

## CASE STUDY

# TORNAVOZ, BRAZIL



**Name of the Organisation:** Tornavoz

**Location:** Brazil

**Case Study Provided by:** Charlene Miwa Nagae, Lawyer and Executive Director, and Taís Gasparian, Lawyer and Director

## About This Case Study

*This case study is published by the Centre for Law and Democracy as part of our project Supporting the Establishment of Networks of Media Lawyers Globally, funded by the Global Media Defence Fund run by UNESCO. This project aims to foster the development of national-level networks of media lawyers. These networks bring legal professionals together to advocate for media freedom and freedom of expression in their countries, and to serve as a forum for professional collaboration and knowledge-sharing. To learn more about this project, visit <https://www.law-democracy.org/live/projects/media-lawyers-networks/>. The case studies provide examples of the work of national level media networks, along with successes and lessons learned.*

## Background Information

Tornavoz is a civil society organisation that aims to guarantee specialized legal defence to those who experience lawsuits due to the exercise of their freedom of expression rights. The entity also promotes the discussion and appreciation of these rights through strategic litigation and awareness actions.

Tornavoz was founded by lawyer Taís Gasparian, who has represented journalists and media outlets for over thirty years, along with Professor Clarissa Gross and lawyers Mônica Galvão, Laura Tkacz and Charlene Nagae. This group is willing to act on several fronts to support defendants and lawyers involved in cases that address issues related to freedom of expression.

One of Tornavoz's goals is to increase the number of lawyers specializing in freedom of expression rights in Brazil, expanding this field outside of the large capitals.

## How Tornavoz is Growing Its Network

Initially, Tornavoz decided to establish partnerships with law firms and lawyers in its founders' network. Gradually, these partnerships are being expanded. We believe this gradual expansion of our lawyers' network allows us to build it in a more consistent way, especially while we are working with a very limited budget.

In some of the cases supported by Tornavoz, the beneficiaries were already represented by a lawyer doing pro bono work but with restraints to keep working on the case (pro bono work has its limitations, especially in remote areas). Most of the professionals have little or no previous experience in litigating free speech cases, so they come to Tornavoz seeking both financial and technical support.

## Examples of Tornavoz's Work and Successes:

### *Example 1: Partnership with Ajour – Digital Journalism Association*

Since its foundation, Tornavoz has partnered with Ajour, a digital journalism association that congregates more than 100 digital media outlets, most of them conducting important work in peripheral communities and with regional or local journalism, and in fact checking and reporting news related to marginalized groups. Tornavoz officially launched its activities to the public in March 2022, during “Festival 3i”, a journalism event produced by Ajour. Tornavoz conducted the panel “Tornavoz: defending freedom of expression”, in which several journalists talked about challenges of facing judicial harassment and physical attacks during their journalistic work. Tornavoz also participated in two other panels, one regarding hate speech and another on the legal defence of journalists.

Concerned with the 2022 electoral campaign, Tornavoz and Ajour promoted a seminar to better prepare journalists of small media outlets to avoid lawsuits. Specialists in civil, criminal, and electoral law presented practical cases and basic legal concepts in four sessions during July 2022.

### *Example 2: Fast Track Channel – Prosecution Office in São Paulo State*

Brazil faced one of the most challenging electoral campaigns in its history in 2022. Tornavoz joined a group of national and international organizations working to bring the attention of authorities and society to the importance of guaranteeing press freedom during the elections.

Tornavoz led the process of negotiating a fast-track channel to report attacks against journalists to the Prosecution Office in São Paulo State, resulting in a cooperation agreement signed by some of the more relevant organizations working to protect press freedom in Brazil.

This is an important initiative that has proven useful: in a recent episode of harassment against journalist Vera Magalhães during a debate by a state representative, this channel was used to report the situation and resulted in a criminal procedure to investigate the state deputy's conduct just one day after the fact. The General Attorney is the only authority that could initiate this procedure because the deputy has jurisdictional prerogative, and it is not usual to have such an immediate response.

## **Advice for Other Lawyers Starting a Media Lawyers' Network:**

1. Keep in mind that establishing partnerships and working in collaboration with other organizations will give you the opportunity to learn from their experiences and to strengthen the contributions your network can provide to enhance freedom of expression in your location.
2. Depending on the resources available, you should consider a slower but consistent growth of your network.
3. Establish clear goals for your network and be prepared to prioritize – sometimes circumstances will demand that you quickly shift between them.
4. A smaller group of lawyers in the beginning tends to facilitate the decision process and the creation of the network. Having a diverse Advisory Board is also very important to expand and raise the level of discussions.

