

World Report 2024



Brazil

Events of 2023

Activists protest to demand the end to racism and police violence, after a series of cases in several states of excessive, often deadly, force by police, São Paulo, Brazil, August 24, 2023.

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Luiz Inácio Lula da Silva, known as Lula, took office as president on January 1, 2023. Seven days later, supporters of defeated candidate and former President Jair Bolsonaro stormed Congress, the Supreme Court, and the presidential palace, unsuccessfully calling for a military coup.

The Lula administration has reversed certain harmful Bolsonaro administration policies on the environment and sexual and reproductive rights, but it did not take decisive measures to address chronic police abuse.

Lula's government also failed to consistently defend human rights abroad.

In a landmark decision, the Supreme Court upheld the land rights of Indigenous people, but Congress reacted by approving a bill that runs counter to the ruling. Deforestation in the Amazon decreased sharply, but forest defenders continued to suffer threats and attacks.

Democratic Rule

Under orders from a Supreme Court justice, police arrested about 1,500 people in connection with the January 8 break-in and ransacking of federal buildings in Brasília. Prosecutors had charged about 1,300 people as of October and 128 remained in pretrial detention. Twenty-five had been convicted as of mid-November.

A parliamentary inquiry asked authorities to open criminal investigations against Bolsonaro and 60 other people, including former cabinet members and high-ranking military officers, in connection with the attacks.

In June, the Superior Electoral Court banned Bolsonaro from running for office for eight years, ruling that he had abused his power and misused news media. This referred to a meeting—broadcast on public television—with ambassadors less than three months before the presidential election during which he insisted, without providing evidence, that Brazil’s electoral system was unreliable.

As of November, lawmakers were considering an amnesty for political parties that had violated rules requiring minimum allocations of electoral funds to female and Black candidates and that failed to account properly for the use of public electoral funds.

Corruption and Judicial Independence

Former President Bolsonaro and his associates were under investigation for falsifying health records to show he had received a Covid-19 vaccine, selling gifts he had received from foreign governments, and inciting the January 8 attacks.

In 2019 and 2021, Bolsonaro broke with a practice since 2003 of selecting an attorney general from a list of three candidates chosen by prosecutors from across the country. This practice had been intended to strengthen the attorney general’s independence from politicians. The attorney general Bolsonaro appointed was widely viewed as lacking independence and making decisions that benefited Bolsonaro. In November, President Lula also chose an attorney general from outside the list.

Freedom of Expression and Access to Information

In the context of the attacks in Brasília from January 8 to 11, journalism defense organizations registered 45 cases of threats, destruction of equipment, and assaults against journalists by protesters.

In August, the government announced it would unblock more than 3,000 social media users the Bolsonaro administration had blocked from interacting with institutional accounts. It did not say whether government officials would also unblock users from personal accounts they use to discuss matters of public interest.

Detention Conditions

More than 649,000 people were in jail or prison as of June 2023, exceeding the capacity of Brazilian facilities by 34 percent. Another 190,080 people were under house arrest.

The National Mechanism for the Prevention and Combat of Torture denounced overcrowding, unhealthy conditions, collective punishment, and ill-treatment (including torture) of adults and children in detention in eight states in 2022.

The number of people aged 12 to 21 who broke the law as children and were held in youth detention—12,154 in 2022—dropped 50 percent since 2018, the nonprofit Brazilian Forum of

Public Security (FBSP) reported.

Public Security and Police Conduct

Homicides fell by 3 percent in the first half of 2023, compared to the same period the year before, not including killings by police.

On-duty and off-duty police killed 6,429 people nationwide in 2022, about the same number as the previous year, FBSP reported. The states of Amapá, Bahia, and Rio de Janeiro had the highest rates of police killings.

After falling 59 percent in two years, killings by on-duty police in São Paulo state went up 45 percent from January through September 2023, compared to the same period the year before. From late July through early September, police killed 28 people in the Baixada Santista region of São Paulo during an operation launched after a military police officer was shot dead. Human Rights Watch identified significant gaps in the investigations, such as deficient forensic analysis.

To comply with a Supreme Court order, Rio de Janeiro state published an updated version in December 2022 of its plan to curb killings by police. In October, the court ordered the state to take into consideration suggestions by a group of experts and other civil society members who called for explicit targets for reduction of police killings.

In August, the government conditioned the transfer of federal public security funds to states on a reduction in police killings and other factors.

In 2022, 161 police were killed nationwide, 70 percent while off duty. Another 82 police officers died by suicide.

At least two police suicides in 2023 appeared motivated by harassment at work: the June suicide of a female police clerk who had reported sexual and other harassment in Minas Gerais state, and the August suicide of a male police officer in Maranhão state who had reported harassment and discrimination based on his sexual orientation.

