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**UNITED STATES DEPARTMENT OF JUSTICE  
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IMMIGRATION COURT  
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**In the Matter of**

**Joao Lucas Rocha Silveira**

**In Removal Proceedings**

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**File No. A 220-350-514**

**RESPONDENTS' COUNTRY CONDITIONS IN SUPPORT OF ASYLUM AND  
WITHHOLDING OF REMOVAL**

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# **Exhibit 1**

**EXCERPTS FROM COUNTRY CONDITIONS REPORTS**

**CC 1**

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**BRAZIL 2024 HUMAN RIGHTS REPORT - U.S. DEPARTMENT OF STATE**

The human rights situation in Brazil declined during the year. The courts took broad and disproportionate action to undermine freedom of speech and internet freedom by blocking millions of users' access to information on a major social media platform in response to a case of harassment. The government undermined democratic debate by restricting access to online content deemed to "undermine democracy," disproportionately suppressing the speech of supporters of former president Jair Bolsonaro as well as journalists and elected politicians, often in secret proceedings that lacked due process guarantees. The government also suppressed politically disfavored speech on the basis that it constituted "hate speech," a vague term untethered to international human rights law.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists.

The government did not always take credible steps to identify and punish officials who committed human rights abuses.

**CC 2**

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**BRAZIL 2023 - HUMAN RIGHTS REPORT - U.S. DEPARTMENT OF STATE**

Violence and Harassment: Violence against LGBTQI+ individuals was a concern. While such violence generally had declined since 2017, violence specifically targeting transgender individuals increased, according to Dial 100.

The Federal Public Ministry was responsible for registering reports of crimes committed based on gender or sexual orientation but reportedly was slow to respond. Transgender individuals were particularly at risk of being the victims of crime, including sex trafficking, or committing suicide.

Dial 100 registered 2,536 complaints from January to May, an increase of more than 300 percent compared with the same period in 2022. The states of São Paulo, Rio de Janeiro, and Minas Gerais reported approximately one-half of the total registered in the country.

According to a survey by the NGO Gay Group of Bahia released on June 28, between January and June, 139 LGBTQI+ persons were victims of violent deaths. The survey recorded 256 deaths in all of 2022. Gay men and women were the main victims (48 percent), followed by transgender persons (42 percent). Half of the victims identified as Brown or Black, while White victims represented almost 12 percent.

In January a transgender woman was killed and her body dismembered in Vigario Geral neighborhood, Rio de Janeiro. The victim, a prostitute, left home to meet with a customer and disappeared. Her family discovered the customer's address, where they found the victim's body and the suspect, who escaped. Police were investigating the case.

NGOs cited lack of economic opportunity for LGBTQI+ persons as a concern. According to Grupo Gay da Bahia, 33 percent of companies avoided hiring LGBTQI+ employees, and 90 percent of transgender women engaged in commercial sex because they could find no employment alternative. Transgender women often paid human traffickers for protection and daily housing fees. When unable to pay, they were beaten and starved. Traffickers targeted transgender women, luring them with offers of gender reassignment surgery and later exploiting them in sex trafficking when they were unable to repay the cost of the procedure.

A 2022 report by All Out and Instituto Matizes identified 26 types of "gay cures" in the country, divided into four categories: religious, medical/psychological, familial, and academic. Of the 365 persons interviewed, 193 had been subjected to an attempted "gay cure."

During the June Pride month, an evangelical pastor, André Valadão, from a church in the state of Minas Gerais, promoted "gay cure" practices through his cult entitled "God Hates Pride." This practice and speech were common in evangelical churches. On October 12, digital influencer Karol Eller committed suicide in São Paulo, one month after she announced she would undergo a "gay cure" and that she became an evangelical. In September Eller stated in a post on social media that she had "renounced homosexual practice."

Surgeries were commonly performed on newborns at the advice of medical doctors to "choose a gender." There were no reports that medically unnecessary and irreversible "normalization" surgeries were performed on nonconsenting adult intersex persons.

CC 3

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## **WORLD REPORT 2026: BRAZIL - HUMAN RIGHTS WATCH**

In a landmark ruling, the Brazilian Supreme Court convicted former President Bolsonaro and other former officials of plotting a coup. It was the first time in Brazil's history that the leaders of a coup were tried.

Police killed 5,920 people between January and November 2025. A court ruling and a resolution that instructed prosecutors to lead investigations into police killings, instead of leaving them in the hands of the police themselves, offered hope of improved investigations.

### **Sexual Orientation and Gender Identity:**

In February, the Supreme Court ruled that Brazil's anti-domestic-violence law applies to same-sex couples and trans women.

### **Gender-Based Violence:**

In October 2024, Brazil enacted a law classifying “femicide,” defined as killings “on account of being persons of the female sex,” as a stand-alone crime instead of an aggravating factor of homicide. From January through November 2025, 3,286 women and girls were killed, a 4 percent decrease compared with the same period in 2024. Of those, police registered 1,350 as femicide, a 3 percent increase.

There were 64,276 reported rapes of women and girls from January through November, a reduction of 8 percent compared with the same period in 2024. Between January and November 2025, 70 percent of the victims were under 14 or lacked capacity to express consent due to illness or for other reasons.

CC 4

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## **HUMAN RIGHTS IN BRAZIL – AMNESTY INTERNATIONAL (2025)**

Poverty levels decreased significantly, mainly due to income-transfer policies, but structural inequalities persisted and access to human rights was compromised. Violence against LGBTI people and gender-based violence, particularly femicides of Black women, continued to be of serious concern. Difficulties in accessing justice, particularly in cases of police violence, continued to undermine state accountability.

LGBTI people's rights: Progress was made in increasing visibility of LGBTI issues and in legal decisions extending recognition of LGBTI rights, with rulings by higher courts reinforcing equality in matters of filiation (family recognition), parental leave and registration of non-binary gender identities. At the same time, violence against the LGBTI population increased, with the Bahia Gay Group Observatory recording 291 violent deaths of LGBTI people in 2024 (an increase of approximately 9% compared with 2023). Furthermore, the National Association of Transvestites and Transsexuals registered **more than 100 murders of transgender people in the same year, meaning that Brazil remained one of the deadliest countries in the world for this population group.** Investigation and accountability continued to be low in the face of hate crimes based on sexual orientation and gender identity.

**COUNTRY POLICY AND INFORMATION NOTE  
BRAZIL: SEXUAL ORIENTATION, GENDER IDENTITY  
AND EXPRESSION (SOGIE) - UNITED KINGDOM HOME  
OFFICE**

LGBTI persons form a PSG in Brazil within the meaning of the Refugee Convention because they share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it, and have a distinct identity in Brazil because the group is perceived as being different by the surrounding society.

Former President Bolsonaro and other public officials made strong antiLGBTI statements and discontinued governmental agencies which advanced LGBTI rights. During his tenure, this exacerbated marginalisation of LGBTI persons.

Within the LGBTI community, transgender persons face an elevated risk of serious harm due to increased visibility and involvement in sex work, especially if they are black or mixed race, and of lower socio-economic status.

In general, Brazilian society has conservative views, linked to religion and traditional family values.

However, internal relocation will not be an option if it depends on the person concealing their sexual orientation and/or gender identity in the proposed new location to avoid persecution. Each case must be considered on its facts.

‘Despite underreporting, Brazil registered approximately one intentional homicide against LGBTQIA+ individuals every 3 days (163 cases in 2022, a reduction of 7.4% compared to 2021) and one rape involving a LGBTQIA+ victim every two days (199 cases in 2022, the same absolute number recorded in 2021).’

‘It is estimated that LGBTI+ persons are 2.52 times more likely to suffer physical violence than others [this is based on 2019 data analysed in the Machado de Vasconcelos study referred to above] - in 2022, 2,324 LGBTI+ persons were victims of physical

assault. And, even though the country's legal and normative frame[work] adamantly condemn discrimination, 65% percent of LGBTI+ persons declare to be afraid of holding hands in public...

‘The threat of violence operates as a form of coercion because it makes LGBTI+ persons scared and insecure in publicly expressing their sexual orientation and gender identity, particularly in small urban areas and the countryside where religious traditional values are pervasive.’

[...] ‘Threats to the physical integrity and lives of LGBTI+ parliamentarians and political leaders have increased worryingly in recent years... Cases involving threats of death and physical integrity of parliamentarians and family members of LGBTI+ parliamentarians, like Erika Hilton, Duda Salambert, Erica Malunguinho, Benny Briolli, among others, reinforces the need for adequate protection measures for LGBTI+ political representatives.’

CC 6

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## **2024 OBSERVATORY OF VIOLENT DEATHS OF LGBT+ INDIVIDUALS IN BRAZIL - GROUP GAY OF BAHIA (GGB)**

**In 2024, Brazil remained the country with the highest number of homicides and suicides of LGBT+ individuals worldwide.** A total of 291 violent deaths were recorded – 34 more cases than in 2023 – representing an 8.83% increase compared to the previous year (257 deaths). This equates to one violent LGBT+ death every 30 hours. Of these, 273 were homicides, and 18 were suicides. The data was released by the Grupo Gay da Bahia (GGB), the oldest LGBT+ non-governmental organization in Latin America, which has been conducting this survey since 1980, for 45 years.

