



**Submission to the Universal Periodic Review of Brazil**  
Human Rights Watch

MARCH 2022

## **Summary**

1. Human Rights Watch submits the following information regarding Brazil's implementation of recommendations it accepted through its third Universal Periodic Review (UPR) as well as information about additional international human rights obligations and issues not addressed in the 2017 review.

2. The administration of President Jair Bolsonaro has not only failed to take measures to implement most UPR recommendations but has worsened human rights problems in Brazil.<sup>i</sup> President Bolsonaro has threatened democratic rule by trying to intimidate the Supreme Court, repeating baseless allegations of electoral fraud, and harassing reporters and critics. He has encouraged police violence and proposed legal changes that would make it harder to hold abusive officers accountable. His administration has weakened environmental law enforcement, effectively encouraging criminal groups that are driving the destruction of the Amazon and threaten and attack forest defenders. It opened the door to establishing segregated schools for certain children with disabilities and made it more difficult to access legal abortion. Those measures run counter many UPR recommendations, including 136.32, 55, 61-64, 121, 158-161, 179, 192, 210, 230.<sup>ii</sup>

3. Democratic institutions have stood up to some of Bolsonaro's anti-rights policies and taken decisions that furthered UPR recommendations. For instance, Congress ratified the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.<sup>iii</sup> The Supreme Court ordered the Rio de Janeiro state government to draft a plan to curb police killings and mandated house arrest instead of pretrial detention for pregnant women and parents who have sole responsibility for children under 12 or for people with disabilities—except for those charged with certain crimes.<sup>iv</sup>

## **Threats to Democratic Rule**

4. President Bolsonaro has threatened democratic rule. He sought to discredit Brazil's electoral system, making unproven claims of electoral fraud.<sup>v</sup> He signaled on several occasions in 2021 that he might try to cancel elections unless the voting system was changed.<sup>vi</sup>

5. President Bolsonaro harassed and tried to intimidate the Supreme Court repeatedly in 2021. The Court is overseeing criminal investigations into his conduct, including whether he interfered with federal police appointments to further his personal interests.<sup>vii</sup> He threatened to respond to a Supreme Court investigation with actions "not within the bounds of the Constitution."<sup>viii</sup> He also said he would not abide by decisions by a Supreme Court Justice and asked the Senate to impeach the Justice (the Senate president rejected the request.)<sup>ix</sup>

6. President Bolsonaro has repeatedly defended Brazil's military dictatorship (1964-1985).<sup>x</sup> He opposed the National Truth Commission, which documented

hundreds of cases of torture, killings, and enforced disappearances by state agents.<sup>xi</sup> The perpetrators have largely been shielded from justice by a 1979 amnesty law that was upheld by the Supreme Court in 2010 in a decision that the Inter-American Court of Human Rights quickly ruled was a violation of Brazil's obligations under international law.<sup>xii</sup>

#### Recommendations:

- Respect judicial independence, uphold the right to vote, and respect election results. Refrain from disseminating baseless claims of fraud that undermine trust in the electoral system.
- Ensure that those responsible for grave human rights abuses committed during the military dictatorship are brought to justice.

### **Free Speech and Transparency**

7. The Bolsonaro administration used the military-era National Security Law and the Penal Code to pursue criminal investigations against at least 17 critics.<sup>xiii</sup> Although many cases have been closed, such actions send the message that criticism can lead to retaliation and may cause self-censorship. In August 2021, Congress revoked the National Security law, but it has not revoked Penal Code provisions that punish defamation with prison terms and chill free speech.<sup>xiv</sup>

8. President Bolsonaro harassed and insulted the media and individual reporters almost 200 times between January 2020 and June 2021, Reporters without Borders, a nongovernmental organization (NGO), reported.<sup>xv</sup> In addition, he routinely blocks critics on the social media accounts he uses to discuss matters of public interest, violating their free speech rights.<sup>xvi</sup>

9. In February 2021, the Ministry of Women, Family and Human Rights created a working group—without participation from Congress, judicial authorities, or civil society—to propose changes to the National Human Rights Program, the most important instrument of human rights policy in Brazil.<sup>xvii</sup> The ministry told Human Rights Watch in September 2021 that it could not provide information about the group's discussions because they were secret.<sup>xviii</sup> International human rights law requires governments to give the public access to information, including by placing information of public interest in the public domain. Governments are obliged to consult with affected communities whenever a decision-making process may substantially affect their way of life and culture.<sup>xix</sup>

#### Recommendations

- Protect freedom of expression and freedom of the press. Refrain from blocking critics on social media accounts used by senior officials to discuss matters of public interest.
- Revoke criminal defamation provisions in the Penal Code.

- Include significant civil society representation in any review of human rights policies and consult with organizations made up of Indigenous people, people with disabilities, LGBT people, persons of African descent, women, and other affected communities whenever a decision-making process may substantially affect them.

