

FOLLOW UP TO THE PREVIOUS REVIEW

1. During the last review, Brazil accepted recommendations to consolidate national and subnational preventive mechanisms against torture and expand the application of custody hearings.¹ However, the government's measures as Presidential Decree No. 9,831/2019,² have been promoting a serious dismantling of the National Preventive Mechanism.³ Although custody hearings are now heard in state and federal courts, torture remains widespread and widely underreported.⁴ There is a lack of investigative procedures to hold perpetrators accountable.⁵
2. Brazil accepted recommendations to speed up the Indigenous land demarcation process, establish effective consultation, protect Indigenous peoples from violence and provide an adequate standard of living to them, especially to Indigenous children.⁶ Brazil's poor performance regarding Indigenous and quilombolas⁷ land demarcations has led to an alarming growth of conflicts, land invasions and uncontrolled killings and attacks against traditional peoples.⁸ Disastrous government action during the Covid-19 pandemic severely impacted the right to life and health of Indigenous peoples and quilombolas.⁹ The government's failure to address the severe malnutrition of the Yanomami people's children and provide adequate medical care is annihilating this Indigenous people's future.¹⁰
3. Brazil accepted recommendations regarding reducing, preventing, and investigating cases of police abuses, combating impunity and ending extrajudicial executions.¹¹ Yet, no progress has been made in reducing unlawful killings by security forces.¹² Although the National Council of the Public Prosecutor's Office established guidelines for the performance of prosecutors regarding external control of police activity,¹³ there is no national monitoring or standardization for the role of the Public Prosecutor's Office in this matter. There are no effective mechanisms for civil society oversight of police activity.¹⁴
4. Brazil accepted recommendations to improve its prison system and protect vulnerable groups deprived of their liberty,¹⁵ but prison conditions remain appalling. Slight progress was achieved with the regulations of the National Council of Justice aimed at reassuring minimal human rights standards for law enforcement,¹⁶ but their implementation requires close monitoring to ensure enduring improvements in practice.
5. The rights of quilombolas were inadequately addressed in the last review. More specific recommendations are needed to highlight the situation of quilombolas as a group specifically affected by land disputes in Brazil. This approach requires explicit recommendations regarding violence stemming from land conflicts; right to free, prior and informed consent; and defense of quilombolas' land rights.

THE NATIONAL HUMAN RIGHTS FRAMEWORK

6. Some 10 Draft Bills currently under consideration of the National Congress would increase surveillance and policing of human rights defenders under the guise of national security. Bill No 272/2016 and Bill No 1595/2019 are particularly worrying as both use broad concepts of "terrorism" to criminalize social movements.¹⁷
7. Other Draft Bills would increase deforestation and other predatory actions on traditional peoples' lands.¹⁸
8. Some laws recently approved may have a particularly negative impact on the already high rates of incarceration and violence. The Anti-Crime Law¹⁹ creates a harsher regime progression for persons deprived of liberty, contradicting the movement towards alternatives to prison. Some executive decrees and Draft Bills aim at making possession and transport of firearms more flexible.²⁰ In the last three years, the number of gun licenses has grown by 325%, putting at greater risk those people already disproportionately affected by gun violence, particularly young black men.²¹
9. Law 13.491/2017, expanded the jurisdiction of the military justice to investigate, prosecute and judge crimes, including against life, as well as abuse of authority, torture and possession of weapons, committed by officers of the armed forces against civilians, during operations for guaranteeing law and order.²²

10. Human rights policies and programs are being progressively dismantled. There is a consistent pattern of discontinuation of bodies, significant alteration of responsibilities, budget reduction, and low allocation of funding.²³ Such changes have been carried out without consulting civil society.²⁴

THE HUMAN RIGHTS SITUATION ON THE GROUND

Extrajudicial Executions

11. The so-called “war on drugs” continues to be used as a pretext for militarized police operations, marked by high levels of violence and deaths. In 2020, the number of people killed by police officers hit a record - 6,416 deaths, of which almost 79% were Black people.²⁵ Between 2017 and 2019, police officers killed at least 2,215 children in the country.²⁶ In Rio de Janeiro, Ágatha Felix, 8 years old, and João Pedro²⁷, 14 years old, were killed in police raids in 2019 and 2020, respectively.²⁸
12. Brazil has been failing to implement recommendations regarding reducing gun violence and taking steps to prevent violence against Afro-descendants.²⁹ Black men are the main victims.³⁰ In the first two months of 2022, three Black men were killed by private actors in the state of Rio de Janeiro: Moïse Kabagambe, 24 (a Congolese refugee); Durval Teófilo Filho, 38; and Hiago Macedo, 22.

