

## **ADVANCE QUESTIONS TO BRAZIL (SECOND BATCH)**

### **BELGIUM**

- Can the Government of Brazil provide more information on the follow-up given to the recommendations made by the National Truth Commission?
- What actions does the Brazil take in order to recognize and support human rights defenders and protect them and their communities from death threats, attacks and killings?
- What is the Government of Brazil undertaking in order to protect the rights of its indigenous people, and their lands from illegal activities, particularly mining and logging?
- Which measures is the Government of Brazil taking in order to eliminate violence against women and girls and in particular against Afro-Brazilian women and girls, who are more likely to be victims of violence according to the special rapporteur on minority issues?

### **CZECHIA**

- How does the Government address the allegations of threats, intimidation and harassment against human rights defenders and activists, particularly those defending the environment and indigenous people's rights? What measures are being taken to ensure that all civil society organisations and individuals can work freely?
- What measures has the Government adopted to improve the conditions of detention in line with the Nelson Mandela rules adopted by UN General Assembly in December 2015? How does the Government proceed with the enactment of federal legislation creating the National System to Prevent Torture and the establishment of an independent and efficient National Preventive Mechanism in line with the OP-CAT?
- What measures have been adopted to assure the equal treatment of women with men on all levels? What steps have been taken to combat the discrimination against women apart from the 2006 Maria da Penha Law and to promote awareness in this regard?
- What measures does the Government plan to adopt to prevent and ensure accountability for any cases of police violence or the law enforcement personnel misconduct?
- Does the Government prepare ratification of the OP-CRC on communications procedure?

### **GERMANY**

- The Special Rapporteur on the rights of indigenous peoples noted in 2016 that there had been an "extremely worrying regression in the protection of indigenous peoples' rights" in Brazil. Germany would like to know what steps the government of Brazil has taken since the 2012 UPR cycle to "ensure indigenous peoples adequate consultation as well as full participation in all legislative or administrative measures affecting them" (rec. 119.169) and what further

steps it still plans to take, taking into account recommendations 98 a) to 98 d) made by the Special Rapporteur in her 2016 report. Furthermore, Germany would like to know what steps the government of Brazil plans to take to implement other recommendations made by the Special Rapporteur on the rights of indigenous peoples, particularly with regards to the rights of life, violence and racial discrimination as well as land rights and capacity of government agencies.

- The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment recognized in 2016 that Brazil had made “significant progress on paper with regard to legislation, safeguards, prevention and institutional reform”. He noted, however, that implementation was lagging far behind, that torture and ill-treatment were frequent and that killings by police and by prison staff continued and were not isolated incidents. Germany would welcome information on how the government of Brazil intends to reduce the number of extrajudicial killings and how it intends to further improve and implement existing mechanisms for impartial investigations of incidents of torture, ill-treatment or police killings, taking into account the relevant recommendations made by the Special Rapporteur.
- Germany welcomes that Brazil’s National Report acknowledges as priorities the need to guarantee inmates’ rights and to adequately translate the UN Standard Minimum Rules for the Treatment of Prisoners (Mandela rules) into public policy. Given that its National Report also links the overcrowding of Brazilian prisons to the fact that 40% of the inmates are provisional prisoners, Germany would be grateful to learn how the government of Brazil intends to reduce its prison population and to counter the detected increase in the number of pre-trial detentions over the past decade, in particular if it intends to expand its Custody Hearings Program, which has so far been implemented only in state capitals and major cities, to the entire country and to all categories of crimes, as recommended by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment in his 2016 report.

## **MEXICO**

- What laws have been adopted to allow processes of consultations in all actions affecting indigenous peoples?
- What measures are envisaged to reduce incarceration rates? What actions are envisaged to reduce violence in detention centers?
- What measures have been adopted to identify and remove the obstacles in ensuring effective access to justice? Could you elaborate on the measures adopted since the previous cycle to guarantee access to justice without discrimination?
- What progress has been made in implementing the Convention on the Rights of Persons with Disabilities, particularly with regard to the exercise of their political rights?

## **NETHERLANDS**

Corporate Social Responsibility

- Could the Government of Brazil elaborate in detail on the mechanisms in place and any further measures it intends to take to ensure that human rights are respected in the execution of important infrastructure projects?
- Are human rights taken into account when providing lending facilities for companies?

#### Human Rights Defenders

- What measures have been taken by the Government of Brazil to promote the role of human rights defenders, through education and inclusion in decision-making, in particular amongst national authorities, law enforcement officials and security officers?
- Could you also elaborate on the progress made within national legislation to enable federal prosecution of serious human rights violations?

#### **NORWAY**

- The demand for land regulation and demarcation is continuously high, at the same time as land disputes have turned increasingly violent, directly affecting indigenous leaders and human rights defenders. Meanwhile, the governmental body responsible for carrying out indigenous land demarcations – FUNAI – has faced consecutive budget cuts. How is Brazil planning to speed up progress in regulation of indigenous lands?
- Norway considers the elaboration of the UPR Report an important activity to secure dialogue and transparency between all sectors of government and society. How was Brazil's report constructed, and how does the Brazilian government evaluate the level of participation process?

#### **SWEDEN**

- Could the Government of Brazil please elaborate on what steps have been taken since the last UPR cycle in order to tackle trafficking and sexual exploitation of women and children?
- Does the Government of Brazil have plans to update the list which blacklists companies using slave labour from loans and contracts? If not, could you please elaborate on why this is the not the case?

#### **UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

- In light of the high levels of violence, killings, and appalling conditions for prison inmates which have been widely documented, what concrete plans does the Federal Government of Brazil have to accelerate improvements to the prison estate and to implement policies to reduce levels of incarceration?
- What action does the Government plan to take to address modern slavery in Brazil, and in particular action against companies on the 'black list' found to be responsible for or complicit in modern slavery, in order to prevent future abuses?

- We would be grateful for more information regarding the budget for protection of human rights defenders over the coming years and specific plans to protect vulnerable groups living under threat of violence, including indigenous communities.
- We would welcome information on Brazil's plans to effectively enact and implement policies that prevent, criminalise and prosecute homophobic crimes, especially regarding transgender people.
- What further steps will Brazil take to reduce levels of violence against women and girls from the most vulnerable social groups?