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DEPARTMENT OF HUMAN RIGHTS
DEFENSE COUNCIL OF HUMAN RIGHTS OF PERSON

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FINAL REPORT

*Working Group "Human Rights
Professionals of Communication in Brazil "
created by Resolution No. 07/2012*

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- Note Repudiation of violence against media professionals during protests in São Paulo, June 14, 2013;
- Note about the threats suffered by the cartoonist Carlos Latuff, September 4, 2013;
- Note on the death of Santiago Ilídio;

Members of the Working Group on Human Rights Communication Professionals in Brazil by institution:

- Council for the Defense of the Human Person (CDDPH): Tarciso Dal Maso Garden (advisor);
- Secretary for the Human Rights of the Presidency of the Republic (PR-SDH): Bruno Gomes Monteiro (holder) and Marcelo Salles Murteira (alternate);
- General Secretary of the Presidency (SG / PR): Joan Zylbersztajn (holder) Sergio Alli;
- Social Communication Secretary of the Presidency (SECOM / PR): Marcia Brandão

Fernando Raposo (holder) and José Ivanir Bortot (alternate); Thompson Viegas Filho (holder) and Sandra Sato (alternate).

- Ministry of Justice (MJ): Delano Cerqueira, Júlio César Fernandes dos Santos, Paula Dora Aostri Morales, Heloisa Gimenez (holder) and Alexandre Rodrigues and Clarice Ramagem Calixto (alternate);

National movement of radio community (MNRC): João Carlos Santin (holder) and Angelo Ignacio (alternate);

-Brazilian Association of Community Broadcasters (HUG): José Luiz do Nascimento Soter (holder);

-Interstate Federation of workers in radio and television broadcasting (FITERT): José Antonio Jesus da Silva (holder) and Antônio Fernando Cabral (alternate).

- *Federal Attorney for Citizens' Rights, the Federal Public Ministry (PFDC / MPF): Ailton Benedito de Souza (holder) and Luciana Marcelino Martins (alternate);*

- *Brazilian Press Association (ABI): Tarcisio Netherlands (holder) and Mário Augusto Jakobskind (alternate);*

- *National Federation of Journalists (FENAJ): José Maria Braga (holder) and José Carlos de Oliveira Torves (alternate);*

- *National Association of Newspapers (ANJ): Ricardo Pedreira (holder) and Carlos Alves Müller (alternate);*

- *Brazilian Association of Entrepreneurs and Communication (Altercom): Renato Rovai Junior (holder) and Marco Antonio Piva (alternate);*

- *Brazilian Association of Investigative Journalism (Abraji): William Porch (holder) and Marina Iemini Atoji (alternate);*

- *Article 19: Laura Tresca (holder) and Julia Lima and Paula Martins (alternate);*

- *Brazilian Association of Radio and Television (OPEN): Daniel Pimentel Slaviero (holder);*

On March 10, 2014, the Secretary of Social Communication of the Presidency (SECOM / PR) asked to replace the members Marcia Brandão Raposo and Ivanir José Viegas Filho Bortot by Thompson and Sandra Sato;

Mr. Delano Cerqueira was replaced by Julius Caesar Fernandes dos Santos, who was replaced by Paula Aostri Dora Morales, who was replaced by Heloisa Gimenez. Mr. Alexandre Rodrigues Ramagem was replaced by the substitutive Clarice Calixto.

Coordination and Rapporteur of the Working Group on Human Rights Communication Professionals in Brazil:

- *Coordinator: Tarciso Dal Maso Garden (CDDPH)*

- *Rapporteur: Laura Tresca (Article 19)*

I. Introduction

"Everyone has the right to freedom of opinion and expression; this right includes freedom without interference have opinions and to seek, receive and transmit information and ideas through any media and regardless of frontiers. "

Article 19 of the Universal Declaration of Human Rights

Over the past few years, international organizations and Ong's began to give greater visibility to violence against media professionals, in order to reveal it to society and draw attention of the public authorities in the world . Various forms of violent restriction of the right to freedom of expression as homicides, kidnappings , harassment , intimidation and arbitrary arrests have become increasingly frequent in various contexts , along with the denial of access to information , and impunity for crimes committed before.

The Committee to Protect Journalists (CPJ) , the Campaign for Press Emblem (PEC , its acronym in English) , the International Federation of Journalists (IFJ) , Reporters Without Borders (RSF) , the International Institute for the Safety of Press (INSI) , the International Freedom of Expression Exchange (IFEX) , the Inter American Press Association (IAPA) , the United Nations , among others, point alarming data concerning violations of human rights in the exercise of their profissões .

3According to the CPJ, in 2013, 70 journalists have been murdered in the profession, three in Brazil.

4 According to PEC, in 2013, 129 were killed, including six in Brazil.

Although there is some degree of disparity between the data , there is a high number of homicides and the increasing attempts to use violence in common as a way of curtailing freedom of expression .

In a joint message for World Press Freedom Day in May 2013, the General Secretary of the UN Ban Ki -Moon , and the General Director of the United Nations - Educational, Scientific and Cultural Organization (UNESCO), Irina Bokova warned that more than 600 journalists have been killed in the last ten years. Among these, many have lost their lives performing journalistic coverage in areas not conflicting. This alarming information indicates the need to make a careful research on the contexts in which these violations occur and the different needs of communicators according to their social realities.

5 According to the "UN Action Plan for Safety of Journalists and the Issue of Impunity", 2008-2012 22 journalists were killed in Brazil.

According to the International Press Institute (IPI), in 2013, 120 journalists were killed worldwide. Of these deaths, 39 were recorded in the Middle East and 37 in Africa. In Latin America, the country with the highest number of murders of journalists, in 2012 was Mexico, became Brazil the first one, with six deaths (this figure is underestimated).

When analyzing the situation in Brazil, we do it within a context of insecurity communicators worldwide. In the Brazilian case, the data are particularly troubling. Index Report CPI's Impunity analyzing the murders of journalists from January 2003 up to December 31, 2012 that remain unresolved. Countries with more than five unsolved cases appear in the list, and Brazil are among those occupying the 10th position in the ranking with nine unsolved murders throughout the analysis period. These data point to the centrality of discussion about ways of overcoming impunity, protection measures communicators and violence prevention, which should be addressed in a joint effort between society and state. The fear generated by crime has the potential to curtail its operations and its like, generate self-censorship and prevent the whole society to have access to information. Democracy can not be complete without freedom of expression, and there will not be complete freedom of expression if the communicators do not feel safe to perform their activities.

II. Normative Protection Mark of the Human Right to Freedom of Expression

The right to freedom of expression guarantees individuals the opportunity to express, seek and receive information of all kinds, provided their safeguarded privacy, regardless of third party intervention. This can occur orally, in writing or by any means of communication.

Considered as the core for the consolidation of democratic regimes and the execution of other human rights and fundamental freedom, the right to freedom of expression is guaranteed by international treaties and it's recognized by many countries in their domestic legislation, as is the case in Brazil.

2.1 International Standards

Regarding international standards of human rights protection, the right to freedom of expression adopted in the Universal Declaration of Human Rights Article 19 provides that:

"Everyone has the right to freedom of opinion and expression; this right includes freedom without interference have opinions and to seek, receive and transmit information and ideas through any media and regardless of frontiers. "

The International Covenant on Civil and Political Rights provides for the protection of the right to freedom of expression in Article 19:

"1. No one shall be molested for his opinions.

. 2 The right to freedom of expression guarantees individuals the opportunity to express, seek and receive information of all kinds, provided their safeguarded privacy, regardless of third party intervention. This can occur orally, in writing or by any means of communication of his choice.

3. The Exercise of the right provided in paragraph 2 of this Article will require special duties and responsibilities. It may therefore be subject to certain restrictions, which must, however, be expressly provided by law and that are necessary:

a) For respect of the rights or reputations of others;

b) protect national security, order, health or morals. "

The American Convention on Human Rights, also known as San José, Costa Rica Pact provides the right to freedom of thought and expression in Article 13:

"1. Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print or artistic form, or by any means of your choice.

. 2 The exercise of the right provided in the foregoing paragraph shall not be subject to prior censorship but the subsequent imposition of liability , which shall be expressly provided by law and which are necessary to ensure :

a) respect the rights and reputations of others ;

b) the protection of national security , public order , or of public health or morals.
3 . One can not restrict the right of expression and pathways by indirect means , such as the abuse of government or private controls over newsprint , radio broadcasting frequencies , or equipment and apparatus used in the dissemination of information, or by any other means intended to stop the communication and circulation of ideas and opinions .

4 . The law may subject the public spectacles prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence, without prejudice to paragraph 2 .

5 . The Law should prohibit any advertisement for war and any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility , crime or violence . "

The Convention also provides in the Article 14 the right to rectification and response, essential to ensure that freedom of expression is not used as a form of slander and injure the reputation of another person:

"1. Every person affected by inaccurate or offensive statements issued to his prejudice by means of diffusion legally regulated and which approach the general public has the right to do the same communications outlet, his right of reply, the conditions established by law .