Land disputes, Indigenous peoples and climate justice

13. Between August 2020 and July 2021, Amazon deforestation reached its highest rate since 2006 (13,235 km²).³¹ Particularly linked to increasing deforestation, Brazil's greenhouse gas emissions grew by 9.5% in 2020, the highest emissions level since 2006.³² 2020 was a year of catastrophic fires, especially in the Pantanal region, while 2021 was hit by devastating floods. These phenomena disproportionately affect groups already facing structural discrimination.³³
14. 2020 was a year with a record number of land disputes. 2,054 situations were identified, involving almost 1 million people affected. Invasions, illegal exploitation and damage on Indigenous territories increased, and illegal intruders were registered in the lands of 145 Indigenous peoples.
15. 2020 saw an alarming 182 killings of Indigenous peoples.
16. In the state of Maranhão, between mid-2021 and early 2022, five people from traditional peoples and rural workers were killed as a result of land conflicts and the agribusiness action over traditional territories. 2020 saw an uptake of violence against journalists, with 428 attacks – including two killings.³⁴

Repression of dissent

17. Investigations opened by the Federal Police against critical voices and based on the National Security Law increased by 285% since 2019³⁵. In 2021, the National Security Law, in place since the military dictatorship and widely used for the prosecution of political opponents, was replaced by Law No. 14197.³⁶ Although Law No. 14197 is intended to protect the rule of law and democratic institutions, it could also be misused to target and harass activists and social movements at the discretion of judicial authorities and law enforcement officials.
18. The current government has consolidated a trend towards surveillance, policing, investigations, criminalization and preparation of dossiers against the leaders of social movements, government critics, and political opponents, as well as Indigenous leaders.^{37,38} The harassment against Indigenous leaders Sonia Guajajara and Alessandra Munduruku are emblematic in this regard.^{39,40}

Human Rights Defenders

19. Brazil has failed to implement an adequate public policy to protect human rights defenders at risk.⁴¹ According to OHCHR, Brazil had the second-highest number of killings of defenders between 2015 and 2019.⁴² The Brazilian program to protect defenders has not introduced any mechanisms for the meaningful participation of civil society; has not yet managed to minimally develop a comprehensive policy of protection that includes gender and racial perspectives and the needs of groups and collectives; and has failed to ensure the implementation of state-level protection programs.⁴³
20. The notorious killing in 2018 of Marielle Franco and her driver highlights the obstacles faced in accessing justice and reparations. Two men were charged with carrying out the killings. However, four years after the attack, investigations have yet to establish who ordered the killings.

Criminal justice

21. Brazil has 322 inmates per 100,000 inhabitants and a shortfall of 241,652 prison places. Also, the data show a slight drop in the incarceration rate per 100,000 inhabitants and in the rate of prisons' overcrowding. Pretrial detention can be extended indefinitely.⁴⁴ In 2021, 31.9% of the total prison population was in pretrial detention.⁴⁵ In 2020, 66.3% of the people deprived of their liberty identified as Black and 48.6% were between 18 and 29 years old.⁴⁶
22. The lower vaccination coverage of people in detention against Covid-19, even though this group appears as a priority group in the government's vaccination plan, is deeply concerning.⁴⁷
23. Between 2017 and 2019, at least 259 inmates were killed in prison riots, with more than 100 in 2019 alone.⁴⁸
24. Official recommendations on the treatment of LGBTI people in prisons have been widely ignored.⁴⁹ Episodes of torture, sexual violence, and lack of an adequate structure to guarantee the rights of these persons were reported.⁵⁰
25. A substantial number of women with children, pregnant women, and caregivers do not have access to home arrests or other alternatives to prison, as they are entitled to by law.⁵¹

Economic and social rights

26. The Covid-19 pandemic has demonstrated how the government has failed to guarantee an adequate standard of living for certain groups facing structural discrimination.⁵² An estimated 120,000 Covid-19 deaths could have been avoided by March 2021 had the federal government's decision-making been based on scientific evidence and concerted political efforts.⁵³ During the sanitary crisis, some 55.2% of Brazilian households were in a situation of food insecurity by December 2020.⁵⁴ Black women, who already represented the largest share of the population living in poverty before the health crisis, were also the most affected by the increase in poverty, decline in income, unemployment, food insecurity and hunger.⁵⁵
27. In June 2021, 14.7 million people were living in extreme poverty.⁵⁶ With the end of the Covid-19 emergency aid and the replacement of the "Bolsa Família" program with the "Auxílio Brasil" program in November 2021, an estimated 29 million people were left without any alternative financial assistance.⁵⁷ Informal work has grown at a greater rate than the number of formal jobs leaving more people vulnerable to socio-economic insecurity.⁵⁸ In November 2021, at least 120,000 families were at risk of being forcibly evicted.⁵⁹
28. Beyond these general trends the standard of living of the Afro-descendant population is further exacerbated by a diverse and significant set of structural obstacles.⁶⁰ Even minimal respect for their rights has been jeopardized by the complete dismantling of racial equality policies.⁶¹

