

Human rights defenders

Brazil continued to have one of the highest levels of inequality in the world. Systemic racism persisted affecting the Black population's social, economic, cultural, political, and civil rights. Women, especially Black women, still experienced barriers to access their rights. Covid-19 cases remained high and excess deaths far exceeded expectations. Food insecurity remained extensive and one third of the population remained below the poverty line. Low attendance in schools persisted and violence in schools increased. Police violence remained deeply concerning, resulting in unlawful killings and other serious rights violations; impunity prevailed. Human rights defenders and activists remained at significant risk. Extreme weather events caused death, destruction of property and displacement. Indigenous Peoples were denied the full enjoyment of their rights and progress was slow in the demarcation of land. Gender-based violence remained alarmingly prevalent, with transgender people at significant risk. Abortion remained illegal, putting pregnant people at risk.

Background

Luiz Inácio Lula da Silva took office as president in January, after winning elections in 2022 for the third time. On 8 January, 3,900 protesters contested the election results in the capital, Brasília. By December, 1,345 people had been charged and 30 people had been convicted of crimes including “violent abolition of the democratic rule of law” and “attempted coup d'état”.

The Supreme Electoral Court barred former president Jair Bolsonaro from running for political office until 2030. Bolsonaro was being investigated for various crimes, including fraud schemes relating to Covid-19 vaccination records.

By December, the National Ombudsperson of Human Rights' Office had registered more than 3.4 million allegations of human rights violations in Brazil, including racism, physical and psychological violence and sexual harassment. This was an increase of 41% compared with the whole of 2022.

Economic, social and cultural rights

Social and economic rights continued to be violated, and racial and gender inequalities remained a key factor. Brazil had one of the highest levels of inequality globally; the greatest gaps existed between Black and white people, especially women, in terms of income and rates of employment.

Despite a slight above-inflation increase in the minimum wage, and the expansion of the *Bolsa Familia*, Brazil's social welfare programme and one of the world's largest cash transfer programmes, the richest 1% of the population still owned almost half the country's wealth, according to the World Bank.

Right to health

The number of excess deaths recorded between January and mid-July was 48,515 (18% more than expected). This was attributed to under-reporting of Covid-19 cases and its long-term effects, overcrowding in hospitals and health centres, and people experiencing sudden or chronic illness not seeking care due to fear of contracting Covid-19.

According to the Ministry of Health, maternal mortality led to 477 deaths between January and May, with Black and Indigenous women disproportionately affected. The rate of maternal mortality

among Black women was double that among white women.

Right to food

Food insecurity disproportionately affected Black families; 22% of homes headed by Black women faced hunger. More than 70 million people suffered from food insecurity and 21.1 million (10% of the population) faced hunger. The government's Brazil Without Hunger plan aimed to reduce poverty by 2.5% and remove the country from the UN Food and Agriculture Organization's Hunger Map by 2030.

Rights to housing and work

Systematic racism and sexism continued to restrict the rights to adequate housing and decent work. Of households headed by Black women, 63% were below the poverty line.

In 2022, 33% of the population were still below the poverty line, with 6.4% living in extreme poverty; 100 million people still lacked sanitation and easy access to water. Data from the Ministry of Social Development showed that 3 million families benefiting from Bolsa Familia were lifted above the poverty line between March and September. The programme assisted 21.4 million families in 2023.

The housing deficit remained high, with at least 215,000 people experiencing homelessness, according to the Federal University of Minas Gerais. Brazil had 11,403 *favelas* (slum neighbourhoods in major cities), where around 16 million people (12% of Brazil's population) lived in 6.6 million households.

A large proportion of the population did not have access to a minimum wage. According to the Abrinq Foundation, 50.8% of children up to 14 years (22.3 million) lived in households with a per-capita income of up to half the minimum wage, an increase of 2.7 million compared with 2022. Of these, 10.6 million (24.1%) lived on a per-capita household income of up to a quarter of the minimum wage.

The rate of unemployment fell from 9.2% in 2022 to 7.7% in the third quarter of the year (8.3 million people). There were 39 million people working in the informal sector.

During the year, the National Ombudsperson of Human Rights' Office received complaints about 3,422 cases of work analogous to slavery, 3,925 cases of labour exploitation, and 1,443 institutional practices that violated human rights.

Right to education

A UNICEF study showed that 2 million children and adolescents (10%) were not attending school in Brazil in 2023. The main reasons were child labour (48%) and learning difficulties (30%). Other factors included teenage pregnancy (14%) and racism (6%). Of children not attending school, 63% were Black. The Congress extended until 2033 its quota system, an affirmative action for university admission, and specifically included *quilombolas* (see below, *Quilombolas*) among the beneficiaries.

Violence in schools increased. By the end of October, there were 13 episodes of violent attacks with weapons in schools (30% of all incidents in the past 20 years), including shootings, which left nine people dead. All the perpetrators were male; most victims were female.

