Global South countries, foreign policy is allocated to the executive power, with little civil society, legislative, and judicial participation. The lack of transparency and accountability of foreign policy is detrimental to the prevalence of human rights and requires the creation of innovative mechanisms of participation.

Conectas is one of the founding organizations of the **Brazilian Committee on Human Rights and Foreign Policy** (www.dh-politicaexterna.org.br), a coalition created in 2006 that brings together NGOs, legislative committees and state authorities to accompany the Brazilian foreign policy on issues related to human rights.



Headlines of the most important Brazilian newspapers in the period of the presidential elections in Zimbabwe - the mission of Brazilian journalists helped improving the media coverage of this issue



Mission of monks visiting the National Congress, in Brasília

INTERVIEW

*The coordinator of International Relations of Conectas, **Lucia Nader**, comments on the evolution of the Foreign Policy and Human Rights Project and highlights its features.*

What are the main lessons learned since the creation of the Foreign Policy and Human Rights Project in 2005?

We have noticed that there are three essential elements needed to promote the prevalence of human rights in the foreign policies of Global South countries. The first is that the work needs to begin at home and be maintained on a permanent basis. We need to develop actions at the national level with those who formulate and those who implement the foreign policies of our countries that have an impact on human rights. The second key element is the construction of horizontal networks of cooperation, both with NGOs of the Global South and with those historically known as international NGOs. Be it in the cross-regional campaigns or in the work related to the UN, OAS, and Mercosur, these networks should be based on trust, equality, and mutual interest. Only then, with much persistence, do they pay off. Finally, it is important to create innovative solutions that are appropriate to our reality and our partners and that enable us to respond with agility to the difficulties and challenges of the Global South.



Lucia Nader, coordinator of the Foreign Policy and Human Rights Project

In 2008, the Committee developed activities related to Brazil's position in the UN Human Rights system, the OAS, and Mercosur, such as:

- ✓ Conducted **public hearings** in the House of Representatives to discuss Brazilian priorities in these forums;
- ✓ Active participation in the **national consultation process** that moved Brazil through the **Universal Periodic Review** mechanism of the UN Human Rights Council;
- ✓ Involvement in the elaboration process of the annual report on human rights of the **Mercosur Parliament and the Mercosur Social Summit**;
- ✓ Participation in the **XI National Conference on Human Rights** in order to include an international perspective in the III National Program for Human Rights.

From 2006 to 2008, Conectas was Executive Secretary of the

Committee and today is part of its Management Council. The initiative has the support of Friedericht Ebert Foundation, in Brazil.

Conectas believes that initiatives similar to the Committee may be developed in other countries in the Global South. To that end, in 2008, a mission was sent to South Africa to share this experience with civil society organizations. In 2009, in partnership with the NGO Commonwealth Human Rights Initiative, Conectas will seek to promote the creation of a similar coalition in India (depending on availability of funds).

Finally, Conectas was invited by the General Secretariat of the Presidency of the Republic and the Ministry of External Relations to join the **Council for a Social and Participatory Mercosur**, which aims to "promote dialogue between the federal government and civil society organizations about public policy for Mercosur" (decree No. 6594, 6/10/2008).

Challenges and Projects for 2009

The Human Rights and Foreign Policy project seeks to be innovative and develop activities for which no previous models exist to replicate. Currently, its main challenges are to:

- (1) Strengthen regional activities in areas of human rights, especially in the OAS, Mercosur, and the African Union, with thematic initiatives to be addressed in these forums, such as the right to information and sexual and reproductive rights;
- (2) Systematize the experience we have gained in the past four

years, in order for the information to be disseminated to and replicated by other organizations, and adapt it to individual countries;

- (3) Develop ways of documenting and reporting concessions made by countries in the field of human rights for the benefit of commercial and geopolitical interests; and

- (4) Improve the sustainability of the project, not only relating to resources but to the extension and strengthening of partnerships with other NGOs.

INSTITUTIONAL AREA

The independence of civil society organizations, necessary for their own activities and goals, can only be achieved when they have a strategic management that pursues sustainability and integrates resources, services, people and communication.

