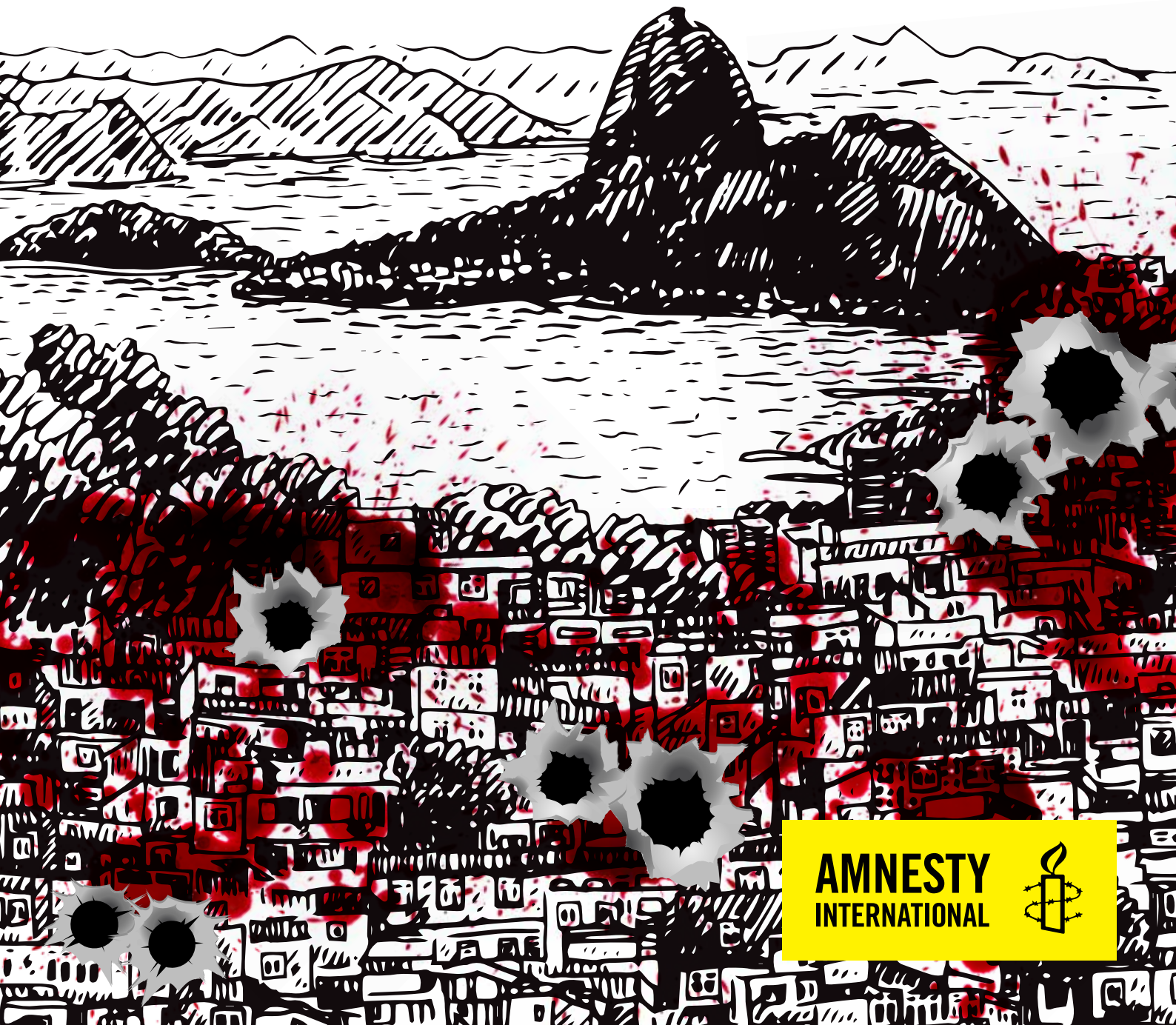


A LEGACY OF VIOLENCE

**KILLINGS BY POLICE AND
REPRESSION OF PROTESTS
AT THE RIO 2016 OLYMPICS**



**AMNESTY
INTERNATIONAL**



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Military Police arriving at the Olympic Games opening protest near Maracanã Stadium, Rio de Janeiro, 2016.



