

BRÉSIL. LES DROITS HUMAINS ATTAQUÉS

AMNESTY INTERNATIONAL : COMMUNICATION POUR LA 41E SESSION DU GROUPE DE TRAVAIL SUR L'EPU, 7 – 18 NOVEMBRE 2022 (ANNEXES EN ANGLAIS)

RÉSUMÉ

La présente communication a été préparée en vue de l'Examen périodique universel (EPU) du Brésil, qui se tiendra du 7 au 18 novembre 2022. Amnesty International y évalue la mise en œuvre des recommandations faites au Brésil lors de son précédent EPU, notamment en matière de prévention et de lutte contre la torture, de promotion de l'égalité ethnique, de défense des droits des peuples autochtones, de réforme de la sécurité publique et d'éradication des exécutions extrajudiciaires.

La communication analyse aussi le cadre national des droits humains relatif à la participation et aux espaces civiques, à la réforme du système pénal et aux politiques et programmes de droits humains destinés à protéger les groupes vulnérables.

Concernant la situation des droits humains sur le terrain, Amnesty International fait part de préoccupations concernant le démantèlement des organes, programmes et politiques dans ce domaine. Étant donné que le gouvernement brésilien n'a pas pris les mesures nécessaires pour mettre en œuvre un cadre minimum en la matière, les violations des droits humains et le niveau de violence ont atteint des chiffres records ces dernières années. Dans un pays où la possession d'armes à feu grimpe en flèche, les violences policières, les exécutions et autres attaques contre les défenseur-e-s des droits humains échappent à tout contrôle. Au fait que l'État ne fasse rien pour protéger les personnes qui subissent une discrimination structurelle vient s'ajouter la diffusion généralisée de fausses informations et de sentiments hostiles à l'encontre de populations et de groupes spécifiques. Les représentants de l'État encouragent l'accaparement des terres et la destruction de l'environnement. Les politiques relatives aux droits humains sont volontairement réduites à néant, mettant en péril l'avenir du pays, avec des conséquences particulièrement graves pour les jeunes hommes noirs, les femmes noires, les enfants noirs et indigènes, entre autres.

La communication conclut par une série de recommandations à l'intention du Brésil qui, si elles étaient mises en œuvre, contribueraient à améliorer la situation des droits humains dans le pays.

LE PRÉCÉDENT EXAMEN ET SES SUITES

1. Au cours du précédent examen, le Brésil a accepté les recommandations qui lui étaient faites de consolider les mécanismes nationaux et infranationaux de prévention de la torture et d'étendre la mise en œuvre d'audiences relatives à la détention¹. Néanmoins, les dispositions prises par le gouvernement dans le Décret présidentiel n° 9.831 de 2019² ont favorisé un démantèlement grave du Mécanisme national de prévention³. Bien que les audiences relatives à la détention passent désormais devant les tribunaux étatiques et fédéraux, la pratique de la torture demeure très répandue et les cas ne sont quasiment jamais signalés⁴. Il n'existe pas de procédures d'investigation permettant d'obliger les personnes responsables à répondre de leurs actes⁵.
2. Le Brésil a accepté les recommandations l'engageant à accélérer le processus de délimitation des terres indigènes, à instaurer une consultation efficace des populations autochtones, à protéger ces dernières contre la violence et à leur offrir un niveau de vie suffisant, en particulier aux enfants⁶. Le peu d'efforts fournis par le Brésil en matière de délimitation des terres indigènes et quilombolas⁷ a entraîné une montée alarmante des conflits et des occupations illégales de terres ainsi que des homicides et des attaques non contrôlés contre les communautés traditionnelles⁸. Les actions désastreuses du gouvernement pendant la pandémie de COVID-19 ont eu de graves répercussions sur le droit à la vie et à la santé des populations indigènes et quilombolas⁹. En n'apportant aucune solution aux problèmes de malnutrition des enfants yanomamis et en ne leur fournissant pas de soins médicaux adéquats, le gouvernement est en train de détruire toute possibilité d'avenir pour ce peuple autochtone¹⁰.
3. Le Brésil a accepté les recommandations en faveur de la réduction, de la prévention et de l'investigation des cas de violences policières, ainsi que de la lutte contre l'impunité et de l'éradication des exécutions extrajudiciaires¹¹. Pourtant, aucun progrès n'a été réalisé pour réduire le nombre de ce type d'exécutions perpétrées par les forces de l'ordre¹². Bien que le Conseil national du ministère public ait défini des lignes directrices pour les procureurs concernant le contrôle extérieur des activités de la police¹³, il n'y a pas de dispositif national de surveillance ou de normalisation de l'implication du ministère public en la matière. Aucun mécanisme efficace de supervision de l'activité policière par la société civile n'existe non plus¹⁴.
4. Le Brésil a accepté des recommandations relatives à l'amélioration de son système carcéral et à la protection des groupes menacés privés de liberté¹⁵. Pourtant, les conditions d'incarcération dans le pays sont toujours aussi effroyables à ce jour. De légers progrès ont été accomplis grâce aux réglementations du Conseil national de justice visant à rétablir des normes minimales en matière de droits humains pour les responsables de l'application des lois¹⁶, mais leur mise en œuvre doit faire l'objet d'une étroite surveillance pour que les améliorations en la matière s'inscrivent dans la durée.
5. Le précédent examen a laissé de côté la question des droits des Quilombolas. Des recommandations plus spécifiques sont nécessaires pour mettre en évidence le fait que les Quilombolas constituent un groupe spécifiquement touché par les conflits fonciers au Brésil. Pour cela, des recommandations explicites doivent être

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faites concernant la violence découlant de ce type de conflits ; le droit au consentement libre, préalable et éclairé des populations et la défense des droits fonciers des Quilombolas.

LE CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

6. Une dizaine de propositions de loi en cours d'examen par le Congrès prévoient d'augmenter la surveillance des défenseur.e.s des droits humains sous prétexte de protéger la sécurité nationale. Les propositions n° 272/2016 et n°1595/2019 sont particulièrement préoccupantes, car elles s'appuient toutes deux sur le concept général de « terrorisme » pour ériger les mouvements sociaux en infractions¹⁷.
7. D'autres propositions de loi auraient pour effet d'accroître la déforestation et d'autres pratiques prédatrices sur les terres des communautés traditionnelles¹⁸.
8. Certains textes de loi récemment adoptés pourraient avoir un effet particulièrement négatif sur les taux déjà élevés d'incarcération et de violence. La Loi anti-crime¹⁹ crée des obstacles à l'amélioration du régime auquel sont soumises les personnes privées de liberté, ce qui va à l'encontre du mouvement visant à établir des alternatives à la prison. Certains décrets et propositions de loi ont pour objectif d'assouplir les règles relatives à la détention et au transport d'armes à feu²⁰. Au cours des trois dernières années, le nombre de permis de port d'armes a augmenté de 325 %, augmentant le péril auquel sont exposées les personnes qui étaient déjà touchées de façon disproportionnée par la violence armée, en particulier les jeunes hommes noirs²¹.
9. La Loi n° 13.491/2017 a élargi la compétence de la justice militaire à enquêter, poursuivre et prononcer des jugements sur les crimes, y compris les crimes contre la vie, ainsi que les actes d'abus de pouvoir, de torture et de détention d'armes à feu commis par des membres des forces armées contre des civils lors d'interventions de maintien de l'ordre²².
10. Les programmes et politiques de droits humains sont petit à petit démantelés. On observe un schéma systématique de suppression des organisations, de modifications importantes des responsabilités et de réduction des budgets et des fonds alloués en la matière²³. Ces changements ont été effectués en l'absence de toute consultation de la société civile²⁴.

SITUATION EN MATIÈRE DE DROITS HUMAINS SUR LE TERRAIN

Exécutions extrajudiciaires

11. La « guerre contre la drogue » continue de servir de prétexte à des opérations de type militaire, qui se caractérisent par une forte violence et un nombre de morts élevés. En 2020, le nombre de personnes tuées par la police a atteint un record : 6 416 morts, dont presque 79 % de personnes noires²⁵. Entre 2017 et 2019, la police a tué au moins 2 215 enfants dans le pays²⁶. À Rio de Janeiro, Ágatha Felix, âgée de 8 ans, et João Pedro²⁷, âgé de 14 ans, ont été tués lors de raids policiers, en 2019 et 2020 respectivement²⁸.
12. Le Brésil n'a pas appliqué les recommandations qui l'engageaient à réduire la violence par armes à feu et à prendre des mesures contre la violence à l'égard des personnes afro-brésiliennes²⁹. Les hommes noirs en sont les premières victimes³⁰. Au cours des mois de janvier et février 2022, trois hommes noirs ont été tués par des acteurs privés dans l'État de Rio de Janeiro : Moise Kabagambe, 24 ans (un réfugié congolais) ; Durval Teófilo Filho, 38 ans et Hiago Macedo, 22 ans.

Conflits fonciers, peuples autochtones et justice climatique

13. Dans la période allant d'août 2020 à juillet 2021, le taux de déforestation en Amazonie a atteint son niveau le plus élevé depuis 2006 (13 235 km²)³¹. Les émissions de gaz à effet de serre du Brésil, directement liées à cette activité, ont augmenté de 9,5 % en 2020, ce qui constitue également le niveau d'émission le plus élevé enregistré depuis 2006³². L'année 2020 a été marquée par des incendies d'ampleur catastrophique, en particulier dans la

région du Pantanal. L'année suivante, ce sont des inondations qui ont dévasté le pays. Ces phénomènes touchent de manière disproportionnée des groupes qui sont déjà victimes d'une discrimination structurelle³³.

14. En 2020, le nombre de conflits fonciers a atteint un niveau record. Près d'un million de personnes ont été impliquées dans 2 054 situations de conflits. Les occupations et l'exploitation illégales des terres, ainsi que les dommages commis sur des territoires indigènes ont augmenté. La présence d'intrus illégaux a été rapportée sur les terres de 145 communautés autochtones.
15. En 2020, 182 homicides ont été commis contre des membres de communautés indigènes, ce qui constitue un chiffre préoccupant.
16. Dans l'État de Maranhão, cinq personnes issues de communautés traditionnelles et ouvrières rurales ont été tuées entre mi-2021 et début 2022, dans le cadre de conflits fonciers et d'actions de l'agro-industrie sur des territoires ancestraux de ces populations. L'année 2020 a été marquée par un recours à la violence contre les journalistes, victimes de 428 attaques, dont deux homicides³⁴.

Répression de la dissidence

17. Les enquêtes ouvertes par la police fédérale contre les personnes exprimant des opinions critiques au titre de la Loi sur la sécurité nationale ont augmenté de 285 % depuis 2019³⁵. En 2021, cette loi, en vigueur depuis l'époque de la dictature militaire et largement utilisée pour poursuivre les opposant-e-s politiques, a été remplacée par la Loi n° 14.197³⁶. Bien que cette dernière soit destinée à protéger l'état de droit et les institutions démocratiques, elle pourrait aussi être utilisée à mauvais escient pour viser et harceler les militant-e-s et les mouvements sociaux à la discrétion des autorités et des responsables de l'application des lois.
18. Le gouvernement actuel a renforcé la tendance à la surveillance, au contrôle, à l'investigation, à la criminalisation et à la préparation de dossiers contre les dirigeant-e-s de mouvements sociaux, les personnes émettant des critiques contre le gouvernement, les opposant-e-s politiques et les dirigeant-e-s indigènes^{37, 38}. Le harcèlement dont font l'objet Sonia Guajajara et Alessandra Munduruku, deux cheffes indigènes, en est emblématique^{39, 40}.

Défenseurs et défenseurs des droits humains

19. Le Brésil n'a pas mis en place de politique publique appropriée pour protéger les défenseur-e-s des droits humains en position de vulnérabilité⁴¹. Selon le Haut-Commissariat des Nations unies aux droits de l'homme (HCDH), le nombre d'exécutions de défenseur-e-s des droits humains au Brésil entre 2015 et 2019 est le deuxième plus élevé au niveau mondial⁴². Le programme brésilien de protection de ces défenseur-e-s n'a mis en place aucun mécanisme permettant de véritable consultation de la société civile. Il n'est pas encore parvenu non plus à élaborer une politique minimale exhaustive de protection qui inclue les questions de genre et d'ethnie, de même que les besoins des groupes et des collectifs. Enfin, il n'a pas fait le nécessaire pour que les programmes de protection étatique soient correctement appliqués⁴³.
20. En 2018, l'affaire tristement célèbre de Marielle Franco, assassinée avec son chauffeur, a mis en lumière les obstacles qui empêchent que justice soit rendue et que des réparations soient obtenues. Deux hommes soupçonnés d'avoir commis ces homicides ont été inculpés. Deux ans après les faits, l'enquête n'avait cependant toujours pas établi qui était derrière ces meurtres.

Justice pénale

21. La proportion de personnes détenues au Brésil est de 322 pour 100 000 habitant-e-s et il manque 241 652 places de prison dans le pays. Les données montrent aussi une légère baisse du taux d'incarcération pour 100 000 habitant-e-s et du taux de surpopulation dans les prisons. La détention provisoire peut être prolongée indéfiniment⁴⁴. En 2021, 31,9 % de la population carcérale totale se trouvaient en détention provisoire⁴⁵. L'année

précédente, 66,3 % des personnes privées de liberté s'identifiaient comme noires et 48,6 % avaient entre 18 et 29 ans⁴⁶.

22. Le fait que la couverture vaccinale contre le COVID-19 des personnes incarcérées était plus faible que pour le reste de la population, alors même que ce groupe est défini comme prioritaire dans le plan vaccinal du gouvernement, est extrêmement préoccupant⁴⁷.
23. Entre 2017 et 2019, 259 détenus au moins ont été tués au cours d'émeutes, dont plus de 100 pour la seule année 2019⁴⁸.
24. Les recommandations officielles relatives au traitement des personnes LGBTI dans les prisons ont été largement ignorées⁴⁹. Des cas de torture et de violence sexuelle ont été signalés, ainsi qu'un manque de structures appropriées pour garantir les droits de ces personnes⁵⁰.
25. Un nombre considérable de femmes avec enfants, de femmes enceintes et de femmes constituant le principal soutien d'enfants n'ont pas la possibilité d'opter pour l'assignation à domicile ou d'autres alternatives à la prison, alors que la loi les y autorise⁵¹.