Conectas has grown steadily since its creation in 2001, in terms of staff, structure and budget. To keep up with the pace of expansion, it established an institutional department mainly to supply the necessary support – technical, administrative and financial – so the organization's programs can be developed in full, with all efforts concentrated on the activities they propose.

The improvements made to this department, to include more than just fundraising and project monitoring, are the result of an internal and participative review process that was conducted over the years, involving directors and coordinators, as well as external consultants and the staff as a whole. One noteworthy aspect of this process was the expansion and strengthening of the Board, so as to raise its participation in the organization's institutional decision-making process.

The institutional area
relies on the financial
support of the Open
Society Institute

INSTITUTIONAL

INSTITUTIONAL AREA

The institutional area may be divided into three areas whose activities are closely interconnected: Fundraising; Communication; and Planning, Evaluation and Administration.

Fundraising

The need to ensure new sources of financing for the new projects being developed by Conectas makes fundraising a crucial activity for the organization.

So far, most of the funding received by Conectas has come from international funds and foundations. In 2008, the main supporters of Conectas continued being the Ford Foundation and the Oak Foundation, the different regional and thematic offices of the Open Society Institute, the United Nations Democracy Fund (UNDEF), the European Union, the Overbrook Foundation, the United Nations Foundation/Better World Fund (UNF/BWF) and the Netherlands Embassy in Brazil. For its activities, Conectas also counted on the *ad hoc* support of the following institutions: the Germany Embassy in Brazil, Oxfam, the Friedrich Ebert Foundation (FES), the Democracy Coalition Project (DCP), Ashoka, the São Paulo Law School (FGV-SP) and the Consulate General of Canada in Brazil.

New forays have also been made into developing mechanisms and strategies to raise money from Brazilian business community, although still unsuccessfully. Nevertheless, Conectas did receive

important non-financial contributions, without which many of the results of its projects would not have been possible. These contributions in kind include, among other things: the work of nearly 30 volunteers (university students) per year; internships with partner NGOs and university attendance at PUC-SP for our fellows from the Human Rights Fellowship Program for Portuguese-Speaking Africa; the venue for staging the Colloquium provided by the Getúlio Vargas Foundation, as well as the free lectures given by specialists from around the world at the event and the unpaid collaborators and authors who write for *Sur Journal*; not to mention the hundreds of hours of *pro bono* work done by members of the legal community for the causes of the Pro Bono Institute. These donations were received thanks to the credibility Conectas has earned through its work, since the more recognition an organization enjoys, the easier it becomes to obtain responses for its needs. Unfortunately, it is still not possible to quantify these contributions in financial terms, but we hope to do so in the near future.

It is also worth pointing out that Conectas has a policy of only accepting government contributions for research and educational activities, in order to preserve its

independence. For 2009 and the years ahead, the organization will be continually seeking to expand its sources of funding, both internationally and at home.

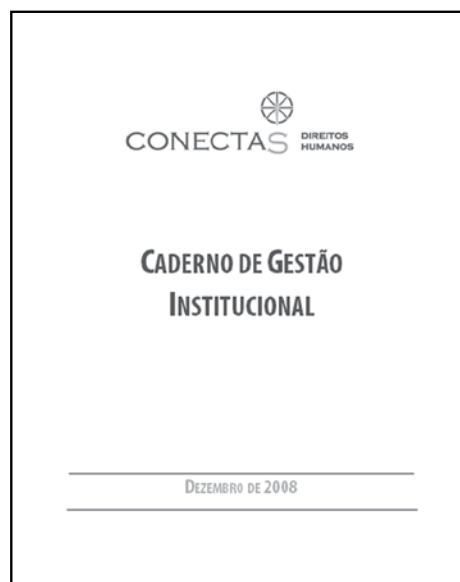
Planning, Evaluation and Administration

To respond to the expansion of Conectas, to the multiplication of its projects, and to the diversification of its sources of financing, it has been necessary to review a number of practices. In 2008, therefore, Conectas reorganized its administrative department with the support of an external consulting firm. It also developed a manual of internal procedures to facilitate the tracking and monitoring of projects.

In addition to reassessing its structure, Conectas also had to reformulate some of its needs and its planning to adjust to the international financial crisis. In December 2008, a series of measures were adopted, in consensus and with the collaboration of all staff, to reduce fixed costs, such as the decision to move the office to an area in the city of São Paulo with lower rents and a freezing of all salaries.