Violence against LGBTI persons

29. The lack of transparency, disaggregated and integrated data on the LGBTI population in public policies and in public security agencies undermine accurate data collection regarding the human rights situation of LGBTI persons. 140 killings of transgender people were reported in 2021,⁶² and 50% of the LGBTI population targeted by violence is Black.⁶³

Women's rights

30. In 2020, 1350 women were victims of femicide in Brazil, 34,5% of the homicides of women.⁶⁴ Black women have been severely affected by gender-based violence. 61,8% of women victims of femicide in 2020 were Black. In 2021, policies to promote women's rights suffered a budget reduction with very low resource allocation to combat violence against women.⁶⁵
31. Black women experience higher rates of maternal mortality and morbidity, which have disproportionately increased during the Covid-19 pandemic. Since the beginning of the pandemic, there were 1,114 maternal deaths of Black women, amounting to 77% more deaths compared to the maternal deaths among white women,⁶⁶ while Black women comprise 50% of the overall female population.⁶⁷ Brazil is experiencing a crisis in the provision of lawful abortion services, deepened by the Covid-19 pandemic, which resulted in the majority of services being halted.⁶⁸

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of Brazil to:

Extrajudicial executions

32. Implement a plan, with concrete goals, milestones, and allocation of resources to reduce police lethality, gun violence and extrajudicial executions in the country, considering regional disparities and differences between states.
33. Approve Bill of Law No 4471/2012, as Brazil accepted to do previously, which amends the Code of Criminal Procedure and establishes procedures to guarantee the proper investigation of crimes resulting in violent death that involve law enforcement officials.
34. Ensure the effective monitoring and standardization of systems of external control of police activity in Brazilian states and establish civil society oversight mechanisms to curb the unnecessary and excessive use of force by the security forces.
35. Ensure that a full, independent, prompt and impartial investigation of all killings resulting from police intervention is carried out, in order to enable those involved to be brought to justice in fair trials.
36. Ensure that the Military Police adopts – and makes public – operational protocols for the use of force and firearms through clear and well-defined criteria that comply with the international guidelines and standards, banning the use of rubber bullets in demonstrations and giving periodic training to police officers in the adoption of those protocols.
37. Strictly control the use of high-powered firearms (such as rifles) and automatic weapons during police operations in favelas and other densely populated urban areas, in line with international standards on the use of force.

Land disputes, Indigenous peoples and climate justice

38. Implement a plan, with concrete goals, milestones, and allocation of resources to speed up and complete Indigenous and quilombola peoples' land demarcation processes, and to combat deforestation, including restructuring public bodies responsible for implementing deforestation and climate change policies.
39. Reject the introduction of any legislative or executive proposition that undermines the right to free, prior and informed consent and guarantee adequate consultation and full participation of quilombola, Indigenous and other

traditional peoples in all legislative and administrative measures affecting them.

40. Adopt policies to strengthen Indigenous and environmental protection agencies, including with financial and human resources, to enable them to enforce legislation and step-up monitoring and patrol of Indigenous territories and environmentally protected areas, as well as to ensure the safety of government officials.
41. Refrain from approving bills that would “regularise” predatory actions in Indigenous and quilombolas lands, as well as any other bills that weaken legal protection of Indigenous/quilombolas territories, reserves and other environmentally protected areas.

Repression of dissent

42. Issue clear and well-defined guidelines to security forces, judges, and prosecutors so that Law No. 14197/2021 is not used for the purpose of prosecuting critical voices.

Human Rights Defenders

43. Enforce the federal court ruling that ordered the federal government to draw up a national plan for the protection of defenders at risk, with the meaningful participation of civil society⁶⁹.
44. Review the human rights defenders' protection program and its regulations to ensure wider participation of civil society and guarantee that protection measures are comprehensive, including individual and collective needs, as well as gender and racial perspectives.
45. Ensure that threats and attacks against human rights defenders are promptly and thoroughly investigated, with special attention to Indigenous, quilombolas and other traditional leaders and that those responsible are brought to justice in fair trials.

Criminal justice

46. Strengthen national prevention mechanisms against torture, ensuring their functionality, with proper allocation of personnel and resources, as well as reinforce their independence.
47. Ensure that justice operators enforce Law No. 13,769/2018, which establishes the right to house arrest for pregnant women, women with children, or caregivers, including during pretrial detention.
48. Follow up and monitor the concrete results produced by the resolutions and recommendations from the National Council of Justice that establish human rights standards for criminal judicial policy.
49. Ensure that pre-trial detention is only ordered as an exceptional measure, based on an individualized determination that it is reasonable and necessary.

