

Brazil, march, 15, 2021

Irerê Network for the Protection of Science

Report on violations of the right to benefit from scientific progress and its implications

Brazil is among the countries with the highest number of murders of environmentalists, human rights defenders, and members of social movements. However, since 2016, scientists, professors, public civil servants, and whistleblowers in general are suffering intense threats, illegal constraints, or even arbitrary dismissals.

Civil society organizations and researchers from the Brazilian Association of Collective Health (ABRASCO), Oswaldo Cruz Foundation (FIOCRUZ) and Public Universities from all over the country have been systematically denouncing persecutions, aggressions and threats arising from the modes of production and extraction of development in Brazil. Thus, the Irerê Network for the Protection of Science was created to promote the protection of these scientists and research institutions, also aiming to establish channels to guarantee the exercise of scientific freedom as a human right, and the right of society to benefit from scientific information.

Thus, the cases of violations pointed out in this report occurred in Brazil, with scientists and workers from technical areas of surveillance, inspection, monitoring, epidemiology, and socio-environmental studies. Most of the cases involve hazardous substances (pesticides, chemicals and industrial waste), Environmental and Occupational Health, Agroecology, Food Safety, and Covid-19 pandemic in Brazil. Thus, far from exhausting the existing cases, here follows a brief report of some cases that occurred in the country:

Cases of the year 2021

Dr. Pedro Hallal Case – Professor and Former Rector at the Federal University of Pelotas (UFPEL)

The epidemiologist and former UFPEL Rector, Pedro Hallal, Coordinator of the Project Epicovid, the country's largest epidemiological study on Covid-19, has made blunt

criticism of the Jair Bolsonaro government's handling of the Pandemic. As a result, the researcher became the target of an investigation by the CGU (Controladoria-Geral da União) for "manifestation of contempt" to the President of the Republic.

Jair Bolsonaro used his social networks on January 14 to expose an edited video of the interview. "Rector of the University of Pelotas. Simply watch," the president said.

Sources: <https://www.metropoles.com/brasil/politica-brasil/professor-censurado-pela-cgu-ja-foi-alvo-de-ataques-de-bolsonaro>

<https://brasil.elpais.com/brasil/2021-03-06/no-futuro-va-se-lembrar-que-professores-foram-processados-por-criticar-o-governo-bolsonaro-e-uma-mancha-na-historia-do-pais-diz-alvo-de-censura.html>

Case of prior scientific censorship at the Chico Mendes Biodiversity Institute (ICMBIO)

In an upsurge of persecution actions and admonishment to Federal Civil Servants, especially those linked to environmental issues in the Bolsonaro Government, the Minister of Environment Ricardo Salles published the ordinance 151, March 10, 2021. This Ordinance forces the agency's researchers to submit their scientific production for approval by a board before being published, affecting the clear constitutional right of free scientific expression, established in Brazilian Federal Constitution, art. 5, item IX, namely: "IX - is free expression of intellectual, artistic, scientific and communication activity, regardless of censorship or license;"

The decree makes clear its authoritarian and unconstitutional character when it establishes that "the competence to previously authorize the publication of scientific manuscripts, texts and compilations produced within and for this Institute in periodicals, specialized editions, annals of events and the like", is of the organ's direction. The ordinance will impact dozens of civil servants who conduct scientific research in parallel to their work at ICMBio, including those in graduate studies. "It is an attempt to control not only the academic production but also the opinion of the public servants", says Denis Rivas, president of the National Association of Environment Specialist Career Servers (Ascema). The entity is studying measures against the ordinance.

Source: <https://www1.folha.uol.com.br/amp/ambiente/2021/03/icmbio-estabelece-censura-previa-para-a-producao-academica-de-servidores.shtml>

Censorship at the Institute for Applied Economic Research (IPEA)

On March 5, 2021, the IPEA researchers were surprised with an institutional e-mail forcing them to submit their manuscripts to the organ's direction before their publication and without the "intermediation" of the organ's communication sector. According to the

president of Afipea-Sindical, José Celso Pereira Cardoso Júnior, the circular is an attempt "to implement a kind of filter centralized in the presidency, through the communication department, to know when a study comes out, how it comes out". "It is a kind of gag law because the technicians will not be able to talk to journalists except through the communication department," he said. "This affronts constitutional precepts, freedom of expression, but also institutional precepts. The institute's statute itself says that its mission is 'to produce and disseminate knowledge about public policy in order to subsidize decisions for national development'. And it affronts the democratic tradition of Ipea."

