

BRAZIL

- **BRA-16:** Talíria Petrone (Ms.)
- **BRA-COLL-01:** Two parliamentarians



Inter-Parliamentary Union
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Brazil

Decision adopted unanimously by the IPU Governing Council at its 210th session (Kigali, 15 October 2022)



Brazilian federal deputy for the Socialism and Freedom Party (PSOL), Talíria Petrone, poses for a photo at a square in Rio de Janeiro's city centre, Brazil, during International Women's Day on 8 March 2019. Daniel RAMALHO/AFP

BRA-16 – Talíria Petrone

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of movement
- ✓ Other violations: discrimination

A. Summary of the case

Ms. Talíria Petrone Soares, member of the opposition left-wing Socialism and Freedom Party (*Partido Socialismo e Liberdade* (PSOL)), was elected to the Chamber of Deputies of the Brazilian Federal Congress in 2018 and re-elected in October 2022. Ms. Petrone is a strong advocate for the human rights of women, people of African descent and people belonging to the lesbian, gay, bisexual, transgender and intersex (LGBTI) community.

The complainant claims that Ms. Petrone has faced multiple death threats since 2017, when she was a member of the Rio de Janeiro city council. According to the complainant, the threats have gained in intensity and scale following the assassination of Ms. Petrone's close friend and fellow PSOL member, Ms. Marielle Franco, in March 2018. Ms. Franco was a local council member in Rio de Janeiro, the state that Ms. Petrone represented in the Chamber of Deputies. The complainant reports that in 2019 Ms. Petrone was warned by the federal police that her life was in danger, several death threats against her having appeared on the dark web.

Case BRA-16

Brazil: Parliament affiliated to the IPU

Victim: Female opposition member of parliament

Qualified complainant(s): Section I.(1)(a) of the Committee Procedure (Annex I)

Submission of complaint: March 2022

Recent IPU decision: March 2022

IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communication(s) from the authorities: - - -
- Communication from the complainant: October 2022
- Communication to the authorities: Letter to the Attorney General: July 2022; Letter to the President of the IPU Group: September 2022
- Communication to the complainant: October 2022

According to the complainant, in August 2020 Ms. Petrone moved to Brasilia, in another region of Brazil, along with her young daughter, acting on the advice of the security escort that was provided by Congress, as there were again serious grounds to believe that her life was in danger. The complainant reports that Ms. Petrone was forced to remain there for 18 months, from August 2020 until January 2022, which limited her ability to perform her duties as a parliamentarian and connect with her constituents in the state where she was elected.

According to the complainant, the threats and acts of intimidation against Ms. Petrone emanate from Rio de Janeiro-based right-wing militia groups operating on the dark web, in response to her commitment to the rights of minorities. Several other PSOL politicians have faced similar threats from these groups, including Mr. Jean Wyllys and Mr. David Miranda, two former members of the Brazilian Chamber of Deputies of the Brazilian Federal Congress.

The complainant states, with respect to Ms. Petrone's decision to return, as of February 2022, to live in the constituency she represents in parliament, that this decision can only be sustained if she receives the necessary protection, and if those responsible for the threats against her are held accountable for their acts. In this regard, the complainant states that, as in the case of Mr. Wyllys and Mr. Miranda ([BRA-COLL-01](#)), Ms. Petrone requires additional protection to the security escort already provided to her by Congress. According to the complainant, despite several complaints and repeated meetings with the competent authorities, including the federal police and local and federal prosecutors, there has been no effective investigation into the threats made against her. By September 2022, the complainant reported no progress in the human rights situation of Ms. Petrone.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Regrets* that the Brazilian authorities have not responded to the repeated requests for information sent by the Committee on the Human Rights of Parliamentarians; and *recalls* in this regard that, in line with its Rules and Practices, the Committee is doing its utmost to promote dialogue with the authorities of the country in question, particularly its parliament, to settle the cases at hand in a satisfactory manner;
2. *Is concerned* at the credible allegations that Ms. Petrone has been subjected to death threats and harassment because of her involvement in politics as a woman defending the rights of minorities, and at the allegation that despite the complaints she has lodged and the repeated meetings held with the competent authorities, there has been no effective investigation to identify those responsible for the death threats and hold them accountable;
3. *Recalls* that threats to the life and security of parliamentarians that go unpunished constitute a violation of their right to life, security and freedom of expression, and prevent them from exercising their parliamentary mandate, which affects the ability of parliament, as an institution, to fulfil its role; *urges* the competent authorities to duly spare no effort to identify the guilty parties and bring them to justice, the only way to prevent the recurrence of such offences; *considers* that parliament should help ensure that effective investigations are carried out into the threats; and *wishes* therefore to receive official information from parliament on any measure taken in this regard;
4. *Is concerned* that Ms. Petrone had to leave her Rio de Janeiro constituency and base herself temporarily in Brasilia to escape the imminent death threats against her; and *is perplexed* that the authorities recommended that Ms. Petrone take this security measure with no concrete steps apparently having been taken to arrest those responsible, which prevented her from carrying out her parliamentary duties for 18 months;
5. *Notes* the information provided by the complainant that Congress took steps to ensure that legislative police officials escorted Ms. Petrone in order to protect her during the exercise of her duties; *fails to understand* why, despite repeated requests to the competent authorities to be given adequate protection, Ms. Petrone has still not been given a sufficient level of protection to guarantee her safety; *also notes* the information from the complainant that Ms. Petrone's decision to return to her constituency can only be sustained if she receives the necessary protection; *calls on* the parliamentary authorities to spare no effort to ensure that Ms. Petrone is

