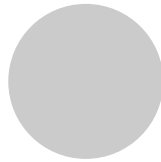
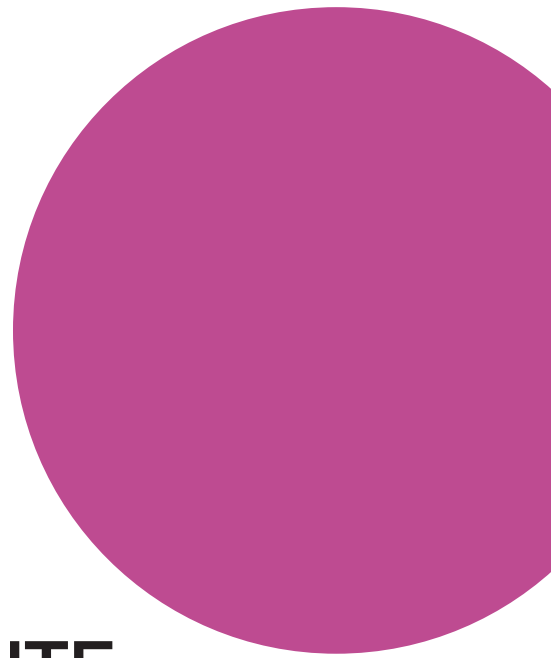




**IGARAPÉ INSTITUTE**  
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# THE CIVIC SPACE GPS

QUARTERLY BULLETIN

FEBRUARY 2021



# THE CIVIC SPACE GPS

The civic space - the sphere between business, the State, and family where citizens organize, debate, and act to influence public policy and the general direction of the country — is under attack. Attacks against civic space constitute a threat to transparency, to the freedoms of expression, assembly, and protest, and to civil and political rights. They are in direct conflict with the rights and freedoms guaranteed in the Brazilian Constitution and in countless international conventions and treaties. And they are a grave threat to democracy itself. The closure of civic space is not exclusive to Brazil. However, deliberate attempts to diminish it are becoming increasingly common in the country. This is why the Igarapé Institute is launching the “**the Civic Space GPS**”, a quarterly analysis dedicated to monitor attacks, acts of resistance led by State institutions, as well as reactions from civil society. It considers the typology created by the Igarapé Institute to describe the different strategies and tactics used to close the civic space and described in the Strategic Paper 49: [“The ‘Agora’ is Under Attack: assessing the closure of civic space in Brazil and Around the World”](#).

In this first edition, **114 threats** to Brazil’s civic space were identified in the short period between 1 October and 31 December 2020. On the other hand, in this same period **21 institutional responses** and **42 acts of resistance** by civil society in attempts to counteract these threats were observed.