Unlawful use of force

Police violence, unlawful killings, and arbitrary detentions persisted. Due to systemic racism, Black people were disproportionately affected. Between July and September, at least 394 people were killed in police operations in the states of Bahia, Rio de Janeiro, and São Paulo. Despite the extent of the crisis, the executive secretary of the Ministry of Justice, and Public Security, referring to Bahia, reportedly commented: “You don’t fight organized crime with a rifle with roses.”

A 2019 Federal Supreme Court ruling that introduced measures to reduce police violence continued to be disregarded. Heavily armed police operations oriented towards the “war on drugs” in *favelas* and marginalized neighbourhoods resulted in intense shootouts, unlawful killings and extrajudicial executions, unlawful entry into and destruction of property, torture and other ill-treatment, restrictions on freedom of movement, enforced disappearances, and the suspension of essential services such as schools and health clinics. In October, more than 120,000 residents of the *favela* Complexo da Maré in Rio de Janeiro city were impacted by six days of police operations. During this period, more than 17,000 students did not have access to school and more than 3,000 medical service appointments were suspended.

In Baixada Santista region in São Paulo state, a police operation launched on 28 July in response to the death of a police officer resulted in the arrest of 958 people and 30 deaths and unlawful raids. Amnesty International, in partnership with the National Council for Human Rights, documented 11 cases of serious human rights violations perpetrated by state agents, including extrajudicial executions, unlawful entry of homes, and torture and other ill-treatment. In the state of Rio de Janeiro, a police operation in the neighbourhood of Vila Cruzeiro on 2 August resulted in 10 deaths and four injuries.

Police intervention continued to cause the deaths of children and adolescents. On 7 August, Thiago Menezes, 13 years old, was unlawfully killed by police while riding a motorcycle. On 4 September, the Rio de Janeiro state court ordered the preventive detention of four police officers involved in the killing. On 12 August, five-year-old Eloah Passos was hit by a stray bullet while playing inside her home. On 16 August, three-year-old Heloísa Santos died after being shot by a police officer while in a car with her family.

Impunity

The unlawful use of force by police continued not to be investigated promptly or effectively.

The enforced disappearance in 2014 of 16-year-old Davi Fiuza during a police raid in the city of Salvador, in Bahia state, remained unsolved. Three police officers indicted for the murder of activist Pedro Henrique Cruz in 2018 in Tucano, Bahia, had still not been brought to trial and his mother, Ana Maria, continued to suffer threats and intimidation.

On 26 September, the Rio de Janeiro State Public Prosecutor’s Office reopened the investigation into the murder of 10-year-old Eduardo de Jesus, who was shot dead by military police in Complexo do Alemão, Rio de Janeiro city, in 2015 while playing outside his home. Three police officers were indicted for the murder of 14-year-old João Pedro in 2020 while playing inside his house. At the end of 2023, they had still not been brought to trial and continued to participate in police operations.

In the state of Ceará, between June and September, 20 out of 33 police officers indicted for participating in the 2015 Massacre of Curió stood trial. Six of them were convicted of murder and torture, and 14 were acquitted. Another 13 had yet to be put on trial.

On 24 July, the Federal Police arrested former firefighter Maxwell Simões Corrêa as a third suspect in the long-running investigation into the murders of councillor and human rights defender Marielle Franco and her driver Anderson Gomes in 2018. He and the two other suspects, former military police officers Ronnie Lessa and Élcio de Queiroz, remained under arrest and were facing charges.

Brazil failed to protect human rights defenders. According to Justiça Global, on average three defenders have been murdered in Brazil every month over the past four years.

The Programme for the Protection of Human Rights Defenders, established by decree in 2007, was still not supported by legislation and lacked differentiated approaches to gender, race, ethnicity, sexual diversity, and territory. Sixteen states lacked their own programmes, compromising the efficacy of the protection measures. According to the Ministry of Human Rights, out of the 269 cases under analysis in August, 30% involved the persecution of Indigenous defenders and 44% Black defenders.

Two precautionary measures for the protection of human rights defenders were granted by the Inter-American Commission on Human Rights: one regarding the Pataxó Indigenous People in Bahia state and the other for the Boa Hora III *Quilombola* territory in Maranhão state.

More than a year after the murders of environmental activists Bruno Pereira and Dom Phillips, the Federal Justice decided to try the defendants for murder and concealing a corpse. The Federal Police alleged that Rubens Villar Coelho, known as “Colômbia”, had ordered the murders, but the investigation had not been concluded by the end of the year.

The murder of Raimundo Nonato, an activist from the Landless Rural Workers’ Movement killed by three hooded men in 2022, remained unsolved.