given sufficient protection as soon as possible; *considers*, moreover, that an analysis of the risks facing Ms. Petrone should be conducted by the competent authorities in order to determine the level of protection she should be given, and *calls on* the parliamentary authorities to do what is necessary vis-à-vis the competent institutions to ensure that this analysis is carried out as soon as possible; and *wishes* to receive official information from the parliamentary authorities on any measure taken in this regard;

6. *Requests* the Secretary General to convey this decision to the parliamentary and judicial authorities, other competent national authorities, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining the case and to report back to it in due course.



Inter-Parliamentary Union

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Decision adopted unanimously by the IPU Governing Council at its 208th session (Madrid, 30 November 2021)



Jean Wyllys de Matos Santos, Rio de Janeiro federal member of parliament for the Socialism and Liberty Party (PSOL), speaks during a rally of Brazilian leftist parties at Circo Voador in Rio de Janeiro, Brazil, on 2 April 2018. © Mauro Pimentel/AFP

BRA-14 – Jean Wyllys de Matos Santos
BRA-15 – David Miranda

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Violation of freedom of opinion and expression
- ✓ Impunity
- ✓ Other violations: Discrimination

A. Summary of the case

Mr. Jean Wyllys was a Brazilian member of parliament from 2010 until 2019 from the Socialism and Liberty Party (*Partido Socialismo e Liberdade* – PSOL), one of the main opposition parties in parliament. From January 2019, Mr. David Miranda succeeded him as a member of the Brazilian Chamber of Deputies. Both are openly gay and are active supporters of the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people.

In January 2019, Mr. Wyllys decided to give up his parliamentary seat and go into exile, owing to a rising number of death threats, the perceived inability of the Brazilian authorities to offer adequate protection and take effective action to hold those responsible to account, and an increasingly hostile environment for vocal advocates of LGBTI rights following the election of Mr. Jair Bolsonaro as President of Brazil. In this regard, the complainants point out that, despite numerous demands made in 2013, 2016, 2017 and 2018, Mr. Wyllys only received a security detail from Congress in 2018 and that

Case BRA-COLL-01

Brazil: Parliament affiliated to the IPU

Victims: Two male opposition members of parliament

Qualified complainant(s): Section I.(1)(a) and (b) of the Committee Procedure (Annex I)

Submission of complaints: February 2019 and September 2020

Recent IPU decision: February 2021

IPU mission(s): - - -

Recent Committee hearing: Hearing with the complainant at the 143rd IPU Assembly (November 2021)

Recent follow-up:

- Communication(s) from the authorities: - - -
- Communications from the complainants: March 2021 and October 2021
- Communication to the authorities: Letter to the President of the Brazilian IPU Group (November 2021)
- Communications to the complainants: November 2021 and October 2021

this was not sufficient to protect him. In addition, the complainants reported that none of the 17 complaints that Mr. Wyllys has lodged with the authorities have been successful, and that the threats and acts of intimidation against him remain unpunished.

Another crucial event that led to Mr. Wyllys' decision to leave parliament and the country was the assassination of Ms. Marielle Franco in March 2018. She was a local council member from Rio de Janeiro (the state that Mr. Wyllys represented in the Chamber of Deputies) and a close friend of both Mr. Wyllys and Mr. Miranda. Like them, Ms. Franco actively and vocally supported better respect for the rights of the poor and marginalized, as well as for LGBTI rights. Two ex-police officers were arrested in March 2019 over their alleged involvement in Ms. Franco's murder. On 10 October 2021, Mr. Leuvis Manoel Olivero, the author of a prominent book on Ms. Franco, was shot dead in a drive-by attack by unknown assailants in Rio de Janeiro.