Economic and social rights

50. Ensure adequate and effective economic recovery measures for the groups in the most vulnerable situation, including cash transfer programs and additional direct support for small businesses.
51. Ensure greater resource allocation for the public health system and for social protection mechanisms that guarantee equality and non-discrimination and access to essential services for all.
52. Ensure the right to an effective remedy for all human rights violations arising out of the Covid-19 pandemic response through credible, transparent, independent and impartial investigations, promoting accountability and learning lessons to ensure that any failure to adequately defend human rights is not repeated in any future wave of the Covid-19 pandemic, or in any other epidemic or pandemic.

Violence against LGBTI persons

53. Establish mechanisms to protect LGBTI people against all forms of violence and discrimination, as Brazil had accepted to do previously, and include their specific needs in measures to reduce the socio-economic impact of the pandemic.
54. Collect disaggregated data on LGBTI people, improving official databases and methodologies to produce socioeconomic indicators and reliable data on violence against LGBTI persons.

Women's rights

55. Take urgent measures to prevent, investigate and prosecute the high number of femicides of Black women.
56. Ensure protection mechanisms, legal aid, and support services for survivors of gender-based violence are sufficiently resourced and accessible to all women and girls who need them without discrimination.
57. Ensure universal access to comprehensive sexual and reproductive health services, as Brazil accepted to do previously, including the full functioning of existing lawful abortion services.
58. Restore and allocate sufficient resources, whilst ensuring proper budgetary implementation of programs and actions aimed at promoting racial and gender equality and combating racism and violence against women, as well as ensuring intersectionality in the planning and execution of public policies.

¹ A/HRC/36/11, 11-29, recommendations 136.88 (Denmark), 136.86 (Ghana), 136.87 (Turkey), 136.59 (Rwanda).

² Presidential Decree No 9,831/2019 made the mechanism's operational capacity unfeasible, framing the experts' work as a relevant unpaid public service. Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9831.htm In a report published in 2020, the National Mechanism for preventing and combating torture has indicated a lack of support, interference from the federal government, a decrease in the number of public civil servants, and a shortage of experts. Available at <https://mnpctbrasil.files.wordpress.com/2021/02/relatorio-bianual-2018-2019-mnpct.pdf>

³ Brazil must abide by international obligations and strengthen its torture prevention system, say UN experts. Available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28114&LangID=E>,

⁴ A report produced by the National Council of Justice points out that the cases of torture registered in custody hearings are lower than those reported by civil society. Available at: <https://www.cnj.jus.br/wp-content/uploads/2022/01/informe-spt-fevereiro-22-10h-impresao.pdf>

⁵ The 6-year report of custody hearings by the National Justice Council shows that from 2015 to 2021, less than 5% of the cases of torture registered during custody hearings were investigated. Available at: <https://www.cnj.jus.br/wp-content/uploads/2021/09/relatorio-6-anos-audiencia-custodia.pdf>.

⁶ A/HRC/36/11, 11-29, recommendations 136.46 (Rwanda), 136.51 (Netherlands), 136.224 (Philippines), 136.230 (Germany), 136.231 (El Salvador), 136.232 (Estonia), 136.233 (Iceland), 136.236 (Switzerland), 136.237 (Peru), 136.238 (France), 136.239 (Cabo Verde), 136.240 (Norway), 136.223 (Canada), 136.229 (Republic of Moldova), 136.241 (Paraguay), 136.242 (Republic of Moldova), 136.227 (Maldivas), 136.228 (Togo), 136.235 (Singapore), 136.218 (Russian Federation), 136.234 (Norway), 136.222 (Bangladesh), 136.243 (Holy See), 136.226 (Holy See), 136.121 (Ireland), 136.217 (South Africa), 136.32 (United Kingdom of Great Britain and Northern Ireland).

⁷ Afrodescendants communities, similar to tribal communities, considering international parameters.