## The Threats

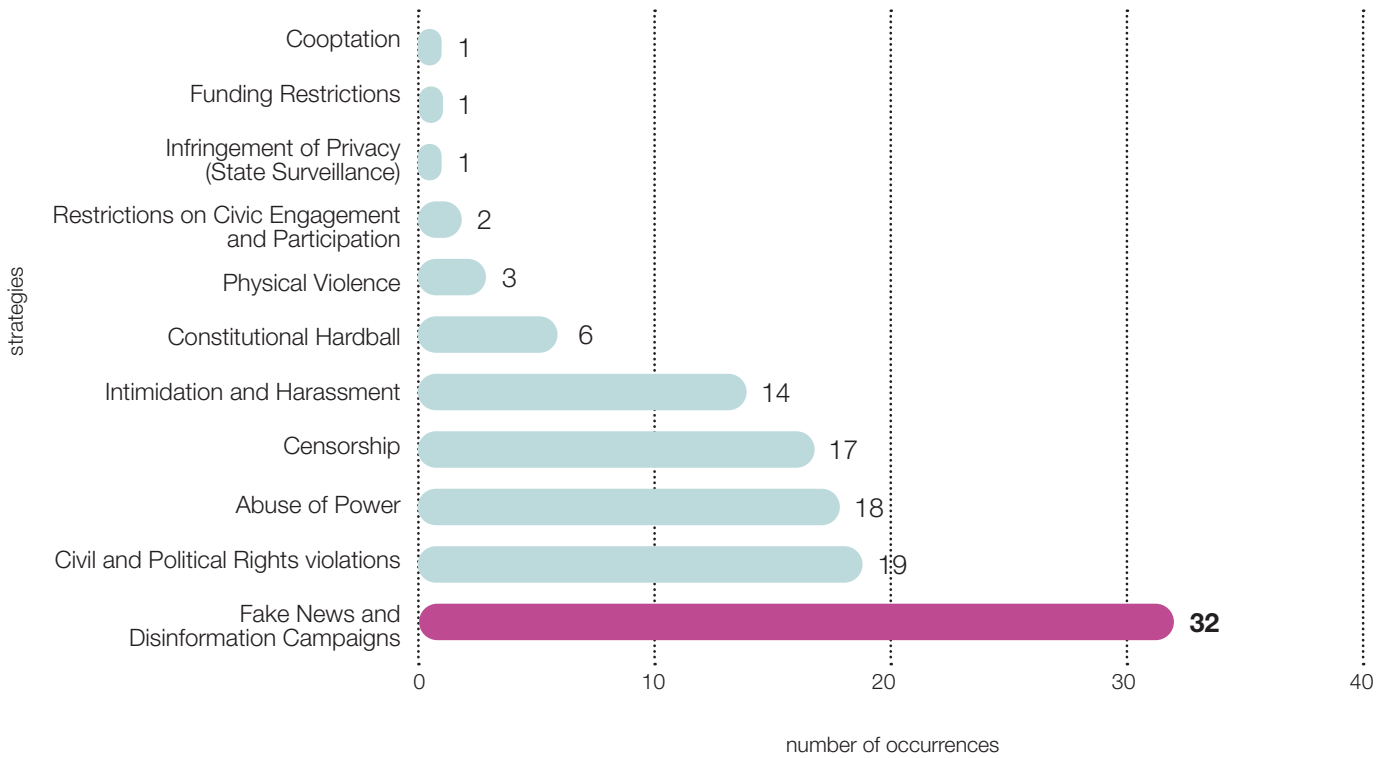
Authoritarian speech escalated from rhetoric to practical action in the reported period. At various levels of power, episodes of **intimidation and harassment** have increased. We have also observed the growing use of legal instruments from the public security and criminal justice apparatus in order to illegitimately persecute the government’s opposition. The fact that members of institutions which are fundamental to the democratic rule of law participate in carrying out these threats is a sign that these institutions are being slowly eroded from within. They are being used in ways that go beyond their constitutional prerogatives. This new strategy amounts to the subversion or the inversion of the responsibilities and functions of certain institutions, especially the Executive branch, something that has already been observed before and is in fact an ongoing process.

The **abuse of power** has taken the form of substituting public servants in key institutions in order to execute policies which are not based on scientific evidence, notably in ANVISA and IBAMA. The attempt to **restrict civic participation and engagement** in the Amazon — through a norm within the National Council of the Legal Amazon which seeks [“to obtain control of 100% of NGOs that operate in the Amazon Region by 2022”](#) — was also indicative of this resurgence in authoritarian rhetoric.

Lastly, it is worth noting the hacking attacks and the wave of **fake news and disinformation campaigns** during the first round of the municipal elections, which can lead to undermining the Brazilian electoral system.

Of the **114** threats to the civic space which were detected in this time period, most (**32**) involve fake news and misinformation campaigns. There were **19** civil and political rights violations, **18** instances of abuse of power, and **17** examples of censorship.

### Most Utilized Strategies (Oct-Dec, 2020)



## Fake News and Disinformation Campaigns

Fake news are false stories circulated on the news, social media, and spread on the internet, which try to appear as real news. There are six types: news satire, news parody, fabrication, manipulation, advertising, and propaganda. Disinformation is false information spread deliberately to cause public harm or for profit, going beyond fake news.

Among the 32 recorded instances of fake news and disinformation campaigns, we detected a series of cases related to [the treatment of Covid-19](#) and the municipal elections held in November. [The hacking attack on the Superior Electoral Court](#) site and the Brazilian electronic voting system were the preferred targets of fake news looking to undermine the population’s confidence in the electoral results. The attacks occurred on the tail end of the United States elections and [Donald Trump’s](#), baseless rhetoric alleging Joe Biden’s victory to be fraudulent. Bolsonaro, an outspoken Trump supporter, did not recognize Joe Biden’s victory until the United States Congress officially confirmed it, leaving the Brazilian president alone among world leaders. One of his sons, Carlos Bolsonaro, had already used his social networks to announce, as though

it were an omen, “[The left is well-organized globally. This is why we must accompany the US elections. What happens there can happen here, too](#)”. The repetition of a false narrative constructed in the USA points to a [tendency](#) which could impact the [2022](#) elections.