## **Public Security and Police Conduct**

10. Brazil accepted a UPR recommendation to provide human rights training to police with the objective of reducing police killings by 10 percent over the UPR cycle, from 2017 to 2022 (136.32-34). Yet, police killings soared 24 percent from 2017 to 2020—the last year for which data is available.<sup>xx</sup>

11. Police officers killed more than 6,400 people in 2020, the highest number ever recorded by the nonprofit Brazilian Forum of Public Security, which has compiled official state data since 2013.<sup>xxi</sup> While 57 percent of Brazil’s population is Black, almost 80 percent of the victims of police killings were Black in 2020, which shows the disproportionate impact of the use of lethal force.<sup>xxii</sup>

12. Human Rights Watch research over many years, including interviews with police officers, shows that when it comes to the use of lethal force by police, there are, in effect, two sets of rules: one in middle- and upper-class neighborhoods to shoot only in self-defense and one in poor communities, which are predominantly Black, to shoot first and ask questions later.<sup>xxiii</sup> Police abuses make communities distrust and reduce their cooperation with police. They contribute to a cycle of violence that undermines public security and endangers the lives of civilians and police alike.<sup>xxiv</sup>

13. In Rio de Janeiro state, where the problem of police abuse is particularly dire, the Supreme Court has restricted police operations in impoverished neighborhoods during the Covid-19 pandemic to only “exceptional cases.”<sup>xxv</sup> Despite the ruling, Rio police killed 1,354 people in 2021.<sup>xxvi</sup> On February 3, 2022, the Supreme Court ordered Rio de Janeiro to draft a plan to curb police killings.<sup>xxvii</sup>

14. Police abuses continue in large part because of impunity. Brazil has failed to comply with UPR recommendations to promptly investigate and prosecute acts of violence by security forces (136.61-64, 70-71). A 2021 study by the Brazilian Forum of Public Security shows that, in 2016, prosecutors decided on 316 cases of police killings in the cities of São Paulo and Rio de Janeiro: they closed 286 and pressed charges in just 30.<sup>xxviii</sup> A 2017 inquiry by the Rio Legislative Assembly found that 98 percent of investigations into police killings from 2010 to 2015 had been closed without any charges.<sup>xxix</sup>

15. In 2017, the Inter-American Court of Human Rights ruled that Brazil should publish an official report including data on deaths caused by police and updated

information about the status of the investigations.<sup>xxx</sup> To date, Brazil has not published such report.

16. Human Rights Watch has documented serious failures in the investigations of about 80 killings by law enforcement agents in Rio de Janeiro in recent years.<sup>xxxii</sup> We have documented police practices to cover up illegal use of lethal force, such as the removal of victims' clothing, planting false evidence, intimidating witnesses, and taking the bodies of victims to the hospital claiming they were merely injured, as a ruse to destroy crime scene evidence. Human Rights Watch has also documented scores of cases in which police investigators failed to examine the crime scene, interview witnesses, properly question police officers involved in shootings, and conduct adequate autopsies.

17. In Brazil, police killings by both military and civil police are investigated by civil police, a system that does not guarantee the necessary independence of police investigators. In 2017, the Inter-American Court found glaring failures in the civil police investigation into 26 killings committed during two civil police operations in a low-income neighborhood in Rio in 1994 and 1995.<sup>xxxii</sup> The court ordered Brazil to ensure that killings, torture, and other abuses by police are investigated by "an independent body, different from the public force involved in the incident, such as a judicial authority or the Public Prosecutor's Office, assisted by police, forensic and administrative personnel outside the security agency to which the possible suspects belong."

18. In 2020, a Supreme Court justice concluded that civil police investigations of police abuses do not meet the "requirement of impartiality, required by international human rights treaties," and ordered the Rio de Janeiro Prosecutor's Office to conduct its own investigations in cases of suspected police misconduct.<sup>xxxiii</sup> The full Supreme Court said in February 2022 that "endangering or even harming someone's life will only be admissible if, after a thorough impartial investigation, carried out by the Public Prosecutor's Office, it is concluded that it was an action that was necessary to protect exclusively life and not anything else from an imminent and concrete threat."<sup>xxxiv</sup>

19. Further steps should be taken to implement recommendations about reducing police killings and ensuring accountability for abuses (136.32, 59, 61-64, 70-71, 98).

#### Recommendations:

- Develop a plan to curb police killings nationwide.
- Adopt specific protocols to investigate police abuse cases that comply with the United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, known as the Minnesota Protocol, and other international standards.
- Have prosecutors investigate all cases of killings and suspected abuse by police, instead of having police forces investigate those cases themselves, starting with cases involving civil police.

- Create prosecutorial units that specialize in investigating and prosecuting police abuse.

## **Persons with Disabilities**

20. In its last UPR review, Brazil supported all recommendations upholding the rights of persons with disabilities (136.207, 209-216), including by agreeing that they shall enjoy an adequate standard of living.<sup>xxxv</sup> Yet, Human Rights Watch research between 2016 and 2018 found that thousands of children and adults with disabilities lived in institutions, where they were isolated from society, had little more than their most basic needs met, and lacked any meaningful control over their lives.<sup>xxxvi</sup> Some spend their whole lives there.