Security operation during the Olympic Games, Rio de Janeiro, 2016.

A “NEW WORLD”? RIO 2016’S LEGACY OF VIOLENCE AND HUMAN RIGHTS VIOLATIONS

“It is what the Olympic movement is all about – changing the world for the better”. *Thomas Bach, president of the International Olympic Committee (IOC)*¹

¹ <https://www.rio2016.com/en/news/a-new-world-rio-2016-unveils-official-olympic-slogan>

The official slogan for the Rio 2016 Olympic Games was “A New World”. Organizers said it has been inspired by “new looks, new heroes, and the transformational power of sports”.

Among all the glitz and fanfare, however, there was nothing new regarding the pattern of human rights violations committed by Rio de Janeiro’s police and other security forces deployed in the city to undertake security operations during the Games.

Despite alerts by civil society organizations to the increased risks of human rights violations in the context of Rio 2016, neither the Brazilian authorities nor the Games’ organizers implemented the necessary measures to prevent such violations from occurring. This led to a repetition of a pattern of violations witnessed during other major sporting events hosted in the city of Rio de Janeiro, namely the Pan American Games in 2007 and the FIFA World Cup in 2014.

Once again, security forces in Rio de Janeiro and other Brazilian cities relied on the use of unnecessary and excessive force to repress largely peaceful protests and demonstrations. Furthermore, the rights to freedom of expression and peaceful assembly were unlawfully curtailed by laws and policies that were not in line with Brazil’s international obligations on human rights.

Moreover, the security forces continued to rely on a militarized approach for law enforcement, including through training and equipment. Tens of thousands of military troops and National Forces of Security officers were deployed around Rio de Janeiro to undertake tasks relating to public safety. This resulted in the killings of at least eight people during police operations in the favelas during the period of the Games (5 to 21 August 2016).

Shootings and other incidents of armed violence continued on a daily basis in Rio de Janeiro during the Games, many as a direct consequence of police operations in favelas and other marginalized areas of the city. Some favelas, including Complexo do Alemão, Acari, Manguinhos, Cidade de Deus and Complexo da Maré among others, were disproportionately targeted.

The overall security strategy implemented for the Games, including the deployment of the military and National Forces of Security, in addition to Rio de Janeiro’s police forces, came at a high price for people living in the favelas. Just kilometres away from the guarded Olympic venues, some of the poorest and most marginalized people of Rio de Janeiro still live under constant fear due to the sustained violent repression of police and other security forces.



Security operation during the Olympic Games, Rio de Janeiro, 2016.



Security operation at Complexo da Maré during the Olympic Games, Rio de Janeiro, 2016.

BREAKING RECORDS: KILLINGS BY THE POLICE

In 2009, Rio de Janeiro won the bid to host the 2016 Olympic Games. Local authorities had just a few years to adopt concrete measures to end, or significantly reduce, unlawful killings during police operations. However, as proven by the number of people killed by the security forces ahead of and during the 2016 Olympic Games, the limited measures put in place failed to effectively protect the right to life or ensure that police use of force and firearms was in line with international law and standards.

Official numbers show that between January 2009 and July 2016, 2,713 people were killed by police in the city of Rio de Janeiro alone.² The group most likely to be killed by police are young black men. When analyzing the disaggregated data of victims killed during police operations in the city of Rio de Janeiro between 2010 and 2013, Amnesty International identified that 99.5% of the victims were men, 79% were black and 75% were young (aged between 15 and 29 years).³

² Source: Institute for Public Security of the State of Rio de Janeiro.