2. Nowhere should the correction or reply exonerated of other legal liabilities that have been incurred.

3. For the effective protection of honor and reputation, every news organization or publication, motion picture, radio or television, must have a person responsible who is not protected by immunities or enjoy special privileges. "

Noteworthy is **the resolution of the Human Rights Council UN 2012 on the Safety of Journalists** , which recognize the importance of free speech and free press in democracy building , says the frequent risk of intimidation , harassment and violence to which are submitted to journalists and combat impunity as a major challenge to strengthening the protection of journalists .

Regarding the responsibility of States , indicates the need for them to do their utmost to prevent violence against journalists and media professionals and promote a safe and effective environment for journalists to exercise their functions independently and without undue interference . As specific measures , cites : (a) legislative changes ;

b) awareness campaigns in the courts and among police and military officers , as well as between journalists and civil society regarding obligations in international human rights and humanitarian law relating to the safety of journalists ; (c) monitoring and reporting of attacks against journalists ; (d) public condemnation of such attacks; and (e) the submission of the necessary resources for the investigation and prosecution of these attacks .

2.2 National Standards

In the **Federal Constitution**, freedom of expression is guaranteed in the Article 5 of Chapter I ("Rights and Obligations Individual and Collective"). The most relevant points about this law are included in sections below:

"IV - is the free expression of thought, and anonymity is forbidden;

IX-free is the expression of intellectual, artistic, scientific and communication activity, independently of censorship or license;

X - are inviolable intimacy, private life, honor and image of persons, guaranteeing the right to compensation for property or moral damages resulting from the violation;

XLI - the law shall punish any discrimination rights and fundamental freedoms ".

The **National Human Rights Program - NHRP-3** in it's advisor Axis V: Education and Culture in Human Rights, guideline 22 provides the guarantee of the right to democratic communication and access to information for the consolidation of a culture on Human Rights, and it has two strategic objectives:

"Strategic Objective I: To promote respect for human rights in the media and enforcement role in promoting Human Rights Culture.

Strategic Objective II: Guarantee the right to democratic communication and access to information. "

III. Constitution of Working Group "Human Rights Communication Professionals in Brazil"

The specificity of the violation of the rights of journalists in the exercise of their profession was brought to the attention of the Human Rights Secretary of the Presidency

of representatives of associations and unions of journalists who met with Minister Maria do Rosario, in May 2012 . a meeting was held shortly after the murder of Decio de Sá, blogger and reporter for "State of Maranhão," died on April 23.

The main objective was to discuss actions about the fight of the rise of such violence , having been agreed with the group that a monitoring mechanism would be set up, investigations of crimes committed against journalists . On this occasion, the president of the Brazilian Press Association (ABI) , Maurice sour, stressed that the lack of criminal responsibility of the perpetrators of various forms of violent attacks on freedom of expression has contributed to the increase of violence . The president of the Brazilian Association of Entrepreneurs and Communication (Altercom) , Renato Rovai , commented on the risks they face the active communicators in blogs , which are more vulnerable for not enjoying the legal structure of a business communication. .

The executive director of the JNA (National Newspaper Association) , Ricardo Pedreira also attended the hearing ; and vice president of Fenaj (National Federation of Journalists) , Celso Schroeder .

Recognizing the complexity of the issue internationally and evaluating the existence of serious violations of human rights of communicators, the matter was brought to the agenda of the Council for the Defense of the Human Person (CDDPH) in his 212th Annual Meeting in August, but given the impossibility of ABI's representative in the Council on this occasion, as well as the urgency of the issue, the CDDPH action strategies were discussed between the ordinary and the 213th that was held in October. In the latest the Minister and President of the Council, Maria do Rosário, gave gifts to the publication of Resolution No. 07, dated on October 18, 2012, which constituted the **Working Group on Human Rights Communication Professionals**. It's objectives were:

- "i) examine complaints relating to violence against media professionals in the exercise of their function, referring to the relevant bodies and monitoring their developments;
- ii) to propose actions that help to establish a system for monitoring of complaints relating to violations of human rights of these people, as well as measures aimed at improving public policies for this segment;
- iii) propose guidelines for effective safety communication professionals in situations of risk arising from his professional practice. "

We emphasize that the creation of the WG represented at that time more than a commitment to work was also a recognition of the problem by the Brazilian government , which previously considered that the vast majority of deaths recorded in Brazil communicators had no direct relation to the profession .

The Working Group is coordinated by the Advisor CDDPH and initially had the following composition : representatives - holders and substitutes - the Human Rights Secretary of the Presidency (SDH - PR) ; the General Secretary of the Presidency (SG / PR) ; Secretary of Social Communication of the Presidency (SECOM / PR) ; Ministry of Justice (MJ) ; the Ministry of Communications ; Federal Attorney for Citizens Federal prosecutors Rights (PFDC / MPF) ; the Brazilian Press Association (ABI) ; the National Federation of Journalists (FENAJ) ; the National Association of Newspapers (ANJ) ; the Brazilian Association of Entrepreneurs and Communication (ALTERCOM) ; the Brazilian Association of Investigative Journalism (ABRAJI) ; and Interstate Federation of Workers in Broadcasting and Television (FITERT) .

Based on the article 3 of Resolution No. CDDPH 7, 2012 , it was agreed that the Working Group should conduct its activities by 180 (one hundred eighty) days , renewable for the same period. Considering the installation of WG in February 2013, when the renewal period of its resolution remains set at the annual meeting in October 2013 that organizations requested inclusion, or that accompanied their work from the beginning as guests, would be incorporated into the composition WG. Under this procedure , have joined the WG the following organizations : Article 19 , the Brazilian Association of Radio and Television (PW) , National Movement of Community Radio Broadcasters (MNRC) and Brazilian Association of Community Broadcasters (HUG)

This report presents some analysis on the phenomenon of violence against journalists inferred activities of the WG and suggests proposals for action and guidelines for effective safety communication professionals in situations of risk arising from their activities . Annex , the notes are written by the WG along their jobs .

IV. WG's agenda

To meet the purposes set forth in the Resolution No. 07, it was defined as a work method, initially slapping the violence of the past few years against communicators, and these data by conducting regular meetings and public hearings in cities with higher

incidence of violations, know the reality and undertake direct consultation with communicators who have suffered some form of violence. With the hearings, it was possible for the members of the Working Group to gather information, meet some situations that threatened or violated the right to freedom of expression of journalists, identify obstacles and to the free exercise of activities barriers as well as receive initiatives proposals to find solutions to ensure the full exercise of freedom of expression and personal integrity of communicators.

Table of contents working group	
Type	Date
Meeting of WG installation	February 19, 2013
Public hearing of Ipatinga (MG)	March 19, 2013
Regular meeting of the WG	April 10, 2013
Regular meeting of the WG	May 25, 2013
Public hearing of São Paulo	June 25, 2013
Regular meeting of the WG	August 6, 2013
Regular meeting of the WG	October 7, 2013
Colloquium on National and international Measures for the protection of media professionals-Rio de Janeiro	October 15, 2013
Public hearing in Campo Grande (MS)	November 8, 2013
Self-managed activity at the World Forum on human rights: the Internet and the right to privacy and freedom of Expression	December 12, 2013
Regular meeting of the WG	January 28, 2014
Regular meeting of the WG	March 11, 2014

4.1 Reports of WG Activities

In this section we present a brief account of the main points of the agenda discussed during the seven meetings of the Working Group, the topics discussed at three public hearings, as well as in two thematic events held.

Installation Meeting of the WG, February 2013

a) Statements of journalists at risk

For the meeting of the WG installation, the journalists **Mauri and Andre König Caramante** were asked to give their testimonies , both threatened with death . their speech made it clear that the motivation for the threats were originated in the work of these professional journalists.

In the case of König , the threats began after the production of the series of reports " Police Outlaw " . Published in Gazeta do Povo , Parana , the material exposed irregularities in the operation of the Civil Police of the state . After the publication of the reports , König began receiving phone calls in the newspaper office , with consistent information that there was a plan to police that his home was strafed . Faced with the threat , was exiled in Peru for nearly two months , with support from the Gazeta do Povo , the Committee to Protect Journalists (CPJ) and the Institute Prensa y Sociedad (IPYS) . He is currently back in Brazil , but he intends to go away from police coverage for an indefinite period.

André Caramante , journalist Folha de S. Paulo specialized in coverage of public safety , he said he was forced to move out of the country and hide after intensification of threats directed at him and his family . The journalist , who six years ago had private protection offered by the newspaper because of his work , saw the situation getting worse following the publication of the report headlined : " Former Head of the Route (Brazilian specialized police force in São Paulo) turns political violence and preaches on Facebook," in who reported sharing votes , retired Military Police Colonel and current councilman from São Paulo Tiled Paul campaign .