21. People living in those institutions can face a range of abuses, including being shackled or restrained to beds, overcrowding, neglect, lack of privacy, and denial of education. Children with disabilities, often needlessly separated from their families due to lack of community support, face serious consequences in terms of physical, intellectual, and emotional development as a result of long-term placement in institutions.

22. The National Council for Prosecutors took a major step forward in April 2021 by requiring that prosecutors conduct annual inspections of institutions for adults with disabilities and that they take legal action against institutions for abuses. However, this resolution does not cover institutions for people with disabilities managed by the public health system.<sup>xxxvii</sup>

23. In 2020, the Bolsonaro administration issued a new national policy that appeared aimed at establishing segregated schools for certain people with disabilities, despite their right to an inclusive education.<sup>xxxviii</sup>

24. Further steps should be taken to implement recommendations to uphold the rights of people with disabilities (136.209-210, 212-214).

### Recommendations:

- Develop a plan to phase out the use of institutions for people with disabilities and develop community-based services for them and their families, with consideration of a gender perspective.
- End abuses against people with disabilities living in institutions, including restraints or shackling used as punishment, control, retaliation or as a measure of convenience for staff; medication without consent and without clear medical purpose; and neglect. Ensure accessible complaint mechanisms.
- Revoke the policy that opens the door to segregated schools for people with certain types of disabilities.

## **Environmental and Indigenous Rights**

25. Brazil accepted UPR recommendations on reducing Amazon deforestation, but instead deforestation has accelerated. Between August 2020 and July 2021, 13,235 square kilometers of Amazon rainforest were clear-cut—the largest area since 2006.<sup>xxxix</sup>

26. The Bolsonaro administration has undercut environmental agencies by weakening the enforcement of environmental law, removing experienced environmental law enforcement agents from leading operations, and making public statements lambasting the work of those agencies.<sup>xi</sup> Those measures have effectively given a green light to criminal networks that drive the destruction of the forest.

27. Those criminal networks use threats and violence against whomever stands in their way in a climate of impunity. In 2019, Human Rights Watch documented 28 killings and four attempted killings allegedly committed by people involved in illegal deforestation, of which only two had gone to trial.<sup>xli</sup>

28. After extracting valuable timber, criminal groups often set remaining vegetation ablaze to clear land for pasture or land speculation. A study by Human Rights Watch, the Institute for Health Policy Studies (IEPS), and the Amazon Environmental Research Institute (IPAM) found that millions of people were exposed to harmful levels of air pollution due to the fires in the Amazon in 2019, resulting in an estimated 2,195 hospitalizations.<sup>xlii</sup>

29. The Bolsonaro administration has not demarcated a single Indigenous territory since it took office, even though it is obligated to do so under Brazil's Constitution.<sup>xliii</sup> Moreover, the government has promoted bills that would make it harder for Indigenous peoples to claim their traditional lands<sup>xliv</sup> and would open Indigenous territories to mining and other projects with high environmental impact.<sup>xlv</sup>

30. Further steps should be taken to implement recommendations about reducing deforestation and upholding Indigenous rights (136.55, 112, 222-228, 230, 236-242).

### **Recommendations**

- Produce a plan with concrete steps and measurable targets to dramatically reduce deforestation, protect forest defenders, and prosecute environmental crimes and related acts of violence.
- Resume demarcation of Indigenous territories and reject bills that would curtail the rights of Indigenous people to their traditional lands and resources.

## **Women's and Girls' Rights**

31. Brazil accepted recommendations urging action to curb gender-based violence, but such violence continues to be a widespread problem. In 2020, more than one million

cases of domestic violence and about 5,500 cases of femicide—defined under Brazilian law as the killing of women “on account of being persons of the female sex”—were pending before the courts.<sup>xlvi</sup>

32. Brazil’s abortion laws are incompatible with its human rights obligations by permitting the procedure only in cases of rape, to save a woman’s life, or when the fetus has anencephaly, a condition that makes survival difficult.<sup>xlvii</sup> Women and girls who have unsafe and illegal abortions not only risk injury and death but face up to three years in prison, while people who perform illegal abortions face up to four years in prison.<sup>xlviii</sup>

33. Brazil accepted recommendations to expand access to voluntary termination of pregnancy (136.158-161). Instead, in 2020 the Bolsonaro administration issued a regulation that threatens the rights to life, health, privacy and confidentiality of medical information by requiring medical personnel to provide police with information about rape survivors who sought to terminate pregnancies.<sup>xliv</sup>