In 2008, Conectas's main projects underwent an evaluation internally and, when possible, with the beneficiaries. And, in 2009, a much broader evaluation is planned for all the projects and the organization itself, to be conducted with an outside facilitator, to identify the niches where improvements can be made and the responses that can address the challenges posed by constantly evolving conditions.

This process will help with the planning, by signaling the improvements and investments that are necessary and defining longer-term strategic courses and institutional horizons. What is being developed is a plan that conveys an increasingly more streamlined vision of its role and impact.



Cover of the manual of internal procedures

Communication

Publicizing information about the activities and the performance of the projects run by Conectas to networks of partners, government authorities, collaborators, volunteers and donors is one of the main activities of the communication department, which not only aims to promote the consolidation of the organization, but also to facilitate the exchange of key information and content for the network cooperation required in nearly all its projects.

Numerous communication activities were conducted in 2008

- the monthly trilingual Newsletter (in Portuguese, Spanish and English) on the activities of Conectas had 9 issues in 2008 and was distributed to more than 3,000 subscribers;
- the fortnightly bulletin ConectaSur, an initiative of the former participants of the International Human Rights Colloquium and the Strategic Meeting, facilitated by Conectas, had regular issues throughout the year;
- Conectas oversees seven websites that, in addition to regular updates and maintenance, require a translation of the content, since most of them are available in three languages - Portuguese, Spanish and English. They are Sur Journal online (www.surjournal.org), Conectas (www.conectas.org), ConectaSur (www.conecta-sur.org) and the Brazilian Committee on Human Rights and Foreign Policy (www.dhpoliticaexterna.org.br). Available in Portuguese only are the websites of the Pro

Bono Institute (www.probono.org.br), STF em Foco (www.stfemfoco.org.br), which monitors the Supreme Court, and the site of the Black Women's Right to Health project (www.saudemulhernegra.org.br), these last two launched by Conectas in 2008.

Through its press relations, Conectas was in constant contact in 2008 with the leading media, including radio, TV and the printed and online press, which gave coverage to the activities of Conectas.



Conectas's newsletter

Members of Conectas staff also appeared regularly in the Brazilian media, giving interviews or making statements. The newspapers, television and radio programs are very important means for Conectas to publicize its work.

Challenges and Projects for 2009

The year 2009 should be one of the most challenging for the institutional department of Conectas. In terms of fundraising, for example, a major goal is to ensure the financial sustainability of the organization against a backdrop of global economic crisis. The broad evaluation of the organization and the planning of the development of its projects taking place over the course of the year indicate that this is a decisive moment for the organization to reflect on its institutional vision, management capacity, strategic partners and sources of funding.

The area of communication, meanwhile, also needs to be reinforced to give more visibility to the activities and the performance of Conectas. One key part of this strategy is to make improvements to the organization's institutional website (www.conectas.org) and web portal (www.conectasur.org), tools designed to help publicize information and to promote integration and advocacy work with partner organizations. In addition to this, we also need to update the institutional material, such as the brochures and publications.

Conectas also needs to invest in its administrative structure. The department currently consists of three members of staff, with the support of one external accounting company and the services of an international auditing firm, and it handles all the organization's financial and administrative activities. The plan, therefore, is to improve the system of internal control, finding solutions to enable an integrated management.

Finally, in the first quarter of 2009, Conectas moved the location of its office, transferring its daily activities to a more central area of São Paulo, which facilitates contact with its partners, whether they are third sector organizations, public agencies or companies. The office used to be located in two small houses, in a commercial area, and maintenance costs and rents have risen sharply in recent years. Besides being cheaper, the move to a larger and more functional office space facilitates internal communication and interaction among staff.

FINANCIAL REPORT

Conectas Human Rights comprises two legal entities, registered as Associação Direitos Humanos em Rede and Sur – Human Rights University Network. The financial statements below refer to each of the two entities.