As König , Caramante returned to the country , but he ceased to operate in his area . After spending a period in the sports editorship of Folha de S. Paulo , he was fired earlier this year after returning from holiday on the grounds of cost reduction . In 2012 , when news emerged of threats to the journalist , the SDH met with the direction of the

vehicle in which he worked and put federal protection programs available . On the occasion , even before the formation of the WG , the newspaper's management said they would be responsible for the security of their reporter . Caramante recently reported that the newspaper has not offered him any more protective measure for months .

b) Early withdrawals

On this occasion it was presented by the National Human Rights Ombudsman of Human Rights Secretary of the Presidency an initial survey of complaints of violations of journalists between January 2012 and February 2013. Ombudsman's representative, Irina Bacci, reported receiving through this channel a total of 12 complaints during this period, of which seven dealt is homicide. WG drew attention to the fact that these complaints were coming from four different regions of the country, indicating it is not an isolated phenomenon.

The representative of FITERT presented the report of the entity relating to violence against broadcasters.

Public Audience in Ipatinga, March 2013

The public hearing in Ipatinga occurred shortly after the murder of journalist Rodrigo Neto . The business was run shot by two men on a motorcycle when leaving a bar that he used to go to. The Minister Maria do Rosario attended the event along with a committee of CDDPH composed , among others, by the President of WG Communicators , Tarciso Dal Maso , and the principal representative of the SDH in WG , Bruno Monteiro.

After holding a public hearing convened by the Human Rights Commission of the Legislative Assembly of the State of Minas Gerais , the members of CDDPH met with the team of Homicide and Protection of Persons (DHPP) of Belo Horizonte and then with representatives of Rodrigo Neto Committee , formed by journalists in the region who demanded investigation of the crime and the punishment of those responsible . They passed on information about the context of threats and violations of the rights of communicators in Steel Valley region , caused by the action of extermination groups involved with the local public security structures .

The task force set up to investigate the crime revealed the existence of a death squad that acted with impunity in the Steel Valley, and it was composed of civilians and police, military, and militia. Months later, two police officers were arrested, accused of being the executors of the murder of Rodrigo Neto and are awaiting trial. Yet enlightened intellectual authorship of the crime.

Regular Meeting of the WG, April 2013

a) Proposal for a federalization of investigating crimes against journalists

Continuing the discussion begun at the first meeting on measures to combat impunity, the WG received Congressman Delegate Protógenes (PCdoB-SP), who introduced Bill No. 1078/2011, which he authored. The proposal seeks to amend Law No. 10.446/2002 to establish the participation of the Federal Police in the investigation of crimes against journalism where there is failure or inefficiency of the relevant spheres. At the time the Bill was endorsed by the National Federation of Journalists (FENAJ), but there was no consensus among the members of the WG, which opted to further discuss this alternative before submitting a collective position.

b) Action Plan of the UN

" Action Plan for the UN Security of Journalists and the Issue of Impunity" were presented. Prepared jointly by agencies, funds and UN, especially the United Nations Education, Culture and Communication (UNESCO) program Plan that was created aiming to contribute to the creation of free and safe environments for journalists and communicators , both in situations of conflict or not conflict, aimed at strengthening global peace and democracy. Among the main points provided by the implementation of the Action Plan strategy are:

Encouraging the inclusion of a national indicator on the safety of journalists, based on Media Development Indicators UNESCO;

Providing assistance to the governments to develop laws safeguard journalists and mechanisms favorable to freedom of expression and information;

The sensitization of journalists, media owners and political decision makers on
The instruments and international conventions, as well as several existing
practical guides on the safety of journalists;

Sensitization of the news, media owners, editors and journalists about the
dangers faced by their employees, particularly the local journalists'
organizations;

The awareness of citizens to understand the harmful consequences of the
reduction or curtailment of freedom of expression of a journalist;

The call for a stakeholders and particularly media companies and their
professionals , the establishment of security measures for journalists , including ,
but not excluding other associations , training courses on security , health care
and insurance life , access to social security and adequate remuneration for both
full-time employees as those who have no employment (free -lance) ;

Training for journalists on digital safety and security;

Establishing mechanisms for emergency response in real time;

The Decriminalization of defamation ;

Enhancing the protection of women journalists in response to the rising
incidence of sexual harassment and rape.

On this occasion the WG began the discussion on the Action Plan and identified the
need for an adaptation to the Brazilian reality, and the importance that UNESCO
representatives were invited to present the proposal in a future meeting. The
representative of FITERT also showed that this adaptation would enlarge the central
concept of a journalist to the Plan for Communicators in general. Later, in a dialogue
with representatives of the UN system, the issue was discussed and it was concluded
that conceptually these international bodies already work in the manner proposed, and

that the Brazilian case the translation would be taken in accordance with the suggestion of FITERT.

c) Cases Survey

The representative of the Article 19, Laura Tresca, presented the report of the entity for the year of 2012. According to these data, in this period, 52 cases were identified in Brazil, of serious violations in which it is possible to establish the relationship between the breach and the curtailment of freedom of expression. This universe, 16 were homicides. On this occasion also to data compiled by ABRAJI were presented.

6 Note that this total 16 were related to human rights defenders - given the broader concept worked by Article 19 - and 36 were communicators.

7 Seven (7) were communicators.

Regular Meeting of the WG, May 2013

a) Advances in the survey of violations cases

At this meeting the representative of SDH in WG, Bruno Monteiro, presented the consolidated survey of cases of violations committed against journalists on the basis of complaints received by the National Human Rights Ombudsman and the work done by NGOs and ABRAJI Article 19, and the FITERT . It reached a universe of 72 cases involving 77 persons.

After the meeting, it was concluded that the highest number of cases were concentrated in the following states:

State	Number of CAses
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Pará	8
Maranhão	7
Mato Grosso	7
Mato Grosso do Sul	7
São Paulo	7
Rio Grande do Norte	5

Based on these data and qualitative analysis of trends in each state, which remains set a public hearing that would be held in Sao Paulo, followed by Mato Grosso do Sul and, near the end of the work of WG, an activity would be organized in Rio de Janeiro.

After a debate on the nature of the data available, it was concluded that there is a profusion of decentralized information on violations against journalists, but that different sources use very different accounting methodologies. Thus, the proposal to create a tool that centralized denunciations received by all civil society organizations and government agencies who would forward them to the WG was approved. Ahead treat so held on survey data conducted by WG with private and unpublished findings.

Public Hearing in São Paulo, June 2013

a) Hearing of journalists at risk

Delivering determination of WG, a hearing that was held in São Paulo, with the staff gathering information on violations communicators in the state, which showed a high number of cases in previous survey. The hearsay with guests were divided into two

groups: cases of threats already identified by the WG and the new situations of abuse of police force against journalists who covered the events of June 2013.

Cases previously identified by WG

The journalist Lucia Rodrigues reported two risks that we saw submitted : during the coverage of repossession in the community Pinheirinho in São Paulo , where she nearly got shot by a member of the public security force present at the site , and the episode she was threatened after doing an investigative report for the Brazil current Radio about Colonel Tiled, former commander of ROTA (elite group of the Military Police of São Paulo) and current councilman from São Paulo . In the story , Lucy pointed out that two of the funders of the campaign Tiled were his direct aides in the House . In an interview about the case , Tiled Lucia was warned to be careful , " why would whack the same way and at the same pace ."

Lucia also reported the existence of a list with the names of 200 (two hundred) journalists that would be monitored by the Military Police of São Paulo . For the journalist , the efficiency of the Witness Protection Program operating model in Brazil is questionable for the case of communicators , as they may not lose their identity and thus come to be doubly penalized .

At the time the WG decided to request official information about this list to the Secretary of Public Security of the State of São Paulo. Official letter No. 267 that was sent on August 2, 2013, but no response was given to it.

Lumi Zunica, cameraman for TV Record, shared risk for journalists in three categories:

- 1) inherent to the profession. He quoted the example of the case when investigating gang that robbed restaurants in São Paulo Morumbi neighborhood and was in one of the restaurants to conduct an interview when another assault happened;
- 2) what the journalist assumes, since within a certain safety limit. He quoted the example of a research conducted in Santos (SP), when he needed to use a bag on his head and a gun pointed at himself, to meet with a source;

3) the unacceptable and unnecessary risk, one in which the government puts at risk communicator as in the case of the journalist and photographer from "Now" blinded after being hit by a rubber bullet while covering a protest.

The journalist also reported that, after covering "crime Pedra da Macumba" and presented evidence that contradicted the police version of the case that it was a suicide, he began receiving harassing calls to stop the research work. According to him, their computers and email were hacked, and his wife and his coworker were also threatened. His colleague moved from state and moved away from investigative journalism.

Cases of violations in June protests

Gisele Brito, Brazil Network reporter, reported after being beaten with batons at the neck, legs, buttocks and face, on 06/13/2013, during the coverage of the protests in the city of São Paulo. For her, though she was identified as a journalist, she was attacked as a citizen, because the tear gas reached all those present at the protest. Gisele reported that, in addressing the cluster of police to request clarifications about the action was threatened.

In the context of discussing the proposal that journalists would use signaling equipment, Zunica corroborated with the analysis of Gisele and pointed out that the use that it would be a stopgap solution, since not only communicators, but the population as a whole is exposed in public protests in which police action is too repressive.