34. The Bolsonaro administration has failed to ensure that sexual and reproductive health services are continued without interruptions during the Covid-19 pandemic.<sup>l</sup> In 2020, the Ministry of Health removed two public servants from leadership positions after they signed a technical note recommending that authorities maintain sexual and reproductive health services during the pandemic, including “safe abortion in the cases permitted by Brazilian law.”<sup>li</sup> In 2020, only 42 hospitals—in a country of 212 million people—were performing legal abortions, the non-profit Article 19 and the news websites AzMina and Gênero e Número reported, compared to 76 in 2019.<sup>lii</sup>

35. In 2021, the Health Ministry issued a regulation allowing telemedicine during the pandemic, but in a later “informative note,” it called on health providers to exclude abortion care.<sup>liii</sup>

36. The Bolsonaro administration has opposed references to “sexual and reproductive” rights and “sexuality education” in UN resolutions.<sup>liv</sup>

37. Further steps should be taken to implement recommendations about tackling gender-based violence and defending sexual and reproductive rights (136.158-161, 178-181, 183-188, 190-195).

#### Recommendations:

- Reduce barriers for women and girls to access justice, including by improving police training about gender-based violence and developing detailed protocols for police in responding to these cases.
- Ensure access to safe and legal abortion care for everyone eligible under the law. Revoke the Health Ministry regulation that requires medical personnel to provide police with information about rape survivors and withdraw the

informative note that asks health providers to exclude abortion care from telemedicine

- Decriminalize abortion.

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<sup>i</sup> See the chapter on Brazil available at Human Rights Watch World Report 2022, available at <https://www.hrw.org/world-report/2022/country-chapters/brazil> (accessed March 7, 2022).

<sup>ii</sup> All paragraph cites are to United Nations General Assembly, Human Rights Council, Report of the Working Group on the Universal Periodic Review: Brazil, A/HRC/36/11 (July 2017).

<sup>iii</sup> OAS, “Brazil Ratified at the OAS the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance,” May 28, 2021, [https://www.oas.org/en/media\\_center/phonews.asp?sCodigo=FNE-100862](https://www.oas.org/en/media_center/phonews.asp?sCodigo=FNE-100862) (accessed March 8, 2022).

<sup>iv</sup> Andrea Carvalho, “Pregnant Women Will No Longer Await Trial in Brazilian Jails,” Human Rights Watch, February 23, 2018, <https://www.hrw.org/news/2018/02/23/pregnant-women-will-no-longer-await-trial-brazilian-jails> (accessed March 8, 2022); Human Rights Watch, “Brazil: Mothers at Risk of Illegal Detention,” May 10, 2019, <https://www.hrw.org/news/2019/05/10/brazil-mothers-risk-illegal-detention> (accessed March 8, 2022); Fernanda Valente, “2ª Turma do STF amplia domiciliar a presos responsáveis por crianças e deficientes,” Conjur, October 20, 2020, <https://www.conjur.com.br/2020-out-20/turma-stf-amplia-domiciliar-presos-responsaveis-criancas> (accessed March 15, 2022).

<sup>v</sup> “Brazil: Bolsonaro Threatens Democratic Rule,” Human Rights Watch, September 15, 2021, <https://www.hrw.org/news/2021/09/15/brazil-bolsonaro-threatens-democratic-rule> (accessed March 7, 2022); Human Rights Watch, “Brazil: Protect Voting, Speech Rights,” January 13, 2022, <https://www.hrw.org/news/2022/01/13/brazil-protect-voting-speech-rights> (accessed March 7, 2022).

<sup>vi</sup> See, for example: Diane Jeantet, “Brazil’s Bolsonaro warns 2022 vote will be clean or canceled,” Associated Press, July 8, 2021, <https://apnews.com/article/caribbean-brazil-1c789f876515a64aa67f918f0d8d5fff> (accessed March 8, 2022); Gabrielle Varela, Gabriela Coelho and Renato Barcellos, “‘Sem eleição limpa, não haverá eleição’, diz Bolsonaro em nova ameaça sobre 2022,” CNN, August 1, 2021, <https://www.cnnbrasil.com.br/politica/sem-eleicao-limpa-nao-havera-eleicao-diz-bolsonaro-em-nova-ameaca-sobre-2022/> (accessed March 7, 2022); and “Brazil’s Bolsonaro: Only God will remove me from power,” BBC, September 8, 2021, <https://www.bbc.com/news/world-latin-america-58479028>. Congress examined proposals he promoted and rejected them “Brazil Congress votes down Bolsonaro proposal to change voting system,” Reuters, August 10, 2021, <https://www.reuters.com/world/americas/brazil-congress-votes-down-bolsonaro-proposal-change-voting-system-2021-08-11/> (accessed March 8, 2022).

<sup>vii</sup> “Brazil: Bolsonaro Threatens Democratic Rule,” Human Rights Watch, September 15, 2021, <https://www.hrw.org/news/2021/09/15/brazil-bolsonaro-threatens-democratic-rule> (accessed March 7, 2022).