When Mr. Wyllys went into exile, his alternate, Mr. David Miranda, took over his seat in the Chamber of Deputies. The complainants claim that Mr. Miranda has also been repeatedly harassed and subjected to slurs by conservative political forces and that, since he replaced his exiled colleague, the threats against Mr. Miranda and his family, and hostility towards LGBTI people, have gained in intensity and scale. The complainants point out that the security protection offered to Mr. Miranda was inadequate. In addition, according to information provided by a complainant in October 2021, Mr. Miranda's requests for additional protection were ignored and the limited protection provided by congressional security was reportedly discontinued, placing him at even greater risk.

The complainants have provided the IPU with documents on reports of numerous threats and acts of intimidation against both members of parliament, as well as copies of several complaints made by them to the police and of their repeated requests for protection to the parliamentary authorities. The complainants maintain that the police never properly investigated the threats against Mr. Wyllys and Mr. Miranda. They also stress that the threats have to be seen in the context of continued harassment, denigration and defamation of political opponents and minorities by conservative forces in Brazil, as well as the increasing prevalence of discrimination and violence against LGBTI people in the country. An in-depth internal review of the threats made against Mr. Wyllys revealed that they have been constant and serious. Several of them indicate a clear and imminent danger to his life and those of his family, warranting action by the State both to provide them with adequate protection and punish those responsible.

In November 2018, the Inter-American Commission on Human Rights (IACHR) adopted precautionary measures in favour of Mr. Wyllys, asking the Brazilian State to take effective action to protect his right to life, as well as his and his family's physical integrity. According to the complainants, the IACHR's request was denied by the authorities.

B. Decision

The Governing Council of the Inter-Parliamentary Union,

1. *Regrets* that the Brazilian parliamentary authorities were not able to meet with the IPU Committee on the Human Rights of Parliamentarians during the 143rd IPU Assembly, despite the formal invitation extended by the Committee; *recalls* in this regard that the Committee does everything possible in accordance with its Rules and Practices to promote dialogue with the authorities of the country concerned, and primarily with its parliament, so as to reach a satisfactory settlement in the cases before it;
2. *Is deeply concerned* about the numerous threats and acts of intimidation faced by Mr. Wyllys and Mr. Miranda, which led them to conclude that their lives were in jeopardy, and prompted Mr. Wyllys to go into exile and abandon his seat in parliament; *is also concerned* by the allegation that their complaints to the relevant national authorities have not been adequately investigated; *points out* that, as Mr. Wyllys' successor Mr. Miranda has been subject to the same threats and intimidation, the situation will only repeat itself unless firm action is taken to establish accountability for these acts; and *recalls* that threats to the life and security of members of parliament, if left unpunished, infringe their rights to life, security and freedom of expression, and undermine their ability to exercise their parliamentary mandate, affecting the ability of parliament as an institution to fulfil its role;

3. *Considers*, therefore, that the National Congress of Brazil has a vested interest in using its powers to the greatest possible extent to help ensure that these threats are fully and immediately investigated, followed by whatever accountability steps are warranted as a result; *urges* the parliamentary authorities to do everything possible to help ensure that those responsible for the threats against Mr. Wyllys and Mr. Miranda are held to account, including through facilitating action by the executive authorities to this end; and *wishes* to receive official information on any action that parliament has taken to this effect;
4. *Is appalled* by the evident homophobic dimension to the threats and acts of harassment and intimidation faced by Mr. Wyllys and Mr. Miranda, and by the allegation that they were denied adequate protection due to their sexual orientation and political views; *is dismayed* by reports that, in spite of continuous threats against Mr. Miranda, the limited security arrangement provided to him by Congress was reportedly discontinued, placing him at even greater risk; *considers* that parliaments should contribute decisively to building a climate of tolerance and respect for the rights of all, without discrimination, in which all people and groups and those who defend their rights can express their thoughts and opinions without fear of being attacked, punished or stigmatized for doing so; *urges* parliament, therefore, to do its utmost to ensure that an adequate level of protection is provided to Mr. Miranda, to take concrete measures to counter the stigmatization and discrimination faced by Mr. Wyllys and Mr. Miranda, and to prevent the repetition of such situations; and *requests* parliament to keep it informed of progress made in this regard;
5. *Requests* the Secretary General to convey this decision to parliament, the judicial authorities, other relevant national institutions, the complainants and any third party likely to be in a position to supply relevant information;
6. *Requests* the Committee to continue examining this case and to report back to it in due course.