ASSOCIAÇÃO DIREITOS HUMANOS EM REDE

Exhibit I - Balance sheet as at December 31 (in thousand R\$)

ASSETS	2008	2007	LIABILITIES	2008	2007
CURRENT			CURRENT		
Cash and cash equivalents	26	53	Accounts payable	3	3
Short term investments	367	383	Social obligations	12	23
Other accounts receivable	9	21	Tax obligations	7	12
	403	458	Miscellaneous advances	74	64
				98	103
NON CURRENT			NON CURRENT		
			CORPORATE ASSETS		
FIXED ASSETS			Corporate assets	394	242
Immobilized	39	57	Surplus/ deficit of the period	(49)	169
				345	412
TOTAL ASSETS	443	515	TOTAL LIABILITIES	443	515

Exhibit II - Statement of cash flow for the year ended December 31 (in thousand R\$)

	2008	2007
REVENUES		
Domestic donations	61	518
Foreign donations	2.159	1.499
REVENUES FROM DONATIONS	2.221	2.018
EXPENSES		
Expenditures with projects	(1.958)	(1.656)
Expenses with personnel	(328)	(226)
Financial expenses	(6)	(14)
Tax expenses	(24)	(11)
Financial revenues	47	60
EXPENSES FROM ACTIVITIES	(2.270)	(1.848)
PERIOD SURPLUS (DEFICIT)	(49)	169

Exhibit III- Statement of changes in corporate assets(in thousand R\$)

	CORPORATE ASSETS	ACCUMULATED DEFICIT	TOTAL
IN DECEMBER 31, 2006	321	(79)	242
(unaudited)			
Tranference to corporate assets	(79)	79	
Period surplus		169	170
IN DECEMBER 31, 2007	242	169	412
Tranference to corporate assets	169	(169)	
Adjust from previous period	(17)		(17)
Period deficit		(49)	(49)
IN DECEMBER 31 2008	394	(49)	345

Exhibit IV - Cash flow statement for the period ended December 31 (in thousand R\$)

OPERATING ACTIVITIES CASH FLOW

Period deficit	(49)
Adjustments by:	
- Depreciation	22
- Adjustment from previous period	(17)
	(44)

VARIATION OF ASSETS AND LIABILITIES

Other accounts payable	11
Accounts payable	0,5
Social obligations	(10)
Tax obligations	(4)
Miscellaneous advances	9
Net cash from operating activities	(38)

CASH FLOWS FROM INVESTMENT ACTIVITIES

Purchase of fixed assets	(5)
Net cash used in investment activities	(5)
NET CASH AND CASH EQUIVALENT INCREASE	(43)

STATEMENT OF CASH AND CASH EQUIVALENT INCREASE

Cash and cash equivalent at the period beginning	437
Cash and cash equivalent at the period end	393
	(43)

Exhibit V - Statement for resources' origin and applications for the period ended December 31 (in thousand R\$)

RESOURCES ORIGIN

From operations	
- Period surplus	182
Total origins	182

RESOURCES APPLICATION

Period deficit	
Fixed assets acquisition	23
Total applications	23
INCREASE IN NETWORKING CAPITAL	159

STATEMENT OF PERIOD NETWORKING CAPITAL VARIATION

Current assets	
- At the end of the period	458
- At the beginning of the period	312
	145

Current liabilities:

- At the end of the period	103
- At the beginning of the period	116
	13

INCREASE IN NETWORKING CAPITAL

Period surplus (deficit)	170
- Depreciation	12
Adjusted period result	182

INDEPENDENT AUDITORS' OPINION

To the Council and Management
Associação dos Direitos Humanos em Rede

1. We have examined the balance sheet of Associação dos Direitos Humanos em Rede, as of December 31, 2008, and the respective statement of deficit, changes in corporate assets, and cash flow statement corresponding to the period then ended, elaborated under management responsibility. Our responsibility is to issue an opinion on those financial statements.

2. We conducted our audit in accordance with Brazilian generally accepted auditing standards that are similar with International Financial Reporting Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

3. In our opinion, the financial statements referred to above present fairly in all material respects, the financial position of Associação dos Direitos Humanos em Rede as of December 31, 2008, and the related statements of deficit, changes in corporate assets and cash flow related to the period then ended, according to the accounting practices adopted in Brazil.