Source: <https://www.brasil247.com/brasil/ipea-impoe-censura-a-divulgacao-de-estudos-e-gera-revolta-em-servidores-lei-da-mordaca>

Decreased funding for science and technology

Academics and scientists have seen the year apprehensive about the future of research and the prospect of reduced investment in scientific work in public universities and federal institutes. According to the Federal Government's budget forecast for 2021, approved this month in Congress, the Ministry of Science, Technology and Innovations (MCTI) alone will lose 34% of its annual budget. In 2020, the portfolio had R\$3.6 billion (appr. US\$600million) available for spending. Next year, if President Jair Bolsonaro sanctions the budget proposal as it stands, the amount will fall to 2.7 billion reais, (appr. US\$400 million) less than a third of the amount made available a decade ago.

Sources: See at <https://www12.senado.leg.br/noticias/infomaterias/2020/09/corte-de-verbas-da-ciencia-prejudica-reacao-a-pandemia-e-desenvolvimento-do-pais>

<https://brasil.elpais.com/brasil/2020-12-31/ciencia-brasileira-sofre-com-cortes-de-verbas-e-encara-cenario-dramatico-para-pesquisas-em-2021.html>

Cases of the year 2020

Chloroquine case involving Fiocruz researchers and MPF members

At a time when science is in the race for answers capable of containing the advance of the Covid-19 Pandemic, researchers from Fiocruz and other institutions were harassed and threatened in social networks after they released a study on the use of the drug chloroquine in the treatment of the disease.

The ChloroCovid-19 research is conducted in Manaus/Amazonas, with the participation of more than 70 professionals from institutions such as Fiocruz, Fundação de Medicina Tropical Dr. Heitor Vieira Dourado (FMT-DVD), Universidade do Estado do Amazonas

(UEA), and Universidade de São Paulo (USP). The study concluded that high doses of chloroquine - recommended by the Chinese consensus - should no longer be used; the research also states that it has not yet been possible to reach conclusions about low doses.

That was enough for the researchers to be attacked and persecuted by means of false news and exposure of personal information and that of their families on social networks, in Brazil and in the United States

28 Brazilian researchers who participated in the research with chloroquine became the target of a civil investigation opened by three prosecutors of the Federal Public Ministry (MPF), two of them sympathizers of "bolsonarism" (supporters of the current president). Lacerda and his family began to walk with a police escort in the capital of Amazonas.

Sources: <https://piaui.folha.uol.com.br/lobby-pro-cloroquina-poe-pesquisadores-na-fogueira/>

<https://radis.ensp.fiocruz.br/index.php/home/noticias/pesquisadores-sao-ameacados-apos-pesquisa-sobre-cloroquina>

Cases of the year 2019

Case Ricardo Magnus Former Director of the National Institute for Space Research (Inpe)

The exoneration of the director of Inpe, Ricardo Magnus, occurred after the controversy over deforestation data, captured by satellites and made available on Inpe's Terra Brasilis portal. The data did not please the government, and President Jair Bolsonaro exonerated the director, also alleging inconsistency of the data and that the director should be "at the service of some NGO". In the following months the world watched in horror as the fires raged in the Amazon Forest.

Sources: <https://g1.globo.com/natureza/noticia/2019/08/07/exoneracao-de-diretor-do-inpe-e-publicada-no-diario-oficial.ghtml>

<https://sustentabilidade.estadao.com.br/noticias/geral,exonerado-por-bolsonaro-ex-diretor-do-inpe-e-premiado-por-liberdade-e-responsabilidade-cientifica,70003609694>

Case of Dr. Monica Lopes (Researcher at the Butantan Institute - Health Department of the State of São Paulo)

The immunologist Dr. Monica Lopes Ferreira has a celebrated career at the Butantan Institute, a centennial public institution linked to the Health Secretariat of São Paulo,

which operates as a biological research center. She has analyzed, through the use of zebra fish test, ten pesticides that are among the most used in Brazil, and revealed that all of them, in any quantity applied, were toxic. The pesticides researched included abamectin, acephate, and glyphosate. In reaction to her research, the Butantan Institute, through its ethics committee, also through an administrative process that aimed to retaliate against the researcher, used several mechanisms to disqualify the research and the author, who had to defend herself in court, winning the case. Currently the project is on hold due to lack of funds.