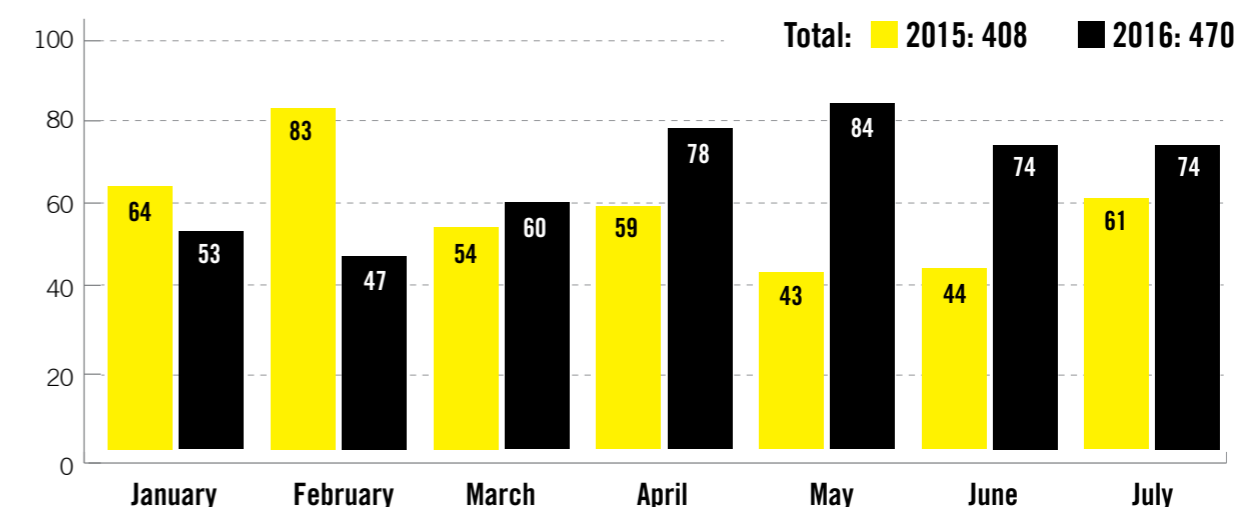
³ Amnesty International, You killed my son: Homicides by military police in the city of Rio de Janeiro (Index: AMR 19/2068/2015), available at www.amnesty.org/en/documents/amr19/2068/2015/en/

Use of lethal force by police increased prior to the Olympic Games

As happened in 2007 and 2014, when Rio de Janeiro also hosted major sporting events, the number of people killed by the police increased as the Rio 2016 Olympic Games approached. When comparing the numbers of killings reported in the immediate run-up to the games in April, May and June 2016 with the same period in the previous year, the number of people killed by the police in the city of Rio de Janeiro increased by 103%.

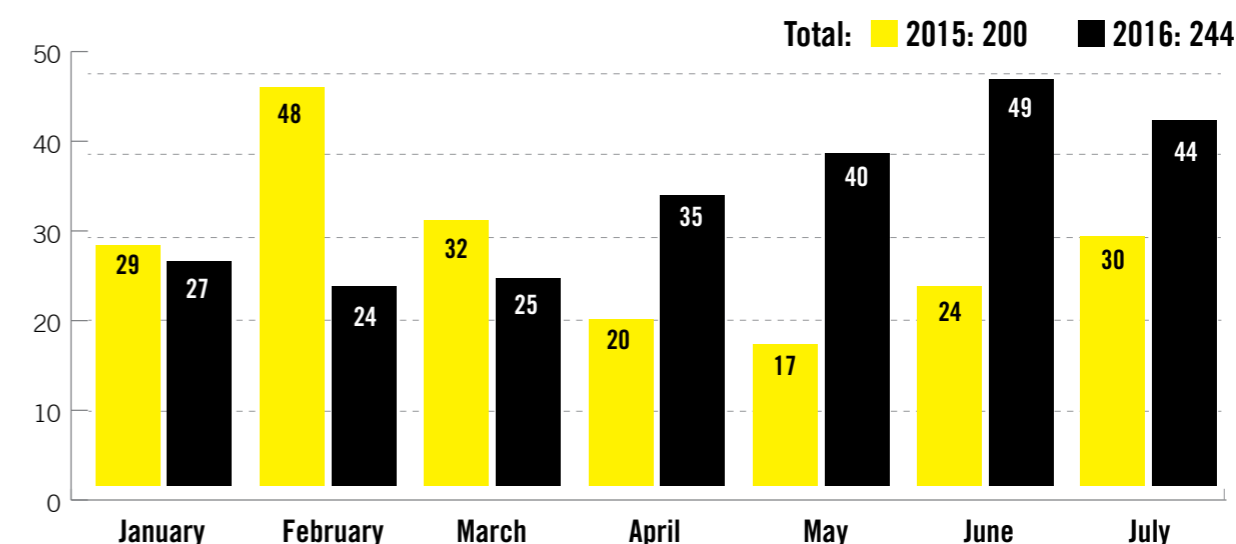
Amnesty International reported the increasing trend in police use of lethal force during April and May 2016 in its briefing *Violence has no place in these games*, published in early June.⁴ The numbers remained constant in the following months of June and July, leaving a bloody trail of victims.