Military-Era Abuses

Since 2012, federal prosecutors have filed charges in more than 50 criminal cases of human rights abuses during Brazil's military rule, from 1964 to 1985. Courts have dismissed most, citing the statute of limitations or an amnesty law passed by the dictatorship and upheld by a 2010 Supreme Court ruling which the American Court of Human Rights found violated Brazil's obligations under international law.

In June, a federal court convicted a former official for helping conceal bodies during the dictatorship. The court held that the amnesty law was incompatible with the American Convention on Human Rights and did not apply to enforced disappearances, as they are continuing crimes.

Ruling on a lawsuit, a federal court in January ordered three former civil police officials should pay 1 million Brazilian reais (about US\$198,404) each for the torture and killing of 25 people during the dictatorship.

The Lula administration began reassessing requests for reparations for political persecution during military rule, after finding 95 percent of requests had been denied under the Bolsonaro administration. Yet, as of mid-November, it had failed to deliver on its pledge to re-establish a commission to investigate political deaths and enforced disappearances dismantled by the Bolsonaro administration.

Women's and Girls' Rights

Gender-based violence reports increased in the first semester of 2023, FBSP reported. There were 34,000 rapes of women and girls from January through June, a 15 percent increase compared to the same period in 2022.

Killings of women went up 2.6 percent, to 1,902, in the first semester of 2023. Police registered more than a third of them as femicide, defined under Brazilian law as the killing of women “on account of being persons of the female sex.”

More than one million cases of domestic violence were pending in court at the end of 2022.

As of November, judges had granted more than 350,000 protective orders, which typically require suspected abusers to stay away from targeted women. The law requires that judges decide on such requests within 48 hours, but most state courts take longer than that; courts in Sergipe took 165 days on average, the National Council of Justice (CNJ) said.

Congress approved a law requiring specialized police stations for women to stay open 24/7, and another law guaranteeing equal pay for women and men doing the same jobs. As of November, it had not yet ratified the International Labour Organization (ILO) Violence and Harassment Convention (C190).

Abortion is legal in Brazil only in cases of rape, to save a woman's life, or when the fetus has anencephaly. Women and girls who have illegal abortions risk injury, death, and up to three years in prison. People who perform illegal abortions face up to four years in prison. In September, the then Supreme Court chief justice voted to decriminalize abortion up to 12 weeks. A decision by the full court was pending as of November.

A survey published in August estimated that one in seven women had had an abortion by age 40, particularly Black and Indigenous women, those residing in poor regions, and those with low educational levels.

In January, the Lula administration revoked a 2020 regulation requiring health professionals to report to police rape survivors seeking to terminate pregnancies.

Disability Rights

About 18.6 million adults and children over 2 years old with disabilities live in Brazil. Thousands are confined in institutions—sometimes for life—where some face neglect and abuse. In 2021, the National Council of Prosecutors' Offices passed a resolution requiring prosecutors to inspect institutions for adults with disabilities yearly and take legal action in cases of abuse. The Council has not published information on the resolution's implementation.

Some 26 percent of people with disabilities had completed high school compared to almost 57 percent without disabilities, a government survey published in 2023 showed, and 29 percent of people with disabilities had a job, compared to 66 percent without disabilities.

In January, President Lula revoked a Bolsonaro administration policy that appeared aimed at establishing segregated schools for certain children with disabilities.

Education

In April, Human Rights Watch found that from 2021 to 2023, educational websites owned and operated by the education secretariats of Minas Gerais and São Paulo sent children's personal data to advertising companies.

In response, Brazilian authorities opened investigations into educational websites, the education secretariat of Minas Gerais removed all ad tracking from its website, and at least two companies took steps to shield children from their data surveillance.

In August, the government announced the resumption of an initiative to promote sexuality and reproductive health education at schools that the Bolsonaro administration had discontinued.

Rights of Indigenous People, Afro-Descendant People, and Environmental Defenders

In a landmark decision in September, the Supreme Court rejected an attempt to block Indigenous people from obtaining title to their traditional lands if they were not physically present on them when Brazil's constitution was adopted in 1988. Congress reacted by approving a bill—and later overturning a presidential veto of the bill—that runs counter to the ruling. Indigenous groups petitioned the Supreme Court to strike down the law.

President Lula appointed the first Indigenous leaders to chair Brazil's Indigenous affairs agency and the newly created Ministry of Indigenous Peoples.

The Lula administration withdrew a bill the Bolsonaro administration introduced to allow mining and other commercial activities in Indigenous territories and revoked policies facilitating encroachment. The government resumed titling of Indigenous lands.