Source: <https://reporterbrasil.org.br/2019/10/pesquisadora-vira-alvo-de-persegucoes-apos-comprovar-que-nao-existe-dose-segura-de-agrotoxicos>

The case of the indication of controllers to Federal academic institutions

With the intention of controlling the process of generation and access to scientific knowledge produced in the Federal Public Universities and Federal Teaching Institutes, the Bolsonaro Government, since 2019, has been appointing rectors not nominated by the historically recognized electoral process of the academic community in the country. In the last two years alone about 20 federal educational institutions among universities, institutes and federal centers are under some kind of intervention by the President of the Republic.

The Federal Supreme Court (STF) even granted an injunction to determine that when appointing rectors, the President of the Republic must respect the triple list organized by the highest collegiate body of the Federal Universities, as established by law. The precautionary decision was made in the course of an Argument of Violation of Fundamental Precept (ADPF) 759, filed by the Federal Council of the Brazilian Bar Association (OAB), but the decision does not have retroactive effect on appointments that have already occurred.

According to the rapporteur of the STF, Minister Edson Fachin, the choice of rectors of federal public universities, according to the University Reform (Law 5.540/1968), defines a system of mitigated discretion. According to him, "there was a more or less tacit agreement that the President of the Republic would respect the order of nomination of the lists of three candidates". The recent change in these conditions, in his view, demands from the Judiciary a re-examination of the normative acquis in light of the constitutional text.

Source: see at <https://www.andes.org.br/conteudos/noticia/cerca-de-20-instituicoes-federais-de-ensino-estao-sob-intervencao-no-pais1>

Case of the year 2018

Case of Researcher Vicente Almeida (Researcher at the Brazilian Agricultural Research Corporation - EMBRAPA)

Vicente Almeida has been a researcher in Environmental Impacts at Embrapa since 2005. Before that he worked in several social movements and unions in defense of the environment, agrarian reform, and family agriculture. Vicente coordinated and led a group of Brazilian scientists who proved for the first time in a scientific manner that the adoption of transgenic seeds in Brazil strongly increased the consumption of pesticides in the country, increasing the risk of exposure of the population to the impacts of pesticides.

Vicente also denounced the emptying of public research at Embrapa for the sectors of family agriculture and agroecology, as well as the use of the company as an advertising tool for biotechnology companies and the interests of the rural caucus in promoting the new forestry code for the consumption of pesticides and transgenic seeds. It also warned of the persecution of scientists in the company and institutional moral harassment, used as a management tool and coercion of scientists.

Sources: <https://df.cut.org.br/noticias/cut-denuncia-ao-cndh-demissao-injusta-de-servidor-da-embrapa-e15c>

<https://racismoambiental.net.br/2018/03/07/embrapa-demite-pesquisador-e-lider-sindical-que-denunciou-mau-uso-de-agrotoxicos/>

Cases from the year 2017

Case Dr. Carlos Monteiro Professor at the University of São Paulo

In August 2017, a commentary was published in The American Journal of Clinical Nutrition (AJCN) that criticizes the NOVA classification and indicates that there would be little advantage in its use when compared to other existing epidemiological approaches. NUPENS-USP researchers identified inconsistencies, inaccuracies, omissions, and flaws in arguments supporting the conclusions of this commentary. They asked the editor of the AJCN for the right to reply, a procedure customary in scientific journals, which was denied. The response denied by AJCN was published in the journal Public Health Nutrition in November 2017. The episode involving this conflict of interest was reported on an independent journalism website, also in November.

Source: <https://www.abrasco.org.br/site/noticias/posicionamentos-oficiais-abrasco/apoio-nupens/32245/>

Case Dr. Fernando Ferreira Carneiro (Public Health Researcher and former Director of Fiocruz in the state of Ceará (FIOCRUZ-CE))

When presenting official data on consumption of pesticides in the State of Ceará in a public hearing, Dr. Fernando Ferreira Carneiro was the target of attack by ruralist entities and notes from articulators of local newspapers, in an attempt to disqualify his performance as director of Fiocruz/CE and health scientist, resulting in his extrajudicial notification by the State Ruralist Association, two years after the episode, on November 18, 2017.