⁸ According to Indigenous Missionary Council annual report. 2020 Data: "No demarcation has been implemented since 2016, and the processes initiated have been totally stalled". Available at https://cimi.org.br/wp-content/uploads/2022/01/report-violence-against-the-indigenous-peoples-in-brazil_2020-cimi.pdf

Bolsonaro government titled only three quilombos, even under pressure from courts. Available at <https://www1.folha.uol.com.br/cotidiano/2021/08/governo-bolsonaro-titulou-so-tres-quilombos-mesmo-sob-pressao-da-justica.shtml> Data on the government's paralysis regarding the titling of quilombola lands are available in the Report "Right to quilombola land at risk – Territory recognition has a historic low in the Bolsonaro government", from Brazilian Association of Investigative Journalism and NGO Brazil Transparency. Available at https://www.achadosepedidos.org.br/uploads/publicacoes/Terra_Quilombola.pdf

⁹ The Articulation of Indigenous Peoples of Brazil and the National Coordination of Quilombos mobilized the Federal Supreme Court to compel the federal government to fulfil its minimum obligations to protect indigenous people and quilombolas during the Covid-19 pandemic. In 2020 and 2021, Supreme Court rulings forced the Brazilian State to draw up plans to combat Covid-19 and its impacts over indigenous and quilombolas peoples, respectively. Up to now, government policies have not been properly implemented.

¹⁰ See: <https://g1.globo.com/fantastico/noticia/2021/11/14/criancas-yanomami-sofrem-com-desnutricao-e-falta-de-atendimento-medico.ghtml>

¹¹ A/HRC/36/11, 11-29, recommendations 136.71 (Germany), 136.70 (Bolivarian Republic of Venezuela), 136.68 (Bahamas)

¹² “Chacina” Nova Brasília: Chronic impunity perpetuates cycle of violence and human rights violations, says Amnesty International Brazil, August 18, 2021, <https://anistia.org.br/informe/chacina-de-nova-brasilia-impunidade-chronica-perpetua-ciclo-de-violencias-e-violacoes-de-direitos-humanos-afirma-anistia-internacional-brasil/>

¹³ National Council of the Public Prosecutor's Office Resolutions. Available at <https://www.cnmp.mp.br/portal/sistema-prisional/448-atuacao/10909-controle-externo-da-atividade-policia>

¹⁴ As a last resort, the mobilization of the Federal Supreme Court by civil society has achieved some effects in Rio de Janeiro, albeit limited. In 2020 and 2022, Supreme Court rulings have: (a) suspended police raids in Rio de Janeiro's favelas during the Covid-19 pandemic; (b) compelled the State of Rio de Janeiro to develop a plan aimed at reducing police lethality; and (c) determined the installation of cameras and GPS equipment in police vehicles and on police uniforms in that state. Available at <https://portal.stf.jus.br/processos/detalhe.asp?incidente=5816502>

¹⁵ A/HRC/36/11, 11-29, recommendations 136.76 (Republic of Korea), 136.77 (South Africa), 136.95 (Australia), 136.96 (Thailand), 136.97 (Bahamas), 136.90 (Ireland), 136.75 (Namibia), 136.81 (Algeria), 136.95 (Australia), 136.96 (Thailand), 136.97 (Bahamas); 136.90 (Ireland), 136.75 (Namibia), 136.81 (Algeria), 136.82 (Angola), 136.83 (Austria), 136.84 (Cabo Verde), 136.89 (Holy See), 136.91 (Italy); 136.92 (Japan), 136.93 (Sweden)

¹⁶ Resolution No. 405 (2021) (establishes procedures for the treatment of migrants in prisons), Resolution No. 252 (2018) (establishes principles and guidelines for pregnancy and maternity in prison), Resolution No. 348 of 10/13/2020 (establishes guidelines and procedures for the treatment of the LGBTQ+ population in prisons), Recommendation No. 62 (aimed at guiding the adoption of measures for containing the spread of Covid-19 in prison)

¹⁷ Bill No 1600/2015 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=1279584>), Bill No 6788/2013

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=601656>), Bill No 179/2003

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=105012>), Bill No 272/2016

(<https://www25.senado.leg.br/web/atividade/materias/-/materia/126364>), Bill No 5065/2016

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2082470>), Bill No 5964/2013

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=585125>), Bill No 6198/2013

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=589500>), Bill No 1768/2011

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=511312>), Bill No 5952/2013

(<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=584976>), Bill No 6268/2009 (<https://www.camara.leg.br/propostas-legislativas/456366>), 11) Bill No 1595 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2194587>). See also Special Procedures

Communication to Brazil on Anti-terrorists Bill of Laws. Available at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26450>

¹⁸ These include Bill No 191/2020 – authorization for mining and related development projects on indigenous lands; Bill No 2159/2021 – flexibilization of environmental licensing; Bill No 2633/2020 – regularization of land grabbing in public lands; and Bill No 6299/2002 – flexibilization of pesticides approval rules.