Unfortunately, despite annual demands for government action, authorities remain negligent: no official statistics exist on hate crimes against LGBT+ populations in Brazil. This makes the GGB's research essential for shedding light on these tragedies, even as it acknowledges the underreporting of such cases due to the lack of public funding for this type of research. These 291 violent LGBT+ deaths are just the tip of an iceberg of hate and bloodshed.

Globally, consolidated data on LGBT+ homicides by country or continent is scarce. The sole exception is a limited study on transgender individuals conducted by the NGO Transgender Europe, which recorded 321 murders across 39 countries in the past year. Of these, 94 occurred in Brazil, accounting for 29.2% of the global total. Mexico and the United States occupy second and third places, with 66 and 61 deaths, respectively. It is worth noting that the U.S. has 120 million more inhabitants than Brazil, further underscoring the GGB's longstanding claim that **Brazil leads this tragic global ranking of violent deaths – not only among the transgender population but across the entire LGBT+ spectrum.**

In 2024, the Grupo Gay da Bahia documented 291 violent deaths of LGBT+ individuals in Brazil, comprising 165 gay men, 96 transgender women and transvestites, 11 lesbians, 7 bisexual individuals, and 6 transgender men. Additionally, six heterosexual individuals were included in this tally due to circumstances where they were mistakenly perceived as LGBT+, attacked while defending LGBT+ individuals, or associated directly or indirectly with the community and its social spaces.

A striking 60.8% of victims were in their prime (19–45 years old) when they were murdered or committed suicide. The youngest victim was only 5 years old, and the oldest was 75.

The average age of transgender women and transvestites murdered in 2024 was 24.64 years, underscoring the tragic reality that most of these individuals, primarily sex workers, lose their lives before reaching 35.

CC 7

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**DOSSIER: MURDERS AND VIOLENCE AGAINST BRAZILIAN TRAVESTITES AND TRANSSEXUALS IN 2025 - ANTRA (NATIONAL ASSOCIATION OF TRAVESTIS AND TRANSSEXUALS) (2026)**

In 2025, 80 trans and transvestite people were murdered. In a comparison between 2023 and 2025, a consecutive decline was observed, with a 34% decrease this time in the number of murders of trans people, from 122 to 80 cases in 2025, and from 145 in

2023 to 122 in 2024 - the largest drop observed in the historical series. Out of a total of more than 1,954 reports recorded throughout the year (45% more than in 2024), at least 92 cases of murdered trans people were initially cataloged. Following in-depth verification, 12 deaths were excluded for not meeting the criteria established for this research, which considers only Intentional Violent Lethal Crimes (IVLC). Thus, for the purposes of this dossier, 80 deaths by murder will be considered, representing a 34% decrease compared to the previous year.

In addition, 77 murders were committed against transvestites and trans/transsexual women, and 3 against trans men and transmasculine people [...]. Among the sources that constitute this research, as had already been observed in previous editions, no information was identified regarding the murder of individuals publicly recognized or identified as non-binary, highlighting the extent to which a binary perspective still prevails in the reporting of cases, and the need for closer attention to the forms of violence affecting these identities.

Between 2017 and 2025, the period in which ANTRA began systematically compiling these data on a continuous basis, 1.261 murders of transvestites, trans women, trans men, transmasculine people, and non-binary people were recorded in Brazil. Within this timeframe, 181 cases were recorded in 2017, 163 in 2018, 124 in 2019, 175 in 2020, 140 in 2021, 131 in 2022, 145 in 2023, 122 in 2024, and 80 in 2025, resulting in an average of 140 murders per year.

**When the drop in numbers does not reflect an improvement in the scenario:**

The analysis of the numerical reduction in murders of trans people in 2025 observed in this study requires a technical, critical, and politically responsible perspective. In a context marked by the advance of an anti-trans agenda, deliberate state omissions, the absence of specific public policies to address transphobia, and Brazil's persistent position as the country that kills the most trans people—especially transvestites and trans women—in the world, any celebratory interpretation of these data would be not only mistaken but dangerous. When there are no policies addressing these issues, institutions (police, hospitals, assistance centers, and others) cease to be perceived as safe or welcoming spaces.

The apparent numerical reduction does not reflect structural progress, protection of the right to life, or the strengthening of citizenship through the guarantee of fundamental rights, but rather reveals the consolidation of new mechanisms for the invisibilization of violence, alongside the deliberate maintenance of the nonproduction of information and statistical underreporting as part of necropolitics.

In 2025, at least 75 attempted homicides were recorded in our searches, a 32% increase compared to 2024, during the course of this research, using the same methodology applied to murders, all of them against transvestites and trans women. In the same sense, we observed that the profile of the victims, in the vast majority of cases, does not differ from that already identified among homicide victims—young black trans women and transvestites, since attempted homicides are in fact unconsummated murders or situations in which the victims survived. In 2024, we had 57 cases. In 2023 there were 69 attempted homicides; in 2022 there were 84 cases; in 2021 there were 79 survivors; in 2020 there had been 77 attempts; 50 in 2019; 72 in 2018; and 58 in 2017.

CC 8

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### **WEEKS AHEAD OF ITS FAMOUS LGBT PRIDE PARADE, BRAZIL STRUGGLES WITH ONE LGBTI+ KILLING EVERY 38 HOURS - BRAZIL REPORTS**

In 2023, 230 LGBTI+ individuals were violently killed in Brazil, according to data released this month by the Observatory of LGBTI+ Deaths and Violence. This alarming statistic translates to one death every 38 hours.

In 2022, the organization recorded 273 violent deaths, 15.75% more than last year.

However, the actual number of victims could be higher than collected by the Observatory, which suspects underreporting.

“Because the recognition of gender identity and sexual orientation of the victims depends on the media reporting the deaths, many cases of violence against LGBTI+ people may be omitted and/or distorted. There is likely a significant underreporting of violent

deaths of LGBTI+ individuals in Brazil,” the Observatory stated in its report.

Violence against transgender women stood out. Among those killed in 2023 were 142 transgender women, 59 gay men, 13 transgender men, seven lesbians, eight belonged to other segments, and one non-binary person was killed. The report also revealed that the majority of the victims (120) were between the ages of 20 and 39.

## CC 9

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### **REPORTED MURDERS, SUICIDES OF TRANS PEOPLE SOAR IN BRAZIL - REUTERS**

The number of transgender people killed in Brazil this year has risen by 70% over last year, according to research underscoring the South American country's rank as the world's deadliest place for trans people.

The 129 trans people murdered since January already exceeds the total killings in 2019, according to a report by the National Association of Transvestites and Transsexuals (ANTRA), a local activist organization.

Despite the legal recognition, gay and trans Brazilians face prejudice and widespread violence in the socially conservative country where powerful Evangelical churches are highly critical of LGBT+ rights.

The nation of some 200 million people regularly ranks as the deadliest country worldwide for trans people, according to the Trans Murder Monitoring research project.

## CC 10

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### **BRAZIL REMAINS THE COUNTRY THAT KILLS THE MOST TRANSGENDER PEOPLE IN THE WORLD FOR THE 18TH CONSECUTIVE YEAR, ACCORDING TO A REPORT — O GLOBO**

**Brazil maintained its position as the country that kills the most trans people in the world for the 18th consecutive year in 2025.** 80 murders motivated by transphobic crimes were recorded throughout the year, according to the Dossier Murders and Violence Against Brazilian Transvestites and Transsexuals, which will be released this Monday (26) by the National Association of Transvestites and Transsexuals (Antra).

The number represents a 34% reduction compared to 2024, when 122 deaths were recorded. Despite the decrease, the survey indicates that violence against the trans population remains serious. The report points to an increase in attempted homicides, which rose from 57 to 75 in one year, and highlights structural factors that hinder the fight against these crimes, such as underreporting, lack of official statistics, and poor journalistic coverage in many regions.

The report shows that violence is concentrated in the Northeast region, with recurring occurrences in the Southeast, and that most victims are transvestites and transgender women, predominantly Black, young, and in situations of social vulnerability. In 2025, the murders mostly occurred in public spaces, peripheries, and urban streets.

The survey also points to a process of internalization of violence. In 2025, 67.5% of murders occurred in inland cities, while 32.5% were recorded in capital cities. According to Antra, the displacement of crimes to areas with less state presence and support networks increases the risk of deaths going unnoticed.

In addition to mapping homicides, the report highlights the need for public policies focused on violence prevention, proper crime investigation, and the social inclusion of the transgender population.

CC 11

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## **HEALTHCARE FOR TRANSGENDER PEOPLE IS UNDER THREAT, RESEARCHERS SAY - CNN BRAZIL**

Recent restrictions on public policies and healthcare for transgender people applied in several countries, including Brazil, threaten to dismantle existing care structures for this population

and may lead to setbacks. This warning is contained in an article published in the scientific journal Nature Medicine by a group of Brazilian researchers.

The text highlights the new resolution (no. 2,427) from the Federal Council of Medicine (CFM), which, in April, prohibited the use of hormone blockers in minors under 18 years of age in Brazil, increased the minimum age for cross-sex hormone therapy from 16 to 18, and authorized gender transition surgeries only from the age of 21.