Homicides resulting from police intervention in the state of Rio de Janeiro, January - July 2015 and 2016



Source: Institute for Public Security of the State of Rio de Janeiro.

Homicides resulting from police intervention in the city of Rio de Janeiro, January - July 2015 and 2016



Source: Institute for Public Security of the State of Rio de Janeiro.

⁴ Amnesty International, Violence has no place in these games: Risks of human rights violations at the Rio 2016 Olympic Games (Index: AMR 19/4088/2016), available at www.amnesty.org/en/documents/amr19/4088/2016/en/

The events of June 2016 were of particular concern because of the large policing operations that took place in several favelas in Rio de Janeiro, some of which resulted in several people being killed.

- 1 June: five men killed by the Special Operations Police Battalion (BOPE) in the favela of Jura-mentinho.
- 2 June: two people killed in a joint intervention by BOPE and the Riot Police Unit in Complexo do Alemão and its surrounding area.
- 11 June: two people killed by BOPE in the favela Morro da Serrinha in the neighbourhood of Madureira.
- 18 June: two people killed in an operation led by BOPE in the favela of Manguinhos.
- 22 June: five people killed during a police operation of the 27th Military Police Battalion in the favela of Rola in the neighbourhood of Santa Cruz.
- 24 June: three people killed during a major Civil Police operation in the favela of Complexo da Maré.
- 28 June: two people killed during an operation of the 41st Military Police Battalion in the favela of Morro do Chaves in the neighbourhood of Barros Filho.
- 30 June: two people killed in two different police operations, one carried out by the 9th Military Police Battalion in the favela of Faz Quem Quer and the other by the Police Pacification Unit in the favela of Borel, in which a 16-year-old boy was killed.

Amnesty International has requested information from the Civil and Military Police about the steps taken to investigate the killings, but by 5 September the authorities had yet to provide any information.

Killings by police during the Olympic Games

Several police operations took place during the Olympic Games (5 to 21 August) in different areas of Rio de Janeiro, including Acari, Cidade de Deus, Borel, Manguinhos, Alemão, Maré, Del Castilho and Cantagalo. At least eight people were killed by police in the city of Rio de Janeiro during this period, but the number could rise as further information on other fatalities is yet to be confirmed. Residents of favelas also reported other abuses committed by security forces, such as unlawful raids, direct threats and physical and verbal aggression.

On 11 August, a 19-year-old man was killed during a joint operation involving the Civil and Military Police, the Army and the National Forces of Security in the favela of Complexo da Maré. On the same day, two children aged 14 and 15, and a young man aged 22 were killed by police officers of the Riot Police Unit in the favela of Bandeira 2, in the neighbourhood of Del Castilho. On 15 August, a man was killed by officers of the Pacification Police Unit in the favela of Cantagalo, in Ipanema. The next day, 16 August, three men were killed during a Civil Police operation in the favela of Complexo da Maré.

