



Call for inputs from the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association

Submitted by: **Conectas Direitos Humanos**

Social participation is at the heart of the implementation of Agenda 2030. The rights to freedom of peaceful assembly and of association are key on this process and restrictions to them affect directly any efforts towards the achievement of the Sustainable Development Goals. Civil society is one of the main actors responsible for bringing the Agenda 2030 to the national level and translating the goals and targets defined to concrete actions. Civil society has an important role on pressuring the government to fully implement Agenda 2030, to monitor this process, to raise awareness, to bring the goals set in it into daily life problems and solutions and make it closer to people on the ground.

Historically, civil society and social movements have used their rights to freedom of assembly and of association to demand for fairer institutions, access to clean and safe water, access to education and health services, to land, etc. All over the world, laws have been enacted to restrict social participation and the engagement of civil society and social movements. These laws that range from restrictions to access to financial services and funding to limit the right to peaceful protest are a clear obstacle to the full implementation of Agenda 2030. Without a vibrant and fully operational civil society there is no success on this process.

In Brazil, an anti-terrorism law was passed in 2016¹ and it gives room to a wider interpretation that can criminalize social movements and the right to protest in the country. Although the most controversial articles were vetoed by the president at the time, the law is still an obstacle to civil society and it opened the gate to proposals at the House of Representatives and the Senate to alter the vetoed articles and to also include new amendments to make the law more restrictive and to explicitly criminalize social movements and civil society and their right to peaceful assembly.

With this new law, and the proposed amendments² to alter it, the capacity of civil society to assembly and protest for the guarantee of rights and to help implement Agenda 2030 in the country is limited. Along with a new anti-terrorism law, police violence and abuse by authorities in the context of peaceful protest adds risks of Agenda 2030 not being fully implemented in the country, in particular, Goal 16.

¹ <http://www.conectas.org/en/news/congress-passes-anti-terrorism-bill>

² <http://www.conectas.org/en/news/setback-from-a-setback>

Targets 16.6 and 16.10 demand effective, accountable and transparent institutions as well as the protection of fundamental freedoms. In the context of protests in Brazil, law enforcement agents are responsible for many violations, especially the use of excessive force, and the lack of a structured Military Police protocol on the use of force goes against the aforementioned targets. Excessive use of force in the context of protests in the country is responsible for violations of freedom of assembly, of expression and of movement and for inquiries into arbitrary detentions, torture, cruel degrading treatment and violence against journalists.³ Transparent and accountable Police institutions, with and ombudsman and internal affairs office's, would lead to more accountability and violations prevention especially in regards to the right of protest.

Implementing Agenda 2030 requires that governments, civil society and social movements to work together towards achieving a fairer and sustainable society. The guarantee of the rights of freedom of assembly and associations, especially by lifting restrictive laws and measures, could foster the implementation of the SDGs in a people-centered manner.

³ <http://www.conectas.org/en/news/police-violence-against-journalists>