In addition to prohibiting the clinical use of hormone blockers in transgender youth, the Brazilian resolution also prevents research in this area. Hormone therapy involves administering sex hormones to promote physical changes consistent with gender identity. These procedures had been adopted based on the CFM's own previous resolution (No. 2,265), published in 2020.

According to the authors, in addition to creating an intimidating effect among healthcare professionals, these rules hinder the provision of adequate care and may increase the risk of depression, social isolation, and even suicide among transgender youth – those who do not identify with their birth sex. Regarding science, the group believes there is a brake, with limits or prohibitions on research and treatments specifically aimed at this group.

CC 12

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### **BRAZIL: VIOLENT DEATHS OF LGBTQIA+ INDIVIDUALS REACH 257 IN 2023 - AGÊNCIA BRASIL**

In 2023, a total of 257 violent deaths were reported among LGBTQIA+ individuals in Brazil. This means that, on average, an LGBTQIA+ person lost their life to violence every 34 hours. This turns Brazil into the most homotransphobic country in the world. These statistics were released by the Bahia Gay Group (GGB), the oldest LGBT non-governmental organization in Latin America.

For 44 years, the GGB has collected data on homicides and suicides within the LGBTQIA+ community through various

sources, including news reports, online surveys, and information obtained from the victims' families.

However, the actual number of deaths could be even higher. "The government continues to ignore this veritable holocaust, with an LGBTQIA+ person being violently killed every 34 hours," remarked anthropologist Luiz Mott, founder of the Bahia Gay Group.

Out of the recorded deaths, 127 were of transvestites and transgender individuals, while 118 were gay, nine were identified as lesbian, and three as bisexual. "For the second time in four decades, the absolute number of [deaths of] transvestites has exceeded that of gays. This is concerning because transvestites and transsexuals represent around 1 million people, whereas gays represent around 10 percent of Brazil's population, approximately 20 to 22 million people. Thus, the risk of a trans or transvestite being murdered [in the country] is 19 times higher than that of a gay or lesbian," explained Mott.

# **Exhibit 2**

# Brazil 2024 Human Rights Report

## Executive Summary

The human rights situation in Brazil declined during the year. The courts took broad and disproportionate action to undermine freedom of speech and internet freedom by blocking millions of users' access to information on a major social media platform in response to a case of harassment. The government undermined democratic debate by restricting access to online content deemed to "undermine democracy," disproportionately suppressing the speech of supporters of former president Jair Bolsonaro as well as journalists and elected politicians, often in secret proceedings that lacked due process guarantees. The government also suppressed politically disfavored speech on the basis that it constituted "hate speech," a vague term untethered to international human rights law.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists.

The government did not always take credible steps to identify and punish officials who committed human rights abuses.

## Section 1. Life

### a. Extrajudicial Killings

There were several reports police committed arbitrary or unlawful killings during the year. Some killings were attributed to a police operation against transnational criminal organizations in Sao Paulo State in the first half of the year and a police operation that took place from July 2023 to April in Baixada Santista, a coastal area including the port city of Santos.

In July, a São Paulo court charged two officers from a police shock battalion (ROTA) with aggravated homicide and obstructing evidence in the death of Fábio Oliveira Ferreira, who was killed in the operation in July 2023. One defendant was Captain Marcos Correa de Moraes Verardino, one of the coordinators of the operation, who allegedly fired three shots at Ferreira after he had surrendered. The other defendant, Corporal Ivan Pereira da Silva, also of ROTA, allegedly shot the victim twice in the chest while the victim was lying on the ground. In December, the two defendants were acquitted by courts in São Paulo State. The São Paulo Public Prosecutor's Office of appealed the decision, and higher courts were considering that appeal at year's end.

In April, Roraima State Civil Police reported it launched an operation to dismiss a group of officers from the military police of Roraima suspected of being part of a militia and an extermination group, according to a *Globo*

news report. More than 100 officers were investigated, and several arrests were made. The investigation examined cases in which police officers allegedly provided armed security for illegal miners, robbed and tortured competing invaders, and robbed the miner bosses themselves.

There were developments in the politically motivated 2018 killing of city councilwoman Marielle Franco and her driver Anderson Gomes, in Rio de Janeiro. In March, police arrested Chiquinho Brazão, a Federal Chamber deputy (representative), and his brother, Domingos Brazão, a member of the Rio de Janeiro State Audit Court, for their alleged role in ordering the 2018 killing of Franco. The brothers remained in custody and were charged with qualified homicide and attempted homicide. Rivaldo Barbosa, who was the chief of police of Rio de Janeiro when Franco was killed, was also arrested in March for allegedly helping plan the killing and for obstruction of justice. In November, two former police officers were sentenced for the killings. Ronnie Lessa was sentenced to 78 years and nine months for firing the shots that killed Franco and Gomes and injured one of Franco's aides. Élcio de Queiroz was sentenced to 59 years and eight months for driving the getaway car.

## **b. Coercion in Population Control**

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

## **Section 2. Liberty**

### **a. Freedom of the Press**

The constitution and law provided for freedom of expression, including for members of the press and other media. Supreme Court (STF) rulings, however, restricted the freedom of expression for individuals it deemed to be in violation of the law prohibiting antidemocratic speech.

#### **Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups**

The law prohibited politically motivated judicial censorship, but there were reports of censorship. The government censored online content deemed in violation of STF orders, which instructed platforms to remove content that allegedly spread misinformation related to the electoral system or judicial institutions or to disparage judicial officials with online threats or harassment. Court records reveal that Justice Alexandre de Moraes personally ordered the suspension of more than 100 user profiles on the social media platform X (formerly Twitter), disproportionately suppressing the speech of advocates of former president Jair Bolsonaro instead of taking narrower measures to penalize content that incited imminent lawless action or harassment. The government telecommunications regulator Anatel ordered internet service providers to block X by order of the STF on August

31, after the company failed to appoint a legal representative and pay outstanding fines for failure to remove content in compliance with orders issued by the STF and the Superior Electoral Court. The STF authorized fines of 50,000 reais (\$9,000) per day to individuals or companies who accessed the platform via a virtual private network (VPN), although no fines were reportedly assessed. The STF authorized X to resume its operations in the country on October 8 after the company complied with court orders and paid outstanding fines. Other media companies were subject to similar content removal orders. This broad repression blocked Brazilians' access to information and viewpoints on a range of national and global issues. Additionally, the court's temporary prohibition on the use of a VPN, under penalty of fine, further eroded freedom of the press by removing privacy protections from individuals whose ability to blow the whistle on government corruption hinged on their capacity to do so anonymously.

Nongovernmental criminal elements at times subjected journalists to threats or violence due to the journalists' reporting on their criminal activities.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The law provided for freedom of association for all workers (except members of the military, military police, and firefighters), the right to

bargain collectively with some restrictions, and the right to strike. The law prohibited antiunion discrimination, including the dismissal of employees who were candidates for, or holders of, union leadership positions, and it required employers to reinstate workers fired for union activity.

New unions were required to register with the Ministry of Labor, which would accept the registration unless objections were filed by other unions. The law stipulated certain restrictions, such as *unicidade* (in essence, one union per occupational category per city), which limited freedom of association by prohibiting multiple, competing unions of the same professional category in a single geographical area. Unions that represented workers in the same geographical area and professional category could contest another union's registration.

The law stipulated a strike could be ruled "disruptive" by the labor court and the union could be subjected to legal penalties if the strike violated certain conditions, such as if the union failed to notify employers at least 48 hours before the beginning of a walkout or end a strike after a labor court decision. Employers were not allowed to hire substitute workers during a legal strike or fire workers for strike-related activity, provided the strike was not ruled abusive as defined in the law.

The law obliged a union to negotiate on behalf of all registered workers in the professional category and geographical area it represented, regardless of whether an employee paid voluntary membership dues. The law included

collective bargaining rights, such as the ability to negotiate a flexible hourly schedule and work remotely. The law permitted the government to reject clauses of collective bargaining agreements that conflicted with government policy.

Freedom of association and the right to collective bargaining were generally respected, according to observers. Collective bargaining was widespread in establishments in the private sector.

In the view of nongovernmental organization (NGO) experts, the government usually effectively enforced applicable laws, and penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were regularly applied against violators.

### **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Acceptable Work Conditions**

#### **Wage and Hour Laws**

The law provided for a minimum wage, which was higher than the official poverty income level. The law limited the workweek to 44 hours and specified a weekly rest period of 24 consecutive hours, preferably on Sundays. The law also provided for paid annual vacation, prohibited

excessive compulsory overtime, limited overtime to two hours per workday, and stipulated any hour worked above the monthly limit had to be compensated with at least time-and-a-half pay; these provisions generally were enforced for all groups of workers in the formal sector. The constitution also provided for the right of domestic employees to work a maximum of eight hours per day and 44 hours per week, and to receive a minimum wage, a lunch break, social security, and severance pay.

### **Occupational Safety and Health**

The Ministry of Labor set occupational safety and health (OSH) standards that were consistent with internationally recognized norms, although unsafe working conditions were prevalent throughout the country, especially in construction, according to media reports. The law required employers to establish internal committees for accident prevention in workplaces. Inspectors identified unsafe conditions and responded to worker complaints, but the number of inspections conducted was lower than necessary. The law also prohibited firing employees for their committee activities. Workers could remove themselves from situations that endangered their health or safety without jeopardy to their employment, although those in forced labor situations without access to transportation were particularly vulnerable to situations that endangered their health and safety.