Fernando Mellis, Portal R7 reporter, said he had been assaulted by a police officer on 11/06/2013, in the third of the seven events that he covered in the state capital. According Mellis, to ask a policeman the reason for the arrest of one of the protesters at the Dom Pedro Park in downtown São Paulo, the agent proceeded truculent and intimidating manner. Mellis then clearly identified as press, and he was assaulted with truncheon blows back. When he took the case to one of the commanders of the

military police present at the protest, received the ironic answer: "why do you get there in the middle?".

Roberta Tessali, Novice Portal represented colleague Pedro Nogueira, who also performed the coverage of the 11/06/2013 protest in downtown São Paulo. Nogueira and colleagues reported that, while trying to get away from the conflict between police and protesters were corralled by police officers, who started beating them truncheon blows. Later, already handcuffed, Nogueira identified himself as a journalist in the service and questioned the reason for his arrest. The justification of the police was resistance and contempt; upon arriving at the police station, however, the police report recorded the crime of property damage and conspiracy. Later the judge assessed that there were elements that characterized conspiracy, having been provisionally rejected this accusation, however Peter followed responding to survey crime of damage to public property.

The chief editor of Walnut and Apprentice Portal confirmed in testimony to delegate responsibility it was to work on site, requested that the official reap testimony of witnesses who saw the journalist being beaten, but the officer that refused doing so. Nogueira was jailed for three (3) days and was transferred from the 78th to the 2nd DP without a forensic examination had been performed at the time of arrest. The journalist continues to respond to the process of conspiracy.

a) Tools for prevention and protection

During the debate, Bruno Monteiro explained that there SDH / PR three programs of protection, two for adults: PROVITA - in which the person left its place of residence, have their identity preserved for the guarantee of their security and remains under protection assessment that while there remains the threat; and Programme of Human Rights Defenders - giving conditions for the person to stay in their place of work, with all security assurance expected to continue with their work. Reported that there is no specific program for communicators, and that each case is evaluated according to the degree of threat experienced.

Marina Iemini Atoji, ABRAJI representative, reported on the training that the organization offered sometimes to journalists to act in situations of risk and stressed the

centrality of convincing media companies about the importance of dissemination of this training. It was Suggested that this topic would be discussed in more details by the WG.

José Augusto, president of the Association of Professional Journalists of São Paulo, clarified that the entity does not understand journalism as a profession of risk, but he recognizes that there are situations that put at risk the professional. He Stated that in any case of aggression of reporters, the company must issue a mandatory CAT (Notice of Injury).

c) Review of public hearing

According to the president of the WG, Tarciso Dal Maso, two sectors of communication professionals were presented as the most vulnerable throughout the hearing: cameramen and reporters, as they are easily identifiable, and investigative journalists. He also pointed out that the testimony of Lumi Zunica demonstrates the difficulty of protecting journalists who intend to continue the profession, as is the case itself, it is important to identify and think about solutions to this pattern.

The summary of the testimony provided to the WG was that the police violence in the protests of June was widespread and not only directed at the press, although it suffered from the attacks even after identifying the cops.

Regular Meeting of the WG, August 2013

At this meeting, the WG was attended Adauto Soares and Fabio Eon UNESCO; director of the Information Centre of the United Nations in Brazil (UNIC-Rio), Giancarlo Summa; Ricardo Gonzalez of Article 19 - Mexico; and Luis Alfonso Novoa, Colombia.

a) Action Plan of the UN

The presence of representatives of UN agencies at this meeting allowed the WG to go deeper their understanding of the " *Action plan of the UN about the Safety of Journalists and the Issue of Impunity*" and discuss adaptations to the Brazilian reality. Giancarlo Summa reported that, in July 2013, the UN Security Council held first one dedicated to the protection of journalists session, putting the issue as a priority assumed by world diplomacy.

About the Plan , he stated that this was internationally adopted in 2012, is coordinated by UNESCO in partnership with the Information Centre of the United Nations in Brazil (UNIC-Rio), and it is a general and global document whose purpose, according to UN, is to be adapted to local realities. Reported that Sudan was the first country where the plan was implemented and there is a discussion about the adoption of national plans in Latin America - in countries like Brazil, Colombia, Honduras and Mexico, which rates of violence against media professionals are expressive.

b) Proposal: Observation Centre Creation

As part of completing the work of the WG, it was proposed to establish a permanent mechanism (Observatory) to collect information and complaints and forwarding actions that protect the communicators and accountability of offenders. This mechanism would prevent and minimize risk situations with concrete and agile actions.

Laura Tresca, representative of Brazil Article 19, stressed that the creation of an observatory should be pervaded by a debate on the protective measures to be proposed, the definition of the evaluation matrix of cases, the governance and civil society participation .

Summa also emphasized the importance of institutionalizing the results, creating a physical structure with coordination, and provided the headquarters of UNIC-Rio to be used as a framework for the observatory.

c) Study of international experiences: Mexico

Ricardo Gonzales, the Mexican Article 19, reported that in his country the **Mechanism of Protection of Human Rights Journalists** is from joint work between civil society and government, having been converted into law. The mechanism is divided into three parts: unit of receiving cases and rapid responses, Unit of assessment and treatment unit cases. The executive coordination mechanism is exercised by the Ministry of Interior and it is submitted to a Board of Governors which has four representatives of civil society with voting rights. The Board is responsible to evaluate all the Engine procedures and adjust them when necessary.

The legislation aims to protect human rights defenders and journalists rights . The definition of these two subjects takes into account the specificities of each. There is also the weather protection of citizen journalists , who acts as communicators at some point , not professional , but fulfill their social function . The Facility has its own budget , ensuring autonomy for its operation . Gonzales cautioned at the time that funds are from ministries that make up the engine , and when there are only two people professionalized , which has compromised the effectiveness of the program .

For Gonzales , another deficiency of the program is the lack of provision of application forms by the beneficiaries , which leads to the legalization process. According to him , another criticism refers to the risk assessment , which being strictly focused on the threat of death limits the scope of the mechanism . Also pointed out the need for the mechanism that has clear protocols and manuals .

d) Study of international experiences: Colombia

Luis Alfonso Novoa narrated the history of the creation of **Colombia Committee to Protect Vulnerable Populations**, which refers to the end of the 1990s, when the murder of a union leader was caused by an agent of the state. At that time, it opened the debate on the need for a mechanism apart from state protection, since this was the primary violator. The Committee was established by a decree, and two years ago underwent reform that established a special protection unit at the national level with the structure of an operative nature. Within this unit they were trained to perform civilian

work and perform risk studies, as well as critical protection through risk maps routes created with alert systems built with information obtained through own human rights defenders.

Regular Meeting of the WG, October 2013

a) Meeting with Frank La Rue, Special Rapporteur for Freedom of Expression of the UN

The WG received the visit of the Special Rapporteur for Freedom of Expression of the UN, Frank La Rue, who pointed protective, legal and political measures. Initially, he defended the need for democratization of the media, and regulation of the content offered. For him, the media should not only focus on private initiative; it is necessary to balance the scales, since the concentration of the media leads to political concentration. Accordingly, proposed that the media have a full identification of owners and majority shareholders and that at least 51% of shares and 50% of the content is for the national identity of the people is protected.

La Rue also said that violence against journalists is violence against society as a whole, because it is an attack on the right to information. Finally, reinforced the need for decriminalization of crimes against honor and contempt in order to guarantee freedom of expression in its fullness.

Also at this meeting the proposed recommendations to the WG presented by Article 19 in the light construction of the recommendations for the final report of the WG were discussed. The proposals are divided into three areas: Prevention, Protection and Impunity.

Colloquium on International and National Measures for the Protection of Communication Professionals, October 2013

The Colloquium on national and international measures for the protection of communications professionals, organized by the Human Rights Secretary of the Presidency, UNESCO and Information Centre of the United Nations Brazil (UNIC-Rio), with the support of the Brazilian Association Investigative Journalism (ABRAJI) and PUC-Rio, aimed to discuss the safety of media professionals and the fight against impunity. The event was attended by the Minister for Human Rights Secretary of the Presidency, Maria do Rosário, the UN Special Rapporteur for Freedom of Expression, Frank La Rue and Regional Advisor for Communication and Information of UNESCO for Mercosul and Chile, Guilherme Canela.

On the occasion, the Minister proposed greater coordination between communicators and human rights defenders, including in the discussion of legislative measures aimed at combating impunity for crimes against journalists. Related killings of journalists with the formation of death squads, who victimize journalists, human rights defenders and many other groups.

The UN special rapporteur on freedom of expression pointed to the rise in organized crime in Latin America as the main reason for the increase in cases of violence against journalists. he Pointed as a proposed solution to create national tripartite structures for the protection of journalists, involving agencies of States, representatives of the press and society. Also, on the occasion, the President of WG, Tarciso Dal Maso, had partial report of the Group.

