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FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC PRIORITY 6789
INFO AMEMBASSY CARACAS PRIORITY
USMISSION GENEVA
USMISSION USUN NEW YORK
AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO
AMCONSUL RECIFE

RELEASED IN FULL

UNCLAS SECTION 01 OF 02 BRASILIA 000494

DEPARTMENT FOR WHA/BSC
CARACAS FOR AMBASSADOR HRINAK

E.O. 12958: NA
TAGS: PHUM, PREL, PGOV, SOCI, UNHRC-1, BR
SUBJECT: UNHRC COMMISSIONER MARY ROBINSON PRAISES
HUMAN RIGHTS PROGRESS IN BRAZIL

1. SUMMARY. UN HIGH COMMISSIONER FOR HUMAN RIGHTS
MARY ROBINSON ADDRESSED DIPLOMATIC CORPS, GOB
OFFICIALS, AND CIVIL SOCIETY REPRESENTATIVES IN
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BRASILIA ON HUMAN RIGHTS IN BRAZIL AND ABROAD. SHE
BOTH PRAISED AND CRITICIZED STEPS TAKEN TOWARDS
IMPROVING HUMAN RIGHTS IN BRAZIL. HER COMMENTS WERE
GENERALLY POSITIVE AND WELL-RECEIVED. END SUMMARY.

2. UN HIGH COMMISSIONER FOR HUMAN RIGHTS MARY ROBINSON
SPOKE JANUARY 31 AT MRE FOR ABOUT AN HOUR BEFORE
DEPARTING FOR THE WORLD SOCIAL FORUM IN PORTO ALEGRE.
ROBINSON'S 20-MINUTE FORMAL PRESENTATION TOUCHED ON
THREE AREAS: HER VISITS TO BRAZIL; SEPTEMBER 11 AND
ITS IMPACT ON HUMAN RIGHTS; AND THE DURBAN WORLD

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CONFERENCE AGAINST RACISM (WCAR). SHE INVITED QUESTIONS FROM THE AUDIENCE, COMPOSED OF COMS, MRE PERSONNEL, CIVIL SOCIETY REPS, AND THE MEDIA.

3. ALSO PRESENT ON THE DAIS WITH HER WERE MINISTER OF JUSTICE ALOISIO NUNES FERREIRA, U/S FOR BILATERAL POLITICAL AFFAIRS AMBASSADOR GILBERTO SABOIA (THE FORMER STATE SECRETARY FOR HUMAN RIGHTS) AND CURRENT STATE SECRETARY FOR HUMAN RIGHTS PAULO SERGIO PINHEIRO.

4. ROBINSON BEGAN BY FOCUSING ON BRAZIL'S HUMAN RIGHTS PROBLEMS. SHE SAID THAT TORTURE OF PRISONERS, DISCRIMINATION - PRINCIPALLY RACIAL - AND ABUSE CONTINUE IN BRAZIL, AND ACKNOWLEDGED THAT RECENT VIOLENCE AGAINST POLITICAL FIGURES AND OTHERS HAS GIVEN SECURITY ISSUES A HIGHER PRIORITY SINCE HER LAST VISIT. BUT SHE ALSO EMPHASIZED THAT THERE HAVE BEEN SIGNIFICANT INDICATIONS PROGRESS BY THE GOB SINCE HER VISIT IN MAY 2000, THE MOST PROMINENT OF WHICH WAS
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PRESIDENT CARDOSO'S DECEMBER 19 OPEN INVITATION FOR HUMAN RIGHTS RAPORTEURS TO VISIT BRAZIL. SHE ALSO CITED PARTICIPATION BY CIVIL ORGANIZATIONS AS VITAL TO CONTINUED PROGRESS.

5. TURNING TO THE DURBAN WCAR AGENDA, MS. ROBINSON EFFUSIVELY PRAISED THE WORK OF AMBASSADOR SABOIA AND THE OTHER MEMBERS OF THE BRAZILIAN DELEGATION, BOTH AT THE GENEVA PREPCON AND IN THEIR LEADERSHIP OF THE WORKING GROUP ON THE PROGRAM OF ACTION. SHE ACKNOWLEDGED THAT SHE HAD ONLY RECENTLY BECOME AWARE OF THE EXTENT OF RACIAL DISCRIMINATION IN BRAZIL AND THE NEED TO ADDRESS THE LINK BETWEEN POVERTY AND COLOR. SHE NOTES THAT ONE MORE INDICATION OF THE GOB'S SERIOUSNESS ON HUMAN RIGHTS HAS BEEN ITS RECENT ESTABLISHMENT OF AFFIRMATIVE ACTION PROGRAMS IN SEVERAL SECTORS OF SOCIETY, INCLUDING EDUCATION AND GOVERNMENT OFFICES.