## **Wage, Hour, and OSH Enforcement**

The Ministry of Labor addressed problems related to minimum wage, overtime, and OSH laws. In the view of NGO experts, officials effectively enforced OSH laws. Penalties for violations included fines that varied widely depending on the nature of the violation. Penalties were in general commensurate with similar crimes such as fraud or negligence. Penalties were regularly applied against violators. The number of labor inspectors was insufficient to enforce compliance, according to the Labor Inspectors Union. Inspectors had the authority to make unannounced inspections and initiate sanctions.

According to the Brazilian Institute of Geography and Statistics, the informal sector represented almost 40 percent of the workforce.

Gig workers were not considered employees, and food delivery and ride-share companies did not consider the workers who provided services through their platforms to be employees. These workers were not protected by labor laws.

## **c. Disappearance and Abduction**

### **Disappearance**

There were no reports of enforced disappearances by or on behalf of government authorities.

In July, President Luis Inácio Lula da Silva reinstated the Special Commission on Political Deaths and Disappearances to deal with state crimes and political repression that occurred from 1961 to 1979. The commission was created in 1995 but was closed in 2022 by the government of then President Bolsonaro.

### **Prolonged Detention without Charges**

The constitution prohibited arbitrary arrest and detention and provided for the right of persons to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements; however, political figures and rights groups alleged the government held hundreds of individuals accused of participation in protests that led to the invasion of government buildings on January 8, 2023, in detention for several months without filing charges. They also alleged these protesters were denied access to legal counsel.

Lengthy pretrial detention was a problem. The length of pretrial detention frequently equaled or exceeded the maximum sentence for the alleged crime, according to the National Security Forum. As of 2023, approximately one-quarter of the prison population was awaiting court trial, according to the Brazilian Forum on Public Security.

## **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Section 3. Security of the Person**

### **a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution prohibited such practices, but there were credible reports government officials employed them.

Military police officers in Porto Alegre, capital of the state of Rio Grande do Sul, were accused of torturing Vladimir Abreu de Oliveira for approximately 40 minutes before attempting to hide his body by throwing him from a bridge in May. An investigation revealed Abreu de Oliveira suffered multiple severe injuries while alive, leading to his death. Five officers were indicted, with charges ranging from torture resulting in death to omission of assistance, and two were in preventive detention. Civil police were

conducting a separate investigation.

## **b. Protection of Children**

### **Child Labor**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

### **Child Marriage**

The legal minimum age of marriage was 18, or 16 with parental or legal representative consent. While child marriage declined in recent years, the practice of early marriage (marriage before age 18), especially among girls, was common, according to UNICEF. The government did not always effectively enforce the law.

In March, a report from the newspaper *Econômico Valor* noted approximately one in five women married before turning 18.

## **c. Protection to Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

## **Provision of First Asylum**

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

## **d. Acts of Antisemitism and Antisemitic Incitement**

According to the Brazilian Israelite Federation, there were approximately 120,000 Jewish Brazilian citizens, of whom approximately 70,000 lived in the state of São Paulo, according to 2021 data, and 34,000 in the state of Rio de Janeiro.

The law criminalized the manufacture, sale, distribution, or broadcast of symbols, emblems, ornaments, badges, or advertising that used the swastika for purposes of publicizing Nazism. The penalty was two to five years' imprisonment.

In June, the Brazilian Israelite Confederation (CONIB) and the Israelite Federation of the State of São Paulo (FISESP) reported a sharp increase in the number of cases of antisemitism after the Hamas attack on Israel in October 2023. From January to May, 886 cases of antisemitism were recorded, almost six times more than in the same period in 2023. Most of the attacks occurred in digital environments, such as social networks and messaging apps.

Following Israel's military response in Gaza to the Hamas October 2023

terrorist attacks, on February 18, President Lula da Silva stated that “what is happening in the Gaza Strip... it’s a genocide.” In the speech, he then compared what was occurring in Palestine with “when Hitler decided to kill the Jews.” On February 19, CONIB stated it “repudiated the unfounded statements by President Lula comparing the Holocaust to the State of Israel’s defense against the terrorist group Hamas,” saying the government had adopted an “extreme and unbalanced posture in relation to the tragic conflict in the Middle East.”

On October 21, the Public Ministry of Santa Catarina’s Special Task Force to Combat Organized Crime arrested four individuals, allegedly members of a neo-Nazi group, for inciting discrimination and planning violent acts in different regions of the country. The arrests were part of “Operation Overlord,” which took place in the states of Santa Catarina, São Paulo, Sergipe, Paraná, and Rio Grande do Sul. According to CNN Brasil, the operation aimed to combat antisemitism and hate speech and prevent the planning of violent acts. The individuals arrested allegedly were part of a band that performed at neo-Nazi events in several regions.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State’s annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

# **Exhibit 3**

# **Brazil 2023 Human Rights Report**

## **Executive Summary**

There were no significant changes in the human rights situation in Brazil during the year.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious restrictions on freedom of expression and media freedom, including violence or threats against journalists; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, femicide, and other forms of such violence; crimes involving violence or threats of violence targeting Afro-Brazilians and Indigenous peoples; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government did not always take credible steps to identify and punish officials who may have committed human rights abuses.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or**

## Politically Motivated Killings

There were numerous reports that state-level civil and military police committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

The Rio de Janeiro Institute of Public Security reported that as of July, 651 persons died from incidents involving police violence, an 18 percent decline compared with the same period in 2022. According to the Rio de Janeiro Public Attorney's Office, as of May police conducted 612 raids in the state. Rio de Janeiro City was the focus of more than one-half of these operations. There was a persistent pattern of impunity for police operations, which often resulted in significant fatalities, accusations of excessive force, extrajudicial killings, and denial of medical care for injured criminal suspects, with accusations involving several different law enforcement entities.

In March the newspaper *O Globo* reported that a police raid conducted in the favela of Salgueiro, Niteroi, in Rio de Janeiro State, resulted in the death of 13 suspects. The raid was carried out by police officers, including from the Military Police Battalion of Special Operations and the Civil Police Coordination of Special Resources. There was no information regarding an investigation of the incident.

According to *O Globo*, on June 17, Federal Highway Police officers killed a woman while she and her husband were driving through a police checkpoint

on a highway in Rio de Janeiro State. The officer who fired the fatal shot was briefly arrested but later released.

Authorities stated the case regarding an operation in May 2022 to arrest Commando Vermelho gang members in the city of Rio de Janeiro remained open and no one had been charged or arrested. The joint operation, involving military police agents from Rio de Janeiro State's Special Operations Battalion and agents from the Special Operations Command of the Federal Highway Police, resulted in 23 deaths.

Investigations remained open, but no indictments or convictions were reported regarding the 2021 police operation in Rio de Janeiro City's Jacarezinho neighborhood. As of October, 10 of the 13 investigations into police abuses in the operation had been closed according to press reports, despite autopsy reports indicating at least four victims were shot in the back at less than three feet.

According to the São Paulo Public Security Secretariat, the number of deaths resulting from military and civil police operations in the state of São Paulo in the first semester of the year increased by 9 percent, compared with the same period in 2022. From 2020 to 2021, the total number of cases decreased by 30 percent, a result attributed by security experts in part to the use of body cameras by military police officers along with the implementation of new strategies and the use of nonlethal weapons, such as tasers.

In operations to combat criminal groups in the coastal area of Guarujá, São Paulo State, from the end of July to September 5, São Paulo military police killed 28 persons. Human rights organizations reportedly accused police of using excessive force, violating human rights, and committing extrajudicial killings. The Public Prosecutor's Office was investigating the deaths. On September 5, the São Paulo State Secretariat of Public Security, responsible for the operation, stated all deaths resulted from direct confrontations with criminals and added that two internal inquiries were underway.

On August 14, Minister of Justice and Public Security Flávio Dino announced that he had accepted the resignation of the three Federal Highway Police officers accused of asphyxiating and killing Genivaldo de Jesus Santos in Sergipe State in May 2022. The officers were to be tried for murder and torture. In September a court in Recife, Pernambuco State, authorized an indemnity of one million reais (\$200,000), to be paid to Genivaldo's son.

In July the nongovernmental organization (NGO) Brazilian Public Security Forum reported that police (including federal, state, and municipal) killed 6,429 persons nationwide in 2022, an increase of 284 persons compared with 2021. Afro-Brazilians represented 83 percent of victims. According to some civil society organizations, victims of police violence throughout the country were overwhelmingly young Afro-Brazilian men.

On April 5, the NGO Forum for Justice reported that fewer than one-half of the investigations of police homicides resulted in an indictment. The study

analyzed more than 4,500 cases from 2011 to 2021, noting that 39 percent resulted in indictments, while the rest were archived due to self-defense claims or lack of evidence. The study also highlighted the length of the process, with an average of four years for charges to be filed and eight years for cases to be closed.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution prohibited torture and inhuman or degrading treatment, but there were reports government officials sometimes employed such practices.

