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AQ FEATURE

Impunity & the Multiple Facets of Violence in Brazil

BY Mauri König

This year's protests have worsened the climate of hostility toward the media.

In June and August of this year, millions of Brazilians took to the streets in 120 cities across the country to protest public transportation fare hikes, political corruption and excessive public spending on the 2014 World Cup and the 2016 Summer Olympics. Dozens of these demonstrations ended in confrontations between police and protesters. Over the course of the protests, journalists suffered attacks from both sides—worsening what has already been one of the world's most dangerous climates for reporters.

A June survey by the Brazilian Association of Investigative Journalism (ABRAJI) revealed that during that month's protests, eight journalists were arrested and 52 were beaten in 10 of Brazil's 26 states. The assaults—38 by police and 14 by protesters—were mainly directed against print journalists (in 22 cases), but they also extended to freelancers, as well as TV, radio and Internet reporters. Journalists were shot with rubber bullets, exposed to pepper spray and tear gas, hit with stones, and subjected to physical beatings while they covered the protests. Vandals hurled rocks at television stations and damaged reporters' vehicles.

"The climate of hostility that professionals are facing in covering the protests is not consistent with a democratic state," ABRAJI said in a statement. "Any kind of assault or violation against journalists, whether perpetrated by the state or protesters, is a violent offense to the free exercise of communications."

A new wave of protests on September 7, Brazilian Independence Day, resulted in 20 more injured journalists—three of whom were attacked by police and three by protesters—with 12 of the 20 cases of violence occurring in Brasília.

The recent spate of attacks on the press has underlined how vulnerable Brazilian journalists have become in a relatively short period. Although the country is not in a state of armed civil conflict, the increasing frequency and severity of attacks in recent years has led several international organizations to include Brazil among the most dangerous places in the world for journalists to work. According to a 2013 report by the Committee to Protect Journalists (CPJ), violence against Brazilian journalists has been increasing since 2011, and 25 media professionals in Brazil have been killed in the line of duty since 1992.

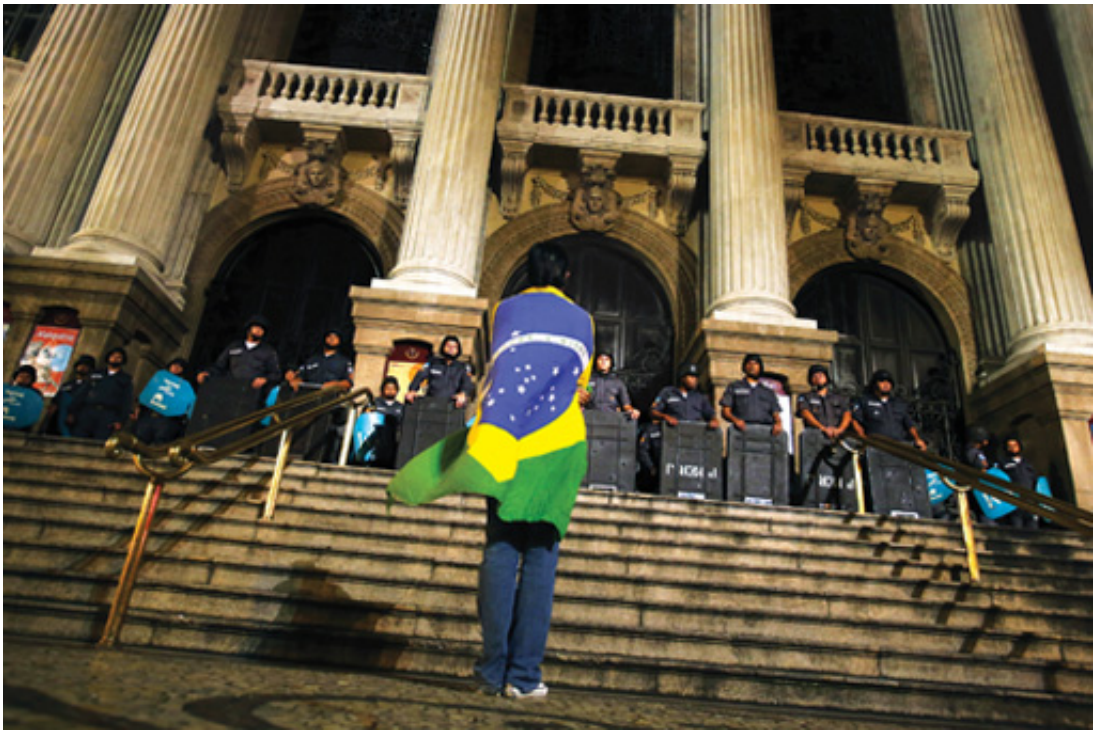
Last year was particularly bloody, but observers have not been able to agree on a figure of how many journalists lost their lives because of their work. According to Article 19—an international NGO named for the article in the Universal Declaration of Human Rights that proclaims the right to freedom of expression—seven journalists were killed in Brazil in 2012. However, Reporters Without Borders lists five murders in that same year, the International News Safety Institute lists 11 murders, the Inter-American Press Association (IAPA) estimates six, and the CPJ reports four.