Public Hearing in Campo Grande, November 2013

At the public hearing held in Mato Grosso do Sul, it was reported the link between trafficking and public power , specifically involving the smuggling of cigarettes and illicit drugs in general that , many times , finances electoral campaigns . There was evident intolerance , especially local public policy people, the criticisms and complaints made by professionals in their media. Examples were quoted by victims of pressure and intimidation , as lawsuits , excessive domain concession of radio and communication channels , unfair dismissals and even more serious cases , such as

attempted murder, death threats and murders . All in an attempt to silence these communicators and weaken the public debate on policy issues and the interests of all . Stressed further that the WG and organizations concerned with the issue should be further tuned to this point in 2014 , since it is an election year and the violations tend to increase .

a) hearsay professionals at risk

The broadcaster César Moura, who reported having been threatened in the previous week, detailed the specificity of Mato Grosso do Sul, in the case of a state that has borders with Bolivia and Paraguay. According to Moura, are not only traffickers who attack journalists. He pointed to the existence of a link between trafficking and public power, specifically involving the smuggling of cigarettes, which often finances electoral campaigns. Moura says that the threats should suffer themselves to their questions about public policy issues.

The communicator rejected impunity in the face of so many deaths (quoted the "Skirmish" case, which is pending a solution 15 years ago), and reinforced the need for more effective action of the government in defense of broadcasters. Finally, defended the federalization of crimes against journalists because of the lack of autonomy of local police to such a complex picture.

Lile Cooke, journalist and broadcaster eighteen years, said he had lost count of how many times he was threatened with death and that because of these threats he has changed his routine and return to the city every year. He Stressed the need for the state to present a policy to support the families of murdered journalists. In the statement, he explained several times in Mato Grosso do Sul communicators themselves seek to protect each other, since the state is absent. "We are abandoned on the border of Brazil and Paraguay. Are seven hundred and fifty kilometers, the Federal Police can not protect us, "he said.

The broadcaster reported that Hildebrand Procopius in Porto Murtinho, three hundred miles from the capital, on the border with Paraguay, where he lives, helped to create a form of communication and protection of media professionals in the region.

Procopio said the difficulty of survival of small stations that have conditions to provide protection to their teams, making the protection measures adopted are individual.

Procopio said there is greater possibility of circumvention of the offender when he is committed in the border region: "Killing is now so simple, so simple is taking a life, that there is, as mentioned here, our friends, there is no punishment (...) I would say that the greatest protection, would be punishment. "

Radio journalist Gustavo Santos raised the issue of criminalization of communicators and made a report of his case, which claimed to have been wrongly accused of extortion. Then the photographer focused his speech on the need of state support to the families of victims of violence.

José Antonio, representative FITERT in WG, pointed out the difficulty in discussing the issue of security with communications companies, because the few companies that have some kind of apparatus such limited heritage protection. The President of the WG, Tarciso Dal Maso, ratified the extreme importance of corporate responsibility. The representative of Abert, Rosario Congrio Neto, pledged to bring the president of Abert's suggestion that establish security measures within the workplace.

Self-managed activity at the World Forum on Human Rights: Internet and the Right to Privacy and Freedom of Expression

The WG participated under the World Forum on Human Rights on the rights to privacy and freedom of expression in the context of the Internet and new media. The activity featured presentations by the Special Rapporteur for Freedom of Expression of the UN, Frank la Rue, the Special Rapporteur for Freedom of Expression of the Organization of American States, Catalina Botero, and Regional Advisor for Communication and Information of UNESCO for Mercosur and Chile, Guilherme Canela.

Regular Meeting of the WG, January 2014

At this meeting the interim report of the WG and outstanding points of debate were discussed and the observations of the WG among which the legislative proposals and protection programs, and violence against popular communicators.

a) Violence Against Popular Communicators

As directed at the public hearing of Mato Grosso do Sul, it was placed on the agenda the issue of violence against popular communicators, especially in radio. Law No. 9.612 of 1998, establishing the Community Broadcasting Service was questioned by most members of the WG. Among the issues discussed were limited to a maximum ERP of 25 watts power; restricting patronage to establishments located in the area of the community served; and the limitation of a channel area.

Throughout the discussion in this meeting, it was identified that the crimes committed against popular communicators and broadcasters, especially in small towns, are differentiated nature of others. It is not uncommon that the communicator suffer the consequences of an attack on the vehicle of communication itself, as this asset security mechanisms in very limited compared to large companies, and that during the process of monitoring the operation of broadcasting excesses are committed to also generate rights violations this special communicators.

In this sense, the Observatory on Violence against Communicators, need to attend to these specifics, including establishing a flow oriented routing, treatment and monitoring of complaints that may incur administrative processes within agencies that might commit some kind of excess, and establishing protective measures to the safety of the workplace.

b) Legislative Proposals

After discussion it was felt that the Federal Police already have the prerogative to act in cases of serious human rights violations, the WG was positioned towards the establishment of clear criteria for defining the situations in which the investigations are

to be federalized. Bill No. 1078/2011 was reported as a positive step, however the WG concluded that it was necessary to regulate by means of clear indicators terms the failure or inefficiency of the relevant spheres so that it could prove to be endorsed unanimously.

Based on the exposure of the UN Rapporteur for Freedom of Expression on the crimes of defamation and contempt remained forwarded the position in favor of decriminalization and not just decriminalize these crimes. As an alternative to criminal sanctions proposal were pointed the right of reply and sanctions in civil matters.

c) National Protection System

The General Coordinator of the Program for the Protection of Human Rights Defenders (PPDDH), Igo Martini, made a presentation about the program and about the process of construction of the National Protection System that will encompass three programs in the existing protection scope of SDH today.

Regarding the PPDDH quoted that one of the mechanisms of the program is to give visibility to the leadership question, because the goal is to keep the defender at the site of its action, which is consistent with the concerns raised in testimony of communicators who fear being forced to move away from the profession if you need to spend to integrate a protection program. He reported that the program has reduced the adoption 24 hours escorts, and substituting measures of safe movement, overt patrols, among other measures to prevent this alternative considers extreme.

After exposure, the WG proposed the extension and adaptation of the current program concerning the exercise of professional communicators particular, since not every communicator is recognized as a human rights defender.

Martini reinforced the importance of journalists and human rights defenders can work in partnership, quoting cases in which community radio helped to combat prejudice cons leaders of traditional communities allowing their access to programming with the aim to educate the local population about his fight. In light of this experience, campaigning on community radios to disseminate this good practice and promote this integration has been proposed.

V. Context of violence against journalists in Brazil

After a year of work it was possible to draw a diagnosis of the context of violence against journalists in Brazil. In this section we reflect on the major forms of violations analyzed, their specificities and commonalities.

The **involvement of local authorities and police** violence against journalists is one of the most important evidence seized of the testimony presented to the WG. This involvement and its main consequence, the difficulty of accountability of perpetrators, may be easily gathered from through the testimonies of journalists threatened death Mauri König, André Caramante Lumi Zunica, Lucia Rodriguez and Rodrigo Neto and if Walgney Assisi, photographer murdered in Steel Valley region in Minas Gerais.

At the public hearing held in Mato Grosso do Sul, was reported the link between trafficking and the government. There, it became apparent intolerance of sites, especially political public figures, to criticism and complaints made by professionals in the media. Examples were quoted by victims of pressure and intimidation, as lawsuits, excessive domain concession of radio and communication channels, unfair dismissals and even more serious cases, such as attempted murder, death threats and murders. All in an attempt to silence these communicators and weaken the public debate on policy issues and the interests of all.

Konig is back to Brazil, but said it intends to follow away from police coverage for an indefinite period; Caramante was first away from police coverage and later was fired; Lucia Rodrigues also claims to have been unjustifiably dismissed after suffering threats; Lumi Zunica reported having been threatened along with a colleague who chose to move to another state. These cases point to the challenge of finding protective measures that can mitigate the physical integrity of the communicator without preventing the **continuation of their professional activities**.

Even the hearing of Campo Grande, the issue of **impunity** as driving factor for new threats became clear in the speech of all interviewees, who recalled cases occurring for years and until now have not been solved. All interviewees questioned the lack of operation of the government, in general, in the calculation of the deaths of journalists

occurred in recent years and in recent cases. It Also commented on the importance that the federalization of investigations into crimes against journalists have in the region, which is facing a severe corruption and inefficiency on the part of the local public security organs.

The speech also highlighted the risks of occupational status to exercise their journalistic and investigative work in **border regions**, due to the dangers of trafficking and the difficulty caused by traffic research between the territories of the countries. Some statements showed that the attacks suffered by some communicators even advanced in initial investigations because the performers surpassed the Brazilian border and thus could not be pursued by the Brazilian authorities.

The public hearing held in June 2013 in São Paulo, found that **coverage of protests** became especially dangerous for journalists in Brazil. Many professionals reported being victims of repression and violent police action. The public hearing, however, showed that the population as a whole is exposed to violence in public events, in which the action of the police has shown disproportionate. It is also observed that identification as a journalist is not enough to prevent or stop aggression by police, and it often becomes the communicator target coverage because of possible arbitrariness. In this case, the reports indicated that photographers and cameramen are more exposed to institutional violence.

The survey of violations against journalists in the context of protests conducted by ABRAJI, FENAJ and Article 19 indicates that communications professionals have also been targeted by demonstrators and that there was, as noted above in the police action, two patterns of violations.

