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Brazil: Protecting the Right to Defend Human Rights

Over five years after her son was killed Dr Elma Novais, a lawyer from the town of Caruaru in Pernambuco, is still fighting to see those responsible brought to justice. On 16th November, four members of the Pernambuco state Military Police will be brought to trial accused of this and other killings. It is hoped that this trial will bring to an end the threats, fear and suffering that Dr Novais and her family have had to endure since the death of her son and will ensure that other such crimes do not go unpunished. However, the precedents do not offer much hope of this.

Dr Novais' struggle to bring the accused to court has come at an extreme personal cost. She and her children have suffered threats, intimidation, arbitrary arrests and physical attacks. Though her campaign has engendered considerable national and international support her situation continues to be one of extreme concern. Following the Interamerican Commission of Human Rights' call for precautionary measures in this case, Dr Novais was provided with protection by members of the Federal Police, nevertheless limited protection was provided for her children.

The police officers are accused of belonging to a "death squad" in the town of Caruaru, which is believed to have strong links with organised crime in the town. Amnesty International is extremely concerned at reports that while ostensibly under preventive detention in a military police barracks, they have been allowed to come and go as they please.

This has apparently not only allowed them to continue to threaten and intimidate Dr Novais and her family but also to maintain a climate of fear in the whole town which has deterred many people from supporting the case.

The courage exemplified by Dr Novais is matched by numerous human rights activists working throughout the country to defend the rights of all Brazilians, men and women who stand up to organised crime and corrupt state officials and suffer defamation, killings and attacks as a consequence. The recent launch by the federal government of its program for the protection of human rights defenders recognises the importance of the contribution they make in the fight to ensure that all sectors of society have equal access to justice and the right to live in peace and security. However, the federal government must ensure that those who defend human rights, like Dr Novais, can continue to fight for justice without fear, by guaranteeing the necessary required protection and by ensuring that those who threaten and kill human rights defenders are held accountable.