One explanation for the discrepancy in numbers lies in the criteria adopted by these organizations. Some groups consider only murders that are directly motivated by the professional activities of a journalist, while others use more flexible definitions. In any case, few would dispute that these are worrisome figures. In 2011, both CPJ and Reporters Without Borders documented two assassinations of Brazilian journalists. Four journalists were killed in 2012, and so far in 2013, four more journalists have been killed, according to CPJ.

Varied Dangers

Violence against journalists in Brazil originates from many sources. Each region of the country presents its

own dangers, depending on the topic being reported on. Crime and police reporters are especially vulnerable to drug traffickers and corrupt elements within the police. In big cities like São Paulo and Rio de Janeiro, reporting on organized crime and police corruption can be particularly dangerous. Outside of the big cities, however, coverage of political corruption appears to trigger violent acts. In the border regions, where trafficking in sex and drugs is rife, journalists covering those topics are at risk, while in the Amazon region and central Brazil, the coverage of agrarian conflicts and illegal occupation of public lands can trigger reprisals.



Ordem, mas o progresso?: A demonstrator draped in the Brazilian flag stands in front of police officers in central Rio de Janeiro as tens of thousands take to the streets. Photo: Pilar Olivares/Reuters

This reality was illustrated by a "risk map" of violence against journalists in Brazil, first published by the Inter-American Press Association in 2006. "The risk map showed [...] that conditions for the practice of journalism in Brazil vary, and, consequently, the risks also vary," says Clarinha Glock, the study's author.

"The remarkable thing is that these crimes were once primarily committed against radio broadcasters and media professionals working in the country's interior," she adds. "Recently, we have seen these types of crimes in Rio de Janeiro and against the employees of large media companies."

The clashes between police and criminals in the favelas of Rio and São Paulo often attract sensational coverage from photographers and television cameramen, whose media organizations exploit images of violence and human misery in their search for higher ratings. But this can put front-line journalists in danger.

It was while covering a police operation in a *favela* in Rio that *Rede Bandeirantes* cameraman Gelson Domingos died in 2011 from a gunshot wound to the chest. He was not wearing any protective gear.

"The cameraman was in a dangerous area and in a risky position, behind police," Glock explains. "This was very different, for example, from the broadcaster from the Northeast who was murdered after criticizing a politician. Both were put on the same list of journalists who were killed, along with the owner of a newspaper on the Paraguayan border who was involved in drug trafficking."

Other forms of violence have also been inflicted on the press. In 2008, for example, a team from the *O Dia* newspaper was kidnapped by paramilitaries in a favela in Rio. The reporter, photographer and driver were held hostage for seven hours and tortured with punches, kicks and electric shocks.