According to the newspaper *Folha de São Paulo*, on June 23, during an inspection conducted by the State Public Defender's Office in the Elias Alves da Silva Prison Unit in Itaitinga, located in Fortaleza, Ceará State, inspectors identified signs of torture techniques used against prisoners, including physical and psychological torment in which inmates were forced to balance on their heads and were then beaten when they fell. On June 26, the judge ordered the suspension of the prison's leadership for 90 days.

In February Rio de Janeiro's Court of Justice sentenced Alisson Pires Barreto, a male guard at the juvenile correctional facility DEGASE, to 43 years in prison for raping and sexually abusing two teenage girls in 2021 at his workplace in the city of Rio de Janeiro. Authorities dismissed the director and replaced all male guards with women.

Civil society organizations said impunity and a lack of accountability for security forces, particularly at the local level, was a problem. Most examples of impunity involved the military police and civil police, with some also reported to occur in the armed forces and Federal Highway Police. The law mandated that special police courts exercise jurisdiction over state military police except those charged with "willful crimes against life," primarily homicide. Police personnel often were responsible for investigating charges of torture and excessive force carried out by fellow officers. Delays in the special military police courts allowed many cases to expire due to statutes of limitations.

### **Prison and Detention Center Conditions**

Prison conditions were poor and sometimes life threatening, mainly due to overcrowding and violence, according to the NGO National Security Forum. Abuse by prison guards continued, and poor working conditions and low pay for prison guards encouraged corruption, according to the NGO.

**Abusive Physical Conditions:** According to the National Penitentiary

Department, as of 2021 the number of incarcerated persons exceeded 204,185, which indicated that nationally the system was 45 percent above capacity, a decrease from the 67 percent recorded in 2020.

Minister Rosa Weber, president of the Federal Supreme Court, visited the Curado Prison Complex in Recife, Pernambuco State in April and noted the poor infrastructure and chaotic environment. The Pernambuco prison system had approximately 35,000 inmates in facilities designed for 14,400. The overcrowding led the Inter-American Court of Human Rights to denounce the government of Pernambuco.

Conditions in most prisons were inadequate, according to the National Security Forum. Prisoners often lacked access to potable water, adequate nutrition, clothing, and hygiene items. Rats and cockroaches infested many cells. In the Federal District's prison system, observers said problems included poor quality of food and hygiene conditions, overcrowding, lack of access to health care, and inadequate infrastructure.

Reports of abuse by prison guards continued. Prisoners convicted of petty crimes frequently were held with murderers and other violent criminals, according to the National Security Forum. Authorities attempted to hold pretrial detainees separately from convicted prisoners, but lack of space often required placing convicted criminals in pretrial detention facilities. In many prisons, including those in the Federal District, officials attempted to separate violent offenders from other inmates and keep convicted drug

traffickers in a wing apart from the rest of the prison population. Multiple sources reported adolescents were held with adults in poor and crowded conditions.

According to the publication *Metropoles*, on May 12, the National Council of Justice reported 112,000 deaths in prisons between 2017 and 2021. The report concluded that diseases accounted for 62 percent of deaths. Some of the most cited diseases included heart conditions, pneumonia, and tuberculosis. The likelihood of inmates contracting tuberculosis was 30 times higher than in the general population. The study also indicated underreporting of deaths and concluded that many instances of so-called natural deaths were, in fact, the result of a long process of illness and lack of assistance.

According to the National Security Forum, prisons suffered from insufficient staffing and lack of control over inmates. Violence was rampant in prison facilities. Poor administration of the prison system contributed to the violence, as did overcrowding, the presence of gangs, and corruption, according to the National Security Forum. Media reports indicated that incarcerated leaders of major criminal gangs continued to control their expanding transnational criminal enterprises from inside prisons.

Prison riots were common occurrences, according to media reports. On January 7, the news publication *Bahia 190* reported that a clash between members of the drug faction Red Command in the Penitentiary Conjunto

Penal in the municipality of Feira de Santana, Bahia State, resulted in a riot of inmates and the death of three inmates.

**Administration:** Authorities monitored prison and detention center conditions and conducted investigations of credible allegations of mistreatment.

**Independent Monitoring:** The government permitted monitoring by independent nongovernmental observers.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

#### **Arrest Procedures and Treatment of Detainees**

Police were required to advise persons of their rights at the time of arrest or before taking them into custody for interrogation. The law prohibited use of force during an arrest unless the suspect attempted to escape or resisted arrest. According to human rights observers, some detainees complained of physical abuse while being taken into police custody.

Authorities generally respected the constitutional right to a prompt judicial determination of the legality of detention, according to observers. The law

permitted provisional detention for up to five days under specified conditions during an investigation, but a judge could extend this period. Judges were also authorized to order temporary detention for an additional five days for processing. Preventive detention for an initial period of 15 days was permitted if police suspected a detainee might flee the area.

Defendants arrested in the act of committing a crime were required to be charged within 30 days of arrest. The law required other defendants to be charged within 45 days, although this period could be extended. In cases involving heinous crimes, torture, drug trafficking, and terrorism, pretrial detention could last 30 days with the option to extend for an additional 30 days.

Often the period for charging defendants was extended because of court backlogs. The law did not provide for a maximum period of pretrial detention, which was decided on a case-by-case basis. Bail was available for most crimes, and defendants facing charges for all but the most serious crimes had the right to a bail hearing. Prison authorities generally allowed detainees prompt access to a lawyer. Detainees who were unable to pay for legal counsel had the right to a lawyer provided by the state. Detainees had prompt access to family members. If detainees were convicted, time in detention before trial was subtracted from their sentences.

**Arbitrary Arrest:** On April 11, the Niteroi Court of Justice acquitted Danilo Felix Vicente de Oliveira of all charges brought against him for a 2020 armed

robbery. The victims supposedly identified him from a photograph police obtained from Facebook. This was the third instance in which robbery victims wrongfully identified him for same crime through a photograph lineup.

On June 9, the Niteroi Court of Justice in Rio de Janeiro State acquitted Luiz Carlos da Costa Justino of all charges brought against him for a 2017 car theft. He was arrested in 2020 after, according to police, the robbery victim identified Justino from a photograph lineup in the police station. According to media outlets, Justino, an adolescent at the time of the robbery, had no criminal record and therefore police should not have had access to photographs of him. Video evidence showed that at the time of the crime, Justino, an Afro-Brazilian musician, was performing at an event four miles from the crime scene.

**Pretrial Detention:** Lengthy pretrial detention was a problem. The length of pretrial detention frequently equaled or exceeded the maximum sentence for the alleged crime, according to the National Security Forum. According to the Ministry of Justice's National Penitentiary, in 2021 there were approximately 900,000 incarcerated persons in the country, 25 percent of whom were awaiting trial.

## **e. Denial of Fair Public Trial**

The constitution provided for an independent judiciary, and the government

generally respected judicial independence and impartiality. Local NGOs, however, argued that corruption within the judiciary, especially at the local and state levels, prevented fair trials.

### **Trial Procedures**

The constitution provided for the right to a fair and public trial, and the judiciary generally enforced this right, although NGOs reported that in some rural regions – especially in cases involving land rights activists – police, prosecutors, and the judiciary were perceived to be susceptible to external influences, including fear of reprisals. Investigations, prosecutions, and trials in these cases often were delayed.

Although the law required trials be held within a set time, there were millions of backlogged cases at state, federal, and appellate courts, and cases often took many years to be concluded. While the law provided for the right to counsel, the Ministry of Public Security stated many prisoners could not afford an attorney. The court was required to furnish a public defender or private attorney at public expense in such cases, but staffing deficits persisted in all states, according to the National Security Forum.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

## **f. Transnational Repression**

Not applicable.

## **g. Property Seizure and Restitution**

Authorities at times evicted persons from their places of residences or seized their properties without due process or adequate restitution, although this happened most frequently with traditional communities, such as Quilombolas (Afrodescendants of enslaved persons).

The government had no laws or mechanisms in place for Holocaust restitution, and NGOs and advocacy groups reported the government had not made progress on resolution of Holocaust-era claims, including for foreign citizens. The country endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

## **h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibited arbitrary or unlawful interference with privacy,

family, home, or correspondence, but there were reports that the government failed to respect these prohibitions. NGOs reported that police occasionally entered homes without judicial or other appropriate authorization to conduct police operations against criminal activity. Human rights groups, other NGOs, and media reported incidents of excessive searches in poor neighborhoods during the operations. Police stopped and questioned persons and searched cars and residences without warrants.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

**Violence and Harassment:** The broad use of social media facilitated hate speech online against journalists, citizens, and institutions, and courts were dealing with cases that took place completely online and often convicted persons who used fake names. On May 3, the NGO Reporters Without Borders reported that press freedom improved. According to the

organization, the improvement was attributed to the departure of former President Jair Bolsonaro, who verbally attacked journalists and media outlets.

**Censorship or Content Restrictions for Members of the Press and Other Media, including Online Media:** National laws prohibited politically motivated judicial censorship, but there were reports of censorship.

**Libel/Slander Laws:** Libel, slander, and defamation were criminal offenses. Penalties ranged from three months to two years plus a fine. The laws were enforced.