¹⁹ Law No 13.964/2019. Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/lei/L13964.htm

²⁰ Draft Bill No 3723/2019. Available at <https://www25.senado.leg.br/web/atividade/materias/-/materia/140042> and Draft Bill No 6438/2019. Available at <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2233986>

²¹ Data from Sou da Paz Institute. Number of gun licenses grows 325% in three years. Available at <https://g1.globo.com/jornal-nacional/noticia/2022/02/04/numero-de-licencas-para-uso-de-armas-cresce-325percent-em-tres-anos-diz-levantamento.ghtml>

²² It has been increasingly common in Brazil ostensive policing, using the support of Armed Forces, in cooperation to the public security system, through specific federal government decrees called Guarantee of Law and Order (GLO). See Law No 13491/2017, available at http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/l13491.htm

²³ These areas include women's rights, racial equality, environmental protection, and rights of Indigenous peoples and quilombolas.

²⁴ As an example, in 2021, the Ministry of Human Rights enacted Ordinance No. 45718, which created a working group, made up exclusively of government representatives, aimed at assessing the national human rights policy. This is an example of a measure that usurps the competent authority of the National Human Rights Council, which is the collegiate body composed by civil society and government representatives in charge, by law, of monitoring, evaluating, and reviewing the national human rights policy.

²⁵ Number of persons killed by police in 2020 in Brazil hits record; 50 cities concentrate more than half of deaths, reveals Brazilian Public Security Forum Annual Report Available at <https://g1.globo.com/sp/sao-paulo/noticia/2021/07/15/no-de-mortos-pela-policia-em-2020-no-brasil-bate-recorde-50-cidades-concentram-mais-da-metade-dos-obitos-revela-anuario.ghtml>

²⁶ Brazilian Public Security Forum. In three years, police killed at least 2215 children in Brazil. Available at <https://www1.folha.uol.com.br/cotidiano/2020/12/em-tres-anos-policiais-mataram-ao-menos-2215-criancas-e-adolescentes-no-pais.shtml>

²⁷ Killing of João Pedro Matos completes 1 year, and Amnesty International Brazil claims for answers, May 18, 2021, <https://anistia.org.br/informe/assassinato-de-joao-pedro-matos-faz-1-ano-e-anistia-internacional-brasil-exige-respostas>

²⁸ Ágatha Félix case: Amnesty International Brazil requires public security policy based on intelligence and training, September 21, 2020, <https://anistia.org.br/informe/caso-agatha-felix-anistia-internacional-exige-politica-de-seguranca-publica-baseada-em-inteligencia-e-treinamento/> In 2020, the killings continued in Rio de Janeiro even in the face of the Supreme Court ruling suspending police raids in favelas during the covid-19 pandemic.

²⁹ A/HRC/36/11, 11-29, recommendation 136.68 (Bahamas), 136.65 (Republic of Korea)

³⁰ See Brazilian Public Security Forum. Violence against Black people in Brazil. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/infografico-consistencia-negra-2019-final-ingles-site.pdf>

³¹ Available at <https://www.gov.br/inpe/pt-br/assuntos/ultimas-noticias/divulgacao-de-dados-prodes.pdf>

³² Going against the world, Brazil increased emissions in the middle of the pandemic. Available at <https://seeg.eco.br/en/press-release#>

³³ Such as indigenous peoples, quilombolas, other traditional peoples, and residents of favelas and other informal settlements.

³⁴ According to data compiled by the press. Violence against journalists and freedom of the press in Brazil. 2020 Report. National Federation of Journalists. Available at https://fenaj.org.br/wp-content/uploads/2021/01/relatorio_fenaj_2020.pdf

³⁵ PF investigations based on the National Security Law grow 285% under Bolsonaro government. Available at

<https://politica.estadao.com.br/noticias/geral,inqueritos-da-pf-com-base-na-lei-de-seguranca-nacional-crescem-285-no-governo-bolsonaro,70003652910>

³⁶ Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/lei/L14197.htm

³⁷ Brazilian government, by monitoring and surveilling NGOs and social movements, commits serious violations of human rights, Amnesty International warns, October 17, 2020, <https://anistia.org.br/informe/governo-brasileiro-ao-monitorar-e-vigiar-ongs-e-movimentos-sociais-comete-graves-violacoes-de-direitos-humanos-alerta-anistia-internacional/>

Amnesty International Brazil calls for an end on confidential investigations against critics of the federal government, July 27, 2020, <https://anistia.org.br/informe/anistia-internacional-exige-o-fim-de-investigacoes-sigilosas-contra-criticos-do-governo-federal/>

³⁸ The Articulation of Indigenous Peoples of Brazil has denounced the techniques of persecution and criminalization used to silence indigenous leaders, including arrest, coercive warrant, home invasion, stalking, threats through social networks, exposure of family members, police and judicial harassment, and criminalization. See: Indigenous Peoples Rights International. An anatomy of practices for silencing indigenous leaders. Available at <https://apiboficial.org/files/2021/05/UMA-ANATOMIA-DAS-PRA%CC%81TICAS-DE-SILENCIAMENTO-INDI%CC%81GENA-1.pdf>