In São Paulo, *TV Globo* reporter Guilherme Portanova was kidnapped and held hostage for 40 hours by members of the prison gang *Primeiro Comando da Capital* (First Command of the Capital—PCC) in 2006. He was released after *Globo* yielded to the PCC's demands and broadcast a video from the group that was critical of the prison system.

These are just a few examples of the types of crimes against the media that have intensified in recent years in the country.

The Geography of Violence

The Brazilian chapter of Article 19 investigated 82 incidents in which media or human rights professionals were victims of violence in the country in 2012. The NGO recorded 16 murders—nine of the victims were human rights defenders and seven were journalists killed after exposing some sort of wrongdoing. Article 19 also recorded seven attempted murders, two kidnappings and 27 death threats against journalists. Eighty-four percent of the death threats were related to something the victim wrote or broadcast, and nearly 20 percent of the journalists receiving death threats were female.

Article 19 also analyzed the geography of the violence against journalists in Brazil. More crimes occurred in Brazil's rural areas than in its large cities. Half the crimes occurred in cities with less than 100,000 inhabitants, while only a third of the crimes occurred in large cities. Article 19 found São Paulo, Mato Grosso do Sul and Maranhão to be the most violent states for journalists and human rights defenders in 2012.

According to Article 19, 74 percent of the crimes against journalists were motivated by statements critical of a public official, public employee or private company. Other factors included the mere expression of a critical opinion (17 percent), revealing sensitive information (4percent) and participation in rallies (2 percent). Article 19 found that state agents were involved in 18 percent of the cases of violence against journalists in Brazil in 2012.

Violence against bloggers has also increased, according to the Article 19 study. The majority of the attacks in 2012 were against bloggers (44 percent), followed by radio (17 percent) and television (14 percent) journalists. That year, two bloggers were murdered because of their professional activity: Mario Randolfo Marques Lopes, in the state of Rio de Janeiro, and Décio Sá, in the state of Maranhão.

Marques Lopes, the editor of a news site in Barra do Piraí, a town of 100,000 inhabitants, was shot dead on February 9, 2012, after surviving an assassination attempt a year earlier. The crime has never been solved.

Journalist and blogger Décio Sá was killed on April 23, 2012, shot six times at a restaurant in downtown São Luís, the capital of Maranhão state. He had been publishing stories about corruption in the state's municipalities. The murderer has been arrested, but the individual who masterminded the crime has yet to be

identified.

The situation that Sá and Marques Lopes faced is a common one for independent journalists in rural Brazil. Unaffiliated with major media companies, they are particularly vulnerable to pressure when disseminating news that goes against certain political and economic interests. Their lower profile often means that local authorities do not feel pressure to investigate attacks against them—and this neglect on the part of authorities may discourage reporters working outside Brazil's major cities from investigating crime and corruption in their regions.

The Causes of Violence

There are several explanations for the increase in crimes against journalists in Brazil.

First, increased freedom of expression 30 years after the dictatorship and greater access to public documents have led the press to increase its coverage of government corruption, political mismanagement, police abuse, organized crime, and human rights violations. Several of the killings of journalists in recent years were in retaliation for this type of coverage.

The second explanation is impunity. The lack of serious investigation into these crimes leads offenders to believe they will never be punished. "In addition to encouraging other murders—since those who ordered these crimes are sure nothing will happen when a journalist is silenced—impunity also leads to self-censorship by reporters, who become silent in the face of serious issues out of a sense of self-preservation," says Marcelo Moreira, the editor-in-chief of *TV Globo* in Rio de Janeiro and the president of ABRAJI. "This harms freedom of the press and the right to information."

In the opinion of Carlos Lauría, CPJ's senior Americas program coordinator, impunity leads to more murders and threats against media workers. He recalled that, on average, 85 percent of these crimes go unpunished in the world.