## Civil and Political Rights Violations

Violations of political rights include denying the right to a fair trial and due process, and the rights to participation in civil society and politics, such as the freedom of association, the right to assemble, and the right to vote. Violations of civil rights include discrimination based on race, gender, sexual orientation, nationality, color, age, political affiliation, ethnicity, religion, and social origin; as well as restrictions on individual freedoms.

The **19 violations of civil and political rights** during the period were directed at various targets. They had a negative impact on the freedom of expression and on citizens’ right to political participation, as well as serious repercussions to the well-being of Brazilian democracy. Beyond harassing indigenous leaders [to reduce demarcated territories](#), racist actions and commentary are worth noting. Among them, [the change in the budget structure](#) which no longer allows for separating expenses specifically earmarked for combatting racism, and [the legal suit against Magazine Luiza by the Federal Public Defender’s Office](#) due to a trainee program which only accepted black people. The list also includes the change in [criteria for indicating nominees for the Palmares Foundation](#), [vice president Hamilton Mourão’s denial that racism exists in Brazil](#) and the [death of black human rights activist](#)

[Jane Beatriz Silva Nunes, who died after police entered her home without a warrant](#) in Porto Alegre.

Regarding the women’s human rights, the list includes [attempts to undermine sexual and reproductive rights](#), including [spending less than the budgeted amount at the Ministry of Women, Family, and Human Rights](#). Bolsonaro has also made prejudiced comments about people from northeastern Brazil and homosexuals, referring to a [soda from Maranhão as “girly”](#). A hypnosis clinic which promises to cure homosexuality was identified in Brasilia. Lastly, in yet another episode praising the dictatorship, [the president ridiculed the torture suffered by former president Dilma Rousseff](#) when she was imprisoned in 1970 during the military dictatorship.

## Abuse of Power

Abuse of power occurs when political actors take advantage of their position for personal gain, preventing basic managerial responsibility and/or acting against public interest and public purpose.

The **18 instances of abuse of power** this quarter represent a deviation of the State’s function as provider and protector of public goods. Using institutions to support the president’s son’s legal team in the ‘rachadinhas’ corruption case and substituting technically qualified public servants for people with little experience were observed during this period. These cases have a direct impact on the illegitimate use and low efficiency of the State, contradicting guiding principles of public administration, such as legality, impersonality, and administrative morality and efficiency.

Flavio Bolsonaro, in the ‘rachadinhas’ corruption case, is [accused of being the head of a criminal organization](#) which embezzled and laundered public funds. News about meetings and [possible reports](#) created by [ABIN and GSI to aid Flavio Bolsonaro’s legal defense team](#) are a strong indication that some members of the government are using public institutions for personal gain.

Other cases include the nomination of lieutenant-colonel Jorge Luiz Kormann of the army reserve to the [board of ANVISA](#), the attempt by government associates to [nominate a ally to the presidency of FIOCRUZ](#), the [dismissal of IBAMA’s environmental inspection coordinator](#) and the approval by an IBAMA superintendent nominated by minister Ricardo Salles to [construct a controversial resort](#), in a region known to be a breeding ground for sea turtles. Beyond withdrawing the R\$7.5 million fine applied by IBAMA employees, he overturned the decision which had halted construction. There were also various accusations about dispatches from the IBAMA president which aided in the [circulation of illegal lumber](#).

There was also the attempt to reimburse [Flavio Bolsonaro’s trip to Fernando de Noronha](#), the use of the Presidency’s [sign language interpreters in the President’s livestream](#) video in which he campaigned for mayoral candidates, and the use of a producer hired by the federal government [to cover Jair Renan Bolsonaro’s inauguration party for his business](#).

## Censorship

Censorship refers to the ‘policy of restricting the public expression of any ideas, opinions, conceptions, and impulses which have or are believed to have the capacity to undermine the governing authority or social and moral order which that authority considers itself bound to protect’.

Over this quarter, there were countless episodes of open and veiled censorship used to impede the access and free circulation of information on issues deemed sensitive by the government. These include:

- [Not abiding by the Right to Information Law](#)
- Attempts [to modify the statistics of the novel coronavirus infections](#);
- [Removing the post which corrected information](#) regarding COVID-19 protection;
- Declaring [a decision by the Junta de Execução Orçamentária to purchase equipment for monitoring the Amazon as confidential](#);
- The prohibition of government advising EBC and Agência Brasil to publish [news on the Carrefour murder](#);
- President Jair Bolsonaro’s order for his ministers not to declare anything regarding [Biden’s victory](#) and the United States elections;
- The Electoral Court censoring [Datafolha polls on the São Paulo election](#) at the request of Celso Russomano, a candidate supported by Bolsonaro; and
- A lower court’s decision to make [Folha de São Paulo pay moral damages to Luciano Hang](#).