**Nongovernmental Impact:** Nongovernmental criminal elements at times subjected journalists to threats or violence due to the journalists' reporting on their criminal activities.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content. Nonetheless, according to news reports, the online environment remained constrained by threats of violence against independent bloggers and websites, as well as criminal defamation laws and restrictive limits on content related to elections.

The electoral law regulated political campaign activity on the internet. The law prohibited paid political advertising online and in traditional media.

During the three months prior to an election, the law also prohibited online and traditional media from promoting candidates and distributing content that deliberately caused offense to a candidate.

## **b. Freedoms of Peaceful Assembly and Association**

The law provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

## **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## **d. Freedom of Movement and the Right to Leave the Country**

The constitution provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

## **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum

seekers, as well as other persons of concern.

**Access to Asylum:** The law provided for the granting of asylum or refugee status, and the government had established a system for providing protection to refugees. By law, refugees were provided official documentation, access to legal protection, and access to public services. The law codified protections for asylum claimants and provided for a humanitarian visa and residency status that served as an alternative to refugee claims for some categories of regional migrants, particularly from Venezuela.

As of June, according to UNHCR, there were more than 460,000 Venezuelan refugees and migrants in the country, the majority of whom arrived in the northern state of Roraima. According to the International Organization for Migration and UNHCR, the government continued the process of resettling Venezuelan refugees and asylum seekers and migrants, voluntarily relocating more than 100,000 individuals from the border states in the north to other states to relieve pressure on the resource-strapped state of Roraima and provide increased opportunities for education and work.

**Abuse of Refugees and Asylum Seekers:** NGOs reported that refugees were susceptible to human trafficking for the purposes of forced commercial sex and forced labor.

**Temporary Protections:** As of December 2022, UNHCR reported the

government provided temporary protection to approximately 350,000 individuals who may not have qualified as refugees.

## **f. Status and Treatment of Internally Displaced Persons (IDPs)**

According to a report released in May by the Internal Displacement Monitoring Centre, the country had approximately 708,000 internally displaced persons, due in large part to natural disasters such as storms and floods. The government promoted the safe return and resettlement of affected persons to the areas they were forced to leave. Additionally, in 2022, 5,600 persons were displaced due to violence related to land ownership by land-grabbers and farmers, mainly in the state of Goiás.

For further information regarding internally displaced persons in the country, please see the materials of the Internal Displacement Monitoring Center: <https://www.internal-displacement.org>.

## **Section 3. Freedom to Participate in the Political Process**

The law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

## **Elections and Political Participation**

**Abuses or Irregularities in Recent Elections:** National elections were widely reported to be fair and free of abuses and irregularities.

In 2020, the Superior Electoral Court ruled that publicly provided funds for campaign financing and advertising time on radio and television had to be divided proportionally between Black and White candidates in elections. The decision was in effect for the October 2022 elections. Electoral authorities reported instances of political parties failing to adhere to the legal requirements.

The Organization of American States Electoral Observation Mission report noted complaints regarding electoral harassment in which “business owners and other authority figures allegedly tried to influence, intimidate, or coerce employees and subordinates into voting for a particular candidate.”

Observers also noted the Federal Highway Police increased inspections of public buses in the Northeast, causing voter delays and perceived harassment. Following meetings with the electoral authority, police ended the actions, and the electoral authority declared no voters had been prevented from voting because of the actions.

Voters shared on social media anecdotal accounts that militias and drug trafficking organizations interfered in electoral processes by using violence and intimidation to manipulate votes, influence candidate lists, and limit

rival candidates' ability to access and campaign in some neighborhoods. International and national observer missions, however, did not cite any negative trends in their reports.

On June 30, the Superior Electoral Court voted to bar former President Jair Bolsonaro from elected office until following the 2030 general election after determining statements he made in July 2022 to members of the diplomatic community suggesting electoral vulnerabilities violated electoral law.

## **Section 4. Corruption in Government**

The law provided criminal penalties for convictions of corruption by officials and stipulated civil penalties for corruption committed by Brazilian citizens or entities overseas. There were numerous reports of corruption during the year at various levels of government, and delays in judicial proceedings against persons accused of corruption were common, often due to constitutional protections from prosecution for elected officials. This often resulted in de facto impunity for the accused.

**Corruption:** In May Rio de Janeiro's state attorney general alleged that from 2009 to 2018, Rio de Janeiro municipal Councilman Carlos Bolsonaro's chief of staff received payments of approximately two million reais (\$400,000) from six of his staff. The report stated the payments were evidence of a staffing kickback scheme within Bolsonaro's office. Investigators were investigating whether Bolsonaro, son of former President Jair Bolsonaro,

participated directly in the scheme, according to local media. Carlos Bolsonaro was already facing several civil and criminal investigations for alleged improprieties in his office dating back to 2019.

According to the publication *NSC Total*, in April Santa Catarina state police continued serving arrest and search-and-seizure warrants to mayors and other high-level public servants involved in a widespread corruption network. Police arrested 15 mayors in five months on suspicion of fraud in bidding and contracting services, which included bribes to criminal organizations and money laundering in trash collection contracts in Santa Catarina cities. The Public Ministry of Santa Catarina planned to serve municipal secretaries, businessmen, and civil servants with warrants as part of the corruption scandal.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights**

Many domestic and international human rights groups generally operated

without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were cooperative and responsive to the views of these groups. Federal and state officials in many cases sought the aid and cooperation of domestic and international NGOs in addressing human rights problems.

**Government Human Rights Bodies:** The Chamber of Deputies and the Senate had human rights committees and subcommittees that operated without interference and participated in several activities nationwide in coordination with domestic and international human rights organizations. Most states had police ombudsmen, but their independence and effectiveness varied, depending on such factors as funding and outside political pressure, according to human rights groups.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The national law criminalized rape, including spousal rape and domestic or intimate partner rape and other forms of domestic and sexual violence. The law did not criminalize so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons. The law criminalized physical, psychological, and sexual violence against women, as well as defamation and damage to property or finances by someone with whom the survivor had a marriage, family, or

intimate relationship. The law defined femicide as homicide of a woman due to her gender, including but not limited to homicide that escalated from other forms of domestic violence, discrimination, or contempt for women. The law stipulated a sentence of 12 to 30 years in prison. The government did not enforce the law effectively.

Gender-based violence persisted and increased, according to observers. A study released on March 2 by the Brazilian Public Security Forum reported that one-third of women older than 16 suffered physical or sexual violence from partners or former partners in their lives. Also, in 2022, there was an increase in all forms of violence against women, such as beatings and threats with a knife or firearm. In 2022, more than 1,440 women were victims of femicides; 80 percent were killed by a current or former partner or a relative.

Each state secretariat for public security had police stations dedicated exclusively to addressing crimes against women. In March a police operation resulted in the arrest of more than 300 suspects accused of domestic violence in the state of Espírito Santo. State and local governments also operated reference centers and temporary women's shelters, and many states maintained domestic violence hotlines.

On International Women's Day, President Luis Inácio Lula da Silva presented a series of measures regarding women's rights. Among the measures announced were salary equivalence to promote equal pay between men

and women who performed the same function, free distribution of sanitary pads, the donation of 270 vehicles to the Maria da Penha Patrol in all states to combat gender-based violence, an 8 percent quota of the federal government workforce for women survivors of violence, and a declaration that Marielle Franco Day be commemorated every March 14 to raise awareness of political violence based on gender and race. Maria da Penha became an activist who campaigned against domestic violence because her husband tried to kill her, and she survived. Marielle Franco was an activist and a councilwoman in Rio de Janeiro who advocated against police violence; she was killed in 2018, allegedly by police.

**Other Forms of Gender-based Violence or Harassment:** Sexual harassment was a criminal offense, punishable by up to two years in prison. The law included actions performed outside the workplace. Perpetrators were infrequently held accountable, according to *O Globo*.

**Discrimination:** The law provided for the same legal status and rights for women as for men in all circumstances. A law passed during the year required equal pay for equal work but was not yet enforced. According to the International Labor Organization, women not only earned less than men but also had difficulties entering the workplace; 78 percent of men held paid jobs, compared with 56 percent of women.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government provided access to sexual and reproductive health services for sexual violence survivors, including emergency contraception and postexposure prophylaxis as part of clinical management of rape. According to the UN Population Fund (UNFPA), persons in remote regions had trouble accessing reproductive health services. On March 2, a law came into effect allowing tubal ligation and vasectomy without the need for spousal consent. On April 20, President Lula sanctioned changes to the law to stipulate that emergency protective measures be immediately granted upon request. The law was not fully enforced or sufficiently funded.

The UNFPA reported that the adolescent birth rate per 1,000 girls between ages 15 to 19 averaged 53 births for the period 2003-18. The Ministry of Health reported the maternal mortality ratio was higher among Black women than among White women. Data published in 2021 by the Oswaldo Cruz Foundation found that the risk of death of pregnant Brown and Black women from COVID-19 was almost twice that of White women and noted that Black women were less likely to have gynecological and prenatal care and had to travel farther to reach a maternity ward.