³⁹ Federal Police subpoena indigenous leader to clarify documentary that criticizes government's response to the pandemic. Available at <https://g1.globo.com/politica/noticia/2021/04/30/pf-intima-lider-indigena-por-documentario-que-critica-acao-do-governo-na-pandemia.ghtml>

⁴⁰ Indigenous leader who made denounces at COP26 has his house invaded for the second time in Santarém. Available at <https://g1.globo.com/pa/santarem-regiao/noticia/2021/11/13/lider-indigena-que-fez-denuncias-na-cop26-tem-casa-invadida-pela-segunda-vez-em-santarem.ghtml>

⁴¹ A/HRC/36/11, 11-29, recommendations 136.117 (Slovakia); 136.121 (Ireland); 136.111 (Tunisia); 136.113 (State of Palestine); 136.115 (Norway); 136.116 (Poland);

136.118 (Australia); 136.119 (Czechia); 136.120 (France); 136.122 (Mongolia); 136.112 (Belgium); and 136.114 (Netherlands).

⁴² A/HRC/46/35. Final warning: death threats and killings of human rights defenders. Available at <https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/CFI-killings-human-rights-defenders.aspx>

⁴³ In 2021, only 9 states had fully implemented protection programs at the state level.

⁴⁴ 2021 Brazilian Public Security Forum Monitor of Violence. Prison population declines, but Brazil still records overcrowding in prisons amid the pandemic. Available at <https://g1.globo.com/monitor-da-violencia/noticia/2021/05/17/populacao-carceraria-diminui-mas-brasil-ainda-registra-superlotacao-nos-presidios-em-meio-a-pandemia.ghtml>

⁴⁵ 2021 Brazilian Public Security Forum Monitor of Violence. With 322 incarcerated per 100,000 inhabitants, Brazil remains in the 26th position in the ranking of the countries that most incarcerate in the world. Available at <https://g1.globo.com/monitor-da-violencia/noticia/2021/05/17/com-322-encarcerados-a-cada-100-mil-habitantes-brasil-se-mantem-na-26a-posicao-em-ranking-dos-paises-que-mais-prendem-no-mundo.ghtml>

⁴⁶ Brazilian Public Security Forum. The Prison System in 2020/2021. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/11-o-sistema-prisional-em-2020-2021-entre-a-covid-19-o-atraso-na-vacinacao-e-a-continuidade-dos-problemas-estruturais.pdf>

⁴⁷ Data from the Brazilian Public Security Forum reveal a large deficit in the vaccination coverage of prisoners. The data also show high rate of Covid-19 infection among the prison population and the population of prison officials, in a context of great underreporting. The mortality rates for deaths due to Covid-19 between prison officials in some Brazilian states are alarming, also according to the Brazilian Public Security Forum Data. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/11-o-sistema-prisional-em-2020-2021-entre-a-covid-19-o-atraso-na-vacinacao-e-a-continuidade-dos-problemas-estruturais.pdf>

⁴⁸ Since 2017, 259 prisoners have been killed in riots and conflicts across the country. Available at: <https://www.correiobraziliense.com.br/app/noticia/brasil/2019/07/30/interna-brasil,774493/desde-2017-259-presos-foram-mortos-em-rebelioes-e-conflitos-no-pais.shtml>

⁴⁹ Ministry of Human Rights. LGBTI Persons in Prisons Report. Available at <https://www.gov.br/mdh/pt-br/assuntos/noticias/2020-2/fevereiro/TratamentopenaldepessoasLGBT.pdf>

⁵⁰ Id.

⁵¹ This entitlement is granted by Law Nº 13,769/2018. See Land, Work and Citizenship Institute. Implementation of house arrest for women in Brazil in light of the Access to Information Law. Available at <https://ponte.org/wp-content/uploads/2021/12/Relatorio-LAI.pdf>

⁵² These include the Black population; indigenous, quilombola and other traditional peoples; women; LGBTI people and those living in favelas and disadvantaged neighborhoods on the outskirts of cities.