A portion was hit by demonstrators who act violently in the protests and who take the risk of hurting any person or event in your surroundings. The most tragic case of this is what led to the death of cameraman Santiago Andrade, on February 10, 2014, four days after being hit by artifact launched by next to where he was, protesters at the exact moment when filming an outbreak in Rio de Janeiro.

There is also the aggression directed communicators, which represent more concretely when more concrete manifestation of the media for which they work, target of protesters who do not distinguish the professional acting company become that employs . The WG Communicators defend freedom of speech, including against the media companies. However, they repudiate the action of those that prevent workers to fulfill their professional duty and harass them up attacking and why. In this case,

identifying professionals with the emblem of their companies, as opposed to bring protection, makes them targets.

The case of Santiago mentioned above also brings up the responsibility of the media in providing safe conditions to their teams. The cameraman of Band found himself without any kind of safety equipment and he was covering the protest alone. Two years ago, another film reporter, Gelson Domingos da Silva, was also fatally hit while covering a police action in Rio community. He also did not have the security apparatus needed to minimize the risks to their physical integrity.

Brazil is not and should not be characterized as a zone of armed conflict in the strict sense, in any case of the above cases demonstrate that it is necessary to understand some peculiarities of the risks involved in media coverage in areas where there is high crime influence or situations of internal disturbances or tensions. Situations such as those found in some slums in areas of dry border, in protests or repossessions reaching communities should be analyzed from a particular perspective, in which the professional practice of communication require greater care and protection mechanisms.

Influenced by the work of the WG and analysis, we included in Resolution No. 06 of 18 June 2013, the Council for the Defense of the Human Person, recommendation on the principle of non-violence in the context of protests and public events as follows:

"Art 5 The activities pursued by reporters, photographers and other media professionals are essential to the effective respect for the human right to freedom of expression in the context of protests and public events, as well as coverage of the execution of warrants of maintenance and reinstatement and tenure .

Single paragraph. Reporters, photographers and other media professionals should enjoy special protection in the exercise of his profession, being no obstacle to its performance, in particular through use of force. "

Violence against journalists is also manifested in the symbolic field and often effective through lawsuits. In the WG meeting in October 2013, the Special Rapporteur for Freedom of Expression of the UN, Frank La Rue, was identified the need for decriminalization of crimes against honor. Criminal types are repeatedly evoked as a way of threat communicators broadcast content. The criminal penalty is disproportionate restriction on the human right to freedom of expression. There are legal

provisions and mechanisms for civil penalties for unlawful punishment related to honor. To the right of reply, the Senate passed in November 2013, a bill regulating the practice. The proposal awaits a plenary session of the House of Representatives (Bill No. 6446/2013).

Finally, the meeting of the WG January 2014 highlighted the problems faced by community radio. Provisions of Law No. 9.612/98 have restrictions on new licenses for community radio. An example is the prediction of only one channel available to perform such duties by municipality, which implies the need to respect a minimum distance between the stations to reduce interference. This restriction bureaucratic and legal requirements to collaborate not attending the election of all associations interested in grants. Moreover, it is necessary that all officers to adopt supervisory procedures which respect fundamental rights.

VI. Data of the WG Communicators

As mentioned previously, it is difficult to measure accurately violence against journalists, because of the profusion of numbers based on methodologies, sources and definitions very diverse in nature. Adding to that one of the purposes of the WG - the proposition of actions that aided in the establishment of a monitoring system for complaints and measures that were intended to improve public policy, it was necessary to conduct a baseline survey to provide a framework that would allow more consolidated violence against journalists in Brazil.

To achieve this goal, a specific line was created in the National Human Rights Ombudsman who conducted the survey of complaints of violations correlated with the exercise of professional communicators.

The WG also proposed to make a survey of the number of victims in the last five years (2009 to February 2014), it was possible to take the first step towards the establishment of a system of national indicators aimed at mapping this form of violence.

Starting from a definition of the object of analysis enabling to establish clearly which cases would fit in data collection .

The discussions throughout the year reinforced the sense , already present during the process of creating the WG , that the target of this work would not be limited to journalists . The representative of FITERT repeatedly presented the characteristics and risks concerning the activities of broadcasters and popular communicators , and since the beginning ALTERCOM cared for bloggers and other communicators who , without being under the aegis of large communications company become even more vulnerable . Therefore , they were considered as professional communicators general media reporters , bloggers , broadcasters, photographers , videographers , and popular communicators , and how violations related to the profession only those directly related to the professional practice of the communicator and the search for restriction on freedom of expression.

To define the concept of violation of freedom of expression, meaning crafted by Article 19 in its annual report 2012 was used. In this, rape is characterized as any action or omission by the state or non-state actor to interfere in a direct manner or indirect interest in free flow of ideas, opinions or information.

Based on the concept of violation of freedom of the above expression, and widespread perception that in addition to the journalists themselves, all communication professionals are also targets of attempted curtailment of this right, complaints were addressed: aggression; threat; death threat; attempted murder; attack the vehicle of communication; bullying; restriction to professional activity; arbitrary detention; homicides; harassment; persecution; and sequestration.

The efforts of civil society to receive and compile complaints over the past few years has enabled us to establish a diagnosis of the situation in a comprehensive manner. Thus the WG conducted a preliminary survey that gathers an unprecedented way complaints received by the National Human Rights Ombudsman and CDDPH; cases of violations of the rights of communicators within the events sent by ABRAJI, FENAJ and Article 19; complaints received by ABI and FITERT; information provided in Article 19 of the Annual Report 2012; and the reports of 2009, 2010 and 2011 FENAJ; and the report of HUG.

At the meeting of the WG was fixed installing a Work Plan which established that the systematization of cases of violations suffered by communicators would stop the space of five years, worked so data refer to the period between 2009 and February 2014.

Aiming to conduct the survey to which the WG was proposed, we set out a definition of our object of analysis enabling to establish clearly which cases are fit to be adjusted on the established concept and it would fit in our data collection.

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Based on the concept of violation of freedom of the above expression, and widespread perception that in addition to the journalists themselves, all communication professionals are also targets of attempted curtailment of this right, we work with allegations of: aggression; threat; death threat; attempted murder; attack on the vehicle of communication; bullying; restriction to professional activity; arbitrary detention; homicides; harassment; persecution; and sequestration. The total communicators who were victims of these crimes is 321.

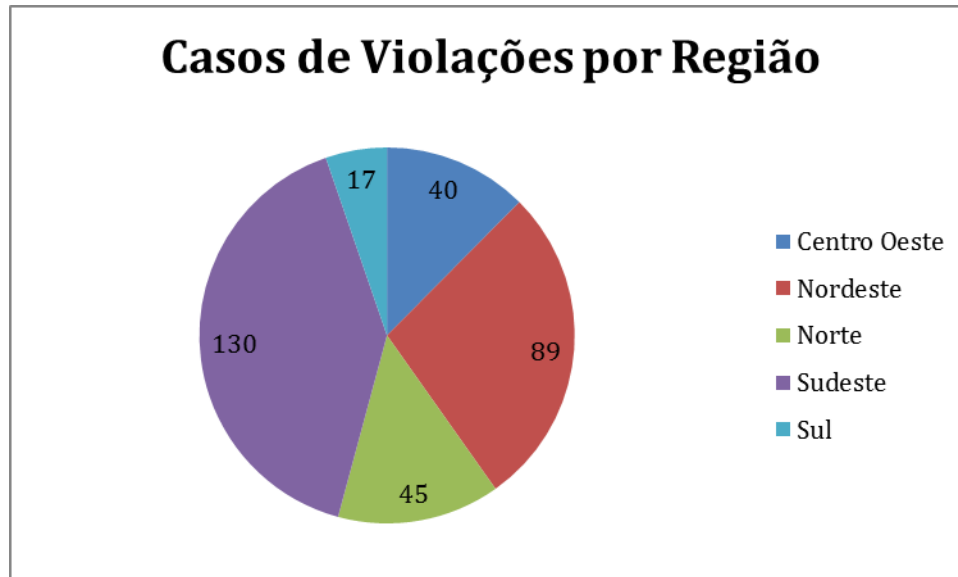
The data resulting from this survey indicate a trend of increasing violence against journalists, as demonstrated by the data of international organizations mentioned above, however, it is noteworthy that this tabulation of data does not allow this statement emphatically as we work with a number limited historical, and not have sufficient information to assess whether the increase in figures for these violations

associated with the growing number of complaints; improvement of data collection instruments; or indeed with the expansion of the phenomenon. Anyway this is a groundbreaking survey that allows us to work with trends, and equip us in building public policies as can be seen below.