6. DURING THE QUESTION PERIOD, WHICH WAS ABBREVIATED BY A POWER OUTAGE, THE REPRESENTATIVE OF A BAH'AI ORGANIZATION NOTED THAT THE WORLD SOCIAL FORUM IN PORTO ALEGRE IS SCHEDULED TO TREAT RACISM AND THE "NEGRO ISSUE" IN BRAZIL. MS. ROBINSON NOTED THAT RACISM IS INDEED AN ISSUE IN BRAZIL. THEN, RESHAPING THE QUESTION, SHE ADDED THAT GLOBALIZATION, IF DEFINED

IN MARKET TERMS, TENDS TO PIT THE STRONG AGAINST THE WEAK. SHE SAID SHE HOPED THAT WSF PARTICIPANTS WOULD RECOGNIZE THAT EFFECTIVENESS REQUIRES THAT THEIR ENERGIES BE HARNESSSED TO SHAPE AN ALTERNATIVE, "ETHICAL GLOBALIZATION." MERELY OPPOSING
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GLOBALIZATION, SHE CONTINUED, WILL ONLY LEAD TO THEIR BEING MARGINALIZED AS "UNREALISTIC" IN THE FACE OF A TREND, WHICH IS ALREADY WELL ESTABLISHED. ANOTHER QUESTIONER, CLAIMING HE REPRESENTED BRAZILIAN GAYS, LESBIANS AND TRANSVESTITES, COMPLAINED THAT THE DURBAN CONFERENCE GAVE SHORT SHRIFT TO THE SITUATION OF THOSE GROUPS AND SUGGESTED THEY DESERVED CONSIDERATION EQUAL TO THAT AFFORDED OTHER DISCRIMINATED-AGAINST SECTORS. THE HIGH COMMISSIONER IMPLICITLY ACKNOWLEDGED THE VALIDITY OF THE COMMENTARY BUT MADE NO PLEDGES; AMBASSADOR SABOIA POINTED OUT THAT THE DECEMBER 2000 SANTIAGO PREPCON HAD PRODUCED EXCELLENT LANGUAGE ON THE ISSUE.

7. ROBINSON FELT THAT A KEY RESULT OF SEPTEMBER 11 HAD BEEN AN ENORMOUS CHANGE IN ASSUMPTIONS, AS WELL AS NEW PRESSURES ON HUMAN RIGHTS. SHE SAID THAT IT WAS NECESSARY TO RESPOND TO TERRORISM VIGOROUSLY AND IN A COORDINATED WAY, THROUGH ESTABLISHMENT OF A COALITION, AND FOR THE UNSC TO ACT EARLY AND EFFECTIVELY - E.G.

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RESOLUTION 1373 AND ITS MANDATED CT COOPERATION.

8. BUT, SHE CONTINUED, THERE IS ALSO AN EMERGING TREND
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OF ERODING HUMAN RIGHTS - E.G. IN JOURNALISM, IN
PROTECTIONS DUE PRISONERS - TO WHICH THE ONLY
EFFECTIVE LONG-TERM RESPONSE IS TO MAINTAIN AND
STRENGTHEN INTERNATIONAL HUMAN RIGHTS STANDARDS,
INCLUDING THE GENEVA CONVENTIONS.

9. FORMER OAS HR CHIEF HELIO BICUDO, A DEAN AT THE
UNIVERSITY OF SAO PAULO, ASKED ABOUT "POWS" AT
GUANTANAMO. ROBINSON REPLIED THAT SHE WAS HEARTENED
BY THE STRONG RESPONSE FROM U.S. ORGANIZATIONS,
INCLUDING HUMAN RIGHTS WATCH, LAWYERS FOR HUMAN RIGHTS
AND AI, REGARDING GUANTANAMO. SHE SAID THAT QUESTIONS
OF AFGHANISTAN'S PAST, INCLUDING IMPUNITY, NEED TO BE
ADDRESSED IN THE LONG TERM; BUT THAT IT IS NECESSARY
NOW TO ADDRESS THE STATUS OF "DETAINEES" AT
GUANTANAMO. SHE PRAISED THE ICRC'S POSITION FAVORING,
SHE SAID, THE PRESUMPTION OF POW STATUS. SHE SAID
THAT A TRIBUNAL SHOULD ADJUDICATE CASES WHERE THE
DETAINEE'S STATUS IS AMBIGUOUS, AND THAT THE US HAS
THE RIGHT TO PUT FORWARD EVIDENCE IN INDIVIDUAL
INSTANCES. RESPONDING TO ANOTHER QUESTION, SHE SAID
THAT AS HIGH COMMISSIONER SHE IS DUTY-BOUND TO SPEAK
OUT ON SITUATIONS SUCH AS CAMP X-RAY, AND THAT IT IS
AN HONOR TO DEFEND THOSE WHO HAVE NO OTHER VOICE.

10. COMMENT: ROBINSON'S POLISHED PRESENTATION BROKE NO
NEW GROUND. THE GOB REPRESENTATIVES WERE CLEARLY
PLEASED BY HER REMARKS ON THE PROGRESS MADE DURING THE
INTERVAL BETWEEN THE HIGH COMMISSIONER'S TWO VISITS
AND TOOK HER CRITICISM IN STRIDE.

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11. COMMENT CONTINUED. HER PRESENCE ALSO HAD THE
EFFECT OF HIGHLIGHTING THE INEXCUSABLE REMARKS OF THE
GOVERNOR OF THE FEDERAL DISTRICT AT A SATELLITE CITY
RALLY ON FEBRUARY 1, WHEN HE CALLED ON THE CROWD TO
RESPOND TO CRITICAL PLACARDS BY BOOING ONE OF THE
DEMONSTRATORS, DESCRIBING HIM AS "THAT LEFTIST NIGGER"
(CRIOULO PETISTA). THE GOB WAS QUICK TO REACT, WITH
HUMAN RIGHTS SECRETARY PINHEIRO IMMEDIATELY ISSUING A
SCATHING DENUNCIATION AND OTHER AUTHORITIES INDICATING
THEY WERE LOOKING AT HOW CHARGES MIGHT BE FILED. THE
EPISODE NONETHELESS VALIDATED IN AN EMBARRASSING WAY
MS. ROBINSON'S COMMENTS ON THE CONTINUED EXISTENCE OF
RACISM IN BRAZIL. END COMMENT.

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