Droits économiques et sociaux

26. La pandémie de COVID-19 a mis en évidence le fait que le gouvernement ne garantissait pas le droit à un niveau de vie suffisant à certains groupes victimes de discrimination structurelle⁵². On estime que 120 000 décès dus à la pandémie de COVID-19 auraient pu être évités entre le début de la pandémie et le mois de mars 2021 si les décisions du gouvernement fédéral s'étaient appuyées sur des preuves scientifiques et des efforts politiques concertés⁵³. Pendant la crise sanitaire, dès décembre 2020, quelque 55,2 % des foyers brésiliens se trouvaient en situation d'insécurité alimentaire⁵⁴. Les femmes noires, qui représentaient déjà la plus grande part de la population vivant dans la pauvreté avant la crise, ont aussi été les plus touchées par l'accroissement de la pauvreté, la baisse du revenu, le chômage, l'insécurité alimentaire et la faim⁵⁵.
27. En juin 2021, 14,7 millions de personnes vivaient dans un état d'extrême pauvreté⁵⁶. Avec l'arrêt de l'aide d'urgence liée au COVID-19 et le remplacement du programme « Bolsa Família » par le programme « Auxílio Brasil » en novembre 2021, on estime que 29 millions de personnes ont été laissées sans aucune autre option d'assistance financière⁵⁷. Les emplois informels ont augmenté à un rythme plus rapide que celui des emplois formels, mettant davantage de personnes en danger d'insécurité socio-économique⁵⁸. En novembre 2021, 120 000 familles au moins risquaient d'être expulsées de force de leur logement⁵⁹.
28. Au-delà de ces tendances générales, le niveau de vie des Afro-Brésiliens et Afro-Brésiliennes est encore plus dégradé par un éventail large et varié d'obstacles structurels⁶⁰. Le peu de respect qu'il y avait pour leurs droits a cependant été compromis par le démantèlement total des politiques d'égalité ethnique du pays⁶¹.

Violence à l'encontre des personnes LGBTI

29. Le manque de transparence et les données agrégées et désagrégées sur la population LGBTI dans les politiques publiques et les organes chargés de l'application de loi empêchent la collecte de données exactes concernant la situation en matière de droits humains des personnes LGBTI. En 2021, 140 homicides de personnes transgenres ont été signalés⁶² et 50 % des membres de la population LGBTI victimes de violence étaient noirs⁶³.

Droits des femmes

30. En 2020, 1 350 femmes ont été victimes de féminicides au Brésil, ce qui représente 34,5 % des homicides perpétrés contre des femmes⁶⁴. Les femmes noires ont été gravement touchées par la violence fondée sur le genre. Sur les victimes de féminicides en 2020, 61,8 % étaient noires. En 2021, les politiques pour la promotion des droits des femmes ont subi une réduction de budget, dont seule une très faible part était allouée à la lutte contre les violences à l'égard des femmes⁶⁵.

31. Les taux de mortalité et de morbidité maternelles sont plus élevés pour les femmes noires, et ils ont augmenté de manière disproportionnée pendant la pandémie de COVID-19. Depuis le début de cette dernière, il y a eu 1 114 cas de mortalité maternelle chez les femmes noires, ce qui représente 77 % de plus que chez les femmes blanches⁶⁶, alors que les premières constituent 50 % de la population totale des femmes⁶⁷. Le Brésil subit actuellement une crise de la fourniture de services d'avortement légal, renforcée par la pandémie de COVID-19, qui a entraîné la suspension de la majorité de ses services⁶⁸.

RECOMMANDATIONS À L'ÉTAT SOUMIS À L'EXAMEN

Amnesty International appelle le gouvernement du Brésil à prendre les mesures suivantes :

Exécutions extrajudiciaires

32. Mettre en œuvre un plan, avec des objectifs concrets, des jalons et les ressources nécessaires pour réduire la létalité de la police, la violence par armes à feu et les exécutions extrajudiciaires dans le pays, en prenant en considération les disparités régionales et les différences qui existent entre les États.
33. Adopter la proposition de loi n° 4471/2012, qui modifierait le Code de procédure pénale et mettrait en place des procédures qui garantiraient que les crimes impliquant des responsables de l'application des lois qui se soldent par une mort violente fassent l'objet d'une véritable enquête, ainsi que le pays avait déjà accepté de le faire.
34. Prendre les mesures nécessaires pour procéder à une surveillance et une normalisation efficaces des systèmes de contrôle externe des activités policières dans les États brésiliens, et mettre en place des mécanismes de contrôle par la société civile afin de freiner le recours excessif et inutile à la force par les responsables de l'application des lois.
35. Veiller à ce que tous les homicides découlant d'une intervention policière fassent l'objet d'une enquête rapide, complète, impartiale et indépendante afin que les personnes impliquées puissent être traduites en justice dans le cadre de procès équitables.
36. Faire en sorte que la Police militaire adopte des protocoles d'opération relatifs au recours à la force et aux armes à feu qui répondent à des critères clairs et bien définis et soient conformes aux normes et directives internationales, interdisant l'utilisation de balles en caoutchouc dans les manifestations. Veiller aussi à ce qu'elle rende ces protocoles publics et forme régulièrement les policiers à les appliquer.
37. Contrôler strictement l'utilisation d'armes à feu de type militaire (telles que les fusils) et d'armes automatiques lors des opérations policières dans les favelas et dans d'autres zones urbaines densément peuplées, conformément aux normes internationales en matière de recours à la force.

Conflits fonciers, peuples autochtones et justice climatique

38. Mettre en œuvre un plan, avec des objectifs concrets, des jalons et les ressources nécessaires pour accélérer et faire aboutir les processus de délimitation des terres des populations indigènes et quilombolas, ainsi que pour lutter contre la déforestation, notamment en procédant à une restructuration des organismes publics chargés d'appliquer les politiques relatives à ce domaine et à celui du changement climatique.
39. Rejeter tout projet ou proposition de loi qui porterait atteinte au droit au consentement libre, préalable et éclairé et faire le nécessaire pour que les peuples autochtones, les Quilombolas et les communautés traditionnelles soient correctement consultés et participent pleinement à toutes les mesures administratives et législatives qui les affectent.
40. Adopter des politiques pour renforcer les organes de protection de l'environnement et des peuples autochtones, en leur allouant les ressources humaines et financières nécessaires, afin de leur permettre de faire respecter la

législation et de renforcer la surveillance et les patrouilles dans les territoires indigènes et les zones protégées, ainsi que de veiller à la sécurité des représentants du gouvernement.

41. S'abstenir d'adopter des lois qui « régulariseraient » les actions prédatrices sur les territoires autochtones et quilombolas, ainsi que tout autre texte qui affaiblirait la protection légale dont bénéficient ces territoires, les réserves et autres zones protégées.

Répression de la dissidence

42. Diffuser des directives claires et bien définies aux forces de sécurité, aux magistrats et aux procureurs afin que la Loi n° 14.197/2021 ne soit pas utilisée pour poursuivre les voix critiques.

Défenseurs et défenseurs des droits humains

43. Faire appliquer l'arrêt de la Cour suprême fédérale qui ordonnait au gouvernement d'établir, avec la participation concrète de la société civile, un plan national de protection des défenseur-e-s en danger⁶⁹.
44. Réexaminer le programme de protection des défenseur-e-s des droits humains et ses réglementations pour faire en sorte que la société civile y participe plus largement et veiller à ce que les mesures de protection soient exhaustives, notamment au regard des besoins collectifs et individuels et des questions de genre et d'ethnie.
45. Faire le nécessaire pour que les menaces et les attaques contre les défenseur-e-s des droits humains fassent l'objet d'enquêtes promptes et complètes, en accordant une attention particulière aux dirigeant-e-s des communautés autochtones, quilombolas et traditionnelles, et pour que les personnes responsables soient traduites en justice dans le cadre de procès équitables.

Justice pénale

46. Renforcer les mécanismes nationaux de prévention contre la torture en faisant en sorte qu'ils soient fonctionnels, qu'ils bénéficient des ressources humaines et financières adéquates et que leur indépendance soit consolidée.
47. Veiller à ce que les magistrats fassent appliquer la Loi n° 13.769/2018, qui établit le droit à l'assignation à résidence pour les femmes enceintes, les femmes avec enfants ou responsables d'enfants, y compris pendant la détention provisoire.
48. Suivre et surveiller les effets concrets produits par les résolutions et les recommandations du Conseil national de justice, qui établissent les normes en matière de droits humains pour la politique judiciaire pénale.
49. Veiller à ce que la détention provisoire ne soit prononcée qu'en tant que mesure exceptionnelle, déterminée comme raisonnable et nécessaire au terme d'un processus individuel.

Droits économiques et sociaux

50. Prendre des mesures de redressement économique efficaces et appropriées pour les groupes les plus vulnérables, telles que des programmes d'allocation monétaire et des aides supplémentaires directes pour les petites entreprises.
51. Faire le nécessaire pour que des ressources plus importantes soient allouées au système de santé publique et aux mécanismes de protection sociale qui garantissent l'égalité et la non-discrimination des services essentiels pour toutes et tous, ainsi que l'accès à ces derniers.
52. Veiller à ce que le droit à un recours effectif pour toutes les violations des droits humains découlant des réponses à la pandémie de COVID-19 soit respecté, en procédant à des enquêtes crédibles, transparentes, impartiales et indépendantes, qui soutiennent l'obligation de rendre des comptes et encouragent à tirer des leçons du passé,

afin que ce type d'erreur ne se reproduise pas lors d'une prochaine flambée du virus, ou de tout autre épidémie ou pandémie.

Violence à l'encontre des personnes LGBTI

53. Mettre en place des mécanismes pour protéger les personnes LGBTI contre toutes les formes de violence et de discrimination, ainsi que le Brésil avait déjà accepté de le faire, et prendre en compte leurs besoins spécifiques dans l'élaboration des mesures visant à réduire les répercussions socio-économiques de la pandémie.
54. Collecter des données désagrégées sur les personnes LGBTI, en améliorant les bases de données officielles et les méthodologies utilisées pour produire des indicateurs socio-économiques et des données fiables sur les violences dont elles sont victimes.

Droits des femmes

55. Prendre des mesures urgentes pour prévenir le nombre élevé de féminicides de femmes noires, enquêter sur ces derniers et procéder à des poursuites.
56. Veiller à ce que les mécanismes de protection, l'assistance juridique et les services de soutien pour les victimes de violences fondées sur le genre disposent de ressources suffisantes et soient accessibles à toutes les jeunes filles et les femmes qui en ont besoin, sans discrimination.
57. Garantir l'accès universel à des services complets en matière de sexualité et de reproduction, ainsi que le Brésil avait déjà accepté de le faire, notamment en veillant à ce que les services d'avortement légal existants soient pleinement opérationnels.
58. Rétablir les programmes et actions destinés à promouvoir l'égalité ethnique et de genre et à lutter contre le racisme et la violence contre les femmes, en leur allouant des ressources suffisantes et en veillant à leur bonne exécution budgétaire, et faire en sorte que la planification et l'application des politiques publiques soient entièrement intersectionnelles.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Americas: Amnesty International warns on killings of journalists and human rights defenders in first month of 2022, February 2, 2022, <https://anistia.org.br/informe/americas-anistia-internacional-alerta-sobre-assassinatos-de-jornalistas-e-defensores-dos-direitos-humanos-no-primeiro-mes-de-2022/>

Public Statement: Amnesty International Brazil expresses indignation with the killing of a family of environmentalists in state of Pará, January 11, 2022, <https://anistia.org.br/informe/nota-publica-anistia-internacional-brasil-manifesta-indignacao-com-o-assassinato-de-familia-de-ambientalistas-no-para/>

Amnesty International Brazil calls upon rigorous investigation on "Chacina" in Salgueiro Favela, November 23, 2021, <https://anistia.org.br/informe/nota-publica-anistia-internacional-brasil-cobra-investigacao-rigorosa-sobre-chacina-no-complexo-do-salgueiro/>

Amnesty International Brazil Report: Covid-19 and human rights in Brazil: paths and challenges for a fair recovery, December 10, 2021, <https://anistia.org.br/informe/novo-relatorio-covid-19-e-direitos-humanos-no-brasil-caminhos-e-desafios-para-uma-recuperacao-justa/>

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ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
Theme: A12 Acceptance of international norms			
136.19 Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms Affected persons:	Not yet implemented.
136.85 Proceed with the enactment of legislation effectively implementing the Optional Protocol to the Convention against	Supported	A12 Acceptance of international norms	Not yet implemented. The implementation of Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

<p>Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment at both state and federal level and adopt measures to adhere to the UN Nelson Mandela Rules (Czechia); Source of position: A/HRC/36/11/Add.1</p>		<p>A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - persons deprived of their liberty - public officials - prison officials</p>	<p>at domestic level is facing setbacks with the edition of Presidential Decree n° 9.831/2019. The National Justice Council (CNJ by its acronym in Portuguese) has issued recommendations and resolutions regarding the application of the UN Nelson Mandela Rules to judicial policy. There are still no concrete results of changes in practices among professionals in the criminal justice system.</p>
<p>136.15 Ratify the Arms Trade Treaty and adapt its national legislation to the Treaty (Guatemala); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented. There was the ratification by the Brazilian State. Acts of promulgation and publication of the Executive Decree are pending.</p>
<p>136.18 Ratify the Kampala amendments to the Rome Statute with a view to contributing to the activation of the jurisdiction of the International Criminal Court over the crime of aggression in 2017 (Liechtenstein); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented.</p>
<p>136.4 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and accept the competence of the Committee as regards the inquiry procedure and inter-State communications (Finland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms B51 Right to an effective remedy E1 Economic, social & cultural rights - general measures of implementation</p>	<p>Not yet implemented.</p>

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	
136.17 Ratify the International Labour Organization (ILO) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and finalize the domestic procedures to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms D45 Freedom of association E32 Right to just and favourable conditions of work G4 Migrants S08 SDG 8 - economic growth, employment, decent work S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - migrants	Not yet implemented. The International Labour Organization (ILO) Freedom of Association and Protection of the Right to Organise Convention, 1948 is a controversial theme between unions and trade union centers. The Brazilian Constitution establishes union unity on a territorial basis.
136.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Albania) (Angola) (Argentina) (Montenegro) (Portugal); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms E1 Economic, social & cultural rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented.
136.2 Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (El Salvador) (Ukraine); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms E1 Economic, social & cultural rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented.

<p>136.3 Speed up its accession to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Gabon); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms E1 Economic, social & cultural rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented.</p>
<p>136.16 Consider ratifying the Domestic Workers Convention, 2011 (No. 189) (Nicaragua); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms E32 Right to just and favourable conditions of work S08 SDG 8 - economic growth, employment, decent work S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Partly implemented. Legislative Decree No. 172/2017 approved. Corresponding executive decree is pending</p>
<p>136.5 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Albania) (El Salvador) (Georgia) (Montenegro) (Liechtenstein); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms F31 Children: definition; general principles; protection B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - children</p>	<p>Partly implemented. Legislative Decree No. 85/2017 was approved. Corresponding executive decree is pending.</p>
<p>136.6 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ukraine); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms F31 Children: definition; general principles; protection B51 Right to an effective remedy</p>	<p>Partly implemented. Legislative Decree No. 85/2017 was approved. Corresponding executive decree is pending.</p>

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	
136.7 Ratify, before the next universal periodic review cycle, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Czechia); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms F31 Children: definition; general principles; protection B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partly implemented. Legislative Decree No. 85/2017 was approved. Corresponding executive decree is pending.
136.8 Consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Croatia) (Mongolia); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms F31 Children: definition; general principles; protection B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - children	Partly implemented. Legislative Decree No. 85/2017 was approved. Corresponding executive decree is pending.
136.9 Sign and accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sierra Leone); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants	Not yet implemented.
136.10 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile) (Indonesia) (Sri Lanka); Source of position: A/HRC/36/11/Add.1	Supported	A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants	Not yet implemented.