In 2009 and 2010 it was recorded, respectively, a homicide, in the years 2012 and 2013 were six five homicides in which we capture the causal relationship between work performance and motivation of the crime. We also highlight the return of a form of restriction on freedom of expression that has increased exponentially the number of violations: the systematic violence against journalists in the exercise of their activities during public protests. While in previous years the total number of assaults never surpassed 25 in 2013 this number increased to 97 in just two months of 2014 are already registered eight cases, as can be seen in the table below.

year	Agression	Threat	Death Threat	Muder attempt	Attemptagains the communication vehicles	Moral Haressment	Curtailment to Professional Activity	Arbitrary detention	Homicide	Hostilization	Pursuit	Kidnapings	Total
2009	23	6	1	1	0	0	5	3	1	0	0	0	40
2010	14	5	3	2	0	0	3	6	1	0	2	1	37
2011	24	5	2	3	2	1	7	3	3	0	0	2	52
2012	2	2	22	5	0	0	1	1	6	0	1	1	41
2013	97	9	1	2	4	0	3	7	5	5	3	0	136
2014	8	1	0	0	0	0	0	4	2	0	0	0	15
Total	168	28	29	13	6	1	19	24	18	5	6	4	321

Although in 2013 there is a concentration of violations in the Southeast because of the very high number of attacks on protests in the cities of São Paulo and Rio de Janeiro, this is a national phenomenon.



Despite the efforts, this survey is not exhaustive, and there may be cases that were not located or were not communicated to the WG, but still can serve as a solid foundation for the establishment of a system of indicators.

VII. Recommendations to Guarantee the Human Right to Freedom of Expression

The Working Group on Human Rights Communication Professionals (WG) recommends actions for effective safety communicators in situations of risk arising from the exercise of their activity, as objectives established at the time of its creation. The proposals were formulated from analyzes of complaints relating to violence against journalists, public hearings, review of national and international documents and experiences in other Latin American countries as reported in the previous sections. Due to the complexity of the phenomenon of violence against journalists, the working group

developed a set of recommendations of various natures to offer different responses and different levels of detail for the problem.

Following the presentation of the recommendations, we detail the proposals aired since before the creation of the WG and built over the jobs in partnership with international organizations.

7.1 At the Federal Executive Power, within its powers:

1st recommend to the Secretary of Human Rights of the Presidency to:

- a) Extend the National Protection System with pathways to contemplate communicators who suffer threats, considering any specific activity of these professionals, and provides in addition to protective measures communicators itself, the adoption of measures aimed at the protection of the workplace;
- b) Include civil society organizations related to the exercise of freedom of expression and journalists in the National Coordination Protection Program that will meet the specific demands of communicators;
- c) Carry out awareness campaign Protection Program along communicators;
- d) Establish cooperation with the UN system (UNESCO, UNIC-Rio) and the Ministry of Justice to create Observatory on Violence against Communicators. Such an initiative should not only record events but have a tracking system for resolving cases where it is possible for the user to know the formal status of the case, as well as institutional and non-governmental initiatives, as outlined in section VIII of this report;
- e) Integrate Observatory on Violence against Communicators flow to the National Protection System, thus enabling rapid referral is given to cases where a protective measure may be required;

f) Ensure that organizations defending freedom of expression and communicators have effective participation in the Observatory from its conception to its management;

g) When there is glaring omission or inefficiency in the calculation, or suspected involvement of local authorities to the crimes against the human right to freedom of expression, make use of Law No. 10,446, of May 8, 2002, for the federalization of investigation of these crimes;

h) Where the act or omission inefficiency in processing and judgment, or suspected involvement of members of the judiciary in the commission of crimes against the human right to freedom of expression, which triggers the National Council of Justice mechanism like heart Justice Program .

2nd Recommend to the Ministry of Justice:

a) Develop detailed study of equipment and security conditions that have the capacity to mitigate risks to the physical integrity of communications professionals, particularly in coverage of conflict situations;

b) Develop standardized protocol for the actions of public security forces in the context of protests based on the precepts set forth in Resolution No. 06 of 18, June 2013 the Council for the Defence of the Human Rights (Attached), on the principle of non violence in the context of protests and public events, as well as in the execution of warrants of maintenance and repossession;

c) In partnership with media companies and the independent or self-employed professionals, provide safety training to professional communication in everyday situation and coverage of specific events like social protest;

d) The Federal Police in the performance of their assignment with respect to broadcasting, adopt standard procedure on supervision of all services, noting the fundamental rights of supervised;

e) Give instructions to the public security forces not to seize the equipment working memory and the media communicators within the media coverage.

3rd instruct the General Secretary to:

a) establishment of a tripartite dialogue table (representative organizations of workers and the media, civil society and government organizations), with the objective to discuss and propose solutions to improve the collective guarantee of the right to security for communicators in professional practice;

4th Recommend that ANATEL:

a) In carrying out their assignment with respect to broadcasting, adopt standard procedure on supervision of all services, noting the fundamental rights of inspected.

7.2 To the Legislature, within its powers:

1st Recommend to Congress that:

a) Approve legislative initiatives aimed at improving the system of research federalization of crimes against freedom of expression in cases of omission,

inefficiency, failure to comply with reasonable terms or suspected involvement of local authorities, in compliance with the existing legal provisions and such as Law No. 10,446, of May 8, 2002

b) Improve Incident Shift Racing to judicial proceedings relating to crimes against human rights (Constitutional Amendment 45/2004);

c) Deepen discussions to build consensus that allows legislative advance on the right of reply;

a) Through its Human Rights Committees, observe and promote the implementation of the recommendations of this report according to their assignments;

e) Perform seminar discussion on the impact of honor crimes and crimes foreseen in art. 70 of Law No. 4,177 of 1962, and in art. 183 of Law No. 9,472 of 1997, in relation to violence communicators; discussing the possibility of turning certain criminal offenses in Tort.

7.3 To the State Executive Powers, within its powers:

1st Recommend to the State Secretaries of Public Security that:

a) Adopt standardized protocol of action of the security forces in the context of protests based on the precepts set forth in Resolution No. 06 of 18 June 2013 the Council for the Defence of the Human Rights (Annex), on the principle of nonviolence in the context of protests and public events, as well as in the execution of warrants of maintenance and repossession;

7.4 To the Media, as part of its powers:

1st recommend to the media that:

a) Develop and implement mechanisms for protection for their teams in performing their professional activity, as well as be responsible for the ongoing training of its teams. Companies may seek support from the state, through its public security structures, as well as develop their own strategies for the identification and removal of risk to the physical integrity of its employees;

7.5 To The Judicial Power and the organs connected to the essential functions of Justice, under its powers:

1st recommend that the Ministry of Labour conducts constant monitoring to ensure that companies will provide communicators protection mechanisms in the exercise of their duties.

2nd recommend to the National Council of Justice (CNJ) establish collaboration with the Observatory on Violence against Communicators to trigger mechanism as full justice when there is blatant omission or inefficiency in processing and judgment, or

suspected involvement of members of the judiciary in practice crimes against the human right to freedom of expression.

3rd recommend to the National College of Attorneys General (CNPAG) note that the application by the police and security forces of protection mechanisms for communicators in the performance of its duties;

4th recommend to the National Council of Public Prosecutors (CNMP) to observe the implementation by public agents of protection mechanisms for communicators in the performance of their duties.

7.6 To the Council of Defense of the Human Person (CDDPH), within its powers:

1st recommend to the Council for the Defense of Human Rights that Person:

- a) Establish partnership with the UNESCO office in Brazil for the production of the national report "Indicators of Safety Communicators", in order to systematically develop studies aimed at identifying the causes and major outbreaks of violence against journalists in Brazil;
- b) Perform seminar discussion on the improvement of the Incident Shift Racing to judicial proceedings relating to crimes against human rights (Constitutional Amendment 45/2004), and refers its findings and recommendations to Congress;
- c) Develop, in partnership with civil organizations that make up this WG, accessible language publications on the safety of media professionals and the human right to freedom of expression and sound materials that can be broadcast on radio;

d) When there glaring omission or inefficiency in the calculation, or suspected involvement of local authorities to the crimes against the human right to freedom of expression, request application of Law No. 10,446, of May 8, 2002, for the federalization investigations of these crimes;

e) In conjunction with civil society and government representatives involved organizations, to continue with discussions and community broadcasting rights violations suffered by journalists who exercise their functions in these vehicles.

VIII. The Observatory on Violence against Communicators

The WG Communicators proposes that the Centre is structured by a tripod that allows the handling of violations against journalists in professional practice plural form according to their level of severity and specific needs of referrals. The above-mentioned structure is established by:

The WG Communicators Proposes that the Centre is structured by a tripod that allows the handling of Violations against journalists in professional practice plural form According to Their level of severity and specific needs of referrals. The above-mentioned structure is established by:

I. Case Receipt Unit: how will award receipt of the complaint, referral and monitoring of developments;

II. Indicators System: a web platform that allows any citizen to have access to a constantly updated overview of violence against journalists in the country;

III. Mechanisms to Protect Communicators: a line of action of the National System of Protection of Human Rights Secretary of the Presidency acting in protective sphere, taking into account the specific aspects of the practice of professional communicators.

It is proposed that the Centre is coordinated by the Human Rights Secretary of the Presidency (SDH / PR) in partnership with the UN System and the Ministry of Justice through the Department of Judicial Reform.

Its headquarters will be in Rio de Janeiro, in the office of UNIC-Rio, and its management will be done through a tripartite Steering Committee, composed of civil society organizations that work in the area of combating violence against journalists, state sectors considered strategic to the theme, and the UN system.