<sup>viii</sup> Pedro Fonseca, “Brazil’s Bolsonaro rages against probe, threatens to act beyond constitution,” Reuters, August 4, 2021, <https://www.reuters.com/world/americas/brazils-bolsonaro-rages-against-probe-threatens-act-beyond-constitution-2021-08-05/> (accessed March 8, 2022).

<sup>ix</sup> Débora Álvares and David Biller, “At Brazil rallies, Bolsonaro deepens rift with Supreme Court,” Associated Press, September 7, 2021, <https://apnews.com/article/lifestyle-donald-trump-courts-coronavirus-pandemic-brazil-e1545240e57ecb4d2257a7ba6bc689c9> (accessed

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<sup>x</sup> Alfredo Mergulhão e Rodrigo Castro, “Oito vezes em que Bolsonaro defendeu o golpe de 64,” O Globo, March 31, 2021, <https://oglobo.globo.com/epoca/brasil/oito-vezes-em-que-bolsonaro-defendeu-golpe-de-64-24949762> (accessed March 8, 2022).

<sup>xi</sup> Guilherme Mazui, “Você acredita em Comissão da Verdade?”, diz Bolsonaro sobre mortes na ditadura,” G1, July 7, 2019, <https://g1.globo.com/politica/noticia/2019/07/30/acredita-em-comissao-da-verdade-diz-bolsonaro-ao-falar-sobre-morte-de-pai-de-presidente-da-oab.ghtml> (accessed March 11, 2022); “Bolsonaro publica vídeo de 2014 em que chama Comissão da Verdade de ‘cafetina’,” Poder 360, August 8, 2019, <https://www.poder360.com.br/governo/bolsonaro-publica-video-de-2014-em-que-chama-comissao-da-verdade-de-cafetina/> (accessed March 11, 2022).

<sup>xii</sup> But in June 2021, in a case involving the enforced disappearance of a naval officer who opposed the 1964 coup, a judge issued the first criminal conviction of an agent of the dictatorship, ruling that kidnapping is not subject to the amnesty law. See: Daniel Wilkinson, “No Justice for Horrors of Brazil’s Military Dictatorship 50 Years On,” Human Rights Watch, December 13, 2018, <https://www.hrw.org/news/2018/12/13/no-justice-horrors-brazils-military-dictatorship-50-years> (accessed March 11, 2022.); and Maria Laura Canineu, “First Conviction for Dictatorship Crimes in Brazil,” Human Rights Watch, June 22, 2021, <https://www.hrw.org/news/2021/06/22/first-conviction-dictatorship-crimes-brazil> (accessed March 11, 2022).

<sup>xiii</sup> “Brazil: Crackdown on Critics of Covid-19 Response,” Human Rights Watch, January 28, 2021, <https://www.hrw.org/news/2021/01/28/brazil-crackdown-critics-covid-19-response> (accessed March 3, 2022).

<sup>xiv</sup> Washington Luiz, “Senado aprova projeto que revoga Lei de Segurança Nacional, resquício da ditadura,” Folha de São Paulo, August 10, 2021, <https://www1.folha.uol.com.br/poder/2021/08/senado-aprova-texto-base-de-projeto-que-revoga-lei-de-seguranca-nacional.shtml> (accessed March 3, 2022).

<sup>xv</sup> President Jair Bolsonaro targeted the media 103 times in 2020 and 87 times in the first half of 2021, according to the non-profit Reporters Without Borders. See: “RSF tallied 580 attacks against media in Brazil in 2020,” Reporters Without Borders, January 25, 2021, <https://rsf.org/en/reports/rsf-tallied-580-attacks-against-media-brazil-2020>; and “Bolsonaro family vents more anger than ever on Brazil’s media,” Reporters Without Borders, July 27, 2021, <https://rsf.org/en/reports/bolsonaro-family-vents-more-anger-ever-brazils-media> (accessed March 3, 2022).

<sup>xvi</sup> Human Rights Watch, “Brazil: Bolsonaro Blocks Critics on Social Media,” August 19, 2021, <https://www.hrw.org/news/2021/08/19/brazil-bolsonaro-blocks-critics-social-media> (accessed March 7, 2022).

<sup>xvii</sup> Human Rights Watch, “Brazil: Secret Process to Change Human Rights Policy,” February 15, 2021, <https://www.hrw.org/news/2021/02/15/brazil-secret-process-change-human-rights-policy> (accessed March 7, 2022); “Brazil: Secret Review of Key Human Rights Policy,” Human Rights Watch, October 29, 2021, <https://www.hrw.org/news/2021/10/29/brazil-secret-review-key-human-rights-policy> (accessed March 7, 2022).