<p>136.11 Step up the procedure for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Their Families (Togo); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants</p>	<p>Not yet implemented.</p>
<p>136.12 Promptly ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants</p>	<p>Not yet implemented.</p>
<p>136.13 Sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (El Salvador); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants</p>	<p>Not yet implemented.</p>
<p>136.14 Accelerate efforts towards ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Domestic Workers Convention, 2011 (No. 189) (Philippines); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A12 Acceptance of international norms G4 Migrants S16 SDG 16 - peace, justice and strong institutions Affected persons: - migrants</p>	<p>Not yet implemented. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families Partly implemented. Domestic Workers Convention, 2011</p>
<p>Theme: A22 Cooperation with treaty bodies</p>			
<p>136.21 Reinforce the fruitful cooperation with the treaty body organs of the United Nations (Côte d'Ivoire); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A22 Cooperation with treaty bodies S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Partly implemented The level of cooperation is selective and follows the interests of the government's anti-human rights agenda.</p>
<p>Theme: A3 Inter-State cooperation & development assistance</p>			
<p>136.22 Further strengthen its active engagement with the international community to promote human rights in all areas (Myanmar);</p>	<p>Supported</p>	<p>A3 Inter-State cooperation & development assistance</p>	<p>Not yet implemented. Relevant human rights issues are directly opposed by the government, such as LGBTI rights, sexual and reproductive rights, etc. Government interventions at the international level are marked by misinformation, vilification</p>

<p>Source of position: A/HRC/36/11/Add.1</p>		<p>S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>of activists and NGOs and lack of transparency about human rights violations.</p>
<p>Theme: A41 Constitutional and legislative framework</p>			
<p>136.29 Fully align its national legislation with all obligations under the Rome Statute of the International Criminal Court (Estonia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A41 Constitutional and legislative framework B11 International humanitarian law B52 Impunity D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented.</p>
<p>136.44 Approve a specific law, in line with its international human rights obligations, that prohibits discrimination and incitement to violence based on sexual orientation and gender identity (Honduras); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A41 Constitutional and legislative framework B31 Equality & non- discrimination G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not yet implemented. There were no legislative changes. Advances were achieved by a Federal Supreme Court ruling (STF, by its Portuguese acronym). In addition to ruling to frame homophobia as a crime, the Federal Supreme Court in 2018 also established the right to gender self- identification. Until the Congress passes a specific law, the Supreme Court ruled homophobia a crime, which could be prosecuted based on the existing legislation on the crime of racism. Source: STF ruling</p>
<p>136.36 Carry out specific legislative reform to strengthen measures against discrimination on the basis of gender and ethnicity (Uganda); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A41 Constitutional and legislative framework B31 Equality & non- discrimination S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions</p>	<p>Not yet implemented. Decree No. 10,932 enacted in Brazil the Inter- American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance. A Draft Bill Law that aims to convert racial slurs into the crime of racism was approved in the Federal Senate and is pending in the Chamber of Deputies. Such Bill also intends to increase the maximum penalty for the crime of racism. In 2021, a Supreme Court ruling asserted that racial slur is equivalent to the crime of racism, that is, it is an imprescriptible and non-bailable crime. Data from the Ministry of</p>

		<p>Affected persons:</p> <ul style="list-style-type: none"> - women - Indigenous peoples 	<p>Human Rights indicate in 2021 an increase in complaints of racial slurs. Data from the Rio de Janeiro Public Security Institute also indicate a significant increase in crimes of racism in 2021.</p> <p>Source: <u>Ministry of Human Rights</u> <u>Rio de Janeiro Public Security Institute</u></p>
<p>136.58 Adopt a code of conduct based on international human rights standards in order to define specific conditions for the use of force by law enforcement officials during protests and riots (Slovakia); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>A41 Constitutional and legislative framework D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - law enforcement / police officials 	<p>Not yet implemented.</p> <p>In addition to the frequent excessive use of force and human rights violations in protests, Brazil has not yet built up effective institutional mechanisms that promote mediation and respect for human rights in conflict situations. The few attempts by subnational governments to establish protocols for the use of force are incipient and ineffective. There are still no significant initiatives to establish and implement minimum standards for police action through clear and well-defined criteria.</p> <p>At the national level, in 2013, the National Human Rights Council issued a Resolution in an attempt to establish minimum standards for guaranteeing human rights in protests (Resolution No 6/2013). Law No. 13675/2018, which creates the National Public Security and Social Defense Policy, generically addresses the principles of respect for rights, peaceful resolution of conflicts, and moderate and proportional use of force. On the one hand, the use of force in protests is thus based on broad principles and guidelines, and on the other hand, on often contradictory regulatory instruments. Law enforcement officials find a wide margin of discretion in such a context. There is also a lack of oversight of the Police activity. It leaves room for excessive and unlawful police actions, such as: use of less-lethal anti-protest weapons (namely rubber bullets), arbitrary and violent arrests, unidentified presence of police officers in protests, among others. In the 2020 and 2021 protests in Brazil, three protesters suffered eye injuries due to the use of “non-lethal” weapons.</p> <p>Source: <u>Nov - 2020 – Protest State of Amapa</u> <u>Mai – 2021 – Protest State of Pernambuco</u></p>
<p>136.94 Incorporate the Bangkok Rules into public policies to protect female inmates and adopt bill 5654/2016 that prohibits the use of handcuffs before, during and after childbirth on women deprived of liberty (Denmark); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>A41 Constitutional and legislative framework D26 Conditions of detention F1 Women F31 Children: definition; general principles; protection</p>	<p>Partly implemented</p> <p>The National Council of Justice has issued and updated recommendations and resolutions to guide judges' practices in the criminal system. In 2018, Resolution No. 252 was approved by this Council, establishing principles and guidelines for the monitoring of mothers and pregnant women deprived of their liberty and other measures, considering the Bangkok and Mandela Rules. Monitoring and concrete actions are needed to ensure that initiatives to establish human rights-based guidelines for criminal</p>

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - women - children - prison officials	justice professionals bring about practical changes. Source: CNJ Resolution
136.106 Ensure that legislation relating to the prison situation and criminal justice is in accordance with international human rights standards (Mexico); Source of position: A/HRC/36/11/Add.1	Supported	A41 Constitutional and legislative framework D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - public officials - prison officials	Not yet implemented.
136.102 Establish a mechanism to allow for speedy and correct judicial decisions under strict observance of constitutional and international law regarding the territorial rights of indigenous peoples (Austria); Source of position: A/HRC/36/11/Add.1	Supported	A41 Constitutional and legislative framework D51 Administration of justice & fair trial G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - Indigenous peoples - judges, lawyers and prosecutors	Not yet implemented.
136.206 Reject proposed Constitutional amendments and draft bills that seek to reduce the age of criminal responsibility (Uruguay); Source of position: A/HRC/36/11/Add.1	Supported	A41 Constitutional and legislative framework F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - general	Not yet implemented. A Proposed Amendment to the Constitution is pending before the National Congress, which aims to lower the age of criminal responsibility from 18 years of age to 16. In 2019, the proposal was under debate in the Committee on Constitution, Justice and Citizenship of the Federal Senate. Source: Senate News

Theme: A42 Institutions & policies - General			
<p>136.88 Ensure that Local Preventive Mechanisms are created by encouraging states to do so as envisaged by the national law on torture and expand the application of custody hearings to the entire country as set by Resolution 213 of the National Council of Justice (Denmark); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>- children</p> <p>A42 Institutions & policies - General A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - public officials - prison officials 	<p>Partly implemented</p> <p>According to the data from the National Council of Justice, custody hearings are implemented in all Brazilian states, in state and federal justice systems. The pandemic context represented a setback in the use of the custody hearings in criminal justice. First, custody hearings were suspended due to the pandemic. Posteriorly, the hearings were authorized in a virtual format. The CNJ Resolution No. 357 (2020) authorized the realization of custody hearings by videoconferences. Data compiled by civil society and by the Public Defender's Office of the State of Rio de Janeiro pointed out: (a) violations of rights and non-compliance of courts with CNJ's requirements to hold the hearings in a virtual format; (c) drop in the number of allegations of torture and ill-treatment due to the suspension of in-person hearings. Through Law 13964/2019, the National Congress approved a legal provision prohibiting holding custody hearings via videoconferences. Ensuring effective means for investigating allegations of torture and holding accused officials accountable is one of the problems regarding the effectiveness of custody hearings. There is still high underreporting of cases of torture and ill-treatment in custody hearings. Attempts to train and guide judges to create an open-door system to duly process torture and ill-treatment cases in criminal justice have not yet achieved the desired effects.</p> <p>Source: CNJ Report Public Defender's Office of the State of Rio de Janeiro Report</p>
<p>136.86 Consolidate the Federal National System, including by supporting States to set up Local Preventive Mechanisms (Ghana); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>A42 Institutions & policies - General A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general 	<p>Not yet implemented</p> <p>Data from the Ministry of Women, Family and Human Rights indicate that, as of July 2019, there were: 22 state-level committees to prevent and combat torture and 10 state-level mechanisms to prevent and combat torture. In 2019, the governor of the state of São Paulo vetoed the Draft Bill that would create the committee and the mechanisms to combat torture in that state.</p> <p>Source: Ministry of Human Rights</p>

<p>136.87 Create local preventive mechanisms at each state level for effective implementation of the National Mechanism for the Prevention and Combat of Torture (Turkey); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>- public officials - prison officials A42 Institutions & policies - General A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - public officials - prison officials</p>	<p>Not yet implemented.</p>
<p>136.59 Strengthen measures to prevent abuses by some law enforcement officials, including through providing appropriate human rights training (Rwanda); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A42 Institutions & policies - General A53 Professional training in human rights D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - law enforcement / police officials</p>	<p>Not yet implemented. The organization of occasional training courses and e-learning courses has not been contributing significantly to promote changes in legal professionals and in justice operators' practices.</p>
<p>136.45 Follow measures taken at the national level to ensure that municipalities in Brazil develop specific policies to guarantee rights of lesbian, gay, bisexual, transgender and intersex people (Israel); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A42 Institutions & policies - General B31 Equality & non-discrimination A41 Constitutional and legislative framework S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons:</p>	<p>Not yet implemented. Civil Society and LGBTI rights bodies have drawn attention to the statistical invisibility of the LGBTI population as a structural problem. There is no official reliable database on the situation of the LGBTI population at the national level. In some states, there are occasional initiatives for the production of data on violence and public policies, such as in the state of Rio de Janeiro. The most reliable data on the situation of the LGBTI population is produced by civil society.</p>

		- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	
136.66 Take measures to improve the situation of underreporting of cases of violence and discrimination against lesbian, gay, bisexual, transgender and intersex people, and develop policies to punish and prevent those actions (Israel); Source of position: A/HRC/36/11/Add.1	Supported	A42 Institutions & policies - General B31 Equality & non-discrimination G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	
136.47 Strengthen policies related to the fight against discrimination against indigenous and Afro-Brazilian children and others in vulnerable situations from an integral and intersectoral perspective (Chile); Source of position: A/HRC/36/11/Add.1	Supported	A42 Institutions & policies - General B31 Equality & non-discrimination G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions G3 Indigenous peoples Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - Indigenous peoples	Not yet implemented.
136.68 Undertake strategies to reduce gun violence, particularly among poor black youth (Bahamas); Source of position: A/HRC/36/11/Add.1	Supported	A42 Institutions & policies - General D1 Civil & political rights - general measures of implementation	Not yet implemented.

		<p>G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
<p>136.217 Develop and implement policy to address child mortality, malnutrition, health, education and access to sanitation, of indigenous people (South Africa); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A42 Institutions & policies - General E22 Right to food E23 Right to adequate housing E26 Human Rights & drinking water and sanitation E41 Right to health - General E51 Right to education - General G3 Indigenous peoples S03 SDG 3 - health S04 SDG 4 - education S08 SDG 8 - economic growth, employment, decent work S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented. The data regarding deaths of indigenous children is alarming. In 2019, 530 indigenous babies died. Source: Data on indigenous children mortality</p>
<p>Theme: A45 National Human Rights Institution (NHRI)</p>			

<p>136.23 Continue efforts to strengthen the national human rights institutions (Nepal); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented. Despite having institutions that act independently for the promotion and protection of human rights, Brazil does not have an internationally accredited National Human Rights Institution, according to the Paris Principles. Some efforts have been made by Brazilian institutions to achieve this goal, including the Federal Public Defender's Office and the National Human Rights Council. The National Human Rights Council (CNDH, by its acronym in Portuguese) has managed to ensure its political autonomy in different administrations. This Council has guaranteed autonomy in the election of members of civil society, autonomy in its form of organization, and has its own budget and executive secretary. However, there are examples of interference from the current government the Council's functioning, especially regarding the management of the officials designated to serve the Council. On the other hand, this body has faced a structural problem of underfinancing and lack of adequate structure to fully accomplish its mission.</p>
<p>136.24 Continue working to ensure that the National Human Rights Institution gains "A" status in compliance with the Paris Principles (Portugal); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	
<p>136.25 Bring its National Human Rights Council in line with the Paris Principles (Sierra Leone); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	
<p>136.26 Provide the National Human Rights Council with the necessary resources to enhance its independence to effectively carry out its functions (Uganda); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	

<p>136.27 Provide the National Human Rights Council with the necessary budgetary, administrative and political independence to fully implement its functions (Greece); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	
<p>136.28 Provide the National Human Rights Council with the budgetary, administrative and political independence, which is necessary to exercise its new mandate (Guatemala); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	
<p>136.31 Bring its national human rights institutions, especially the National Human Rights Council, fully in line with the Paris Principles (Poland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	
Theme: A53 Professional training in human rights			
<p>136.32 Introduce mandatory human rights training for police agencies, and implement an evidence-based policing programme, to reduce deaths from police action by 10 per cent over the universal periodic review cycle (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A53 Professional training in human rights A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials</p>	<p>Not yet implemented. Brazilian national and subnational governments usually report the organization of eventual training courses or modules of e-learning in human rights. These occasional initiatives have not brought about a change in practices or contributed to the construction of a culture of human rights education among security forces</p>
<p>136.33 Implement human rights training programmes for the security forces, emphasizing the use of force according to the criteria of necessity and proportionality (Italy); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>A53 Professional training in human rights A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons:</p>	

		- law enforcement / police officials	
136.34 Continue improving human rights education and training for enforcement agencies, public officials, and prison guards (Malaysia); Source of position: A/HRC/36/11/Add.1	Supported	A53 Professional training in human rights D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - law enforcement / police officials	
Theme: A54 Awareness raising and dissemination			
136.35 Continue efforts to enhance public awareness on issues of ethnic and racial equality and to combat violence against indigenous peoples (Uzbekistan); Source of position: A/HRC/36/11/Add.1	Supported	A54 Awareness raising and dissemination G3 Indigenous peoples S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not yet implemented. Federal administration authorities, including the President of the Republic, are responsible for encouraging vilification and dissemination of the disinformation about indigenous peoples, the Black movement and their leaders.
Theme: A61 Cooperation with civil society			
136.123 Strengthen civil society to participate in humanitarian assistance and in major sports events (Sudan); Source of position: A/HRC/36/11/Add.1	Supported	A61 Cooperation with civil society A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. Brazil is experiencing a moment of strong shrinking in civic spaces. In 2019, the federal government abolished more than 600 collegiate bodies created within the scope of federal administration. The remaining councils with civil society participation were discontinued or have suffered interference in their functioning, composition, and work agenda. In practice, making it impossible for civil society to participate autonomously in federal administration affairs.
Theme: B31 Equality & non-discrimination			
136.40 Take urgent measures to adopt legislation sanctioning discrimination and incitement to violence on the grounds of sexual orientation, and investigate and sanction cases of violence against lesbian, gay, bisexual, transgender, intersex and queer persons (Argentina);	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework	Not yet implemented.