CPJ's 2013 report ranked Brazil third in the Americas behind Colombia and Mexico—and eleventh in the world—for impunity for crimes against journalists who were specifically targeted for their work. For its ranking, CPJ used the ratio of unsolved cases of journalists killed per million inhabitants between 2002 and 2011. According to the survey, five murders remain unsolved in Brazil in the past decade. Iraq tops the list, with no convictions for the 93 murdered journalists in the country over the past decade.

The murder of two journalists in a little over a month in Ipatinga, a city of 250,000 in the state of Minas Gerais, illustrates how impunity can encourage new crimes. The journalist Rodrigo Neto was killed on March 8, 2013—shot twice as he left a bar on the outskirts of Ipatinga—but no one was arrested. On April 14, photographer Walgney Carvalho, Neto's coworker, was murdered under similar circumstances.

Only on July 23 did the police release the results of their investigation of these murders: the two men suspected of killing Neto—one of them a policeman—were also suspected of killing Carvalho. After his colleague's death, Carvalho made comments around town suggesting that he knew who the killers were and that the crime would never be solved. Unpunished the first time around, the murderers may have felt safe to kill again. The two suspects have not yet been tried.

Publicity, meanwhile, can often make a difference in whose murder gets investigated. Glock, the author of the IAPA's 2006 map of violence against Brazilian journalists, recalled that 10 print and broadcast journalists were killed in the state of Bahia in the 1990s. The 1998 murder of Manoel Leal de Oliveira,

director of the newspaper *A Região*, ended the cycle of impunity in the state because Leal de Oliveira's son, Marcel Leal (also a journalist), made sure the crime was covered extensively. The news coverage triggered investigations by national and international entities, including the Inter-American Commission on Human Rights (IACHR) of the OAS.

In 2003, police officer Mozart da Costa Brasil was sentenced to 18 years in prison for killing Leal de Oliveira, but the mastermind—or masterminds—of the crime were never identified or punished.

Glock says politicians and the police are usually behind the killing of journalists—particularly those who uncover misconduct or criminal activity. But in some cases, Glock notes, the ethically challenged climate of journalism in Brazil has been a factor in the violence. "Inappropriate relationships to sources, politicians or the police sometimes make it difficult to characterize these cases as an attack on press freedoms."

"There are communications professionals who use their jobs to launch their political careers or to get closer to criminals, or they use the media for blackmail or for personal gain," Glock adds. "And they move away from what should be their goal: to serve society with their work."

Nevertheless, she adds, "No assault or murder is justifiable."

What to Do to Reduce Violence

According to Glock, journalists must take the first step in protecting themselves, by learning how to deal with real-life threats, taking preventive tactics and becoming trained in adopting precautionary methods in conflict zones. Another step would be to expand the work of the *Sindicato dos Jornalistas do Rio de* Janeiro (Journalists' Union of Rio de Janeiro), which has added demands that media companies provide proper equipment and training to their employees to salary negotiations on behalf of journalists.

Similarly, the *Federação Nacional dos Jornalistas* (National Federation of Journalists—FENAJ), which represents 40,000 unionized journalists across Brazil, has proposed that media companies create a national security protocol for journalists. Among other proposals, the protocol would require safety equipment and training for journalists and create commissions that would evaluate whether companies were implementing adequate safety measures.

Earlier this year, FENAJ sent this request to the *Associação Brasileira de Emissoras de Radio e* Televisão (Brazilian Association of Radio and Television Broadcasters) and the *Associação Nacional dos Jornais* (National Newspaper Association)—entities that represent the interests of Brazilian newspapers and television stations—but neither has commented on the proposal. FENAJ believes companies need to commit to building a culture of safety, and that journalists should be trained to deal with high-risk situations and encouraged to seek out news without taking unnecessary risks.

Also this year, the Brazilian government took an important step in creating the *Observatório da Violência contra Profi ssionais da Comunicação* (Watch Group on Violence Against Media Professionals) under the president's Human Rights Secretariat. The group's goal is to obtain as much information as possible on crimes against journalists, to examine the use of nonlethal weapons by police and to propose measures to protect journalists and monitor the use of police force.