8.1 Unit to Receive CAses

This unit shall be capable of receiving / receiving complaints, and seek to interrupt the situation of violation of human and / or ensure that it is adequately accurate picture. So it is necessary to work on four levels:

- a) listening, guiding and registering the complaint;
- b) refer the complaint to the National Human Rights Ombudsman, who through the structure you already own, will be better able to forward the complaint to the protection and accountability network, and request the establishment of administrative procedures when appropriate;
- c) monitor the referrals made by the Ombudsman and the measures adopted by responsible agencies, informing the complainant person about what happened to the complaint;

d) monitor the investigations and prosecutions by the Secretary of the Judicial Reform;

e) In severe and gross leniency of local authorities in the accountability process accused situations, registering the case for monitoring heart by Justice Program of the National Council of Justice;

this way its possible to integrate civil society, the Executive and the Judiciary in combating violations of freedom of expression and impunity of perpetrators.

8.2 The Indicator System

How Working Group fulfilled the task of studying the problem in its various forms, conduct a comprehensive survey of cases that serve as the initial basis for the creation of a system of indicators, as well as point out the problems we encountered and suggestions for the operation of this system .

In this report tabulated data from broad concept of communicator, as defined previously, convinced that the system of indicators will need to have a clear definition of its object in order to be able to select the cases related to the communicator and other activity caused violence more generally. Here reinforce the need to break with an exclusive design that only the target journalist is considered the curtailment of freedom of expression, only the cases being registered in a professional category, which creates serious shortcoming.

The sources must be primary priority, and if they are secondary, they must be properly checked with the complainants through a methodology that allows a triangulation of data to enable the identification of cases related to the activity of the communicator and the freedom of expression.

The frequency of data collection is also central. The system must provide for the ascertainment of the facts on the spot when needed, but this should not be a constant work methodology. The receipt of complaints and the constant search for information by creating a network of civil society organizations will be essential for feeding system

and functioning. The gathering initial information about each event can also occur from materials published by the media.

Awareness campaigns will be essential for the dissemination of the Observatory, and especially useful for overcoming the phenomenon of the lack of risk perception by communicators. These often are mistaken in making this assessment in order to naturalize or underestimating threats, and end up not making the record.

Whereas the identification and detailed analysis of a problem is the first step to address the issue, the data generated by the reports will be used to map critical regions. By the number of complaints received, the Steering Committee of the Observatory can detect and act regionally in outbreaks of violence against journalists and to seek solutions to overcome the restriction of freedom of formats most recurrent expression.

8.3 Protection Mechanisms

The Mechanism to Protect Communicators will be a line of National Protection System that will, when necessary, protective measures for communicators through a review of cases and situations in pairs, knowing the specifics that affect them.

We recommend the adoption of priority protection mechanisms that ensure the permanence of the communicator in your place of work as well as the continued exercise of their activities.

The Programme for the Protection of Human Rights Defenders Rights of the Secretary of the Presidency

Whereas this report provides the expansion of the National Protection System that is being discussed within the SDH, focusing on the experience of the National Defenders, bring down a brief summary of your current model of operation.

The Programme for the Protection of Human Rights Defenders Rights of the Secretary of the Presidency (PPDDH / SDH) represents the commitment of the

Brazilian government to protect those and those who struggle for enforcement of human rights in our country. Created in 2004, also from a recommendation of CDDPH, aims and joint adoption of measures which are to ensure the protection of persons who are at risk or threat due to its role in promoting and defending human rights.

The performance of the program is not geared only to protect the life and physical integrity of the defenders, but also and especially the combination of measures and actions that focus on overcoming the causes that generate threats and risk situations.

The Program is currently present in seven Brazilian states: Bahia, Minas Gerais, Espírito Santo, Pernambuco, Rio de Janeiro, Rio Grande do Sul and Ceará. The states that do not have programs are attended by Federal Technical Team of the Federal Program coordinated by the Secretary of Human Rights of the Presidency.

For the inclusion of human rights defender in Protection Program the following requirements are met: review request, proof that the person acts in defense or promotion of human rights; identification of the causal link between the breach or threat activity and human rights advocate; consent and adherence to its standards.

The protective measures of the Programme for the Protection of Human Rights Defenders comprise joints with agencies and entities, public and private, aimed at resolving conflicts and overcoming the causes that generate threats; with the organs of justice and the states of the Union for the legal defense and assistance in monitoring violations of the system; with the public security organs of states aimed at ensuring the safety of human rights defender and investigation of violations; psychosocial measures; actions that allow the recognition of the performance of a human rights defender in society; and, exceptionally, the temporary withdrawal of the defender of the locale in cases of serious imminent threat or danger.

Present many challenges in implementing this policy. These challenges are coping with all forms of violence and threats, research and accountability of material and intellectual perpetrators, ensuring access to inclusion, social assistance, education and health programs.

The program seeks to focus on overcoming the causes that generate the risk and threat. And for that his performance comprises a combination of measures and actions to the executive, legislative and judicial powers and organized civil society.

The civil society organizations, the federal government agencies, the legislature and the federal judiciary participate in the program through the "National Coordination" deliberative organ of the collegiate program that, among other duties decide on requests

for inclusion and exclusion, on the protective measures be adopted, and various topics related to human rights defenders.

This liaison with government agencies and civil society is critical to follow consolidating foundations of this protection policy and contributes to the implementation of actions for research, prevention and combating violations to the human rights defenders can carry out their activities on site of action.

We emphasize once again that the expansion of the National Protection System shall provide an adaptation of PPDDH this new object, including the threatened communicators, regardless of their agendas.

attachments

Note on violence against journalists in the Steel Valley, April 17, 2013

The Working Group on Human Rights Communication Professionals in Brazil, organ of the Council for the Defense of the Human Person (CDDPH), hereby repudiate violence against media professionals in Steel Valley region, in Minas Gerais.

Given the information that two more journalists were threatened in the region, the Working Group requested the Secretary of Human Rights of the Presidency to assess the risks they face and, if necessary, include in the National Program for the Protection of Victims and witnesses (Provita).

This protection becomes even more necessary after the recent murder of photojournalist Wagnney Assis Carvalho, last Sunday, in Coronel Fabriciano, which deserves a careful and responsible research. As with the case of the murder of journalist Rodrigo Neto, on March 8, Ipatinga, the Working Group requested information from all authorities concerned and monitor the developments not to allow impunity.

Crimes against media professionals across the country, but particularly in the Steel Valley, this time, represent an attack on freedom of expression and human rights. Brazil, as a democratic and a free press, the country can not live with this reality.

Note Repudiation of violence against media professionals during protests in São Paulo, June 14, 2013

The Working Group on Human Rights Communication Professionals in Brazil, organ of the Council for the Defense of the Human Person (CDDPH) repudiates violence against communications professionals who participated in the cover protest held in São Paulo, at night this Thursday (13).

In assessing this Working Group, the aggressions suffered by protesters and media professionals, who were working at that time, constitute serious violations of human rights and an affront to democracy, since offend violently freedom of speech and the free exercise of communication.

We are in contact with the wounded professionals as well as with entities representing the category in Sao Paulo, in order to express solidarity and willingness to monitor the situation, including identification and accountability of perpetrators.

The next day, June 25, from 14 hours, the Working Group on the Human Communication Professionals in Brazil, Rights will hold its first public hearing at the Legislative Assembly of the State of São Paulo. Already announced that violence against professionals in this episode will be on the agenda of the meeting.

Note on the threats over the cartoonist Carlos Latuff, September 4, 2013

The Working Group of Defense Communicators Council for the Defense of the Human Person (CDDPH) publicly repudiate the threats against the cartoonist Carlos Latuff.

Latuff received on his page on a social network messages with death threats over the last month.

We understand that threats to journalists constituted serious affront to freedom of expression, one of the essential pillars of human rights and democracy.

Please be advised that we send threats to National Ombudsman of Human Rights as well as other relevant bodies, and that we will follow the developments of the investigations.

Note on the death of Santiago Ilídio

The Working Group on Human Rights Communication Professionals in Brazil, organ of the Council for the Defense of the Human Person (CDDPH), expresses his grief at the death of cameraman Ilídio Santiago Andrade, hit by an explosive device while working on the roof of an outbreak in Rio de Janeiro last week. This case unfortunately symbolizes tragically systematic violence against communication professionals engaged in covering protests.

Throughout this one year of work, we repeated forms of disrespect and violence against journalists, photographers, videographers, broadcasters in fulfilling their professional duties. It is unacceptable that workers of communication, they are there to record and report what happens in the context of these acts are exposed to this senseless violence that leverages public and democratic protests to destroy property, vandalize spaces, hurting people and, as in this case, to kill .

In this sense, while we deeply regret the death of cameraman and sympathize with his family, reinforced the need for security forces to adopt clear protocols and oriented to guarantee the respect of human rights of protesters and media professionals. Likewise, that the media provide protective equipment to the members of their teams.

Finally, this Working Group, committed to democracy and human rights, with all vehemence and repudiates any violent act against anyone and ready to charge into the facts and accountability of the perpetrators. Although it has not been an intentional attack targeting the professional press, the authors took the risk of causing it. We can not give space for democratic protests come territories of war, being usurped by those who want to propagate violence and barbarism.