## Intimidation and Harassment

Intimidation refers to direct or indirect action against others to prevent them from continuing their work or to induce the fear of an attack. Harassment is legal or physical actions or behaviors that demeans, humiliates or embarrasses a citizen when expressing critical opinions.

Beyond the direct impact this strategy generates in its targets, there are grave indirect consequences, such as self-censorship, the normalization of a hostile environment for those who think differently and, ultimately, a hindrance to transparency and the free circulation of ideas. This category includes instances in which isolated members of institutions illegitimately use legal instruments from the public security and criminal justice apparatus to persecute, [judicially harass](#) and intimidate journalists, writers, influencers, and citizens who publicly position themselves against the government. This intimidation tactic has been increasingly used by the current administration and its more radical supporters. It is a serious threat to the freedom of expression.

Some of the more prominent cases include [Felipe Neto \(digital influencer\) being charged with the corruption of minors](#), the acceptance of [legal complaint against William Bonner and Renata Vasconcellos \(journalists\)](#), the dozens of [lawsuits filed by pastors](#) of the Universal Church of the Kingdom of God against writer João Paulo Cuenca, and the [lawsuit against the fact-checking agency Aos Fatos](#) by federal prosecutor Ailton Benedito. He was named by the fact-checking site as one of the main disseminators of chloroquine-related content.

It is also worth noting the dismissal of [auditor-inspector Christiano Botelho](#) of the Federal

Revenue agency. He was targeted by Flavio Bolsonaro's legal team, arguing he should not be heard as he allegedly illegally accessed the fiscal data of "opponents". There are also [the death threats against the first black woman elected](#) to the Joinville town council and [Bolsonaro's threat to fire anyone who proposes land seizure](#) as a penalty for environmental crimes. The threat was made in response to a proposal by the National Council of the Legal Amazon, led by vice president Hamilton Mourão, which studied the idea of seizing land in areas with deforestation and illegal burnings.

## Constitutional Hardball

Constitutional Hardball consists of political claims and practices that explore procedures, laws and institutions for partisan gain in ways that, although within the bounds of existing constitutional doctrine and practice, are in tension with pre-established norms. It pushes the bounds of legality, which can undermine shared understanding of democratic norms and the expectation that the other side will comply with them.

Examples of **constitutional hardball** over this period include the government's [intention to regulate FUNDEB through a Provisional Measure, allowing for public funds to be passed on to private schools](#), and the administration's refusal to abide by a [legal decision regarding the demarcation of territory for agrarian reform](#) in Mato Grosso, and Bolsonaro's following decision not to testify, as well as the [request to end the inquiry into his alleged interference in the Federal Police department](#).



## Physical Violence

Physical violence is the intentional and direct infliction of damage on persons, from physical suffering or bodily harm to violent death. In the context of this research, acts of physical violence can be perpetrated by state or non-state agents, including paramilitary, militia, gangs, private security and others emboldened by the hate rhetoric of political figures to get rid of opposition.

Two cases of physical violence merit particular attention in this time period. The first refers to an aggression faced by a [NSC TV team in Florianópolis](#), which was reporting on crowds gathered at the beach. The second case occurred in Niterói when a candidate's supporters assaulted [their adversary's canvassers](#). The police are investigating at least 14 candidates for town councils and mayorships in Greater Rio de Janeiro. There are indications that these politicians are involved in drug-trafficking and militia activity, which has violently interfered with the electoral process in various cities.

Although these cases were not perpetrated by State agents, they are worrying in that they may be the indirect results of hate speech against groups accused of being enemies of the government. The line between hate speech and incitation of violence can be tenuous, and verbal aggression can lead to the normalization of violence and the belief that these acts are tolerated by authorities.

## Restrictions on Civic Engagement and Participation

Restrictions to any form of individual or collective work related to community problem-solving and addressing issues of public interest (civic participation), as well as any form of expressing knowledge, beliefs, opinions, and attitudes regarding public issues (civic engagement), especially in contributing to and interacting with policy formulation, monitoring, and/or the decision-making process.

The Bolsonaro administration's attempt to establish [norms for controlling NGOs in the Amazon](#) generated significant blowback and led to a massive reaction by civil society organizations who resisted this unconstitutional attempt to control them. Attacks on the civic space against actors who work to protect the Amazon forest and peoples are not a recent phenomenon. The dissolution of participative councils, the restriction of the number of seats as well as changes in the way representatives are appointed, and not allowing indigenous people to participate in certain spaces, are all examples which continue to be actively enforced.