During a meeting with Amnesty International, representatives of the General Command of the Military Police stated that initial numbers consolidated by the police indicated that 12 people were killed as a result of police operations in the city of Rio de Janeiro between 5 and 21 August (the period of the Olympic Games). They also stated that a further 44 people were killed in events where the security forces were not implicated. The police also told Amnesty International that, during the Olympic Games, the police engaged in 217 confrontations (shootings) during operations in the state of Rio de Janeiro. Despite this, the police considered that “everything went well in terms of security during the Olympics, especially considering the number of people who were circulating in the city”.⁵

Killings by the police in Rio de Janeiro are often extrajudicial executions. Cases are rarely investigated and it is rare for anyone to be held accountable for those crimes.⁶ The impunity for killings by the police fuel the cycle of lethal violence during police operations.

Brazil’s militarized approach to public safety in the so-called “war on drugs” has also put police at risk. According to the Institute for Public Security of the State of Rio de Janeiro, from January to July 2016, 18 police officers were killed on duty in the state, 12 in the city of Rio de Janeiro alone. At least two police officers were killed during the Olympic Games. On 11 August, a police officer of the National Forces of Security was shot dead after he and two other police officers crossed the favela of Complexo da Maré. On 22 August, a military police officer from the 7th Military Police Battalion was killed while on duty in São Gonçalo, a municipality in the metropolitan area of the city of Rio de Janeiro.



Favela Bandeira 2 after a police operation in which three people were killed during the Olympic Games, Rio de Janeiro, 2016.

⁵ Meeting between Amnesty International representatives and members of the General Command of the Military Police of Rio de Janeiro, held on 29 August 2016.

⁶ Out of the 220 records of homicides resulting from police intervention in the city of Rio de Janeiro in 2011, four years later only one has led to prosecution of the police officers involved. The vast majority of investigations into the cases were not concluded. Source: Amnesty International, You killed my son: Homicides by military police in the city of Rio de Janeiro (Index: AMR 19/2068/2015), available at www.amnesty.org/en/documents/amr19/2068/2015/en/



Police repression at the Olympic Games opening protest near Maracanã Stadium, Rio de Janeiro, 2016.

FAILING AGAIN: POLICE REPRESSION OF PEACEFUL PROTESTS AND UNDUE RESTRICTIONS ON FREEDOM OF EXPRESSION

Although protests in Brazil ahead of and during the Rio 2016 Olympic Games were significantly smaller than those that took place in 2013 and 2014, the pattern of repression by police forces was similar.

During the Olympic Torch Relay throughout the country, a number of peaceful protests were met with unnecessary and excessive force by the police. On 27 July in the city of Angra dos Reis in the state of Rio de Janeiro, demonstrations against the closure of a public health clinic were met with excessive force from the Riot Police Unit, which used tear gas, rubber bullets and stun grenades against the protesters. On 3 August in Duque de Caxias in the metropolitan area of the city of Rio de Janeiro, a peaceful teachers' protest was repressed with unnecessary force by the Riot Police Unit. The police used pepper spray, rubber bullets and stun grenades indiscriminately against peaceful protesters and passers-by, including children.

On 5 August, the day of the Olympic Games opening ceremony, in the neighbourhood of Tijuca in the city of Rio de Janeiro, a protest over the negative impacts of the Olympic Games took place. Different units were used to police the protest – the local military police battalion, the Riot Police Unit and the cavalry unit – but most police officers were not properly identified, or were not wearing any kind of identification.

Police officers began intimidating protesters as soon as they began gathering in a public square, surrounding the demonstrators and carrying out random searches of people without cause. Although the route of the march had been previously agreed with the authorities, the police blocked the protesters' way for no apparent reason. Police officers then chased some protesters into a bakery where they beat them and destroyed furniture. A 17-year-old boy who was at the protest with his mother was arbitrarily detained and is currently facing charges of contempt.