In 2021, UNICEF and the UNFPA published a report on menstrual poverty experienced by girls who lived in conditions of poverty and vulnerability, sometimes without access to basic sanitation services, hygiene resources, and minimal knowledge about the body. More than 700,000 girls had no access to a bathroom or shower in their homes. More than four million girls

experienced at least one type of hygiene problem in schools, including lack of access to feminine care products and basic facilities such as toilets and soap. Nearly 200,000 of these students were completely deprived of the minimum conditions to handle menstruation at school. A study from Girl Up Brazil, a network aiming to end menstrual poverty in the country, found that one in four girls had missed school due to lack of access to feminine products.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law prohibited racial discrimination, specifically the denial of public or private facilities, employment, or housing to anyone based on race. The law also prohibited the incitement of racial discrimination or prejudice and the dissemination of racially offensive symbols and epithets, and it stipulated prison terms for such acts. The government did not enforce the law effectively.

According to the Brazilian National Institute of Geography and Statistics, Black and Brown citizens represented an estimated 57 percent of the population. These populations encountered disproportionate discrimination, according to media reports such as in *Folha de São Paulo* and civil society organizations such as the National Coordination of Quilombo Articulation. They also experienced a higher rate of unemployment and earned wages below those of White persons in similar positions. In

addition, there was a sizeable education gap. Afro-Brazilians were disproportionately affected by crime and violence.

The law provided for quota-based affirmative action policies in higher education, government employment, and the military. Nevertheless, Afro-Brazilians were underrepresented in the government, professional positions, and middle and upper socioeconomic classes, according to media reports.

Many government offices maintained internal committees to validate the self-declared ethnicity claims of public service job applicants by using phenotypic criteria, assessing “Blackness” to reduce abuse of affirmative action policies and related laws. University administrators regularly conducted investigations and expelled students for fraudulently claiming to be Black or Brown to claim racial quota places in universities.

According to the General Comptroller’s Office, in the first five months of Lula’s administration, there was a 94 percent increase in the number of racism complaints against the federal government, compared with the same period in 2022.

For the first time, Quilombolas, one of the country’s traditional communities, were included in the country’s census, released in July. According to the 2022 census, Quilombolas numbered 1.3 million, corresponding to 0.65 percent of the total population. Almost 70 percent of the Quilombolas resided in the northeastern states and almost one-third

resided in the Legal Amazon region. Many Quilombolas lived in rural communities known as *quilombos* and practiced subsistence agriculture. Although Quilombolas self-identified as a distinct group, they faced many of the same obstacles as other Afro-Brazilians, including lack of access to quality education, health care, and employment.

On April 27, at the Inter-American Court of Justice, the government apologized and recognized it had violated the rights of Quilombolas by displacing them during the construction of the Alcântara Air Force Base in Maranhão State in 1983.

On August 17, prominent Quilombola leader Maria Bernadete Pacífico was killed by unidentified persons, according to media reports. In 2017, her son Fábio Gabriel Pacífico was shot and killed in Pitanga dos Palmares quilombo, in the state of Bahia. Pacífico's remaining son Jurandir Wellington alleged in a nationwide broadcast on August 19 that both his mother and brother were killed by local farmers and land speculators intent on seizing Quilombola lands.

## **Indigenous Peoples**

The constitution acknowledged that Indigenous peoples were the original inhabitants of the country and provided for the exclusive possession of their territories and respect for their social organizations, customs, languages, beliefs, and traditional lands.

President Lula established the first Ministry of Indigenous Peoples in the country. The government also re-established the National Council for Indigenous Policy and restructured the National Foundation of Indigenous Peoples. Approximately 14 percent of the country's land area was designated as Indigenous territory. Requests to exploit mineral and water resources, including ones with energy potential, on Indigenous lands required approval by congress, in consultation with the Indigenous communities. Despite several proposals, congress passed no legislation to regulate these activities. Illegal land occupations often resulted in violence and even death, according to the annual report from Land Pastoral Commission.

According to the report *Violence Against Indigenous Peoples in Brazil*, by the Indigenous Missionary Council, between 2019 and 2022, 795 Indigenous persons were killed, most in the states of Roraima (208), Amazonas (163), and Mato Grosso do Sul (146). In 2022, the number of land invasions and conflicts increased in Indigenous territories, with 467 cases of violence against properties, 158 cases of territorial conflicts, and 309 records of land invasions, illegal exploitation of resources, and damage to property.

Violence against Indigenous peoples increased to 416 cases in 2022, almost 10 percent more than in 2021. On average, these incidences of violence rose during the four years of President Bolsonaro's administration, when cases numbered an average of 374. NGOs claimed a lack of regulation and

attempts to create new legislation or change existing legislation to promote economic development, along with impunity in cases of illegal land invasions, resulted in the illegal exploitation of natural resources.

## Children

**Child Abuse:** The law prohibited child abuse and neglect, but the government did not enforce the law effectively. Sexual abuse against children increased, according to 2022 data from the federal government's human rights hotline, Dial 100.

On May 19, a presidential decree created a commission to address sexual violence against children and adolescents, including updating the national plan to confront sexual violence against children and adolescents. The commission also served as an advisory, research, and coordination body for the child and adolescent protection network and was responsible for developing guidelines for government action in addressing sexual violence against children and adolescents.

According to the publication *A Gazeta*, in April a girl, age 2, died in a hospital in the municipality of Guarapari, Espirito Santo State. According to the hospital, the child displayed signs that she had been raped. The father was arrested as a suspect.

**Child, Early, and Forced Marriage:** The legal minimum age of marriage was 18, or 16 with parental or legal representative consent. The government did

not enforce the law effectively. The practice of early marriage was common, according to UNICEF. A study of child marriage in the northeastern states of Bahia and Maranhão found that pregnancy was the main motivation for child marriage in 15 of 44 cases.

**Sexual Exploitation of Children:** The law prohibited the sale, grooming, or sexual exploitation of children and other vulnerable persons and such acts were punishable by four to 10 years in prison. The law defined sexual exploitation as child sex trafficking, sexual activity, production of child sexual abuse material, and public or private sex shows. The law set a minimum age of 14 for consensual sex, with the penalty for statutory rape ranging from eight to 15 years in prison. The government enforced the law unevenly, according to the judiciary and executive branches.

The country was a destination for child sex tourism, according to the government and media reports. While no specific laws addressed child sex tourism, it was punishable under other criminal offenses. Girls from other South American nations were also exploited in sex trafficking in the country.

The law criminalized child sexual abuse material. The creation of child sexual abuse material carried a prison sentence of up to eight years and a fine. The penalty for possession of child sexual abuse material was up to four years in prison and a fine.

## Antisemitism

According to the Brazilian Israelite Federation, there were approximately 120,000 Jewish citizens in the country, of whom approximately 70,000 lived in the state of São Paulo, according to 2021 data, and 34,000 in the state of Rio de Janeiro.

The law criminalized the manufacture, sale, distribution, or broadcast of symbols, emblems, ornaments, badges, or advertising that used the swastika for purposes of publicizing Nazism. The penalty was two to five years' imprisonment. Federal judge Claudia Dadico noted that legislation on hate speech lacked clarity and therefore made it difficult to enforce the law effectively.

On April 3, Santa Catarina Civil Police arrested 10 members of a neo-Nazi cell linked to the Hammerskins, a white supremacist and neo-Nazi group founded in the United States. Police alleged the individuals were responsible for recruiting and radicalizing youth online and in person in the state of Santa Catarina, where police made two additional arrests of men involved in organized crime and neo-Nazi activities.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at

<https://www.state.gov/religiousfreedomreport/>.

## Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** No laws criminalized consensual same-sex sexual conduct between adults.

**Violence and Harassment:** Violence against LGBTQI+ individuals was a concern. While such violence generally had declined since 2017, violence specifically targeting transgender individuals increased, according to Dial 100.

The Federal Public Ministry was responsible for registering reports of crimes committed based on gender or sexual orientation but reportedly was slow to respond. Transgender individuals were particularly at risk of being the victims of crime, including sex trafficking, or committing suicide.

Dial 100 registered 2,536 complaints from January to May, an increase of more than 300 percent compared with the same period in 2022. The states

of São Paulo, Rio de Janeiro, and Minas Gerais reported approximately one-half of the total registered in the country.

According to a survey by the NGO Gay Group of Bahia released on June 28, between January and June, 139 LGBTQI+ persons were victims of violent deaths. The survey recorded 256 deaths in all of 2022. Gay men and women were the main victims (48 percent), followed by transgender persons (42 percent). Half of the victims identified as Brown or Black, while White victims represented almost 12 percent.

In January a transgender woman was killed and her body dismembered in Vigario Geral neighborhood, Rio de Janeiro. The victim, a prostitute, left home to meet with a customer and disappeared. Her family discovered the customer's address, where they found the victim's body and the suspect, who escaped. Police were investigating the case.

**Discrimination:** The Federal Supreme Court criminalized discrimination based on sexual orientation and gender identity. Offenders faced sentences of one to three years' imprisonment and a fine, or two to five years' imprisonment and a fine if the offender disseminated the incident via social media, thereby exposing the victim. The law did not explicitly recognize LGBTQI+ couples. In 2022, the Superior Court of Justice unanimously ruled that protective measures through the Maria da Penha Law, which aimed to reduce gender-based and domestic violence, were valid for a transgender woman, the first time such a ruling had taken place.

Same-sex marriage was available; same-sex couples had the legal rights and benefits afforded to different-sex spouses, including monetary rights such as inheritance and survivor rights, and medical rights including hospital visitation and medical decision making.