## Infringement of Privacy

Infringement of privacy violations refer to the violation of the fundamental human right to privacy, which emphasizes that “no one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attacks upon his honour and reputation”. (Universal Declaration of Human Rights, 1948). This includes State surveillance, which is the collection of information and monitoring, tracking, and identification of information for the control of specific groups, as supervised by employees and administrators organized for some specific purpose. It usually inhabits a shadowy realm of public affairs.

The Institutional Security Cabinet (GSI) minister’s admission to using [ABIN for monitoring NGOs](#) which participated in the Climate Change Conference in Madrid, actors whom he referred to as “bad Brazilians”, had a damaging effect. ABIN has frequently been at the center of controversies regarding the undue interference of the State in monitoring the opinion and actions of citizens who criticize the government. It has also held a key role in episodes which could be considered the undue use of State functions to attend to the Bolsonaro clan’s wishes, as already mentioned.

## Cooptation

Cooptation is the process of absorbing members who seek change to work with elites, demobilizing the opposition.

Part and parcel of the political game in Brazil, it is common to hold negotiations between different political parties in order to approve bills. However, there have also been instance of more deliberate “favor exchanging”. In this context, in a clear attempt to gather votes from the bloc of centre-right parties called the “centrão” for the presidency of the Chamber of Deputies, the government [froze the release of public funds and only gave the money out to those who voted for its preferred candidate, Arthur Lira](#).



# Institutional Responses and Reaction

The efficient performance of the three State branches — the judiciary, legislative, and executive — is fundamental for the democratic system of checks and balances. With this in mind, we observed actions carried out by one or more of these powers in order to deter the closing of the civic space, which was generally attempted by the Federal Executive branch. The actions of specific institutions which have been able to interrupt the closure of the civic space are also analyzed here. At the same time, a series of actions carried out by civil society, private groups, universities, and others also represent an important source of resistance, and are therefore worth mentioning. Over the time period studied here, there were **21 institutional responses and reactions** to the constant threats to civic space. These responses came mainly from civil society.

## Supreme Federal Court

The Supreme Federal Court (STF) has a fundamental role in defending the civic space. This quarter, it's ruling to [fully release government data on COVID-19](#), its [investigation into a network which spreads fake news and threatens members of the Court](#), and the [24-hour deadline](#) given by minister Carmen Lucia for ABIN and GSI to address the reports allegedly produced in order to aid Flavio Bolsonaro's legal team in the "rachadinhas" corruption case all deserve mention. Minister Carmen Lucia also solicited clarification from Bolsonaro and the Minister of the Environment about [possible government negligence regarding environmental protection](#). In [an official letter written by the AGU](#) and sent to the court on December 24th, the Bolsonaro administration denied its negligence

in combating deforestation and appealed the Court's position. The [Minister of the Environment sent a response to the STF](#) on January 5th. In the text, the ministry affirmed that minister Ricardo Salles is not "negligent" in combating deforestation and that he "faithfully" works toward formulating a National Environmental Policy. It further affirms that issues related to environmental policy are not within the purview of the ministry.

## Court of Justice

President Jair Bolsonaro's conviction and [payment of moral damages to journalist Bianca Santana](#) for accusing her of spreading fake news was widely covered in the media. The conviction shows the increasingly hostile relationship between the government and independent media. Judge Cesar Augusto Vieira Macedo, of the São Paulo Court of Justice, was responsible for the decision.

Another example came from the 21st Federal District Court of Rio de Janeiro, which [annulled the nomination of dentist Edianne Paulo de Abreu as head of the Federal Government's Cultural agency](#), citing her lack of education and experience in the area.

## Public Prosecutor's Office

The Federal Public Prosecutor's Office asked the Federal Court of Accounts (TCU) for an [investigation into whether or not Bolsonaro used ABIN and GSI](#) to impede the Federal Revenue agency's investigation of senator Flavio Bolsonaro. The Rio de Janeiro Public Prosecutor's Office also [charged Flavio Bolsonaro, his former advisor Fabrício Queiroz, and 15 others for criminal organization, embezzlement, money laundering, and criminal misappropriation](#) in the "rachadinhas" scandal.

## Senate

The Senate approved a [bill which suspended a decree from Sergio Camargo, president of the Palmares Cultural Foundation](#). He had withdrawn important names, including Milton Nascimento and Gilberto Gil, from the institution's list of notable black figures.