4. Previously, we audited the financial statements referring to the period ended December 31, 2007, encompassing the balance sheet, the statement of period surplus, the changes in corporate assets and the statement of resources' origin and applications of that period, on which we issued unqualified opinion, dated April 14, 2008. As mentioned in explanatory note 2, the accounting practices adopted in Brazil were modified as at January 1st, 2008.

São Paulo, March 13, 2009.

BAKER TILLY BRASIL
AUDITORES INDEPENDENTES S/S
CRC-2SP016754/O-1

SUR – Human Rights University Network

Exhibit I - Balance sheet as at December 31 (in thousand R\$)

ASSETS	2008	2007	LIABILITIES	2008	2007
CURRENT			CURRENT		
Cash and cash equivalents	20	9	Accounts payable		12
Short term investments	362	181	Social obligations	4	2
Other accounts receivable	28	6	Tax obligations	4	4
	410	196	Miscellaneous advances	5	5
				13	23
NON CURRENT			NON CURRENT		
			CORPORATE ASSETS		
FIXED ASSETS			Corporate assets	176	137
Immobilized	2	4	Surplus/ deficit of the period	223	39
				399	176
TOTAL ASSETS	412	200	TOTAL LIABILITIES	412	200

Exhibit II - Statement of cash flow for the year ended December 31 (in thousand R\$)

	2007	2008
REVENUES		
Domestic donations		125
Foreign donations	823	674
REVENUES FROM DONATIONS	823	799
EXPENSES		
Expenditures with projects	(587)	(760)
Expenses with personnel	(12)	(6)
Tax expenses	(8)	(2)
Financial result	7	8
EXPENSES FROM ACTIVITIES	(600)	(760)
PERIOD SURPLUS	223	39

Exhibit III- Statement of changes in corporate assets (in thousand R\$)

	CORPORATE ASSETS	ACCUMULATED DEFICIT	TOTAL
IN DECEMBER 31, 2006 (unaudited)	176	(39)	137
Tranference to corporate assets	(39)	39	
Period surplus		39	39
IN DECEMBER 31, 2007	137	39	176
Tranference to corporate assets	39	(39)	
Period surplus		223	223
IN DECEMBER 31, 2008	176	223	399

Exhibit IV - Cash flow statement for the period ended December 31 (in thousand R\$)

	2008
OPERATING ACTIVITIES CASH FLOW	
Period deficit	223
Adjustments by:	
- Depreciation	2
	225
VARIATION OF ASSETS AND LIABILITIES	
Other accounts payable	(22)
Accounts payable	(13)
Social obligations	2
Net cash from operating activities	192
INCREASE NET CASH AND CASH EQUIVALENT	192
STATEMENT OF CASH AND CASH EQUIVALENT INCREASE	
Cash and cash equivalent at the period beginning	190
Cash and cash equivalent at the period end	382
	192

Exhibit V - Statement for resources' origin and applications for the period ended December 31 (in thousand R\$)

	2007
RESOURCES ORIGIN	
From operations:	
Period surplus	39
- Depreciation	3
Total origins	42
INCREASE IN NETWORKING CAPITAL	42
STATEMENT OF PERIOD NETWORKING CAPITAL VARIATION	
Current assets	
- At the end of the period	196
- At he beginning of the period	152
	44
Current liabilities:	
- At the end of the period	23
- At he beginning of the period	21
	(2)
INCREASE IN NET WORKING CAPITAL	42

INDEPENDENT AUDITORS' OPINION

To the Council and Management
SUR – Human Rights University Network

1. We have examined the balance sheet of Sur – Human Rights University Network, as of December 31, 2008, and the respective statement of surplus, changes in corporate assets, and cash flow statement corresponding to the period then ended, elaborated under management responsibility. Our responsibility is to issue an opinion on those financial statements.

2. We conducted our audit in accordance with Brazilian generally accepted auditing standards that are similar with International Financial Reporting Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

3. In our opinion, the financial statements referred to above present fairly in all material respects, the financial position of SUR – Human Rights University Network, as of December 31, 2008, and the related statements of surplus, changes in corporate assets and cash flow related to the period then ended, according to the accounting practices adopted in Brazil.