Federal monitoring of violence against journalists is critical because local investigative agencies in Brazil are usually under pressure from corrupt local police, politicians and judicial officials not to pursue cases, leaving crimes against journalists unsolved. For this reason, for the past two years, Brazil's Congress has been

examining a bill that would transfer the investigation of crimes against journalists to the federal sphere whenever local authorities fail to solve a case within 90 days.

This change in legislation would allow federal police and prosecutors to investigate and prosecute crimes nationwide—something that already happens for othercases of serious human rights violations.

The 2005 murder of American missionary Dorothy Stang illustrates the importance of federal investigations in ending impunity. Stang was murdered in Anapú in the state of Pará after denouncing injustices against rubber tappers and rural workers in the Amazon. Treating the case as a serious violation of human rights, Brazil's federal police investigated Stang's murder and managed to uncover the mastermind: Vitalmiro Bastos, a rancher who was later sentenced to 30 years in prison.

It is highly improbable that an investigation at the local level would have arrived at this outcome.

Glock believes that focusing on the patterns of violence is the most effective way of bringing perpetrators of crimes against journalists to justice. "Punish not only the intermediaries for the crimes, but above all, the masterminds," she says. "And we should focus not only on those who kill, but also those who beat and threaten."

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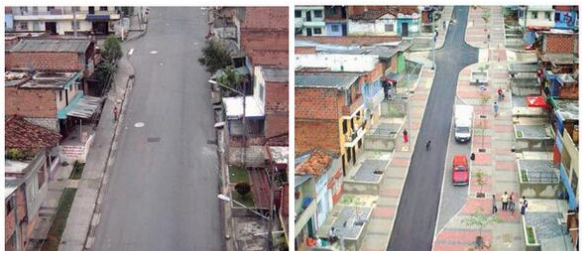

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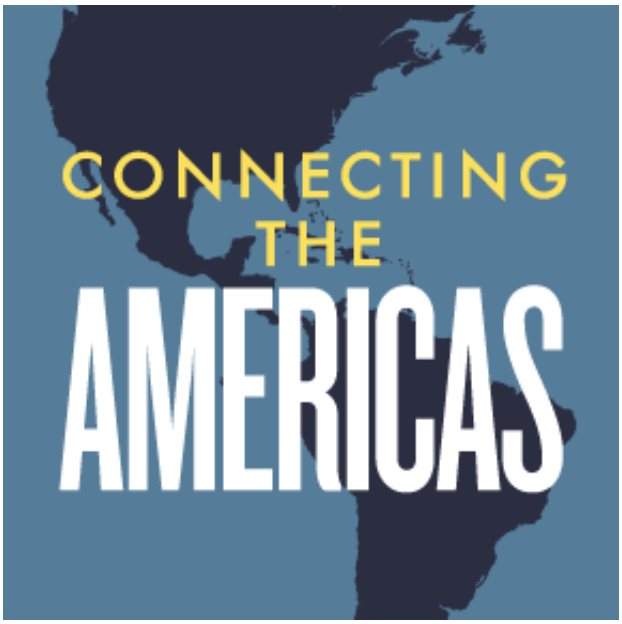

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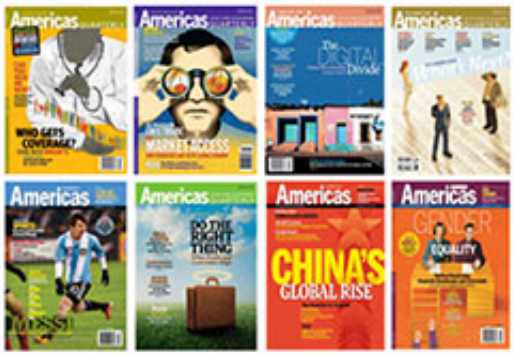

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