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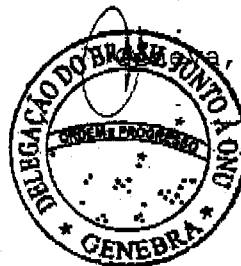
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The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and has the honor to forward attached herewith the Brazilian response to joint communication referenced AL BRA 8/2014, of 4 September 2014.

The Permanent Mission of Brazil avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

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December 10, 2014

This statement answers the joint communication sent by the Special Rapporteur on the situation of human rights defenders, Michel Forst; by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez; and the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, regarding reported allegations of threats and attacks against Ms. [REDACTED] and her family.

(i) Please provide any additional information and any comment you may have on the above-mentioned allegations of threats and attacks against Ms. [REDACTED] and her family.

Ms. [REDACTED] (known as [REDACTED]) was born on [REDACTED], in Rio de Janeiro. The allegations of threats are related to actions led by the police in Niterói, State of Rio de Janeiro, on May 23, 2014, during an operation in the building known as "Nossa Senhora da Conceição", located at 327 Ernani do Amaral Peixoto Avenue, downtown Niterói, where, according to Ms. [REDACTED], 300 sex workers were working. In April, before the alleged attacks, sex workers had held a demonstration against harassments committed by the police in raids in their residences and workplace. They protested especially against the arrest of some of their co-workers.

On July 18, Ms. [REDACTED], accompanied by Ms. [REDACTED] representing the Organization "Davida", was received at the Secretariat for Human Rights of the Presidency of Republic (SDH/PR), in Brasília. On that occasion, she reported the alleged facts and said that she had been working as a sex worker for eight years and was under death threat. She

added that, during the operation in the building, on May 23, police agents committed extortion, theft, robbery, physical and psychological aggression, and rape. Ms. [REDACTED] also mentioned that many women were detained for questioning and said that, since that incident, she has been very frightened, and under the impression of being followed.

(ii) Has a complaint been lodged by or on behalf of the alleged victims?

On June 4, a public hearing was held in Rio de Janeiro State Assembly (ALERJ), due to the above-mentioned police incursion. On June 16, Ms. [REDACTED] filed a complaint before police authorities (Report # [REDACTED] stating that she was being stalked by a police officer known as "Lopes". She said that she was also under the impression of being followed. After that, on June 21st, Ms. [REDACTED]'s kidnapping by four men, in a square close to the building where she lived and worked, was reported and registered at the 76th Police Station. On June 28, she testified at the 76th Police Station about this last incident. Ms. [REDACTED]'s accusations led to the arrest of six people involved in a net of sexual exploitation, two of them being former police agents.

(iii) Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.

The case is under investigation by the Civil Police of the State of Rio de Janeiro. Ms. [REDACTED]'s situation was also

referred to the National Program for the Protection of Human Rights Defenders (known as PPDDH, its acronym in Portuguese) through the Non-Governmental Organization "Justiça Global", on July 4th, 2014. The Federal Team of the PPDDH approached Ms. [REDACTED] on July 18, in order to assess her situation.

(iv) Please indicate what measures have been taken to ensure that the legitimate right to freedom of expression or opinion is respected and that the physical and psychological integrity of those exercising this right is guaranteed; and v) please kindly indicate what measures have been taken to ensure that human rights defenders in Brazil are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

Understanding that any threats, attacks or crimes against human rights defenders are unacceptable, the Executive Branch of the Federal Government, through Decree No. 6.044/2007, established the National Policy for the Protection of Human Rights Defenders, which set forth the basic principles of the Program known as the PPDDH. The Program for the Protection of Human Rights Defenders aims at providing assistance to any person or legal entity, group, institution, organization or social movement that promotes, protects or defends human rights and is vulnerable or at risk of suffering violation of his or her rights, due to his or her actions or activities. Any action or behavior against the personal or institutional activities of human rights defenders, organizations and social movements are considered violations. Actions which can affect, either directly or indirectly, human rights

defenders' family members or close ones, either by attempted or consummated homicide, torture, physical aggression, threat, intimidation, defamation, arbitrary or illegal arrest, false accusation, attacks or retaliation due to political, economic or cultural reasons, or related to the person's ethnic background, gender or sexual orientation, skin color, age, among other forms of discrimination, are also considered violations. Besides, any disqualification and criminalization of a human rights defender's personal activities, offending his or her physical, psychological or moral integrity, or their honor or property can entail the protection provided by the PPDDH.