<p>Source of position: A/HRC/36/11/Add.1</p>		<p>A42 Institutions & policies - General G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	
<p>136.41 Continue advancing the promotion of laws and initiatives that ban discrimination and incitement to violence on the grounds of sexual orientation and gender identity, in particular in the case of young persons and adolescents (Chile); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination A41 Constitutional and legislative framework A42 Institutions & policies - General G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not yet implemented.</p>
<p>136.43 Continue taking measures to develop legislation and policies at federal, state and municipal level to punish and prevent hate crimes and discrimination against the lesbian, gay, bisexual, transgender and intersex population (Finland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination A41 Constitutional and legislative framework A42 Institutions & policies - General G1 Members of minorities S10 SDG 10 - inequality</p>	<p>Not yet implemented. There were no advances in legislation regarding this matter. Examples of legislative advances are rare and isolated at the local scale. The city of São Paulo, for example, passed the Municipal Law No. 17,301/2020, which prohibits discrimination based on sexual orientation or gender identity at the municipal level. Federal government authorities, including the President of the Republic himself, have played a significant role in inciting hostility against the LGBTI population. In 2022, the Federal Public Prosecutor's Office presented charges of homophobia against the Minister of Education, Milton Ribeiro.</p>

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Data from the Transrespect Versus Transphobia Worldwide research project rank Brazil as the country that concentrated 40% of killings of transgender and gender nonconforming people in the world in 2020 Source: Jota Municipal Law No. 17,301/2020 Transrespect Versus Transphobia
136.49 Continue taking active measures aimed at eradicating discrimination against Afro- Brazilian women based on their gender and ethnicity (Namibia); Source of position: A/HRC/36/11/Add.1	Supported	B31 Equality & non- discrimination A42 Institutions & policies - General G1 Members of minorities F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not yet implemented.
136.39 Take necessary measures to address homophobic and transphobic crime, including by establishing a system for recording such crimes (Sweden); Source of position: A/HRC/36/11/Add.1	Supported	B31 Equality & non- discrimination A42 Institutions & policies - General G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not yet implemented.
136.42 Redouble the capacity- building efforts for all the security forces, aiming at avoiding practices of racial bias, or,	Supported	B31 Equality & non- discrimination	Not yet implemented.

<p>directed, among others, against vulnerable minorities such as lesbian, gay, bisexual, transgender and intersex persons (Colombia); Source of position: A/HRC/36/11/Add.1</p>		<p>A42 Institutions & policies - General G1 Members of minorities S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	
<p>136.37 Take measures to eliminate cases of discrimination against certain groups in society (Iraq); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination A42 Institutions & policies - General S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Not yet implemented.</p>
<p>136.38 Support initiatives and strategies to combat discrimination and promote the inclusion of vulnerable persons (Madagascar); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination A42 Institutions & policies - General S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Not yet implemented.</p>

<p>136.48 Further promote ethnic and racial equality, building on the important policy measures already taken (Greece); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination A42 Institutions & policies - General S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Not yet implemented. A preliminary technical report prepared by the Chamber of Deputies Consulting Services on the Budgetary and Financial Oversight and the Legislative Consulting Services pointed out the total dismantling of public programs aimed at promoting racial equality in Brazil: National Plan to Combat Youth Homicide, provided for in Law 13,675/18. It was not implemented. “Juventude Viva” Program, aimed at preventing and combating the homicide of young Black people. It was discontinued in 2019. Gender and Race Equality Program, which encouraged new ways of management with a focus on gender and race inequalities in the workplace. It was suspended in late 2018. National Comprehensive Policy for the Health of the Black Population. It has not been implemented in practice, at least since 2019. National Permanence Grant Program, which supports the continuation of studies at universities for vulnerable groups. There was a reduction in resources allocated to the program. Public policies aimed at quilombolas. There was a drastic budget reduction and extinction of actions aimed at local development for quilombolas. Palmares Cultural Foundation. There was a drastic budget reduction. In addition to the complete dismantling of the policy, the federal agencies responsible for the policy of combating racism and promoting racial equality became hostile to the cause of the Black movement. The case of Palmares Foundation is emblematic, a foundation responsible for the valorization of Black culture whose president became popular due to frontal attacks against the Black movement and Black activists. Source: <u>Chamber of Deputies Consulting Services on the Budgetary and Financial Oversight and the Legislative Consulting Services’ Report</u></p>
<p>Theme: B32 Racial discrimination</p>			
<p>136.60 Continue putting in place measures aimed at preventing violence and racial discrimination against Afro-Brazilians and at protecting their cultural heritage</p>	<p>Supported</p>	<p>B32 Racial discrimination A42 Institutions & policies - General</p>	<p>Not yet implemented.</p>

<p>sites and places of worship (Namibia); Source of position: A/HRC/36/11/Add.1</p>		<p>G1 Members of minorities D42 Freedom of thought, conscience and religion S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
<p>136.174 Continue strengthening efforts to eliminate discrimination, including racial discrimination in education (Indonesia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B32 Racial discrimination E51 Right to education - General S04 SDG 4 - education S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Not yet implemented.</p>
<p>136.46 Strengthen measures to prevent and punish racism, discrimination and violence against indigenous peoples and people of African descent and violence against women and girls (Rwanda); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B32 Racial discrimination F13 Violence against women G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - girls - Indigenous peoples</p>	<p>Not yet implemented.</p>
<p>Theme: B51 Right to an effective remedy</p>			
<p>136.63 Strengthen prevention and effectiveness of investigation of cases of police violence through improved supervision and human rights training of law enforcement personnel, namely the military police, and ensure accountability for any acts of police violence (Czechia);</p>	<p>Supported</p>	<p>B51 Right to an effective remedy A53 Professional training in human rights B52 Impunity S16 SDG 16 - peace, justice and strong institutions</p>	<p>Not yet implemented. There were no advances in relation to the impunity regime that benefits members of the security forces involved in extrajudicial executions, torture, or excessive use of force. The case of Favela Nova Brasilia is emblematic. In this case, 26 people were summarily executed and 3 people were victims of sexual violence committed in 1994 and 1995 during two police</p>

<p>Source of position: A/HRC/36/11/Add.1</p>		<p>Affected persons: - law enforcement / police officials</p>	<p>raids carried out in Favela Nova Brasília, in Complexo do Alemão, Rio de Janeiro. The Inter-American Court of Human Rights condemned the Brazilian State for human rights violations in this case. 27 years after the massacre, the police officers involved were acquitted.</p>
<p>136.64 Ensure that acts of violence committed by members of security forces are prosecuted in order to combat impunity (France); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B51 Right to an effective remedy B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials</p>	<p>Source: Amnesty International Brazil Statement</p>
<p>136.54 To further continue the efforts to punish those responsible for the breaking of the retaining walls in Jacareí and Mariana; and to ensure that the victims of this event are guaranteed their right to access to justice, and their right to fair compensation, remediation and reparations for the damage caused. We recommend that Brazil share these acquired experiences through its constructive and substantive participation in the Intergovernmental Working Group established through resolution 26/9 of the Human Rights Council (Ecuador); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B51 Right to an effective remedy B6 Business & Human Rights B71 Human rights and the environment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	
<p>136.65 Take further steps in order to prevent violence against people of African descent (Republic of Korea); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B51 Right to an effective remedy G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	

Theme: B6 Business & Human Rights

<p>136.51 Develop a national action plan on business and human rights in order to prevent development projects from violating the rights of traditional populations, indigenous peoples and workers and causing damage to the</p>	<p>Supported</p>	<p>136.51 Develop a national action plan on business and human rights in order to prevent development projects from</p>	<p>Not yet implemented. Decree No. 9,571/2018 established the National Guidelines on Business and Human Rights in Brazil. The enactment of the decree received several criticisms from civil society. Firstly, it was enacted in a context of widespread dismantling of environmental protection</p>
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<p>environment, and in order to ensure an effective remedy with meaningful consultations with the affected communities (Netherlands); Source of position: A/HRC/36/11/Add.1</p>		<p>violating the rights of traditional populations, indigenous peoples and workers and causing damage to the environment, and in order to ensure an effective remedy with meaningful consultations with the affected communities (Netherlands); Source of position: A/HRC/36/11/Ad d.1</p>	<p>policies. Secondly, the decree reinforces the voluntary nature of business' compliance with human rights obligations. The decree introduced non-binding principles and guidelines of human rights in the Brazilian legal system without any instrument capable of monitoring or compelling corporate actors to follow human rights standards. Since 2015, several initiatives have been organized in order to discuss this topic, with the participation of the Brazilian government (workshops, public hearings, public consultations, national and international work meetings). In August 2018, through Ordinance No. 289/2018, the Business and Human Rights Committee was created within the scope of the Ministry of Human Rights, without the participation of civil society. One of the purposes of the Committee should have been the implementation of the Principles and Guidelines of the United Nations. However, there is no transparent and</p>
<p>136.52 Draft a comprehensive national plan of action on business and human rights, that would take into account the United Nations Guiding Principles in this regard (Paraguay); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>136.52 Draft a comprehensive national plan of action on business and human rights, that would take into account the United Nations Guiding Principles in this regard (Paraguay); Source of position: A/HRC/36/11/Ad d.1</p>	<p>collaborative process with civil society aimed at developing a national plan on business and human rights in accordance with UN guidelines. The harmful actions of the Brazilian government towards environmental policies in recent years cast doubt on its ability to lead a process with the significant participation of civil society, especially, victims of human rights violations by corporate actors, such as indigenous, quilombolas, and other traditional peoples. It is worth mentioning that civil society and human rights institutions have discussed the insufficiency of the Principles and Guidelines of the United Nations when applied to the Brazilian reality. A technical note from the Office of the Federal Prosecutor on the Rights of the Citizen (PFDC, by its acronym in Portuguese) highlighted that a national action plan on Business and Human Rights should consider the state of the art of Brazilian legal and judicial precedents. Such precedents have been helping to define a more rigorous framework for the protection of human rights in the context of human rights violations by corporate actors and projects of development in Brazil. Source: PFDC Technical Note</p>
<p>136.53 Draw up an action plan for business and human rights (Sierra Leone); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>136.53 Draw up an action plan for business and human rights (Sierra Leone); Source of position: A/HRC/36/11/Ad d.1</p>	<p>Source: PFDC Technical Note</p>
<p>Theme: B71 Human rights and the environment</p>			
<p>136.55 Continue its efforts on the implementation of the National Policy on Climate Change on reducing deforestation in the Amazon region (Ethiopia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>B71 Human rights and the environment B6 Business & Human Rights</p>	<p>Not yet implemented. Civil society organizations have drawn attention to the paralysis of climate change policies. A report from the Federal Senate Environment Commission points out that, as of 2019, the entire organizational structure responsible for the topic of climate change at the Ministry of</p>

	<p>S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Environment was discontinued. In 2019, the Division of Climate Change and Forests and the Department of Forests and Prevention of Deforestation were extinguished. The Division of Climate Change and Forest was responsible for coordinating the implementation of the National Policy on Climate Change, the management of the National Fund for Climate Change, and for the coordination of plans for prevention and control of deforestation in the Amazon and Cerrado. A new body, the Division of Forests and Sustainable development, was created. This body, in turn, was completely emptied and was not able to exercise responsibilities related to climate change. In 2021, the government's attempts to propose changes to the National Policy on Climate Change was largely criticized by civil society. Attempts to replace specific goals with abstract and generic formulas were particularly disapproved, especially regarding proposals of generic plans to combat deforestation without concrete results.</p> <p>One of the government's responses to contain deforestation in the Amazon was the reinforcement of the military presence in the region and the militarization of police forces and bodies responsible for the socio-environmental agenda. There are pending lawsuits in the Supreme Court questioning the government's mismanagement regarding environmental and climate governance bodies, namely the National Council for the Environment and the National Council for the Legal Amazon.</p> <p>Sources: Federal Senate Commission of Environment Report Civil Society Statement on changes to the National Policy on Climate Change</p>
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Theme: D22 Extrajudicial, summary or arbitrary executions

<p>136.71 End extrajudicial killings and associated impunity, including by passing draft bill No. 4471/2012, by abolishing the classification “resistance to arrest followed by death” and by ensuring that all deaths following police interventions are impartially investigated (Germany); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D22 Extrajudicial, summary or arbitrary executions B52 Impunity A41 Constitutional and legislative framework D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions</p>	<p>Not yet implemented.</p>
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		<p>Affected persons:</p> <ul style="list-style-type: none"> - judges, lawyers and prosecutors - law enforcement / police officials 	
<p>136.70 Refrain from resorting to violence and extrajudicial executions by the security forces, in particular the so-called “war on drugs” (Bolivarian Republic of Venezuela);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>D22 Extrajudicial, summary or arbitrary executions</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - judges, lawyers and prosecutors - law enforcement / police officials 	Not yet implemented.
Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment			
<p>136.79 Address the problem of severely overcrowded prisons to eliminate inhumane conditions and take all measures to prevent torture (Turkey);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>D26 Conditions of detention</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons deprived of their liberty - prison officials 	Not yet implemented.
<p>136.80 Adopt without delay urgent measures to stop torture, violence, killings and serious overcrowding and degrading conditions in the prisons in Brazil (Bolivarian Republic of Venezuela);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>D26 Conditions of detention</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons deprived of their liberty - prison officials 	Not yet implemented.
<p>136.72 Continue its efforts to combat torture and ill-treatment (Algeria);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p>	Not yet implemented.