Even as the protest was coming to an end and people were dispersing, police used unnecessary force and threw tear gas in the square, where children were present in a playground. A 19-year-old woman lost consciousness as a consequence of the tear gas and had to be hospitalized.

On the same day, another peaceful protest over the negative impacts of the Games took place near the Museum of Art (Masp) in the city of São Paulo. The majority of protesters were teenagers and high-school students, including children below the age of 18. The military police repressed the protest from the beginning using a technique known as “kettling”; surrounding and detaining a group of protesters for a long period without letting anybody leave the “kettle”. Around 100 people were detained, most of whom were under the age of 18. Police also used unnecessary force against protesters, including a stun grenade, hand-held batons and pepper spray.

On 12 August, in the neighbourhood of Meier in the city of Rio de Janeiro, a largely peaceful protest mainly led by students took place and was severely repressed by the military police, who used unnecessary and excessive force against protesters, including with stun grenades, tear gas and rubber bullets. Around 50 protesters were detained and one injured. More than half of the detainees were children under the age of 18 and one was an independent media worker covering the protest. Some of the detainees are currently being investigated for crimes under the Football Supporter Statute, which makes it a crime to disturb order or provoke violence within a 5km radius of a sports facility.⁷

Amnesty International is concerned about reports that minor infractions of the law, such as bill-posting or littering, and minor damage to property by a specific individual or group of people in the context of protests, may lead to the decision of the authorities to disperse an assembly, as this would be a disproportionate measure that prevents other people who are peacefully protesting from exercising their rights. The police should ensure that those who are protesting peacefully are able to continue to do so, and not use the acts or infractions of a few as a pretext to restrict or impede the exercise of rights of a majority.

⁷ Estatuto do Torcedor, art. 41B, parágrafo 1, inciso I, diz: “promover tumulto, praticar ou incitar a violência num raio de 5.000 (cinco mil) metros ao redor do local de realização do evento esportivo, ou durante o trajeto de ida e volta do local da realização do evento”.



NO JUSTICE FOR PHOTOGRAPHER WHO LOST HIS EYE

Photographer Sérgio Silva lost his left eye after being hit with a kinetic impact device fired by police during a protest in the city of São Paulo on 13 June 2013. The police did not open investigations and failed to hold anyone accountable. Sérgio Silva then filed a petition in court to receive reparation from the state for his injury. On 10 August 2016, the court ruled against him, not acknowledging state's responsibility. The court's decision affirms instead that Sérgio Silva's injury was his own responsibility and that by being present at the protest he was accepting the risk of being injured by the police.⁸

Since the so-called "General Law of the Olympics" (Law number 13.284/2016 of 10 May 2016) was approved, Amnesty International has expressed concern that the law might impose undue restrictions to the rights to freedom of expression and peaceful assembly contrary to international law and standards.

Under the provisions of the new law, dozens of people were expelled from sports facilities for portraying different messages either by wearing T-shirts or carrying flags or other signs of protest during the first days of the Olympic Games.

On 8 August, a Federal Court ruled against the prohibition of peaceful protests inside the Olympic facilities. The Rio 2016 Local Organizing Committee appealed the decision and argued, among other things, that official Olympic locations are not the space for demonstrations or political manifestation. As of 3 September, the outcome of the appeal was still pending.

However, even after the Federal Court ruling to protect the right to freedom of expression, some protesters were intimidated by police officers of the National Forces of Security while carrying signs or flags or for wearing T-shirts with slogans in sports facilities. On 13 August, security officers prohibited an Iranian woman inside Maracanzinho stadium from showing a sign in support of women's rights. On 20 August, Carlos Henrique, carried a flag into the Maracanã stadium calling for justice for the killing of his 16-year-old son Carlos Eduardo at the hands of the military police. He was approached by National Forces of Security officers who said they would not allow him to take the flag out in public, and threatened to confiscate it and expel him from the stadium. He was only allowed to show the flag at the end of the event.