⁵³ Alert Group Report: Preventable deaths from Covid-19 in Brazil. Available at <https://alerta.org.br/iniciativas-e-pesquisas/mortes-evitaveis-por-covid-19-no-brasil/>

⁵⁴ 2021 National Survey of Food Insecurity in the Context of the Covid-19 Pandemic in Brazil. Available at http://olheparaafome.com.br/VIGISAN_AF_National_Survey_of_Food_Insecurity.pdf

⁵⁵ See 2021 Amnesty International Brazil Report. COVID-19 and human rights in Brazil. Pathways and challenges for a fair recovery. Available at <https://anistia.org.br/informe/novo-relatorio-covid-19-e-direitos-humanos-no-brasil-caminhos-e-desafios-para-uma-recuperacao-justa/>

⁵⁶ According to data collected by the press from the official database. 2 million families crossed the line to extreme poverty during the Bolsonaro government. Available at <https://noticias.uol.com.br/reportagens-especiais/mais-miseria-mais-fome/#cover>

⁵⁷ "Auxílio Brasil" program leaves 29 million people without financial assistance. Available at <https://economia.ig.com.br/2021-11-22/auxilio-brasil-deixa-pessoas-de-fora.html>

⁵⁸ Data from the Brazilian Institute of Geography and Statistics. 41.6% of workers work in the informal sector in 2019. Available at <https://agenciabrasil.ebc.com.br/economia/noticia/2020-11/ibge-informalidade-atinge-416-dos-trabalhadores-no-pais-em-2019>

⁵⁹ According to the Zero Eviction Campaign, 120,000 Brazilian families were at risk of being evicted in January 2022. Available at <https://www.bbc.com/portuguese/brasil-59352497>

⁶⁰ These include: (a) a greater suppression of access to basic infrastructure services; (b) a high proportion of Afro-descendant people in the poorest population strata; (c) high vulnerability and risk of returning to poverty; (d) significant inequalities in important indicators regarding quality of life and sexual and reproductive health; (e) a higher incidence on Afro-descendant populations of infant mortality, diarrhea in children under five years of age, teenage pregnancy and maternal mortality, as well as an increased risk of contracting HIV and associated infections; (f) poor access to services for early identification and timely treatment of certain noncommunicable diseases; (g) very high dropout rates among Afro-descendants and significantly lower levels of secondary education completion, and access to and completion of tertiary education; (h) more difficulties in accessing employment opportunities and higher levels of exclusion from the labor market; (i) a much higher chance of becoming victims of homicide, mass incarceration, gun violence and police violence than non-Afro-descendants, both men and women, with very noticeable discrepancies in the case of young men. Information compiled by ECLAC in Afro-descendants and the matrix of social inequality in Latin America: challenges for inclusion. Available at <https://repositorio.cepal.org/handle/11362/46872>

⁶¹ Report points out to cut in federal funds to combat racism. Available at [https://www.camara.leg.br/noticias/709406-relatorio-aponta-corte-em-verbas-](https://www.camara.leg.br/noticias/709406-relatorio-aponta-corte-em-verbas-federais-para-combate-ao-racismo/)

[federais-para-combate-ao-racismo/](https://www.camara.leg.br/noticias/709406-relatorio-aponta-corte-em-verbas-federais-para-combate-ao-racismo/)

⁶² National Association of Travestis and Transsexuals Annual Report. Killings and Violence against Brazilian transvestites and transsexuals in 2021. Available at <https://antrabrazil.files.wordpress.com/2022/01/dossieantra2022-web.pdf>

⁶³ Research from the Federal University of Rio Grande do Sul. Blacks are the preferred target of violence against the LGBT population in Brazil. Available at <https://g1.globo.com/sp/sao-paulo/noticia/2020/07/15/negros-sao-alvo-de-metade-dos-registros-de-violencia-contra-populacao-lgbt-no-brasil-diz-pesquisa.ghtml>

⁶⁴ Data from Brazilian Public Security Forum. Violence against girls and women in the pandemic year. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/6-a-violencia-contra-meninas-e-mulheres-no-ano-pandemico.pdf>

⁶⁵ Budget for women's policies decreases in 2021. Available at <https://www.camara.leg.br/noticias/696379-ORCAMENTO-PARA-MULHERES-TEM-QUEDA-EM-2021>

⁶⁶ Criola warns about the increase in maternal mortality across the country, aggravated by Covid-19. Available at <https://criola.org.br/no-mes-de-luta-pela-saude-da-mulher-criola-alerta-sobre-o-aumento-da-mortalidade-materna-em-todo-o-pais-agravada-pela-covid-19/>

⁶⁷ Institute for Applied Economic Research. Black Women Dossier. Available at <https://www.gov.br/mdh/pt-br/centrais-de-conteudo/igualdade-racial/dossie-mulheres-negras-retrato-das-condicoes-de-vida-das-mulheres-negras-no-brasil>

⁶⁸ Pandemic deepens crisis in services for legal abortion and professionals seek a way out. Available at

<https://www1.folha.uol.com.br/cotidiano/2021/03/pandemia-aprofunda-crise-em-servicos-de-aborto-legal-e-profissionais-buscam-saidas.shtml>

⁶⁹ Public Interest Lawsuit No. 5005594-05.2017.4.04.7100/TRF.