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - law enforcement / police officials	
136.73 Intensify efforts aimed at combating and preventing torture and other forms of ill-treatment (Georgia); Source of position: A/HRC/36/11/Add.1	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - law enforcement / police officials	Not yet implemented.
136.79 Address the problem of severely overcrowded prisons to eliminate inhumane conditions and take all measures to prevent torture (Turkey); Source of position: A/HRC/36/11/Add.1	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials	Not yet implemented.
Theme: D26 Conditions of detention			
136.76 Improve detention conditions, including basic sanitation and access to water, food and medical care (Republic of Korea); Source of position: A/HRC/36/11/Add.1	Supported	D26 Conditions of detention E22 Right to food E26 Human Rights & drinking water and sanitation Affected persons: - persons deprived of their liberty - prison officials	Not yet implemented.
136.77 Address overcrowding, sanitation, violence, and medical and psychological care in prisons (South Africa); Source of position: A/HRC/36/11/Add.1	Supported	D26 Conditions of detention E26 Human Rights & drinking water and sanitation	Not yet implemented.

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials	
136.95 Improve prison conditions, particularly addressing overcrowding and violence, including in prisons for women (Australia); Source of position: A/HRC/36/11/Add.1	Supported	D26 Conditions of detention F1 Women S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - persons deprived of their liberty - prison officials	Not yet implemented. The National Council of Justice <u>Recommendation No. 62</u> aimed at guiding the adoption of measures for containing the spread of Covid-19 in prisons. On the one hand, the recommendation restricted the rights of people (suspension of activities: visits, food delivery, work). On the other hand, it addressing overcrowding recommended the preferential application of alternatives to imprisonment: house arrest, pretrial release, early or conditional release. It is necessary to closely monitor and evaluate the results of the work of the National Council of Justice in issuing recommendations and resolutions guiding the adoption of minimum human rights standards in the management of the prison system and in criminal execution.
136.96 Improve facilities dedicated to pregnancy and maternity in prisons, in line with the Bangkok Rules (Thailand); Source of position: A/HRC/36/11/Add.1	Supported	D26 Conditions of detention F1 Women S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - persons deprived of their liberty - prison officials	Partly implemented Resolution No. 252/2018 from National Council of Justice establishes principles and guidelines for pregnancy and maternity in prison in line with the Bangkok Rules.
136.97 Strengthen prison reform efforts to protect female prisoners from sexual abuse and violence (Bahamas); Source of position: A/HRC/36/11/Add.1	Supported	D26 Conditions of detention F1 Women S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - persons deprived of their liberty - prison officials	Not yet implemented.
136.90 Ensure conditions at detention centres comply with international and Brazilian law and that particular attention is given to conditions faced by vulnerable prisoners including pregnant women, children, and lesbian, gay,	Supported	D26 Conditions of detention F12 Discrimination against women G1 Members of minorities	Partly implemented National Council of Justice <u>Resolution No. 348/2020</u> establishes guidelines and procedures for the treatment of the LGBTQ+ population in prisons. It is necessary to closely monitor and evaluate the results of the work of the National Council

<p>bisexual, transgender and intersex persons; and provide human rights training to officials in the legal and judicial system (Ireland); Source of position: A/HRC/36/11/Add.1</p>		<p>S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - prison officials</p>	<p>of Justice in issuing recommendations and resolutions guiding the adoption of minimum human rights standards in the management of the prison system and in criminal execution.</p>
<p>136.75 Continue taking measures aimed at improving the conditions in prisons and other detention facilities (Namibia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Not yet implemented.</p>
<p>136.81 Working jointly with the Federal States to improve detention conditions in Brazilian prisons (Algeria); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - public officials - prison officials</p>	<p>Not yet implemented.</p>
<p>136.82 Continue improving prison conditions and reducing overcrowding (Angola); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	<p>Not yet implemented.</p>
<p>136.83 Ensure respect for and protection of human rights for all detainees including by guaranteeing detention conditions in compliance with domestic as well as international law and standards and by protecting against cruel and inhuman treatment (Austria); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	<p>Not yet implemented. It is necessary to closely monitor and evaluate the results of the work of the National Council of Justice in issuing recommendations and resolutions guiding the adoption of minimum human rights standards in the management of the prison system and in criminal execution.</p>
<p>136.84 Improve as quickly as possible the different aspects of prisoners' conditions (Cabo Verde);</p>	<p>Supported</p>	<p>D26 Conditions of detention</p>	<p>Not yet implemented.</p>

<p>Source of position: A/HRC/36/11/Add.1</p>		<p>S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	
<p>136.89 Continue to make efforts to protect human rights of persons in detention facilities (Holy See); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	<p>Not yet implemented.</p>
<p>136.91 Enhance efforts to reform the prison system and to ensure the protection of the human rights of all detainees (Italy); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	<p>Not yet implemented.</p>
<p>136.92 Take measures to improve conditions related to treatment of inmates within prisons, through increasing the capacity as already initiated by the Government and through measures for maintaining order within prisons (Japan); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	<p>Not yet implemented.</p>
<p>136.93 Take necessary measures to increase the number of gynaecologists in the Brazilian prison system (Sweden); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - prison officials</p>	<p>Not yet implemented.</p>
<p>Theme: D29 Domestic violence</p>			
<p>136.185 Combat domestic violence and high maternal mortality rates suffered by women, in compliance with the Convention on the Elimination of All Forms of Discrimination against Women (Estonia);</p>	<p>Supported</p>	<p>D29 Domestic violence E43 Access to sexual and reproductive health and services</p>	<p>Not yet implemented. Data from the Covid-19 Brazilian Obstetric Observatory indicates that 75% of all deaths of pregnant and postpartum women due to the Covid-19 pandemic in the world occurred in Brazil. Source:</p>

<p>Source of position: A/HRC/36/11/Add.1</p>		<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p><u>Criola</u></p>
Theme: D33 Arbitrary arrest and detention			
<p>136.98 Step up efforts to abolish the practice of racial profiling and arbitrary arrest by the police and security forces (Indonesia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D33 Arbitrary arrest and detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - law enforcement / police officials</p>	<p>Not yet implemented. Police lethality rates continue to break records in the country. Civil society organizations and Public Defenders' Offices have drawn attention to the practice of photographic recognition in police stations. Reports by public defenders identified, between 2012 and 2020, 90 wrongful arrests based on photographic recognition. In Rio de Janeiro, in 58 cases in which there was an error in photographic recognition, 80% of the suspects were Black. Source: Data on police lethality Public Defenders Offices Report</p>
Theme: D51 Administration of justice & fair trial			
<p>136.67 Ensure that all hate crimes against lesbian, gay, bisexual, transgender and intersex persons are thoroughly investigated and prosecuted and seek to reduce hate by integrating human rights education into school curricula (Canada); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D51 Administration of justice & fair trial B51 Right to an effective remedy A51 Human rights education - general G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not yet implemented.</p>
<p>136.61 Conduct thorough, impartial, and timely investigations into all allegations of unlawful killings, abuse, torture, and corruption involving security forces and prison personnel (United States of America);</p>	<p>Supported</p>	<p>D51 Administration of justice & fair trial D1 Civil & political rights - general measures of implementation</p>	<p>Not yet implemented.</p>

<p>Source of position: A/HRC/36/11/Add.1</p>		<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - law enforcement / police officials</p>	
<p>136.62 Ensure investigations and recommend action against abuses by law enforcers, as a way of curbing violations (Botswana); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D51 Administration of justice & fair trial D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials</p>	<p>Not yet implemented.</p>
<p>136.105 Expand custody hearing programmes to cover all pre-trial detainees by passing draft bill 554/2011. Provide specific training according to the Istanbul Protocol to judges and public prosecutors working in custody hearings (Germany); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D51 Administration of justice & fair trial D26 Conditions of detention A53 Professional training in human rights S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - persons deprived of their liberty</p>	<p>Not yet implemented.</p>
<p>136.101 Consider expanding application of the Custody Hearings Programme and make it feasible before all State Courts (Serbia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>D51 Administration of justice & fair trial D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons:</p>	<p>Partly implemented According to the data from the National Council of Justice, custody hearings are implemented in all Brazilian states, in state and federal justice systems.</p>

		- judges, lawyers and prosecutors	
136.107 Improve judicial processes to minimize the length of pre-trial detention and speed up trials, and consider alternatives to detention to address prison overcrowding (United States of America); Source of position: A/HRC/36/11/Add.1	Supported	D51 Administration of justice & fair trial D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - persons deprived of their liberty - prison officials	Partly implemented In 2019, a legislative change to the Criminal Procedure Code sought after to establish a minimum standard for monitoring pretrial detention. According to the new law (Law No. 13.964/19) pretrial detention must be reviewed by the judge who granted it every 90 days.
136.108 Plan and take concrete measures in the mid-term period with the objective of reducing pre-trial time for remand prisoners and reduce the overall number of prisoners awaiting trial rather than serving sentences (Slovenia); Source of position: A/HRC/36/11/Add.1	Supported	D51 Administration of justice & fair trial D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - public officials - prison officials	Partly implemented
136.78 Take measures to reduce over incarceration, notably by encouraging the use of alternative sentencing and by making sure that pre-trial hearings are widely used (Spain); Source of position: A/HRC/36/11/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - persons deprived of their liberty - prison officials	Partly implemented
Theme: E26 Human Rights & drinking water and sanitation			
136.145 Address challenges of water and sanitation in favelas by full implementation of the National Sanitation Plan (South Africa); Source of position: A/HRC/36/11/Add.1	Supported	E26 Human Rights & drinking water and sanitation S06 SDG 6 - water and sanitation S16 SDG 16 - peace, justice and strong institutions	Not yet implemented. In the last two decades there has not been much change in data on access to safe water and sanitation. There is a structural deficit in which about 15% of the total Brazilian population is not served by a water supply system. In turn, approximately 45% of the population is not served by the sewage collection network (National Sanitation Information System, panorama 2021). This structural deficit in access

		<p>Affected persons: - persons living in poverty</p>	<p>to water and sanitation is unevenly distributed. The North and Northeast regions are the most affected by this inequality. Equally more affected are the peripheral and favela residents.</p>
<p>136.146 Take further efforts to improve access to water and sanitation, especially in the north and north-east of the country, through the effective implementation of the principle of equality, and to gradually reduce inequalities through the implementation of the National Sanitation Plan (Spain); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>E26 Human Rights & drinking water and sanitation S06 SDG 6 - water and sanitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons living in poverty</p>	<p>In 2020, a regulatory framework for sanitation was approved (Law No. 14026/2020) by the federal government. The law was received with concern by Brazilian civil society. The opening to privatization of services, facilitated by the law, can increase the structural shortfall in access to water and sanitation for the poorest populations.</p>
<p>136.147 Strengthen endeavours to ensure access to safe drinking water and sanitation through installing water and sanitation networks (Turkey); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>E26 Human Rights & drinking water and sanitation S06 SDG 6 - water and sanitation S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons living in poverty</p>	
<p>Theme: E43 Access to sexual and reproductive health and services</p>			
<p>136.158 Ensure access to reproductive health care, including high-quality prenatal care, and information on sexual and reproductive health, contraception and emergency contraception, and safe abortion to all women without discrimination (Switzerland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Not yet implemented.</p>

<p>136.159 Ensure universal access to comprehensive sexual and reproductive health services, without discrimination and in accordance with the commitments made, among others, in the Montevideo Consensus (Uruguay); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Not yet implemented.</p>
<p>136.160 Continue the commitments made in terms of access to the voluntary termination of pregnancy in order to ensure full respect for sexual and reproductive rights (France); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Not yet implemented. In 2020, the Ministry of Health edited an Ordinance that updated the procedures for legal termination of pregnancy. This Ordinance has been widely criticized by health professionals for bringing provisions that reinforce police surveillance of women and, consequently, will keep them away from safe abortion services.</p>
<p>136.161 Continue expanding access to voluntary termination of pregnancy in order to ensure the full recognition of sexual and reproductive rights (Iceland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health</p>	<p>Not yet implemented.</p>

		S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	
Theme: F13 Violence against women			
136.193 Follow up on the infrastructure of safe houses for abused women and make sure the legal framework is widely implemented and reaches women's reality (Austria); Source of position: A/HRC/36/11/Add.1	Supported	F13 Violence against women A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not yet implemented.
136.194 Increase its focus on policy implementation to combat family violence, and in particular violence against women and children (Australia); Source of position: A/HRC/36/11/Add.1	Supported	F13 Violence against women D29 Domestic violence S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not yet implemented.
136.191 Further strengthen mechanisms fostering prosecution of all perpetrators of sexual and gender-based violence (Slovakia); Source of position: A/HRC/36/11/Add.1	Supported	F13 Violence against women D51 Administration of justice & fair trial S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - judges, lawyers and prosecutors	Not yet implemented.

<p>136.192 Take measures to reduce the number of cases of violence against women and bring the perpetrators to justice (Togo); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>F13 Violence against women D51 Administration of justice & fair trial S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - judges, lawyers and prosecutors</p>	<p>Partly implemented It's worth mentioning the work carried out by the National Council of Justice in issuing resolutions and setting goals for the performance of the judiciary in cases of domestic violence. <u>Resolution No. 254/2018</u> established the National Judicial Policy to Combat Violence Against Women.</p>
<p>136.119 Take further efforts in combating violence against women such as enhancing the trust in the judicial system, measures to prevent violence, and promoting services and networks for women in rural areas (Spain); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>F13 Violence against women D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - judges, lawyers and prosecutors</p>	<p>Not yet implemented.</p>
<p>136.196 Ensure the effective implementation of measures to prevent, punish and eradicate all forms of violence and discrimination against women and lesbian, gay, bisexual, transgender and intersex persons (Mexico); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>F13 Violence against women F12 Discrimination against women G1 Members of minorities S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p>	<p>Not yet implemented.</p>
<p>136.186 Strengthen measures to eliminate violence and discrimination against women and girls, particularly in rural and</p>	<p>Supported</p>	<p>F13 Violence against women F12 Discrimination against women</p>	<p>Not yet implemented.</p>

<p>remote areas (Islamic Republic of Iran); Source of position: A/HRC/36/11/Add.1</p>		<p>S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - persons living in rural areas</p>	
<p>136.187 Take measures to combat violence against women and children (Iraq); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>F13 Violence against women F31 Children: definition; general principles; protection S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - children</p>	<p>Not yet implemented.</p>
<p>136.195 Strengthen policies and programmes to address violence against women and combat child prostitution (Indonesia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>F13 Violence against women F33 Children: protection against exploitation S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - children</p>	<p>Not yet implemented. During the pandemic, the current government also proved itself unable to fully execute the budget available to respond to the increase in cases of domestic violence. Institute for Socioeconomic Studies' (INESC by its acronym in Portugues) data point to the lack of resource allocation for the protection and defense of the rights of children and adolescents in the budget plan for the four-year period 2020 - 2023. Source: Chamber of Deputies Legislative Consulting Services Data INESC Report</p>
<p>136.183 Extend the "Women Living without Violence" programme, with particular attention to women and girls living in the countryside and to women and girls of Afro-Brazilian descent (Belgium); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>F13 Violence against women G1 Members of minorities S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions</p>	<p>Not yet implemented.</p>

		<p>Affected persons:</p> <ul style="list-style-type: none"> - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons living in rural areas 	
<p>136.178 Continue the efforts to implement the “Women Living without Violence” programme launched in 2013 (Russian Federation);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>F13 Violence against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	Not yet implemented.
<p>136.179 Pursue efforts to combat violence against women and promote the rights of women (Sudan);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>F13 Violence against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	Not yet implemented.
<p>136.180 Continue efforts to combat violence, particularly against women (Tunisia);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>F13 Violence against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women 	Not yet implemented.
<p>136.181 Take measures to stop violence that has cost the lives of more than five thousand women, and caused more than 500,000 rapes in the last year (Bolivarian Republic of Venezuela);</p> <p>Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>F13 Violence against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p>	Not yet implemented.