The ruralist entity that notified the researcher, the Agriculture and Livestock Federation of the State of Ceará (Faec), questioned the scientific data presented and made several requests.

The reaction to this attack, many social organizations and the Deliberative Council of Fiocruz itself, which, in a public statement, manifested "against censorship and intimidation of researchers and for the right to produce science in defense of life".

Sources: <https://portal.fiocruz.br/noticia/fiocruz-divulga-nota-publica-contra-censura-de-pesquisadores>

Suicide case of Luiz Carlos Cancellier de Olivo, Professor and Rector of the Federal University of Santa Catarina

After being the target of police proceedings as part of the Lavajato Operation the professor and then rector of the Federal University of Santa Catarina committed suicide because he could not bear the public humiliation, on October 2, 2017. His innocence was proven at the end of the process, but his life cannot be resumed. The campaign was the beginning of the conservative offensive on Universities, which today is expressed by the appointment of interventionists rectors and the continued coercion of managers not aligned with the current Bolsonaro government.

Sources: <https://www.diariodocentrodomundo.com.br/reitor-da-usfc-que-se-suicidou-escreveu-artigo-denunciando-humilhacao-e-vexame-a-que-foi-submetido/>

<https://www.abrasco.org.br/site/noticias/sem-provas-pf-encerra-inquerito-que-levou-reitor-cancellier-ao-suicidio/37766/>

Cases from the year 2016

Case of Karen Friedrich (Public Health Researcher) and Antonio Andriolli (vice-rector of the Federal University of the Southern Border (UFFS) at CTNBIO

The representative of the Ministry of Agrarian Development (MDA) in the National Biosafety Technical Commission (CTNBio), Dr. Karen Friedrich (replacing the incumbent Paulo Kageyama, who passed away in May 2016), requested views of the process of releasing a large ship load of transgenic corn not authorized in Brazil for animal consumption, coming from the USA, momentarily suspending the process of releasing it because minimum studies of safety were not presented by the companies.

When she took this position, she was admonished by members of the government to abdicate her mandate before the deadline, which was promptly reported to the Federal Public Ministry- MPF of the Federative Republic of Brazil.

Dr. Andrioli denounced the Brazilian government to the UN Human Rights Commission, in Geneva/Switzerland, because of the murder of a landless leader in the Iguazu National Park. Andrioli also became known for having participated in the German documentary Truth Bought: Transgenics in the Magnetic Field of Money, directed by German filmmaker Bertram Verhaag.

In the CTNBio, he voted against the release of several biotechnologies precisely because of the lack of research that demonstrated the safety to health and the environment, such as Oxitec's transgenic mosquitoes, among others. Andrioli also reports maneuvers within the commission to prevent him from participating in the votes.

Sources: <https://www.brasildefato.com.br/2016/10/28/milho-transgenico-aprovado-pela-ctnbio-jamais-foi-testado-em-condicoes-brasileiras>

<https://www.redebrasilatual.com.br/saude-e-ciencia/2017/10/especialista-aponta-ilegalidades-nos-esquemas-de-liberacao-de-transgenicos-no-brasil/>

<https://ojs.ufgd.edu.br/index.php/anpege/article/view/12561/pdf>

Case of Researcher Débora Calheiros

Débora Calheiros has a PhD in Science from CENA-USP, and has been a researcher at Embrapa Pantanal since 1989. Through technical arguments, she denounced projects of the then businessman Eike Batista for the construction of thermoelectric and steel mills in Pantanal and suffered a series of abusive practices of restriction of her activities as a researcher. She was excluded from her professional duties and was the target of moral harassment by the company's directors. She had to leave the harassing environment due to health problems resulting from the harassment. She filed a lawsuit, and was victorious in a final and unappealable decision.

Source: <https://www.oeco.org.br/reportagens/debora-calheiros-o-setor-eletrico-manda-na-gestao-de-recursos-hidricos-no-brasil/>