⁸ The full court ruling in Portuguese is available here: <http://s.conjur.com.br/dl/fotografo-culpado-tiro-deixou-cego.pdf>

CONCLUSIONS AND RECOMMENDATIONS

As the 2016 Olympic Games concluded, Rio de Janeiro closes a 10-year period of hosting major sporting events in the city. Unfortunately, the promised legacy of the Olympics of achieving a safe city for all people was not delivered, and instead a legacy of human rights violations endures.

The dramatic increase in killings by the police in the run-up to and during the Olympic Games, the repression of peaceful protests, including undue restrictions to the rights to freedom of expression and peaceful assembly, and the further militarization of public security in the city of Rio de Janeiro are concrete outcomes of the major global sporting event. Now that international eyes will be shifting away from Brazil, victims of human rights violations and their families must not be left alone in making their claims for justice and reparation. The Brazilian authorities have an obligation to properly investigate and bring to justice those responsible for violations, as well as to ensure that victims have access to justice and adequate reparations.

Homicides resulting from police intervention and other abuses committed by the security forces must be fully investigated and anybody found to have perpetrated a human rights violation must be brought to justice. The authorities must ensure that military and National Forces of Security troops deployed in the city, if they are to remain, are still necessary. Furthermore, military personnel employed for public safety tasks must be subordinate to and under the command of the civilian authorities, and be provided with all necessary instructions, training and equipment to enable them to act in full respect of international law and standards related to the use of force by law enforcement officials.

Human rights violations must not be hidden behind the façade of the Olympic Games. Rio 2016 leaves a shady legacy of a city entrenched with marginalization and discrimination, with a deeply militarized public security approach and a record of human rights violations, where violence remains part of the game.

RECOMMENDATIONS REGARDING USE OF LETHAL FORCE IN POLICE INTERVENTIONS:

The Rio de Janeiro State and federal authorities should:

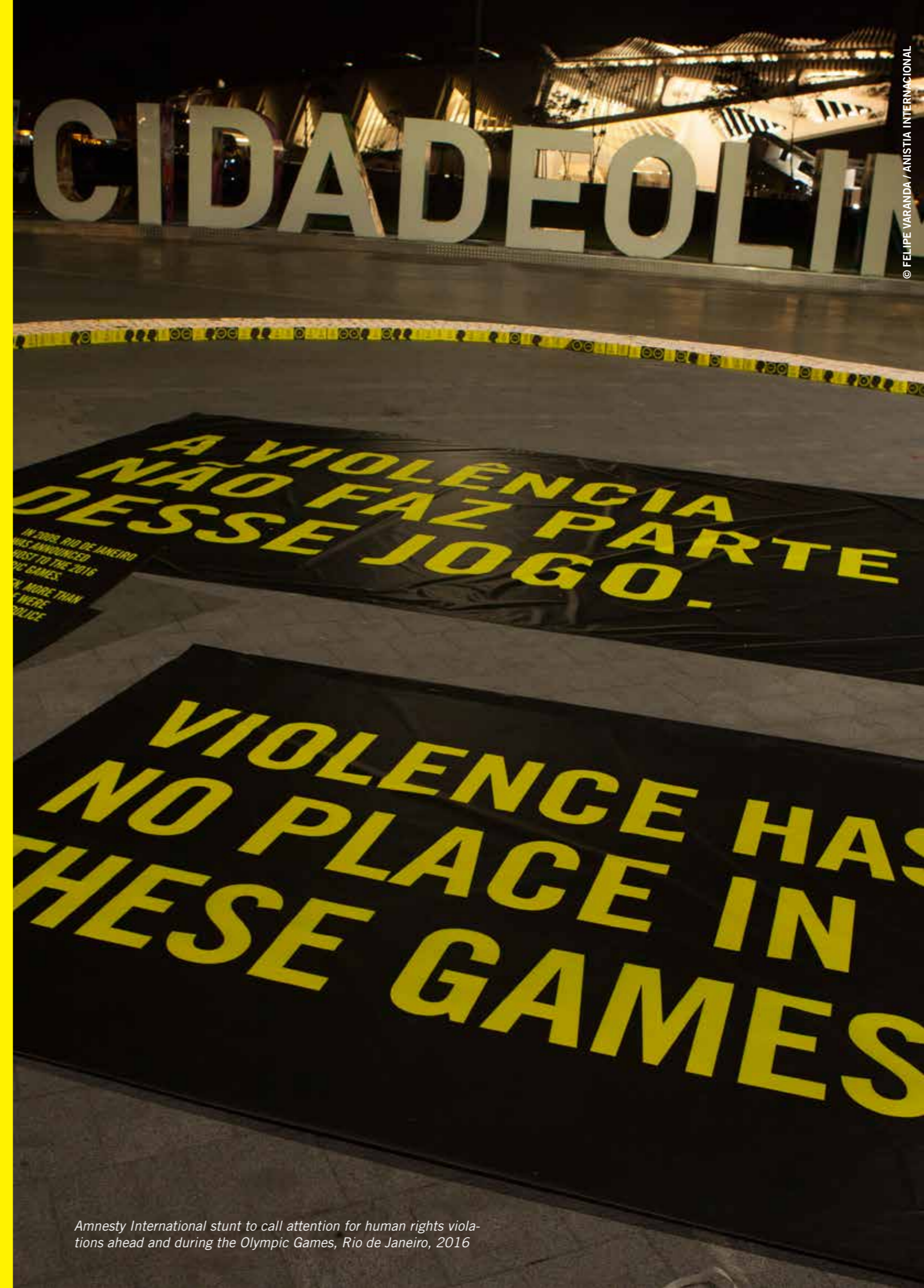
- Ensure that a full, independent, prompt and impartial investigation of all killings resulting from police intervention are carried out, in order to enable those involved to be brought to justice and held criminally accountable, where appropriate.
- Guarantee the provision of human, financial and structural resources to the Homicide Division to enable it to effectively perform the task of promptly, effectively, independently and impartially investigating all killings resulting from police intervention in the state of Rio de Janeiro.
- Offer psychological support to all victims of police abuse, and their families, and guarantee the right to adequate reparations, which should include compensation, rehabilitation, measures of satisfaction and guarantees of non-repetition.