Among the Senate's actions, [it is worth mentioning the bill that includes racism as a legitimate cause for harsher sentencing](#). The proposal was created after Beto Freitas' death in Carrefour, a brutal murder which received broad media coverage.

## Federal Police

Two actions by the Federal Police (PF) deserve mention. First, the creation of Operation Stability, which investigates those suspected of holding protests, creating [antidemocratic propaganda, and inciting hostility between the Armed Forces and civil institutions, especially the STF](#). Second, the affirmation that there is a serious [lack of control, inspection, and actions against crimes involving firearms](#) in Brazil, and that the Army's refusal to allow the police's lawfully-decreed access to their control and tracking systems is partially to blame.

## Civil Society

In terms of civil society initiatives, [the Arns Commission and the Human Rights Lawyers Collective \(CADHu\) reported Jair Bolsonaro to the International Criminal Court](#) accusing him of crimes against humanity and of inciting genocide against Brazil's indigenous population. [A letter signed by 162 entities](#) was also extremely important. It pressured the UN for a response on ABIN's decision to monitor Brazilian NGOs represented at the Climate Change Conference in Madrid, Spain. In a similar incident, [an open letter signed by](#)

[over 140 organizations](#) decrying the Amazon Council's goal to control "100% of NGOs which operate in the Amazon Region by 2022, in order to authorize only those who address national interests."

Also regarding the Amazon [different political parties and NGOs asked the STF to oblige the federal government to recontinue activities related to environmental policy](#) in order to slow down the devastation of the Amazon.

In order to combat fake news and disinformation, a University of São Paulo project identifies [false information about the COVID-19 vaccine](#) on YouTube channels.

## Social Media

After the 2018 elections, which suffered from viral messaging and the spread of false information, the TSE started a partnership with the large technology companies to try and curb disinformation. The main tool is the direct channel between the social networks and the court. The [TSE sent 1,020 reports of spamming](#) during the elections. [WhatsApp identified the valid accounts which had violated the application's rules and banned them](#). There were also [investigations carried out by regional prosecutor's offices in the states of RJ and SP](#) into spamming operations and the illegal procurement of electors' personal data during the 2020 municipal elections. [Twitter's decision to show a warning whenever people like posts labeled 'misleading'](#) was another important initiative.

After a judicial ruling, [Facebook was forced to delete posts made by General Paulo Chagas](#) of the Army Reserve. The posts falsely accused Joao Pedro Stedile, co-founder of the Landless Workers' Movement (MST), of being involved with the fires in the Pantanal.

## Private Sector

This quarter, we identified two instances in which the private sector defended the civic space. The first was when [a group of businesspeople withdrew advertising funds for webpages with hate speech and disinformation](#), and the second was the letter from business leaders [against the re-elections of Rodrigo Maia and Davi Alcolumbre](#) for the presidencies of the Chamber and the Senate, respectively, in line with the constitutional prohibition of re-election to these positions.

## Media

The media has played a fundamental role in transparency and in disseminating credible information in order to curb the spread of disinformation in various areas of the government. Comprova, an initiative for combatting disinformation led by the Brazilian Association of Investigative Journalism, promoted free fact-checking mentorships for journalists all over the country who covered the municipal elections. The Brazilian Press Association asked the Regional Prosecutor's Office for Human Rights to hold a [public audience for debating the use of judicial harassment in limiting the freedom of expression](#). There was also the technical note produced by the Brazilian Association of Investigative Journalism and 10 organizations from civil society which made [recommendations for more government transparency regarding COVID-19 data](#).