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xviii Ibid.

xix “Brazil: Secret Review of Key Human Rights Policy,” Human Rights Watch, October 29, 2021, <https://www.hrw.org/news/2021/10/29/brazil-secret-review-key-human-rights-policy> (accessed March 7, 2022).

xx Fórum Brasileiro de Segurança Pública, “Anuário Brasileiro de Segurança Pública 2021,” July 2021, <https://forumseguranca.org.br/wp-content/uploads/2021/10/anuario-15-completo-v7-251021.pdf> (accessed March 7, 2022).

xxi Ibid, pp. 59.

xxii Ibid., pp. 39.

xxiii César Muñoz, “From Rio, a Cautionary Tale on Police Violence,” August 15, 2021, <https://www.hrw.org/news/2021/08/15/rio-cautionary-tale-police-violence> (accessed March 7, 2022).

xxiv Human Rights Watch, “Good Cops Are Afraid: The Toll of Unchecked Police Violence in Rio de Janeiro,” July 7, 2016, <https://www.hrw.org/report/2016/07/07/good-cops-are-afraid/toll-unchecked-police-violence-rio-de-janeiro> (accessed March 7, 2022).

xxv “Brazil’s Supreme Court halts police raids in Rio’s favelas during pandemic,” Reuters, June 5, 2020, <https://www.reuters.com/article/us-health-coronavirus-brazil-police-idUSKBN23D000> (accessed March 7, 2022).

xxvi For number of killings by police in Rio de Janeiro, see database from Rio de Janeiro’s Public Security Institute at [www.ispvisualizacao.rj.gov.br](http://www.ispvisualizacao.rj.gov.br). Human Rights Watch (accessed March 7, 2022).

xxvii César Muñoz, “Brazil’s Supreme Court Orders Plan to Reform Rio de Janeiro Police,” Human Rights Watch, March 2, 2022, <https://www.hrw.org/news/2022/03/02/brazils-supreme-court-orders-plan-reform-rio-de-janeiro-police> (accessed March 7, 2022).

xxviii Leonardo Martins and Lola Ferreira, “MP pede arquivamento de 90% de mortes cometidas por policiais em SP e Rio,” UOL, November 12, 2021, <https://noticias.uol.com.br/cotidiano/ultimas-noticias/2021/11/12/denuncias-e-arquivamentos-mortes-policiais-rj-sp.htm> (accessed March 8, 2022).

xxix “Relatório final da CPI dos Autos de Resistência da Alerj é aprovado,” G1 Rio, July 28, 2017, <http://g1.globo.com/rio-de-janeiro/noticia/2016/07/relatorio-final-da-cpi-dos-autos-de-resistencia-da-alerj-e-aprovado.html> (accessed April 5, 2021).

xxx The ruling was issued in the Nova Brasília case, a police violence case in Rio de Janeiro on which Human Rights Watch was one of the initial petitioners. See: I/A Court H.R., Case of Favela Nova Brasília v. Brazil. Preliminary Objections, Merits, Reparations and Costs. Judgment of February 16, 2017. Series C No. 333.,

[https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_333\\_por.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_333_por.pdf) (accessed March 11, 2022), pp 89.

xxxi See some examples of our research: Human Rights Watch, “Lethal Force: Police violence and public security in Rio de Janeiro and São Paulo”, December 4, 2009, <https://www.hrw.org/sites/default/files/reports/brazil1209webwcover.pdf> (accessed April 5, 2021); Human Rights Watch, ““Good Cops Are Afraid’: The Toll of Unchecked Police Violence in Rio de Janeiro”, July 7, 2016, <https://www.hrw.org/report/2016/07/07/good-cops-are-afraid/toll-unchecked-police-violence-rio-de-janeiro> (accessed April 5, 2021); “Brazil: Possible Evidence Tampering in Police Killings”, February 3, 2020, <https://www.hrw.org/news/2020/02/03/brazil-possible-evidence-tampering-police-killings> (accessed April 5, 2021).

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<sup>xxxiii</sup> Brazil's Supreme Court, ADPF

635, <http://portal.stf.jus.br/processos/detalhe.asp?incidente=5816502> (accessed April 5, 2021).

<sup>xxxiv</sup> Ibid.

<sup>xxxv</sup> UN Human Rights Council (UNHRC), Report of the Working Group on the Universal Periodic Review: Brazil, A/HRC/36/11, July 18, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/194/15/PDF/G1719415.pdf> (accessed March 1, 2022); Report of the Working Group on the Universal Periodic Review: Brazil – Addendum, A/HRC/36/11/Add.1, September 6, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/259/78/PDF/G1725978.pdf> (accessed March 1, 2022).

<sup>xxxvi</sup> Human Rights Watch, “They Stay Until They Die: A Lifetime of Isolation and Neglect in Institutions for People with Disabilities in Brazil,” May 2018, [https://www.hrw.org/sites/default/files/report\\_pdf/brazil0518\\_web2.pdf](https://www.hrw.org/sites/default/files/report_pdf/brazil0518_web2.pdf), pp. 1-2.

<sup>xxxvii</sup> Carlos Ríos Espinosa and Maria Laura Canineu, “High-level Commitment in Brazil to Protect People with Disabilities,” commentary, Human Rights Watch Dispatch, April 28, 2021, <https://www.hrw.org/news/2021/04/28/high-level-commitment-brazil-protect-people-disabilities>.

