

Freedom of Expression Under Duress in Brazil, Says London Human Rights Group

Contributed by Newsroom
Thursday, 30 August 2007

The executive director of London-based human rights organization Article 19 and the coordinator of that entity's Brazil office undertook a fact-finding and advocacy mission from August 7 to 14, in Brazil, in order to assess the situation of freedom of expression, including freedom of information, in the country.

Although a number of good practices and interesting initiatives by the government have been identified, as well as a vibrant civil society very active on communication rights and media issues, Article 19 says it is concerned by the situation of freedom of expression in Brazil, which it judged to be serious and in need of immediate protection and action.

Article 19 has identified as the main challenges to freedom of expression in the country:

- The lack of an appropriate legal framework, with media laws dating back to non-democratic periods and relevant legislation that is technically and technologically outdated;
- Threats to media pluralism and diversity, caused by lack of regulatory policies to support independent broadcasters, especially non-commercial and community broadcasters, and by a high degree of concentration of media ownership;
- Community broadcasting under duress, its operation restricted by licensing procedures that are lengthy, ineffective and punitive;
- Abusive use of civil and criminal defamation lawsuits, including with the use of injunctions that amount to prior censorship;
- A media context in which violence is still a problem, but a problem deficiently assessed and maybe under-estimated; and, finally,
- An access to information right protected by the Constitution but whose implementation is compromised by lacking regulations and existing undermining legal provisions.

The mission findings were presented in summarized form in a mission statement, which also provides some recommendations for tackling these difficult issues.

Such recommendations include the adoption of a proper legal framework, the creation of a public broadcasting system, support to community broadcasting, investigation of instances of violence and better articulated monitoring mechanisms for violations of press freedom and the urgent adoption of an access to information regime, among others.

Article 19 is an independent human rights organization that works globally to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.

The complete document on the Brazilian case can be accessed in English at: www.article19.org/pdfs/publications/brazil-mission-statement.pdf and in Portuguese at: www.article19.org/pdfs/publications/brazil-mission-statement-port.pdf