# Annex 1 - Typology of legal, illegal and extra-legal strategies and tactics used to close civic space

Strategies	Description	Examples of Tactics / Actions
<b>I. Cooptation</b>	<b>Cooptation</b> is the process of absorbing members who seek change to work with elites, demobilizing the opposition (Selznick 1948, Piven and Cloward 1977).	Offer of privileged relationship, including access to public contracts and funding, if given unrestricted support.
<b>II. Coercion</b>	<b>Coercion</b> is the use of threats to influence another's behavior by limiting choice (Schelling 1966).	<p>Veiled or open threat to dismiss or disempower public servants and political appointees if they don't adhere to government's false narratives or wrongdoings.</p> <p>Veiled or open threat to suspend ongoing partnerships and/or public funding in light of public criticism.</p>
<b>III. Fake News and Disinformation Campaigns</b>	<b>Fake news</b> are false stories circulated on the news, social media, and spread on the internet, which try to appear as real news. There are six types: news satire, news parody, fabrication, manipulation, advertising, and propaganda (Tandoc, Lim, and Ling 2007). Disinformation is false information spread deliberately to cause public harm or for profit, going beyond fake news (EC 2018).	<p>Mass production and dissemination of false content to earn political influence.</p> <p>Hiring bloggers, using fake profiles, bots and other digital tools to create and spread false stories using public money or resources from supporting groups.</p> <p>Deliberate spread of disinformation campaigns to distract or deceive.</p> <p>Attacks against facts and science.</p>
<b>IV. Censorship (veiled or overt)</b>	<b>Censorship</b> refers to "the policy of restricting the public expression of ideas, opinions, conceptions and impulses which have or are believed to have the capacity to undermine the governing authority or the social and moral order which that authority considers itself bound to protect." (Laswell, 1930)	<p>Intent to provoke self-censorship of individuals that are targeted online or offline.</p> <p>Creation of obstacles to access public information.</p> <p>Classification or restriction of publications and documents.</p> <p>Direct intents to disqualify research results.</p> <p>Defunding of cultural projects not aligned with government's views.</p> <p>Filtered content or close down of internet.</p> <p>Vastly enforced censorship of media, research, cultural manifestations and debate.</p>
<b>V. Intimidation and Harassment</b>	<b>Intimidation</b> refers to direct or indirect actions against others to prevent them from continuing their work or to induce fear of an attack (CIVICUS 2019).  <b>Harassment</b> is legal or physical actions or behaviors that demeans, humiliates or embarrasses a citizen when expressing critical opinions (CIVICUS 2018).	<p>Use of state security forces and intelligence apparatus to intimidate opponents.</p> <p>Persecution and intimidation of activists, artists, civic leaders, journalists, and scientists.</p> <p>Blackmail.</p> <p>Public targeting / harassment of institutions by high-level authorities.</p> <p>Public targeting / harassment of activists, artists, civic leaders, journalists, and scientists by high level authorities.</p> <p>Misogynist attacks towards women with public profile.</p> <p>Dehumanizing / defaming / delegitimization campaigns against individuals, groups or institutions (direct or indirect action).</p> <p>Online organized attacks and campaigns against individuals, groups or institutions (bots and digital mob mobilization)</p> <p>Threats to cancel public concessions of independent media channels.</p> <p>Pressure and threats to private companies to stop advertising on non-aligned media channels</p>

Strategies	Description	Examples of Tactics / Actions
<p><b>VI. Infringement of Privacy (State Surveillance)</b></p>	<p><b>Infringement of Privacy</b> refers to the violation of the fundamental human right to privacy, which underlines that “no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation.” (Universal Declaration of Human Rights, 1948). <b>State Surveillance</b> is the collection of information, including the monitoring, tracking, and identification, to the administration of subject populations, supervised by officials and administrators, hinged to some specific purpose (Giddens 1984, Lyon 1994). It usually inhabits a shadowy realm of public affairs (Starr et al).</p>	Illegal tapping.
		Digital media monitoring for profiling, harassment and intimidation.
		Closure of accounts, websites, servers.
		Hacking profiles to intimidate or harass, or to use private profiles in digital mob campaigns.
		Misuse of private citizens’ data on micro-targeting disinformation campaigns, and other digital actions without permission.
		Illegal monitoring of opposition, including protest organizers.
<p><b>VII. Civil and political rights violations</b></p>	<p><b>Violations of political rights</b> include denial of the right to a fair trial and due process; and rights of participation in civil society and politics such as freedom of association, the right to assemble, and the right to vote (Dahl 2005). <b>Violations of civil rights</b> include discrimination on grounds of race, gender, sexual orientation, national origin, color, age, political affiliation, ethnicity, religion, and social origin; and restrictions of individuals’ freedom. (ICCPR 1976).</p>	Restrictions or ban on public protests / demonstrations.
		Constraints for the incorporation, registration, operation and lifecycle of CSOs.
		Shut down of CSOs who resist to conform to authoritarian or draconian rules.
		De-registration or cancellation of licenses of operation for CSOs who comply with the law.
		Invasion / destruction of CSOs offices.
		Seizure of property.
		Expulsion and prohibition to operate at a certain country.
		Travel bans.
		Illegitimate legal investigations.
		Fomenting discrimination and infringements of the rights of minorities and vulnerable groups
Fomenting religious intolerance.		
<p><b>VIII. Restrictions on Civic Engagement and Participation</b></p>	<p>Restrictions to any forms of individual or collective work to solve community problems and to address issues of public concern (civic participation) as well as any forms of following, having knowledge, beliefs, opinions and attitudes on public issues (civic engagement) (Barrett and Brunton-Smith 2014), especially when contributing and interacting with policy design, monitoring and/or decision-making process.</p>	Exclusion of language on civil society participation in national and international resolutions.
		Hardening of rules to allow for civil-society access to National Congress.
		De-authorization of state institutions to work with NGOS.
		Penalization of public officers who disobey instructions of cutting access to civil society.
		Shut down of participatory councils and participatory mechanisms.