		Affected persons: - women	
136.184 Continue its efforts to combat violence against women and girls (Egypt); Source of position: A/HRC/36/11/Add.1	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - girls	Not yet implemented.
136.188 Continue to adopt and implement effective measures to fight violence against women (Italy); Source of position: A/HRC/36/11/Add.1	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women	Not yet implemented.
136.190 Strengthen the capacity of police in cases of violence against women by expanding training and developing protocols to respond to cases effectively (Canada); Source of position: A/HRC/36/11/Add.1	Supported	F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - law enforcement / police officials	Not yet implemented.
Theme: G1 Members of minorities			
136.221 Ensure the equal access of Afro-Brazilians to poverty reduction policies and social security benefits as a means of protection of their fundamental rights (Botswana); Source of position: A/HRC/36/11/Add.1	Supported	G1 Members of minorities E21 Right to an adequate standard of living - general E24 Right to social security S16 SDG 16 - peace, justice and strong institutions Affected persons:	Not yet implemented.

		- minorities/ racial, ethnic, linguistic, religious or descent-based groups	
136.219 Continue to promote the rights of communities of African descent, in particular children's rights (Senegal); Source of position: A/HRC/36/11/Add.1	Supported	G1 Members of minorities F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions Affected persons: - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups	Not yet implemented.
136.225 Establish mechanisms to eradicate stigma and discrimination against indigenous groups and ethnic minorities, including awareness-raising among public officials, accountability and redress mechanisms (Mexico); Source of position: A/HRC/36/11/Add.1	Supported	G1 Members of minorities G3 Indigenous peoples B31 Equality & non-discrimination S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - Indigenous peoples	Not yet implemented.
136.220 Continue to improve procedures to ensure the rights of people of African descent (El Salvador); Source of position: A/HRC/36/11/Add.1	Supported	G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - children - minorities/ racial, ethnic, linguistic,	Not yet implemented.

		religious or descent-based groups	
Theme: G3 Indigenous peoples			
136.224 Ensure that indigenous peoples and other minorities are protected against all forms of discrimination (Philippines); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples Affected persons: - Indigenous peoples	Not yet implemented.
136.230 Guarantee adequate consultation and full participation of indigenous peoples in all legislative and administrative measures affecting them, protect indigenous people including indigenous human rights defenders from threats and attacks, and protect their land rights, in particular by strengthening protection programmers, completing pending land demarcation processes and providing adequate funding and capacity to the Indian National Foundation (FUNAI) (Germany); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General H1 Human rights defenders A63 Budget and resources (for human rights implementation) S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples - human rights defenders	Not yet implemented. There are several examples of policies, programs and promotion of private initiative activities undertaken in disregard of ILO Convention 169 and undermining the right to free, prior and informed consultation. Since the first day of the current government (2020), significant changes have been introduced in the federal administration without consulting indigenous peoples, quilombolas, and other traditional peoples. These changes restricted the rights of traditional peoples, changed the authorities responsible for the demarcation of indigenous and quilombola lands, and appointed military personnel to strategic positions in policies for indigenous people. There are also numerous examples of development projects that have been carried out in the territories violating free, prior and informed consultation. An emblematic case is the Ferrogão railroad in the Amazon. The Railroad project is temporarily suspended by a Federal Supreme Court order. The Draft Legislative Decree No 177/2021, which aims to denounce ILO Convention 169, could have a devastating effect on indigenous, quilombolas, and other traditional people's rights Source: Instituto Socioambiental Study
136.231 Continue its efforts to establish effective consultation processes with indigenous communities with respect to any project that may affect the land or livelihoods of indigenous peoples (El Salvador); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not yet implemented.
136.232 Ensure an effective consultation process with	Supported	G3 Indigenous peoples	Not yet implemented.

<p>indigenous peoples in all decision-making that might affect them (Estonia); Source of position: A/HRC/36/11/Add.1</p>		<p>A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	
<p>136.233 Ensure indigenous peoples adequate consultation as well as full participation in all legislative or administrative measures affecting them (Iceland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Not yet implemented.</p>
<p>136.236 Adopt an effective plan of action for the demarcation of indigenous lands and provide the necessary financial resources to ensure an effective policy for the protection of the rights of indigenous peoples and to prevent land-related conflicts (Switzerland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Not yet implemented. A Technical Note from the Federal Prosecution Service pointed out that there is currently a situation of violation of rights of indigenous peoples that is unprecedented in the country. Examples of violations are a) complete paralysis of policies for the regularization of indigenous lands; b) dismantling of the National Indigenous Foundation (Brazil); and c) omission in the face of the advance of the Covid-19 pandemic among indigenous peoples. Source: Technical Note from the Federal Prosecution Service</p>
<p>136.237 Continue its process of demarcation of indigenous lands (Peru); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General</p>	<p>Not yet implemented.</p>

		S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	
136.238 Take necessary measures to resolve and prevent conflicts related to land issues and to complete the land demarcation processes deriving from Article 231 of the 1988 Constitution (France); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not yet implemented.
136.239 Speed up through executive action the processes of demarcation and protection of the lands of indigenous peoples and protect their respective rights (Cabo Verde); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not yet implemented.
136.240 Advance with the agenda for the indigenous peoples' right to free, prior and informed consent (Norway); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples A41 Constitutional and legislative framework A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not yet implemented.
136.223 Guarantee the constitutional rights of Indigenous	Supported	G3 Indigenous peoples	Not yet implemented.

<p>peoples including by ensuring the National Indian Foundation has the necessary resources to carry out its work, particularly relating to the demarcation of Indigenous lands, and take measures to conclude investigations into all killings of Indigenous Peoples (Canada); Source of position: A/HRC/36/11/Add.1</p>		<p>A41 Constitutional and legislative framework D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Data from the Institute for Socioeconomic Studies (INESC) for 2020 show the low allocation of resources to FUNAI. Source: INESC Report</p>
<p>136.229 Establish and implement a clear procedure for free, prior and informed consultation that would ensure full participation of indigenous peoples in the decision-making process regarding any major project impacting on their way of life (Republic of Moldova); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Not yet implemented.</p>
<p>136.241 Strengthen human rights protection mechanisms for Indigenous Peoples, with special attention to ensure the human rights of indigenous girls and boys (Paraguay); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples A42 Institutions & policies - General A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Not yet implemented.</p>
<p>136.242 Develop and implement a comprehensive strategy on fighting discrimination and marginalization of indigenous peoples (Republic of Moldova); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples A42 Institutions & policies - General B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons:</p>	<p>Not yet implemented.</p>

<p>136.227 Strengthen coordination between the Brazilian Institute of the Environment and Renewable Natural Resources and the Brazilian National Indian Foundation (Maldives); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>- Indigenous peoples G3 Indigenous peoples A42 Institutions & policies - General B71 Human rights and the environment S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Not yet implemented.</p>
<p>136.228 Take measures to combat violence and discrimination against indigenous peoples (Togo); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples B31 Equality & non-discrimination D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>Not yet implemented.</p>
<p>136.235 Continue to invest in poverty alleviation policies and to ensure more effective and targeted implementation, so as to reduce social and economic inequality, in particular for rural populations and indigenous peoples (Singapore); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples E21 Right to an adequate standard of living - general S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples - persons living in rural areas</p>	<p>Not yet implemented.</p>
<p>136.218 Adopt effective measures to support Indigenous Peoples, including by ensuring food, health services, schools, and access to sanitary services and by creating conditions for higher incomes (Russian Federation); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>G3 Indigenous peoples E22 Right to food E41 Right to health - General E51 Right to education - General</p>	<p>Not yet implemented. Data from the Institute for Socioeconomic Studies (INESC) for 2020 show the low execution of the budget for the Indigenous Health Division of the Ministry of Health. Indigenous peoples and quilombolas have been severely impacted by the Covid-19 pandemic. The mortality rate among them was much higher</p>

		<p>S03 SDG 3 - health S04 SDG 4 - education S08 SDG 8 - economic growth, employment, decent work S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - Indigenous peoples</p>	<p>than the national average. In addition, the pandemic has compromised their survival conditions and increased the exposure of their territories and the violence against them. Source: INESC Report</p>
<p>136.234 Ensure that indigenous peoples are protected from threats, attacks and forced evictions (Norway); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>G3 Indigenous peoples E23 Right to adequate housing S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - Indigenous peoples</p>	Not yet implemented.
<p>136.222 Continue proactive measures to promote rights of indigenous peoples as well as of the Afro-Brazilian population and ensure their well-being (Bangladesh); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>G3 Indigenous peoples G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - Indigenous peoples</p>	Not yet implemented.
<p>136.243 Continue efforts aimed at fostering inclusive social dialogue with all ethnic groups in Brazilian society (Holy See); Source of position: A/HRC/36/11/Add.1</p>	Supported	<p>G3 Indigenous peoples G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - minorities/ racial, ethnic, linguistic, religious or</p>	Not yet implemented.

		descent-based groups - Indigenous peoples	
136.226 Ensure that the rights of indigenous people and respect of the environment and biodiversity are taken into due consideration in economic activities (Holy See); Source of position: A/HRC/36/11/Add.1	Supported	G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples	Not yet implemented.
Theme: H1 Human rights defenders			
136.117 Review its respective Decree of 2016 related to protection of human rights defenders in order to ensure wider participation of civil society and enhanced protection of human rights defenders and their families (Slovakia); Source of position: A/HRC/36/11/Add.1	Supported	H1 Human rights defenders A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. The protection program for Human Rights Defenders in Brazil has been regulated through Federal Government's Decrees: Decrees n° 604/2007, 9937/2019, and 10815/2021. Historically, the program is sustained in a fragile normative framework. A Draft Bill has been pending before the National Congress for over 10 years aimed at creating the legal framework for human rights defenders policies in Brazil. The program has not introduced any mechanisms for the significant participation of civil society either. The main changes applied to the HRDs' program in recent years consisted of a) 2019 - the inclusion of journalists and environmentalists in the official name of the Program; b) 2021 - provision of seats for representatives of civil society in the Program's Deliberative Council. The participation of civil society introduced in 2021 takes place in a context of accentuated restriction of civic spaces by the government. In this context, Decree No. 10815/2021 establishes a largely minority participation of civil society, within a selection process mediated and managed by the government itself, through the Ministry of Human Rights. In 2021, a federal court ruling ordered the federal government to draw up a national plan for the protection of human rights defenders, with the significant participation of civil society.
136.121 Take further steps to protect human rights defenders, including those working in relation to the rights of indigenous, including through ensuring impartial, thorough and effective investigations into all attacks, harassment and intimidation against human rights defenders and prosecution of all alleged perpetrators of such offences; and further, fully implement the	Supported	H1 Human rights defenders A42 Institutions & policies - General A63 Budget and resources (for human rights implementation) G3 Indigenous peoples	Not yet implemented. Data from civil society organizations show that the allocation of resources for the human rights defenders' program is irregular and the budget execution in recent years is low. Data from the Ministry of Human Rights estimate that 506 human rights defenders are included in the program. The inclusion of defenders in the program is variable each year. While threats and attacks against defenders have only increased in recent years, there is no consistent trend towards increasing inclusion of defenders in the

<p>national programme to protect human rights defenders through the adoption of a specific legal framework, allocation of a budget and the setting up of multi-disciplinary teams to implement it (Ireland); Source of position: A/HRC/36/11/Add.1</p>		<p>Affected persons: - human rights defenders</p>	<p>program. These data by themselves demonstrate the program’s instability, lack of capacity, and unreliability. The protective measures applied by the program, in turn, have a bureaucratic character of forwarding problems to other public bodies, demanding public security officials service and poorly monitoring the defenders’ routine. As a rule, the protective measures adopted by the program reveal slow and ineffective procedures.</p>
<p>136.111 Continue efforts to provide better protection to human rights defenders and strengthen civil society as an essential partner in boosting the human rights system (Tunisia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>The defenders’ protection policy has also failed to ensure the implementation of state-level protection programs. In 2021, only 9 states had fully implemented this protection: Bahia, Ceará, Maranhão, Minas Gerais, Pará, Paraíba, Pernambuco, Rio de Janeiro, and Mato Grosso. There is, therefore, a large burden on the federal program to oversee HRDs’ protection in 15 states that do not have state-level human rights defender’s protection programs.</p>
<p>136.113 Provide full implementation of the National Policy for the Protection of Human Rights Defenders (State of Palestine); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Source: Ministry of Human Rights Justiça Global e Terra de Direitos Report</p>
<p>136.115 Restore functionality of the National Programme for the Protection of Human Rights Defenders (Norway); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	
<p>136.116 Take more decisive steps towards implementing the National Programme for the Protection of Human Rights Defenders (Poland); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	

<p>136.118 Implement the National Plan for the Protection of Defenders (Australia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	
<p>136.119 Strengthen the national programme for the protection of human rights defenders, in particular its funding and human resources (Czechia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	
<p>136.120 Take all necessary measures to guarantee the safety of human rights defenders and journalists as they carry out their tasks (France); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not yet implemented.</p>
<p>136.122 Further intensify the implementation of the National Policy for the Protection of Human Rights Defenders, and the Programme to Protect Human Rights Defenders (Mongolia); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders</p>	<p>Not yet implemented.</p>
<p>136.112 Ensure that the deaths of human rights defenders are promptly and thoroughly investigated, and that those found to be responsible are brought to justice (Belgium); Source of position: A/HRC/36/11/Add.1</p>	<p>Supported</p>	<p>H1 Human rights defenders D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions</p>	<p>Not yet implemented.</p>

		Affected persons: - human rights defenders	
136.114 Take all necessary measures to ensure the physical integrity of journalists and human rights defenders, including an explicit and published decision on instituting a federal investigation and prosecution in all cases involving violence against human rights defenders (Netherlands); Source of position: A/HRC/36/11/Add.1	Supported	H1 Human rights defenders D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders	Not yet implemented. Human rights defenders' killings have been prosecuted within the scope of state justice systems.