In August, Yalorixá Maria Bernadete Pacífico (“Mãe Bernadete”), the 72-year-old leader of the Pitanga dos Palmares Quilombo in Simões Filho city, Bahia, was killed. Since 2017, she had been fighting for justice for the killing of her son, known as “Binho do Quilombo”. Mãe Bernadete had made several complaints about being threatened and was included in the protection programme.

Right to a healthy environment

Brazil had still not ratified the Escazú Agreement. Extreme weather events caused deaths, destruction of property and displacement, disproportionately affecting Black people, who were more likely to live in high-risk areas with no prevention or protection measures.

The National Civil Defence mapped approximately 14,000 areas with very high risk of geological disaster, potentially affecting the homes of 4 million people. Government responses did not properly address these risks and the rights to housing, water, security and life of thousands of people were severely compromised. On 16 February, on the coast of São Paulo state, heavy rainfall caused the deaths of 49 people, left 23 injured, rendered 2,251 homeless and displaced 1,815. Water, electricity and telephone services were affected. In June, heavy rains affected 31,000 families in Maranhão state, leaving six people dead, 1,920 homeless and 3,923 displaced. In the state of Acre, around 32,000 people were affected; in Pará state, at least 1,800 people were forced to leave their homes; and in the city of Manaus, 172 families lost their homes.

In September, the third cyclone of 2023 left 21 people dead and thousands homeless in Rio Grande do Sul state. Dozens of municipalities were flooded, power was cut off and homes were swept away. According to Climate Action Tracker, the government’s policies regarding adaptation and mitigation were “highly insufficient”, and all responses lacked planning and federal coordination.

Areas of the state of Amazonas recorded their lowest rainfall in the last 40 years causing extreme drought.

According to official data, deforestation in the Amazon, one of the world’s most important carbon sinks, decreased to the lowest rate in the last five years, but was still equivalent to 1,300 football fields per day. During COP28, President Lula announced that Brazil would join the informal alliance OPEC+ (Organization of the Petroleum Exporting Countries and allied countries) and reinforced in his speech that Brazil would take the lead on climate policies to guarantee a just

transition to a green economy. The COP also confirmed that Brazil would host the COP30 meeting in Belem do Para in the Amazon region in 2025.

Indigenous Peoples' rights

Sônia Guajajara, an Indigenous woman, became the first minister of Indigenous Peoples.

Indigenous Peoples were denied full enjoyment of their rights to their lands and territories, health, food security, self-determination and traditional ways of living. On 20 January, the Ministry of Health declared a national public health emergency due to the lack of assistance available for the Yanomami population, which was suffering from malnutrition, contamination and sexual violence, caused largely by the presence of illegal mining activities. Despite this, 263,000 hectares of illegal mining spots remained, almost 90% of which were located in the Amazon region.

The government approved the demarcation of eight Indigenous lands, but 134 procedures were still in the study phase, according to the National Indigenous Foundation. Congress passed a bill limiting the time frame for the demarcation of Indigenous lands at the beginning of October; the president partially vetoed the issue and eventually Congress rejected the president's veto.

As a result of conflict and violence relating to land demarcation, in January two young Pataxó men, Nawir Brito de Jesus and Samuel Cristiano do Amor Divino, were murdered in Bahia state. In June, a 16-year-old Pataxó teenager was murdered in the same state. In April, a Yanomami Indigenous man was killed after an attack by miners in Roraima state. In September, a Guarani Kaiowá couple, Sebastiana Gauto and Rufino Velasque, were found dead in their house in Mato Grosso do Sul state, having been burnt to death.

According to the Ministry of Human Rights, 11 Guarani Kaiowá people were included in the Programme for the Protection of Human Rights Defenders.

Quilombolas

According to the 2022 census, 1,327,802 people identified themselves as *Quilombolas* (traditional people who are descendants of Africans who escaped slavery), representing 0.65% of the Brazilian population. Little progress was made on land titles for *Quilombola* communities. The *Quilombola* Lands Observatory noted 1,787 titling processes underway as of October. Five new titles were granted to *Quilombola* communities in 2023, benefiting 960 families.

Sexual and gender-based violence

The extent of gender-based violence remained alarming. From January to June, there were 599 femicides and 263 attempted femicides. Up to October, 86,593 reports of violence against women had been registered.

The state had still not implemented public policies against gender-based violence that addressed the intersections between gender and race.

Transgender people continued to face extreme violence and human rights violations. For the 14th consecutive year, more transgender people were killed in Brazil than anywhere else in the world. By October, the National Ombudsperson of Human Rights' Office had registered 3,873 human rights violations affecting transgender people, such as physical violence, discrimination and racism, compared with 3,309 cases in 2022.

Sexual and reproductive rights

Abortion remained a criminal offence. Up to July, according to the Ministry of Health, at least 19 people had died due to unsafe abortions. In September, a lawsuit seeking the decriminalization of abortion in the first 12 weeks of pregnancy was put before the Federal Supreme Court, but voting was suspended.