<sup>xxxviii</sup> Carlos Ríos Espinosa and Renata Escudero, “Inclusive Education is at Risk in Brazil,” Human Rights Watch, August 26, 2021, <https://www.hrw.org/news/2021/08/26/inclusive-education-risk-brazil> (accessed March 11, 2022).

<sup>xxxix</sup> National Space Research Agency (INPE), “Estimativa de desmatamento por corte raso na Amazônia Legal para 2021 é de 13.235 km<sup>2</sup>,” November 19, 2021, [www.obt.inpe.br/OBT/noticias-obt-inpe/estimativa-de-desmatamento-por-corte-raso-na-amazonia-legal-para-2021-e-de-13-235-km2](http://www.obt.inpe.br/OBT/noticias-obt-inpe/estimativa-de-desmatamento-por-corte-raso-na-amazonia-legal-para-2021-e-de-13-235-km2) (accessed March 8, 2022).

<sup>xl</sup> Human Rights Watch, “Rainforest Mafias How Violence and Impunity Fuel Deforestation in Brazil’s Amazon,” September 17, 2019, <https://www.hrw.org/report/2019/09/17/rainforest-mafias/how-violence-and-impunity-fuel-deforestation-brazils-amazon> (accessed March 8, 2022); Human Rights Watch, “Brazil: Amazon Penalties Suspended Since October,” May 20, 2020, <https://www.hrw.org/news/2020/05/20/brazil-amazon-penalties-suspended-october> (accessed March 8, 2022); Human Rights Watch, “Letter on the Amazon and its Defenders to the Organisation for Economic Cooperation and Development (OECD),” January 27, 2021, <https://www.hrw.org/news/2021/02/06/letter-amazon-and-its-defenders-organisation-economic-cooperation-and-development> (accessed March 8, 2022); and Vinicius Sassine, “Ibama aponta risco de prescrição de 5.000 infrações ambientais lavradas na gestão Bolsonaro,” Folha de São Paulo, March 13, 2022, <https://www1.folha.uol.com.br/ambiente/2022/03/ibama-aponta-risco-de-prescricao-de-5000-infracoes-ambientais-lavradas-na-gestao-bolsonaro.shtml> (accessed March 15, 2022).

<sup>xli</sup> The non-profit Pastoral Land Commission compiled a list of more than 300 killings from 2009 to 2018 in the context of conflicts over the use of land and resources in the Amazon. Of those, only 14 had gone to trial as of 2019. See: Human Rights Watch, “Rainforest Mafias How Violence and Impunity Fuel Deforestation in Brazil’s Amazon,” September 17, 2019, <https://www.hrw.org/report/2019/09/17/rainforest-mafias/how-violence-and-impunity-fuel-deforestation-brazils-amazon> (accessed March 8, 2022).

<sup>xlii</sup> Human Rights Watch, “The Air is Unbearable: Health Impacts of Deforestation-Related Fires in the Brazilian Amazon,” August 26, 2020, <https://www.hrw.org/report/2020/08/26/air->

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[unbearable/health-impacts-deforestation-related-fires-brazilian-amazon](#) (accessed March 8, 2022).

<sup>xliii</sup> Brazil's Constitution, October 5, 1988, article 231, available at [http://www.planalto.gov.br/ccivil\\_03/constituicao/constituicao.htm](http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm) (accessed March 8, 2022).

<sup>xliv</sup> Human Rights Watch, "Brazil: Reject Anti-Indigenous Rights Bill," August 24, 2021, <https://www.hrw.org/news/2021/08/24/brazil-reject-anti-indigenous-rights-bill> (accessed March 8, 2022).

<sup>xlv</sup> Meanwhile, logging, land grabbing, and other illegal incursions in Indigenous lands increased by 137 percent in 2020, compared with the year before President Bolsonaro took office, according to the Indigenist Missionary Council, a non-profit organization with offices across Brazil. The area occupied by mining also grew five-fold from 2010 to 2020, the NGO Map Biomas also reported. "Wildcat" miners have acted with violence to pursue their business in Yanomami, Munduruku, and other Indigenous territories. See: Conselho Indigenista Missionário, "Amidst the pandemic, invasions of indigenous lands and killings of indigenous peoples increased in 2020," October 28, 2021, <https://cimi.org.br/2021/10/amidst-pandemic-invasions-indigenous-lands-killings-indigenous-people-increased-2020/> (accessed March 8, 2022); MapBiomas, "Area occupied by mining in Brazil grows more than 6 times between 1985 and 2020," August 2021, [https://mapbiomas.org/en/area-ocupada-pela-mineracao-no-brasil-cresce-mais-de-6-vezes-entre-1985-e-2020?cama\\_set\\_language=en](https://mapbiomas.org/en/area-ocupada-pela-mineracao-no-brasil-cresce-mais-de-6-vezes-entre-1985-e-2020?cama_set_language=en) (accessed March 8, 2022); Human Rights Watch, "Brazil: Remove Miners from Indigenous Amazon Territory," April 12, 2021, <https://www.hrw.org/news/2021/04/12/brazil-remove-miners-indigenous-amazon-territory> (accessed March 8, 2022); and Andrea Carvalho and Maria Laura Canineu, "Bolsonaro's Plan to Legalize Crimes Against Indigenous Peoples," Human Rights Watch, March 1, 2020, <https://www.hrw.org/news/2020/03/01/bolsonaros-plan-legalize-crimes-against-indigenous-peoples> (accessed March 8, 2022).