¹ Conseil des droits de l'homme, *Rapport du Groupe de travail sur l'Examen périodique universel** - Brésil*, 11-29 septembre 2017, doc. ONU A/HRC/36/11*, recommandations 136.88 (Danemark), 136.86 (Ghana), 136.87 (Turquie), 136.59 (Rwanda).

² En définissant le travail des experts comme un service public pertinent non rémunéré, le Décret présidentiel n° 9.831 de 2019 a saboté la capacité du mécanisme à fonctionner,

Présidence de la République du Brésil, Secrétariat-Général, Décret présidentiel n° 9.831 de 2019, disponible sur http://www.planalto.gov.br/ccivil_03/ato2019-2022/2019/decreto/D9831.htm. Dans un rapport publié en 2020, le Mécanisme national de prévention et de lutte contre la torture mettait en évidence le manque de soutien et les interférences du gouvernement fédéral, le déclin des effectifs d'agents de la fonction publique et une pénurie d'experts. Rapport bisannuel du Mécanisme national de prévention et de lutte contre la torture 2018-2019, disponible sur <https://mnpctbrasil.files.wordpress.com/2021/02/relatorio-bianual-2018-2019-mnpct.pdf>.

³ Communiqué de presse du Haut-Commissariat des Nations unies aux droits de l'homme, "Brazil must abide by international obligations and strengthen its torture prevention system, say UN experts" (Le Brésil doit remplir ses obligations au regard du droit international et renforcer son système de prévention de la torture, disent les experts de l'ONU), 11 février 2022, disponible sur <https://www.ohchr.org/en/press-releases/2022/02/brazil-must-abide-international-obligations-and-strengthen-its-torture>.

⁴ Un rapport du Conseil national de justice souligne que les cas de torture enregistrés lors d'audiences relatives à la détention sont inférieurs à ceux qui sont signalés par la société civile, disponible sur <https://www.cnj.jus.br/wp-content/uploads/2022/01/informe-spt-fevereiro-22-10h-impresao.pdf>.

⁵ Le rapport de 6 ans du Conseil national de justice sur les audiences relatives à la détention montre que, entre 2015 et 2021, moins de 5 % des cas de torture enregistrés lors de ce type d'audiences ont fait l'objet d'une enquête, disponible sur <https://www.cnj.jus.br/wp-content/uploads/2021/09/relatorio-6-anos-audiencia-custodia.pdf>.

⁶ Conseil des droits de l'homme, *Rapport du Groupe de travail sur l'Examen périodique universel** - Brésil*, 11-29 septembre 2017, doc. ONU A/HRC/36/11*, recommandations 136.46 (Rwanda), 136.51 (Pays-Bas), 136.224 (Philippines), 136.230 (Allemagne), 136.231 (El Salvador), 136.232 (Estonie), 136.233 (Islande), 136.236 (Suisse), 136.237 (Pérou), 136.238 (France), 136.239 (Cabo Verde), 136.240 (Norvège), 136.223 (Canada), 136.229 (Republic of Moldova), 136.241 (Paraguay), 136.242 (République de Moldova), 136.227 (Maldives), 136.228 (Togo), 136.235 (Singapour), 136.218 (Fédération de Russie), 136.234 (Norvège), 136.222 (Bangladesh), 136.243 (Saint-Siège), 136.226 (Saint-Siège), 136.121 (Irlande), 136.217 (Afrique du Sud), 136.32 (Royaume-Uni de Grande-Bretagne et d'Irlande du Nord).

⁷ Communautés afro-brésiliennes, similaires à des communautés autochtones au regard des définitions internationales.

⁸ Selon le rapport annuel du Conseil missionnaire indigène : « aucune délimitation n'a été appliquée depuis 2016 et les processus initiés ont été complètement bloqués ». Disponible sur https://cimi.org.br/wp-content/uploads/2022/01/report-violence-against-the-indigenous-peoples-in-brazil_2020-cimi.pdf. Folha de S. Paulo, "Governo Bolsonaro titulou só três quilombos, mesmo sob pressão da Justiça" (Malgré la pression des tribunaux, le gouvernement de Jair Bolsonaro n'a décerné de titre de propriété qu'à trois quilombos), 23 août 2021, disponible sur <https://www1.folha.uol.com.br/cotidiano/2021/08/governo-bolsonaro-titulou-so-tres-quilombos-mesmo-sob-pressao-da-justica.shtml>. Les données sur

l'inaction du gouvernement concernant l'octroi de titres de propriété pour les terres quilombolas sont disponibles dans le rapport de l'Association brésilienne pour le journalisme d'investigation (Associação Brasileira de Jornalismo Investigativo, ou ABRAJI) et de l'ONG Translarência Brasil, *Direito à terra quilombola em risco: Reconhecimento de territórios tem baixa histórica no governo Bolsonaro* (Le droit à la terre des Quilombolas en danger : la reconnaissance des terres atteint un niveau historiquement bas sous le gouvernement de Jair Bolsonaro), disponible sur https://www.achadosepedidos.org.br/uploads/publicacoes/Terra_Quilombola.pdf.

⁹ L'Articulation des peuples indigènes du Brésil (APIB) et la Coordination nationale des communautés quilombolas ont fait appel à la Cour suprême fédérale pour obliger le gouvernement fédéral à remplir ses obligations minimums de protection des communautés indigènes et des quilombolas pendant la pandémie de COVID-19. En 2020 et 2021, des arrêts de la Cour suprême ont forcé l'État brésilien à établir des plans pour lutter contre le COVID-19 et ses répercussions sur les populations indigènes et quilombolas, respectivement. Jusqu'à présent, les politiques du gouvernement en la matière n'ont pas été correctement mises en œuvre.

¹⁰ Voir Globo.com, "Crianças yanomami sofrem com desnutrição e falta de atendimento médico" (Les enfants yanomamis souffrent de malnutrition et d'un manque de soins médicaux), 14 novembre 2021, disponible sur <https://g1.globo.com/fantastico/noticia/2021/11/14/criancas-yanomami-sofrem-com-desnutricao-e-falta-de-atendimento-medico.ghtml>.

¹¹ Conseil des droits de l'homme, *Rapport du Groupe de travail sur l'Examen périodique universel** - Brésil*, 11-29 septembre 2017, doc. ONU A/HRC/36/11*, recommandations 136.71 (Allemagne), 136.70 (République bolivarienne du Venezuela), 136.68 (Bahamas).

¹² Amnesty International Brésil, "Chacina de Nova Brasília: Impunidade crônica perpetua ciclo de violências e violações de direitos humanos, afirma Anistia Internacional Brasil" (L'impunité chronique perpétue un cercle de violence et d'atteintes aux droits humains), 18 août 2021, disponible sur <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 Résolutions du Conseil national du ministère public, disponibles sur <https://www.cnpm.mp.br/portal/sistema-prisional/448-atuacao/10909-controle-externo-da-atividade-policia/>.

¹⁴ En mobilisant la Cour suprême fédérale en dernier recours, la société civile a pu accomplir quelques progrès, bien que limités, à Rio de Janeiro. En 2020 et 2022, les arrêts de la Cour suprême ont : (a) suspendu les raids policiers dans les favelas de Rio de Janeiro pendant la pandémie de COVID-19 ; (b) obligé l'État de Rio de Janeiro à élaborer un plan visant à réduire la létalité des opérations de la police ; et (c) décidé de l'installation de caméras et de GPS dans les véhicules et sur les uniformes policiers dans cet État. Disponibles sur <https://portal.stf.jus.br/processos/detalhe.asp?incidente=5816502>.

¹⁵ Conseil des droits de l'homme, *Rapport du Groupe de travail sur l'Examen périodique universel** - Brésil*, 11-29 septembre 2017, doc. ONU A/HRC/36/11*, recommandations 136.76 (République de Corée), 136.77 (Afrique du Sud), 136.95 (Australie), 136.96 (Thaïlande), 136.97 (Bahamas), 136.90 (Irlande), 136.75 (Namibie), 136.81 (Algérie), 136.95 (Australie), 136.97 (Bahamas); 136.90 (Irlande), 136.82 (Angola), 136.83 (Autriche), 136.84 (Cabo Verde), 136.89 (Saint-Siège), 136.91 (Italie), 136.92 (Japon), 136.93 (Suède).

¹⁶ La Résolution n° 405 de 2021 établit les procédures relatives au traitement des détenu-e-s migrant-e-s ; la Résolution n° 252 de 2018 établit les principes et lignes directrices relatives à la grossesse et à la maternité dans les prisons ; la Résolution n° 348 du 13 octobre 2020 établit les procédures et les lignes directrices relatives au traitement des personnes LGBTI dans les prisons ; la Résolution n° 62 établit les lignes directrices pour l'adoption de mesures visant à endiguer la propagation du COVID-19 en prison.

¹⁷ Proposition de loi n° 1600/2015, disponible sur (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=1279584>), proposition de loi n° 6788/2013 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=601656>), proposition de loi n° 179/2003 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=105012>), proposition de loi n° 272/2016 (<https://www25.senado.leg.br/web/atividade/materias/-/materia/126364>), proposition de loi n° 5065/2016 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2082470>), proposition de loi n° 5964/2013 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=585125>), proposition de loi n° 6198/2013 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=589500>), proposition de loi n° 1768/2011 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=511312>), proposition de loi n° 5952/2013 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=584976>), proposition de loi n° 6268/2009 (<https://www.camara.leg.br/propostas-legislativas/456366>), proposition de loi n° 1595 (<https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2194587>). Voir aussi la communication au Brésil des procédures spéciales relatives aux propositions de lois anti-terroristes, disponible sur <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26450>.

¹⁸ Ceci inclut la proposition n° 191/2020 autorisant les projets d'extraction minière et projets de développement associés sur les terres indigènes ; la proposition n° 2159/2021 sur l'assouplissement des conditions d'octroi de licences relatives à l'environnement ; la proposition n° 2633/2020, qui prévoit la régularisation des saisies de terres publiques et la proposition n° 6299/2002 sur l'assouplissement des règles d'approbation des pesticides.

¹⁹Présidence de la République, Secrétariat général, Loi n° 13.964 de 2019, disponible sur http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/lei/L13964.htm.

²⁰ Proposition de loi n° 3723/2019, disponible sur <https://www25.senado.leg.br/web/atividade/materias/-/materia/140042> et proposition de loi n° 6438/2019, disponible sur <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2233986>.

²¹ Jornal Nacional, "Número de licenças para uso de armas cresce 325% em três anos, diz levantamento" (Le nombre de permis de port d'armes augmente de 325 % en trois ans), 4 février 2022, disponible sur <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>, qui reprend les données de l'institut Sou da Paz.

²² Le recours à des opérations de police ostensives, avec l'aide des forces armées et la coopération du système de sécurité publique, au titre d'un décret gouvernemental spécifique appelé « Garantie du maintien de l'ordre » (GLO), est devenu monnaie courante au Brésil. Voir la Loi n° 13491/2017, disponible sur http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/lei/13491.htm.

²³ Ils ont touché les domaines des droits des femmes, de l'égalité ethnique, de la protection de l'environnement et des droits de peuples autochtones et quilombolas.

²⁴ En 2021, le ministère des droits humains a adopté l'ordonnance n° 45718, qui prévoyait la création d'un groupe de travail, composé uniquement de représentant-e-s du gouvernement, ayant pour mission d'évaluer la politique du pays en matière de droits humains. Ceci constitue un exemple de mesure usurpant l'autorité du Conseil national des droits humains, l'organe collégial compétent en la matière, composé de représentant-e-s du gouvernement et de la société civile, et chargé, selon la loi, de surveiller, d'évaluer et d'examiner la politique nationale en matière de droits humains.

²⁵ Globo.com, "Nº de mortos pela polícia em 2020 no Brasil bate recorde; 50 cidades concentram mais da metade dos óbitos, revela Anuário" (Le nombre de personnes tuées par la police en 2020 au Brésil atteint un niveau record ; 50 villes concentrent plus de la moitié de ces décès, révèle le rapport annuel du Forum brésilien sur la sécurité publique), 15 juillet 2021, disponible sur <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 Folha de S. Paulo, "Em três anos, policiais mataram ao menos 2.215 crianças e adolescentes no país" (La police a tué au moins 2 215 enfants au Brésil en trois ans), 14 décembre 2020, disponible sur <https://www1.folha.uol.com.br/cotidiano/2020/12/em-tres-anos-policiais-mataram-ao-menos-2215-criancas-e-adolescentes-no-pais.shtml>, qui cite les données du Forum brésilien sur la sécurité publique.

²⁷ Amnesty International Brésil, "Assassinato de João Pedro Matos faz 1 ano e Anistia Internacional Brasil exige respostas" (Une année s'est écoulée depuis le meurtre de João Pedro Matos et Amnesty International Brésil exige des réponses), 18 mai 2021, disponible sur <https://anistia.org.br/informe/assassinato-de-joao-pedro-matos-faz-1-ano-e-anistia-internacional-brasil-exige-respostas>.

²⁸ Amnesty International Brésil, "Caso Ágatha Félix: Anistia Internacional exige política de segurança pública baseada em inteligência e treinamento" (Affaire Ágatha Félix : Amnesty International Brésil exige la mise en place d'une politique de sécurité publique fondée sur la formation et le renseignement), 21 septembre 2020, disponible sur <https://anistia.org.br/informe/caso-agatha-felix-anistia-internacional-exige-politica-de-seguranca-publica-baseada-em-inteligencia-e-treinamento/>. En 2020, des homicides ont continué d'être commis à Rio de Janeiro, même après l'arrêt de la Cour suprême qui a suspendu les raids policiers dans les favelas pendant la pandémie de COVID-19.

²⁹ Conseil des droits de l'homme, *Rapport du Groupe de travail sur l'Examen périodique universel** - Brésil*, 11-29 septembre 2017, doc. ONU A/HRC/36/11*, recommandations 136.68 (Bahamas) et 136.65 (République de Corée).

³⁰ Voir Forum brésilien sur la sécurité publique, *Violence against Black people in Brazil*, disponible sur <https://forumseguranca.org.br/wp-content/uploads/2021/07/infografico-consistencia-negra-2019-final-ingles-site.pdf>.

³¹ Ministère brésilien de la Science, de la Technologie et des Innovations, "Estimativa de desmatamento por corte raso na Amazônia Legal para 2021 é de 13.235 km²", disponible sur <https://www.gov.br/inpe/pt-br/assuntos/ultimas-noticias/divulgacao-de-dados-prodes.pdf>.