4. Previously, we audited the financial statements referring to the period ended December 31, 2007, encompassing the balance sheet, the statement of period surplus, the changes in corporate assets and the statement of resources' origin and applications of that period, on which we issued unqualified opinion, dated April 14, 2008. As mentioned in explanatory note 2, the accounting practices adopted in Brazil were modified as at January 1st, 2008.

São Paulo, March 13, 2009.

BAKER TILLY BRASIL
AUDITORES INDEPENDENTES S/S
CRC-2SP016754/0-1

CONECTAS HUMAN RIGHTS STAFF

Executive Director - Malak El Chichini Poppovic

Legal Director - Oscar Vilhena Vieira

Institutional Area

André Degenszajn - Development Coordinator (2008)

Lucia Nader - International Relations Coordinator

Nathalie Nunes - Development Coordinator (2009)

Denise Conselheiro - Communication Officer

Marcelo Moisés - Web Developer

Muriel Soares - Intern

Global South Program

Juana Kweitel - Coordinator

International HR Colloquium

Juana Kweitel - Project Coordinator

Thiago Amparo - Project Officer

Raphael Daibert - Intern

HR Fellowship Program

Juana Kweitel - Project Coordinator (2009)

Laura Mattar - Project Coordinator (2008)

Mila Dezan - Project Officer

Sur - International Journal on HR

Pedro Paulo Poppovic - Editor

Oscar Vilhena Vieira - Editor

Juana Kweitel - Managing Editor

Daniela Ikawa - Managing Editor (2008)

Thiago Amparo - Project Officer

Flávia Scabin - Project Officer

Foreign Policy and Human Rights

Lucia Nader - Project Coordinator

Camila Asano - Project Officer

Justice Program

Oscar Vilhena Vieira - Coordinator

Artigo 1º

Eloisa Machado - Project Coordinator

Marcela Vieira - Lawyer

Samuel Friedman - Lawyer

Vivian Sampaio - Intern

Valcrécio Paganele (Teo) - Intern

Pro Bono Institute

Marcos Fuchs - Director

Carolina Bittencourt - Lawyer

Eric Lockwood - Lawyer (2009)

João Pedro Pereira Brandão - Lawyer (2008)

Laura Mattar - Lawyer (2008)

Black Women's Right to Health in Brazil

Laura Mattar - Project Coordinator (2008)

Bruna Angotti - Researcher (2008) and
Project Coordinator (2009)

Fabiane Oliveira - Intern

Administrative and Financial Department

Fernanda Mioto - Administrative and
Financial Manager

Gisele dos Santos - Administrative Assistant

Juliana Gomes - Administrative Assistant
(2008)

Maira Barreto - Administrative Assistant

Meiry Carminati - Financial Assistant

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

Foreign volunteers

Emma Dearnaley, Eric Lockwood, Fred Hasselquist, Karim Mijal, Marisol Soltero Soto.

Volunteers

Alexandre Nápoles Filho, Amir Choib Jr, Ana Letícia Salla, Bruna Santana, Caio Vilella, Conrado Davoli, Fabiana Bacchi, Felipe Silva, Gabriela Barros de Luca, Isabel Arbex, Isamar Escalona, Marcelo Haydu, Mariana Parra, Mariana Piazzilla, Mariana Septimio, Mila Dezan, Nathalie Nunes, Raphael Daibert, Ricardo Ferraz, Severine Calza, Stephanie Guimarães.

Volunteers for the VIII International Human Rights Colloquium

Alberto Coutinho Rabelo, Alexandre Pacheco Martins, Ana Carolina Alfinito Vieira, Ana Letícia Mafra Salla, Ana Teasca, Daniel Escorel Alencar, Fabiana Rizzo de Moura Leibi, Gala Lígia Dahlet, Igor Rolemberg Gois Machado, Ingrid Leão, Luis Henrique Correa do Amaral, Mariana dos Santos Parra, Marina Mattar Soukef Nasser, Muriel Soares, Newton Garcia Teixeira Martins, Pedro Affonso Duarte Hartung, Pepe Tonin and Raphael Muniz Garcia de Souza.



CONECTAS HUMAN
RIGHTS

Rua Barão de Itapetininga, 93 - 5º andar

São Paulo/SP - 01042-908 - Brasil

Tel/Fax (55 11) 3884-7440

conectas@conectas.org

www.conectas.org | www.conectasur.org