- Ensure that the Military Police adopts – and makes public – operational protocols for the use of force and firearms that comply with international guidelines and standards, and give periodic training to police officers in the adoption of those protocols.
- Suspend Military Police officers involved in actions that have resulted in death while the necessary investigations are being carried out. In these cases, especially, the police officer should receive psychological support and specific additional training in the use of force and firearms.
- Ensure that the Public Prosecutors office fulfils its constitutional role of exercising external control of police activity, promoting effective actions to monitor the use of lethal force by the police.
- Incorporate into national law international principles and standards on the use of force in law enforcement, particularly those set out in the United Nations Code of Conduct for Law Enforcement Officials and in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

RECOMMENDATIONS REGARDING POLICING PUBLIC ASSEMBLIES:

The Rio de Janeiro State and federal authorities should:

- Put in place and implement clear and effective public accountability mechanisms to investigate allegations of violations by all security forces officials responsible for policing public assemblies and protests, and ensure that those responsible for human rights violations are subject to disciplinary and/or criminal proceedings as appropriate.
- Ensure that the military and civil police, as well as other security forces, receive adequate and effective training for policing public assemblies and protests, including large-scale demonstrations. Security forces officers should, in particular, receive training in the appropriate use of so called “less-lethal” weapons and on international standards relating to the use of force.
- Put in place regulations for the use of so-called “less-lethal” weapons that are consistent with international law and standards on human rights and law enforcement.
- Ensure that people are not detained or criminally charged for simply exercising their right to participate in peaceful assemblies.
- Ensure that police and other security forces, including the armed forces, are individually identifiable during public order operations, through the use of name badges or number tags that are clearly visible. Protective gear should not be used in a way that conceals the identity of individual officers.



Amnesty International stunt to call attention for human rights violations ahead and during the Olympic Games, Rio de Janeiro, 2016



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