³² Communiqué de presse de SEEG Brasil, "Going against the world, Brazil increased emissions in the middle of the pandemic" (À l'inverse de la tendance mondiale, le Brésil a augmenté ses émissions en plein cœur de la pandémie), 28 octobre 2021, disponible sur <https://seeg.eco.br/en/press-release#>.

³³ Tels que les peuples autochtones, les Quilombas et les autres communautés traditionnelles, ainsi que les habitant-e-s des favelas et d'autres quartiers informels.

³⁴ Selon les données compilées par la presse. Fédération nationale des journalistes (Fenaj), *Violência contra jornalistas e liberdade de imprensa no Brasil - Relatório 2020* (Violence contre les journalistes et liberté de la presse au Brésil - Rapport 2020), disponible sur https://fenaj.org.br/wp-content/uploads/2021/01/relatorio_fenaj_2020.pdf.

³⁵ Estadão, "Inquéritos da PF com base na Lei de Segurança Nacional crescem 285% no governo Bolsonaro" (Le nombre d'enquêtes de la police fédérale au titre de la Loi sur la sécurité nationale a augmenté de 285 % sous le gouvernement de Jair Bolsonaro), 19 mars 2021, disponible sur <https://politica.estadao.com.br/noticias/geral,inqueritos-da-pf-com-base-na-lei-de-seguranca-nacional-crescem-285-no-governo-bolsonaro,70003652910>.

³⁶ Loi n° 14.197, disponible sur http://www.planalto.gov.br/ccivil_03/ato2019-2022/2021/lei/L14197.htm.

³⁷ Amnesty International Brésil, "Governo brasileiro, ao monitorar e vigiar ONGs e movimentos sociais, comete graves violações de direitos humanos, alerta Anistia Internacional" (La surveillance des ONG et des mouvements sociaux par le gouvernement brésilien constitue une violation grave des droits humains selon Amnesty International), 17 octobre 2020, disponible sur <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 Brésil, "Anistia Internacional exige o fim de investigações sigilosas contra críticos do governo federal" (Amnesty International appelle à mettre fin aux enquêtes confidentielles contre les critiques du gouvernement fédéral), 27 juin 2020, <https://anistia.org.br/informe/anistia-internacional-exige-o-fim-de-investigacoes-sigilosas-contra-criticos-do-governo-federal/>.

³⁸ L'Articulation des peuples indigènes du Brésil a dénoncé les méthodes de persécution et de criminalisation utilisées pour réduire les dirigeant-e-s autochtones au silence, notamment les arrestations, les mandats coercitifs, les intrusions à domicile, la traque, les menaces sur les réseaux sociaux, l'implication de membres de la famille, le harcèlement policier et judiciaire et la criminalisation. Voir Indigenous Peoples Rights International, *An anatomy of practices for silencing indigenous leaders*, avril 2021, disponible sur https://www.iprights.org/images/resources/downloadables/AN_ANATOMY_ON_THE_PRACTICES_OF_INDIGENOUS_SILENCING_ENG_2021_B_08-11.pdf.

³⁹ Globo.com, "PF intima líder indígena por documentário que critica ação do governo na pandemia" (La police fédérale assigne une cheffe autochtone à comparaître pour répondre d'un documentaire qui critique la réponse du gouvernement à la pandémie), 30 avril 2021, disponible sur <https://g1.globo.com/politica/noticia/2021/04/30/pf-intima-lider-indigena-por-documentario-que-critica-acao-do-governo-na-pandemia.ghtml>.

⁴⁰ Globo.com, "Líder indígena que fez denúncias na COP26 tem casa invadida pela segunda vez em Santarém" (À Santarém, deuxième intrusion au domicile d'une cheffe autochtone ayant dénoncé les actions de son gouvernement à la COP26), 13 novembre 2021, disponible sur <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 Conseil des droits de l'homme, *Rapport du Groupe de travail sur l'Examen périodique universel** - Brésil*, 11-29 septembre 2017, doc. ONU A/HRC/36/11*, recommandations 136.117 (Slovaquie) ; 136.121 (Irlande) ; 136.111 (Tunisie) ; 136.113 (État de Palestine) ; 136.115 (Norvège) ; 136.116 (Pologne) ;

136.118 (Australie) ; 136.119 (Tchéquie) ; 136.120 (France) ; 136.122 (Mongolie) ; 136.112 (Belgique) et 136.114 (Pays-Bas).

⁴² Conseil des droits de l'homme, *Ultime mise en garde contre les menaces de mort reçues par les défenseurs et défenseuses des droits humains et contre les exécutions dont ils font l'objet*, 22 février 2019 mars 2021, doc. ONU A/HRC/46/35, disponible sur <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/355/12/PDF/G2035512.pdf?OpenElement>.

⁴³ En 2021, neuf États seulement avaient pleinement appliqué ces programmes de protection à leur échelle.

⁴⁴ Globo.com, "População carcerária diminui, mas Brasil ainda registra superlotação nos presídios em meio à pandemia" (La population carcérale est en déclin au Brésil, mais la surpopulation reste la règle dans le pays en pleine pandémie), 17 mai 2021, disponible sur <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>, qui fait référence aux données du Forum brésilien sur la sécurité publique de 2021.

⁴⁵ Globo.com, "Com 322 encarcerados a cada 100 mil habitantes, Brasil se mantém na 26ª posição em ranking dos países que mais prendem no mundo" (Avec un taux de 322 détenus pour 100 000 habitants, le Brésil conserve la 26^e place dans le classement des pays qui emprisonnent le plus de personnes dans le monde), 17 mai 2021, disponible sur <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 Forum brésilien sur la sécurité publique, *O sistema prisional em 2020-2021* (Le système carcéral en 2020/2021), disponible sur <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 Les données du Forum brésilien sur la sécurité publique révèlent un large déficit dans la couverture vaccinale des personnes détenues. Elles montrent aussi que le taux de contamination au COVID-19 était élevé au sein de la population carcérale et de l'administration pénitentiaire, et que les cas ne faisaient généralement l'objet d'aucun signalement. Toujours selon les mêmes données, les taux de mortalité pour les décès dus au virus parmi les membres de l'administration pénitentiaire dans certains États brésiliens sont alarmants. Rapport du Forum brésilien sur la sécurité publique, disponible sur <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 Correo Braziliense, "Desde 2017, 259 presos foram mortos em rebeliões e conflitos em todo o país" (Depuis 2017, 259 personnes incarcérées ont été tuées lors d'émeutes et de conflits dans le pays), 30 juillet 2019, disponible sur <https://www.correobraziliense.com.br/app/noticia/brasil/2019/07/30/interna-brasil,774493/desde-2017-259-presos-foram-mortos-em-rebelioes-e-conflitos-no-pais.shtml>.

Ministère de la Femme, de la Famille et des Droits humains, rapport sur les personnes LGBT incarcérées, disponible sur <https://www.gov.br/mdh/pt-br/assuntos/noticias/2020-2/fevereiro/TratamentopenaldepessoaslGBT.pdf>.

⁵⁰ Ibid.

⁵¹ Ce droit leur est accordé par la Loi N° 13.769/2018. Voir Institut Terre, Travail et Citoyenneté, *Implementação da prisão domiciliar para mulheres no Brasil à luz da Lei de Acesso à Informação* (Application de l'assignation à domicile pour les femmes au Brésil compte tenu de la Loi sur l'accès à l'information), disponible sur <https://ponte.org/wp-content/uploads/2021/12/Relatorio-LAI.pdf>.

⁵² Ceux-ci incluent la population noire ; les peuples autochtones, les Quilombolas et les communautés traditionnelles ; les femmes ; les personnes LGBTI et celles qui vivent dans les favelas et les quartiers défavorisés aux abords des villes.

⁵³ Alerta, *Mortes evitáveis por COVID-19 no Brasil* (Les décès dus au COVID-19 qui auraient été évitables au Brésil), juin 2021, disponible sur <https://alerta.org.br/iniciativas-e-pesquisas/mortes-evitaveis-por-covid-19-no-brasil/>.

⁵⁴ VIGISAN, *National Survey of Food Insecurity in the Context of the Covid-19 Pandemic in Brazil* (Enquête nationale sur l'insécurité alimentaire pendant la pandémie de COVID-19 au Brésil), 2021, disponible sur http://olheparaafome.com.br/VIGISAN_AF_National_Survey_of_Food_Insecurity.pdf.

⁵⁵ Voir le rapport d'Amnesty International Brésil, *Covid-19 e Direitos Humanos no Brasil: caminhos e desafios para uma recuperação justa* (COVID-19 et droits humains au Brésil. Possibilités et défis pour un rétablissement équitable du pays.), 2021, disponible sur <https://anistia.org.br/informe/novo-relatorio-covid-19-e-direitos-humanos-no-brasil-caminhos-e-desafios-para-uma-recuperacao-justa/>.

⁵⁶ D'après les données collectées par la presse à partir de la base de données officielle. UOL, "Mais miséria, mais fome. 2 milhões de famílias caíram na extrema pobreza durante o governo Bolsonaro" (La misère et la faim augmentent. Deux millions de familles passent en dessous du seuil de l'extrême pauvreté sous le gouvernement de Jair Bolsonaro), disponible sur <https://noticias.uol.com.br/reportagens-especiais/mais-miseria-mais-fome/#cover>.

⁵⁷ Ig.com, "Auxílio Brasil deixa 29 milhões de pessoas sem assistência, mostra balanço" (Avec le programme « Auxílio Brasil », 29 millions de personnes se retrouvent sans aide financière), 22 novembre 2021, disponible sur <https://economia.ig.com.br/2021-11-22/auxilio-brasil-deixa-pessoas-de-fora.html>.

⁵⁸ Données de l'Institut brésilien de géographie et de statistiques. EBC, "IBGE: informalidade atinge 41,6% dos trabalhadores no país em 2019" (41,6 % de la population active travaille dans le secteur informel en 2019), disponible sur <https://agenciabrasil.ebc.com.br/economia/noticia/2020-11/ibge-informalidade-atinge-416-dos-trabalhadores-no-pais-em-2019>.

⁵⁹ D'après la campagne « Zero Eviction », 120 000 familles brésiliennes risquaient l'expulsion en janvier 2022. BBC News Brasil, "Por que 120 mil famílias brasileiras correm risco de serem despejadas em janeiro", 19 novembre 2021, disponible sur <https://www.bbc.com/portuguese/brasil-59352497>.

⁶⁰ Celui-ci s'est traduit par : (a) un accès encore plus réduit aux services d'infrastructure de base ; (b) une proportion élevée de personnes d'origine africaine dans la couche la plus pauvre de la population ; (c) un degré de vulnérabilité et de danger élevé de retomber dans la pauvreté ; (d) des inégalités considérables au niveau d'indicateurs clés relatifs à la qualité de vie et à la santé en matière de sexualité et de reproduction ; (e) une proportion plus importante, au sein de la population afro-brésilienne, de mortalité infantile, de diarrhée chez les enfants de moins de cinq ans, de grossesses chez les adolescentes et de mortalité maternelle, ainsi qu'un risque accru de contracter le VIH/sida et d'autres infections de ce type ; (f) un accès réduit aux services permettant la détection précoce et le traitement en temps opportun de certaines maladies non transmissibles ; (g) des taux extrêmement élevés d'abandon scolaire chez les Afro-Brésiliens et Afro-Brésiliennes, et des niveaux significativement plus faibles d'achèvement de la scolarité dans le secondaire, ainsi que d'accès à l'éducation supérieure et à l'achèvement de cette dernière ; (h) de plus grandes difficultés d'accès à l'emploi et un degré d'exclusion du marché du travail plus élevé ; (i) une probabilité beaucoup plus élevée d'être victimes d'homicides, d'incarcération massive, de violence par armes à feu et de violence policière que les personnes brésiliennes sans origines africaines, hommes et femmes, avec des disparités notables dans le cas des jeunes hommes. Informations compilées par la Commission économique pour l'Amérique latine et les Caraïbes (CEPALC) dans son document de synthèse intitulé : « Les personnes d'ascendance africaine et la matrice de l'inégalité sociale en Amérique latine: les défis de l'inclusion », 12 mai 2021, disponible sur <https://repositorio.cepal.org/handle/11362/46872>.

⁶¹ Chambre des députés du Brésil, "Relatório aponta corte em verbas federais para combate ao racismo" (Un rapport met en évidence des réductions du budget fédéral destiné à la lutte contre le racisme), 20 novembre 2020, disponible sur <https://www.camara.leg.br/noticias/709406-relatorio-aponta-corte-em-verbas-federais-para-combate-ao-racismo/>.

⁶² Rapport annuel de l'Association nationale des personnes travesties et transsexuels, *Assassinatos e violências contra travestis e transexuais brasileiras em 2021* (Homicides et violence contre les personnes brésiliennes travesties et transsexuelles en 2021), 2022, disponible sur <https://antrabrasil.files.wordpress.com/2022/01/dossieantra2022-web.pdf>.

⁶³ Globo.com, "Negros são alvo de metade dos registros de violência contra população LGBT no Brasil, diz pesquisa" (Les personnes noires sont particulièrement visées par la violence contre la population LGBT), 15 juillet 2020, qui cite les résultats de recherches menées par l'université fédérale de Rio Grande do Sul, disponible sur <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 Rapport du Forum brésilien sur la sécurité publique, *A violência contra meninas e mulheres no ano pandêmico* (La violence contre les filles et les femmes durant l'année de pandémie), disponible sur <https://forumseguranca.org.br/wp-content/uploads/2021/07/6-a-violencia-contra-meninas-e-mulheres-no-ano-pandemico.pdf>.

⁶⁵ Chambre des députés du Brésil, "Orçamento para mulheres tem queda em 2021" (Réduction du budget alloué aux politiques pour les droits de femmes en 2021), 28 septembre 2020, disponibles sur <https://www.camara.leg.br/noticias/696379-ORCAMENTO-PARA-MULHERES-TEM-QUEDA-EM-2021>.

⁶⁶ Criola, "No mês de luta pela saúde da mulher, Criola alerta sobre o aumento da mortalidade materna em todo o país, agravada pela Covid-19" (Criola tire la sonnette d'alarme concernant l'augmentation de la mortalité maternelle dans le pays, aggravée par la pandémie de COVID-19), 25 mai 2021, disponible sur <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 Rapport de l'Institut de recherches économiques appliquées, *Dossiê Mulheres Negras* (Dossier sur les femmes noires), 2013, disponible sur <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 Folha de S. Paulo, "Pandemia aprofunda crise em serviços de aborto legal e profissionais buscam saídas" (La pandémie aggrave la crise des services d'avortement légal. Les professionnels cherchent une issue.), 6 mars 2021, disponible sur <https://www1.folha.uol.com.br/cotidiano/2021/03/pandemia-aprofunda-crise-em-servicos-de-aborto-legal-e-profissionais-buscam-saidas.shtml>.

⁶⁹ Procès d'intérêt public n° 5005594-05.2017.4.04.7100/TRF.