In January, the government documented malnutrition and serious diseases associated with illegal mining activities in the Yanomami Indigenous territory and launched a large-scale operation to remove thousands of miners who operated largely unimpeded during the Bolsonaro administration. Some responded by shooting at law enforcement officials. In August, Yanomami associations reported continuing health problems and the return of some miners.

For the first time, Brazil released comprehensive demographic data on Afro-descendant rural communities, revealing more than 1.3 million inhabitants. In March, the government granted collective land titles to three communities. Yet, Afro-descendant communities continue to face violence. In August, assailants killed Bernadete Pacífico, a leader in Bahia state who was under police protection after having received death threats.

At least 11 people were killed in conflicts over land and resources in the Amazon in the first semester of 2023, the nongovernmental Pastoral Land Commission reported.

In May, President Lula sent Congress the Escazú Agreement, which requires governments in Latin America and the Caribbean to protect environmental defenders and guarantee access to information and public participation in environmental matters. As of November, ratification by Congress was pending.

Climate Change Policy and Impacts

Brazil contributes to the climate crisis as one of the world's top ten greenhouse gas emitters.

Increased deforestation due to weakened law enforcement in the Amazon between 2019 and 2020 drove up overall emissions, which rose 12 percent in 2021, the highest increase in almost two decades, according to the non-governmental organization, Climate Observatory.

From January through October 2023, preliminary official data show that 4,776 square kilometers of Amazon rainforest were cleared, a 49 percent decrease compared to the same period in 2022. However, over the same period, 6,802 square kilometers of a wooded savannah area known as Cerrado was deforested with a 34 percent increase.

In November, the government updated its climate action plan with more ambitious targets, pledging a 48 percent cut in emissions by 2025 and 53 percent by 2030. President Lula launched a plan to fight deforestation in the Amazon, renewing a commitment to reach zero illegal deforestation by 2030.

But the government sent mixed signals about allowing offshore oil exploration at the mouth of the Amazon River. Despite pledging to boost the ecological transition and turn Brazil into “a great sustainable power,” it announced investments in fossil fuels that drive climate change. In December, the Lula administration announced at the United Nations climate conference, COP 28, that Brazil plans to join the OPEC+ group of oil-producing nations as an observer.

Migrants, Refugees, and Asylum Seekers

Thousands of Venezuelans have crossed the border into Brazil in recent years, fleeing hunger, lack of basic health care, or persecution.

About 499,650 Venezuelans lived in Brazil as of October 2023. Brazil had granted refugee status to 53,307 by 2022, having facilitated asylum by recognizing a “serious and widespread violation of human rights” in [their country](#). [Venezuelans can also apply for residency in Brazil](#).

The Lula administration adopted simplified procedures to review asylum requests based on gender identity or sexual orientation by people from countries that criminalize same-sex sexual conduct and by girls and women who have suffered genital mutilation.

Key International Actors

The UN High Commissioner for Human Rights (OHCHR), the Inter-American Commission on Human Rights (IACHR), the UN Committee on Economic, Social and Cultural Rights (CESCR), and UN special rapporteurs expressed concern over violence and land conflicts affecting Indigenous people and Afro-descendant communities.

At an Amazon Summit in August, countries sharing the rainforest committed to protecting it but did not announce deforestation reduction targets.

The UN Human Rights Committee, the Committee against Torture, OHCHR, and the IACHR denounced police violence in Brazil, expressed concern about its impact on Black Brazilians, and urged authorities to ensure thorough investigations.

In November, the UN Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement visited Brazil.

The European Parliament, the EU’s High Representative for Foreign Affairs, OHCHR, and the IACHR condemned the January 2023 attack on democratic institutions.

Foreign Policy

Brazil retained inconsistent positions on human rights in its foreign policy.

In June, Brazil urged the UN Human Rights Council (HRC) to adopt a treaty recognizing the right to free secondary education and to at least one year of free pre-primary education.

President Lula offered to broker peace talks to end the Russia-Ukraine war but made controversial public statements, including incorrectly suggesting that Kyiv and Moscow were equally responsible for starting it.

President Lula re-established diplomatic ties with Venezuela. In May, he called concerns about the undermining of democratic institutions there a “constructed narrative.”

In March, Brazil declined to sign an HRC declaration condemning abuses in Nicaragua. Officials later said they were “extremely concerned” about human rights violations in Nicaragua and offered to receive political refugees who had been stripped of nationality. Brazil has consistently declined to support statements of concern about China’s crimes against humanity against Uyghurs in Xinjiang.

In October, Brazil proposed a UN Security Council resolution aimed at facilitating humanitarian aid to civilians in Gaza amid the escalating hostilities in Israel and Palestine. The US vetoed it.

Brazil was elected to the Human Rights Council for the 2024-2026 term.