continuation

Strategies	Description	Examples of Tactics / Actions
<b>IX. Funding Restrictions</b>	<b>Restrictions on civil society's ability to access foreign funding</b> through laws that limit or prohibit external support, requirements that include governmental approval, measures against international organizations that provide CSOs support, as well as administrative and practices or extralegal measures (Wolff and Poppe 2015) coordinated by governments against independent CSOs. Restrictions can also apply for domestic funds.	Government institutions stop granting authorization for CSOs to participate at projects of, and receive funds from international cooperation donors.
		Overly broad application of anti-money laundering and counterterrorism measures.
		Using defamation, treason, and other laws to bring criminal charges against recipients of international funding
		Restrictions for domestic and international funding and/or prohibition of specific donors.
		Requirement of advance government approval and/ or international funds routed through government-controlled entities.
		Capping the amount of international funding per CSO.
		Restriction of activities undertaken with international funding, including content-based restrictions (e.g. ban on human rights work or 'political activity')
		Taxation of international funds.
		Categorizing CSOs that receive international funding as 'foreign agents'.
		Burdensome procedural requirements.
		Freezing or seizure of funds.
Prohibition to receive international funding.		
<b>X. Physical Violence</b>	<b>Physical Violence</b> is the intentional and direct infliction of harm on people, from physical suffering or bodily harm to violent death (Kalyvas 2006). In the context of this research, acts of physical violence can be perpetrated by state or non-state agents, including paramilitary, militia, gangs, private security and others emboldened by the hate rhetoric of political figures to get rid of opposition	Violent responses by the state to protests.
		Denial to protect those under threat.
		Violent attacks against minorities and vulnerable groups.
		Threats of physical violence by state and non-state actors.
		Illegal imprisonment of civic leaders.
		Torture/ ill-treatment.
		Forced disappearance.
		Assassination / extra-judicial killings of human rights' defenders, civic leaders, and journalists.
<b>XI. Constitutional Hardball*</b>	<b>Constitutional Hardball</b> consists of political claims and practices that explore procedures, laws and institutions for partisan gain in ways that, although within the bounds of existing constitutional doctrine and practice, are in tension with pre-established norms. It pushes the bounds of legality, which can undermine shared understanding of democratic norms and the expectation that the other side will comply with them (Tushnet 2004, Levitsky and Ziblatt 2018).	Excessive use of executive orders to govern, bypassing Congress.
		Issuing of norms and decrees that contradict the Constitution.
		Nonconforming with non-written norms that serve to respect the separation of State Powers.



Strategies	Description	Examples of Tactics / Actions
<b>XII. Abuse of Power</b>	<b>Abuse of power</b> is when political actors take advantage of their position for personal gain, preventing basic managerial responsibility (Sankowsky 1995).	Political interference in ordinances from the Armed Forces that violate laws and/or the Constitution.
		Political interference in the public administration with nominations and dismissals of public servants to favor private interests.
		Political interference in nominations of public universities, research centers and participatory councils to impose censorship.
		Political interference in procedures and nomination of leadership of law enforcement and other independent public agencies to protect private interests.
<p>*Even though most of the tactics used on the constitutional hardball and abuse of power categories are not directly infringed against the civic space agents, these tactics diminish accountability, can undermine the separation of powers and the checks and balances that could prevent the tactics described in the other categories to be implemented.</p>		
<p>Sources for the tactics: off-the-record interviews with civic leaders; Buyse 2018; Civicus 2017, 2018, 2019; ICNL; Levitsky and Ziblath 2018; OHCHR; Rutzen, 2015; WEF 2017; World Movement for Democracy</p>		

## Learn More

For more information on our typology and for academic references, read the strategic paper “The ‘Agora’ is Under Attack: assessing the closure of civic space in Brazil and Around the World”. Link: <https://igarape.org.br/wp-content/uploads/2020/10/2020-10-23-The-Closure-of-Civic-Space-in-Brazil.pdf>



# IGARAPÉ INSTITUTE

a think and do tank

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