The Program primarily aims at ensuring the continuity of human rights defenders' work in a safe environment, respecting their freedom of expression and action in favor of the full realization of human rights. Social work, medical, psychological and financial assistance are some of the protective measures undertaken by the PPDDH. The Program also promotes and implements initiatives aimed at overcoming risk and vulnerability causes.

Furthermore, the Federal Program for the Assistance of Victims and Threatened Witnesses - known as PROVITA - was established by Law No. 9807/1999, which set forth the rules to organize and maintain special programs for the protection of victims and witnesses who have been coerced or exposed to grave threats due to their cooperation with criminal investigations or prosecutions. Their admission to the program and their submission to its safety rules always come after their or their legal representative's acceptance.

(vi) Please provide information on measures undertaken to improve the responsiveness and effectiveness of domestic protection mechanisms available to human rights defenders, as well as measures undertaken to ensure human rights defenders do not face retaliation after having presented complaints to the relevant authorities. Please provide specific information on any measures taken to provide such protection to Ms. [REDACTED]

Since the above-mentioned incidents, Ms. [REDACTED] has been receiving the support of Rio de Janeiro's Public Defenders' Office and the State's Secretariat for Social Work and Human Rights, which has been confirmed during the meeting held at the Secretariat for Human Rights of the President's Office, in Brasília, on July 18. Although representatives from the State Defenders' Office and the State Secretariat have recommended her enrollment in a program to assist women victims of abuse, Ms. [REDACTED] decided not to join it.

Besides, many state and federal government bodies have been involved in Ms. [REDACTED] case, which demonstrates the strong commitment of the Brazilian government in guaranteeing the safety of human rights defenders, who can join, whenever needed, the PPDDH. The main goal of the PPDDH, however, is to make sure that human rights defenders can perform their work, preferably in their places of origin, in a safe way. Taking into account the specific situation and the gravity of the threats suffered by Ms. [REDACTED] as well as the fact that there is an investigation underway, which is probably going to result in criminal charges, the kind of protection offered by PROVITA seems more appropriate than the one provided by the PPDDH. PROVITA was developed with a focus on offering assistance to individuals such as Ms. [REDACTED]

who, in face of serious threats, should move to a safe place.

At the end of July, the General Coordination of the PPDDH agreed with Rio de Janeiro's team of PROVITA to offer assistance to Ms. [REDACTED]. She attended an emergency meeting at the State's Public Prosecutor's Office on July 31st at the presence of PROVITA's team.

Her case was analyzed, the gravity of the reported facts was confirmed and her admission to PROVITA was recommended. On that same day, the Federal Technical Team of the PPDDH was contacted by Ms. [REDACTED] of the Organization "Davida", and [REDACTED] of "Justiça Global", who did not agree with the conclusion reached by PROVITA'S team and objected to Ms. [REDACTED] enrollment in the Program. At the end of the day, the general coordination of the PPDDH was officially informed by PROVITA's team that Ms. [REDACTED] had decided not to join the Program, although the first emergency measures had already been taken for her enrollment.

The Secretariat for Human Rights of the President's Office, taking into account the circumstances of the case and the gravity of the accusations, states that, at least temporarily, Ms. [REDACTED] should be enrolled in PROVITA and stay away from her activities and home.

Her situation has been monitored and the protection of Ms. [REDACTED] under the Program has not been implemented due to her own objections. The enrollment in PROVITA may lead to change of her address and temporary suspension of her working activities, measures which did not seem to meet Ms. [REDACTED] expectations. One should also note that, in 2005, when Ms. [REDACTED] accused her partner of

drug trafficking, she had the chance to enroll in PROVITA but also declined the Program's assistance.