<sup>xlvi</sup> Conselho Nacional de Justiça (CNJ), "Monitoramento da Política Judiciária Nacional de Enfrentamento à Violência contra as Mulheres," [https://paineis.cnj.jus.br/QvAJAXZfc/opendoc.htm?document=qvw\\_1%5Cpainelcnj.qvw&host=QVS%40neodimio03&anonymous=true&sheet=shIGLMapa](https://paineis.cnj.jus.br/QvAJAXZfc/opendoc.htm?document=qvw_1%5Cpainelcnj.qvw&host=QVS%40neodimio03&anonymous=true&sheet=shIGLMapa) (accessed March 4, 2022). The nonprofit Brazilian Forum of Public Security reported that attacks against women resulting in injuries filed at police stations fell 7 percent in 2020, while calls to a police hotline to report domestic violence increased 16 percent, suggesting women may have had difficulty going to police stations during the Covid-19 pandemic. Fórum Brasileiro de Segurança Pública, "Anuário Brasileiro de Segurança Pública 2021," July 2021, <https://forumseguranca.org.br/wp-content/uploads/2021/10/anuario-15-completo-v7-251021.pdf> (accessed March 7, 2022).

<sup>xlvii</sup> Human Rights Watch, "Brazil: Decriminalize Abortion," July 31, 2018, <https://www.hrw.org/news/2018/07/31/brazil-decriminalize-abortion> (accessed March 7, 2022).

<sup>xlviii</sup> A case filed before the Supreme Court to ensure that pregnant women infected by Zika could have legal access to abortion was rejected and another challenging the criminalization of abortion in Brazil in the first 12 weeks of pregnancy is pending. Human Rights Watch, "Brazil: Decriminalize Abortion," July 31, 2018, <https://www.hrw.org/news/2018/07/31/brazil-decriminalize-abortion> (accessed March 7, 2022); Ximena Casas, "New Zika Cases in Brazil Overshadowed by Covid-19," May 28, 2020, <https://www.hrw.org/news/2020/05/28/new-zika-cases-brazil-overshadowed-covid-19> (accessed March 7, 2022).

<sup>xlix</sup> The regulation also originally required doctors to offer to show rape survivors the fetus through an ultrasound exam, a requirement seemingly designed to discourage them from

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having an abortion. The Ministry removed that provision, after criticism. Human Rights Watch, “Brazil: Revoke Regulation Curtailing Abortion Access,” September 21, 2020, <https://www.hrw.org/news/2020/09/21/brazil-revoke-regulation-curtailling-abortion-access> (accessed March 7, 2022).

<sup>i</sup> Human Rights Watch, “Submission to the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) on Brazil,” October 21, 2020, <https://www.hrw.org/news/2020/10/21/submission-committee-elimination-all-forms-discrimination-against-women-cedaw-0> (accessed March 7, 2022).

<sup>ii</sup> Human Rights Watch, “Brazil: Protect Sexual, Reproductive Rights in Pandemic,” June 12, 2020, <https://www.hrw.org/news/2020/06/12/brazil-protect-sexual-reproductive-rights-pandemic> (accessed March 7, 2022).

<sup>iii</sup> Article 19, “Atualização no Mapa Aborto Legal indica queda em hospitais que seguem realizando o serviço durante pandemia” June 2, 2020, <https://artigo19.org/blog/2020/06/02/atualizacao-no-mapa-aborto-legal-indica-queda-em-hospitais-que-seguem-realizando-o-servico-durante-pandemia/> (accessed October 6, 2020).

<sup>iiii</sup> Ministério da Saúde, “Procedimento de aborto não pode ser feito por telemedicina,” June 7, 2021, <https://aps.saude.gov.br/noticia/12596> (accessed October 6, 2020).

<sup>liv</sup> For instance, by resisting a UN resolution—which nevertheless passed in July 2020—Brazil opposed affirming the rights to universal access to “sexuality education,” “safe abortion where not against national law,” and “post-abortion care.” See: Jamil Chade, “Itamaraty coloca telegramas sobre aborto e gênero em sigilo até 2025,” September 11, 2020, <https://noticias.uol.com.br/colunas/jamil-chade/2020/09/11/itamaraty-coloca-telegramas-sobre-aborto-e-genero-em-sigilo-ate-2025.htm> (accessed March 7, 2022).