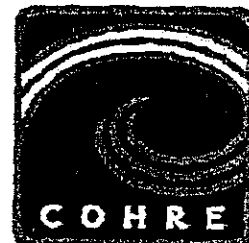


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Oral Statement: Brazil Universal Periodic Review
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The Centre on Housing Rights and Evictions welcomes the fact that the Brazilian government agrees with the view that States and Municipalities must abide by mechanisms to implement human rights in the country. However, it is important to note that the federal government is the main duty-bearer of human rights obligations. We urge the government to establish mechanisms to monitor the implementation of recommendations made by the UN and regional monitoring bodies. We further urge the establishment of a national human rights institution in accordance with the Paris Principles.

COHRE is particularly concerned with racial discrimination being faced by Afro-descendants, especially the quilombo communities, who have been struggling to secure legal title over their ancestral lands. Conflicts over quilombo lands are increasing in number and violence, many of them as a result of governmental mega-projects through its Plan for Accelerating Growth (PAC).

We note with concern that the lack of security of tenure faced by Afro-descendants and women was not pointed out as a matter of concern in the Universal Periodic Review process. Although discrimination against women was a key issue raised by countries during the interactive dialogue, there was no reference to the relation between life in slums and violence against women, including domestic violence and rape. The provision of adequate housing for women can also help address the problem of street children in Brazil.

COHRE praises the creation of three new Ministries to deal with human rights issues. However, to date, these have not had the jurisdiction, competence or sufficient resources

to prevent, mediate or solve land conflicts that resulted in violations of human rights. In fact, with the exception of the Agrarian Ombudsman, there is no institutional governmental mechanism in place to prevent or mediate land conflicts. COHRE urges Brazil to immediately implement its National Policy for Prevention and Mediation of Urban Land Conflicts, currently under review.

Finally, COHRE holds that forced evictions remain a major problem in the country as a result of land concentration and a lack of security of tenure. Civil legislation has to be reviewed and modified as to abide by international human rights law. The Procedural Civil Code does not recognize the collective nature of land conflicts and provides for temporary orders for interim re-possession granted without any previous hearing for the occupiers. Between 1985 and 2003, 1349 people were murdered in rural areas and only seventy-five cases have gone to court; of these, forty-four resulted in acquittal. As well, human rights defenders questioning local and political interests related to land have been threatened with death or disappearance. COHRE urges the Brazilian government to address such problems properly.

Many thanks.