NGOs cited lack of economic opportunity for LGBTQI+ persons as a concern. According to Grupo Gay da Bahia, 33 percent of companies avoided hiring LGBTQI+ employees, and 90 percent of transgender women engaged in commercial sex because they could find no employment alternative. Transgender women often paid human traffickers for protection and daily housing fees. When unable to pay, they were beaten and starved. Traffickers targeted transgender women, luring them with offers of gender reassignment surgery and later exploiting them in sex trafficking when they were unable to repay the cost of the procedure.

On April 6, the federal government created the National Council for the Rights of Lesbian, Gay, Bisexual, Transvestite, Transgender, Queer, Intersex, Asexual, and Other Persons. The council was a reformulation of the former National Council to Combat LGBT Discrimination, eliminated at the beginning of Jair Bolsonaro's government. The responsibilities of the council included monitoring legislative proposals that had implications for the LGBTQI+ population, promoting studies and debates, supporting campaigns, proposing ways to evaluate and monitor government actions, and collaborating with the national secretariat for the rights of LGBTQI+ persons

in the elaboration of parameters for actions and policies.

**Availability of Legal Gender Recognition:** A presidential decree standardized the use of a person’s social name (versus the name given to the person at birth) by bodies and entities of federal public administration. In federal institutions, respect for the social name was mandatory; persons had the right to be respected by the name and gender by which they identified themselves. This also applied to health-care units and hospitals. Many of these institutions reserved a field in forms and documents intended for social names.

Individuals were able to change their gender identity marker on legal and government identification documents to align with their gender identity. There were no options available for “nonbinary/intersex/ gender nonconforming.” Individual self-identification was usually sufficient, but sometimes judges required gender-affirming surgery.

**Involuntary or Coercive Medical or Psychological Practices:** The Federal Council of Psychology in Brazil prohibited any professional from applying so-called conversion therapy practices to LGBTQI+ persons. Nevertheless, there were many reports of conversion attempts conducted or recommended by evangelical and Catholic churches.

A 2022 report by All Out and Instituto Matizes identified 26 types of “gay cures” in the country, divided into four categories: religious,

medical/psychological, familial, and academic. Of the 365 persons interviewed, 193 had been subjected to an attempted “gay cure.”

During the June Pride month, an evangelical pastor, André Valadão, from a church in the state of Minas Gerais, promoted “gay cure” practices through his cult entitled “God Hates Pride.” This practice and speech were common in evangelical churches. On October 12, digital influencer Karol Eller committed suicide in São Paulo, one month after she announced she would undergo a “gay cure” and that she became an evangelical. In September Eller stated in a post on social media that she had “renounced homosexual practice.”

Surgeries were commonly performed on newborns at the advice of medical doctors to “choose a gender.” There were no reports that medically unnecessary and irreversible “normalization” surgeries were performed on nonconsenting adult intersex persons.

### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

There were no restrictions of freedom of expression, association, or peaceful assembly regarding LGBTQI+ matters.

## **Persons with Disabilities**

The law provided the right to education, employment, health services, public buildings, and transportation. The law prohibited discrimination against persons with physical and mental disabilities, and the federal

government generally enforced these provisions. The law required private companies with more than 100 employees to hire 2 to 5 percent of their workforce from persons with disabilities. While federal and state laws mandated access to buildings for persons with disabilities, states did not enforce them effectively, according to Grupo Globo's news media organization G1 and others.

The lack of accessible infrastructure and school resources significantly limited the ability of persons with disabilities to participate in the workforce, according to observers and advocates.

On July 7, the Brazilian Institute of Geography and Statistics reported that persons with disabilities encountered barriers to accessing studies and the job market, and when employed, they received a lower wage than persons without disabilities. Civil society organizations acknowledged monitoring and enforcement of disability policies remained weak and criticized a lack of accessibility to public transportation, weak application of employment quotas, and a limited medical-based definition of disability that often excluded learning disabilities.

## **Other Societal Violence or Discrimination**

Followers of Afro-Brazilian religions such as Candomblé and Umbanda faced more discrimination and violence than other religious groups, according to BBC Brasil. Although less than 2 percent of the population was affiliated

with Afro-Brazilian religions, most of the religious persecution cases registered by the human rights hotline involved victims who were practitioners of Afro-Brazilian religions.

Followers of Afro-Brazilian religions faced physical attacks on and in their places of worship and other forms religious intolerance. According to one religious leader, these attacks resulted from a mixture of religious intolerance and racism (called “religious racism” by civil society and Afro-Brazilian religious communities), systemic societal discrimination, media’s perpetuation of harmful stereotypes, and attacks by public officials and members of other religious groups against these communities.

Drug-trafficking organizations and other groups contributed to societal violence, according to media reports and observers. There was evidence these heavily armed organizations participated in vigilante justice, holding “trials” and executing persons accused of wrongdoing. A victim was typically kidnapped at gunpoint and brought before a tribunal of gang members, who then tortured and executed the victim. In Rio de Janeiro City’s favelas, the practice of police-affiliated criminal organizations, known as militias, using violence to extort payments for protection was a common occurrence, according to media reports and observers. Militia groups, often composed of off-duty and former law enforcement officers, penitentiary officials, and firefighters, reportedly took policing into their own hands. Many militia groups intimidated residents and conducted illegal activities,

such as extorting protection money and providing pirated utility services, according to media reports and observers. The groups also exploited activities related to the real estate market and the sale of drugs and arms.

Militias were the fastest growing criminal enterprise in the state of Rio de Janeiro, according to a recent study conducted by the Instituto Fogo Cruzado, in partnership with the Grupo de Estudos de Novos Ilegalismos (a group dedicated to studying new illegal practices) at the Universidade Federal Fluminense. The study showed that militias controlled an area of almost one thousand square miles, mostly in the western part of the city and the adjacent Baixada Fluminense area.

Civil society organizations and the press reported discrimination against persons with HIV or AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provided for freedom of association for all workers (except members of the military, military police, and firefighters), the right to bargain collectively with some restrictions, and the right to strike. The law prohibited antiunion discrimination, including the dismissal of employees who were candidates for, or holders of, union leadership positions, and it

required employers to reinstate workers fired for union activity.

New unions were required to register with the Ministry of Labor, which accepted the registration unless objections were filed by other unions. The law stipulated certain restrictions, such as *unicidade* (in essence, one union per occupational category per city), which limited freedom of association by prohibiting multiple, competing unions of the same professional category in a single geographical area. Unions that represented workers in the same geographical area and professional category could contest another union's registration.

The law stipulated that a strike could be ruled "disruptive" by the labor court, and the union could be subjected to legal penalties if the strike violated certain conditions, such as if the union failed to notify employers at least 48 hours before the beginning of a walkout or end a strike after a labor court decision. Employers were not allowed to hire substitute workers during a legal strike or fire workers for strike-related activity, provided the strike was not ruled abusive as defined in the law.

The law obliged a union to negotiate on behalf of all registered workers in the professional category and geographical area it represented, regardless of whether an employee paid voluntary membership dues. The law included collective bargaining rights, such as the ability to negotiate a flexible hourly schedule and work remotely. The law permitted the government to reject clauses of collective bargaining agreements that conflicted with government

policy.

Freedom of association and the right to collective bargaining were generally respected, according to observers. Collective bargaining was widespread in establishments in the private sector.

In the view of NGO experts, the government usually effectively enforced applicable laws, and penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were regularly applied against violators.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for Employment**

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

## **d. Discrimination (see section 6)**

## **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law provided for a minimum wage, which was

higher than the official poverty income level. The law limited the workweek to 44 hours and specified a weekly rest period of 24 consecutive hours, preferably on Sundays. The law also provided for paid annual vacation, prohibited excessive compulsory overtime, limited overtime to two hours per workday, and stipulated that hours worked above the monthly limit had to be compensated with at least time-and-a-half pay; these provisions generally were enforced for all groups of workers in the formal sector. The constitution also provided for the right of domestic employees to work a maximum of eight hours per day and 44 hours per week, a minimum wage, a lunch break, social security, and severance pay.

According to *O Globo*, in March Federal Highway Police and the Labor Prosecutor's Office identified 82 persons in the state of Rio Grande do Sul working in unpaid and coerced labor harvesting rice. Those rescued included 11 children, ages 14-17, according to authorities. They were employed by BASF, a multinational company, which signed an agreement with the Ministry of Labor and Employment to compensate victims and pay fines.

**Occupational Safety and Health:** The Ministry of Labor set occupational safety and health (OSH) standards that were consistent with internationally recognized norms, although unsafe working conditions were prevalent throughout the country, especially in construction, according to media reports. The law required employers to establish internal committees for

accident prevention in workplaces. The government identified unsafe conditions and responded to worker complaints, but the number of inspections conducted was lower than necessary. It also provided for the protection of employees from being fired for their committee activities. Workers could remove themselves from situations that endangered their health or safety without jeopardy to their employment, although those in forced labor situations without access to transportation were particularly vulnerable to situations that endangered their health and safety.

**Wage, Hour, and OSH Enforcement:** The Ministry of Labor addressed problems related to nonpayment of wages and minimum wage, excessively long workdays, and OSH work conditions. In the view of NGO experts, officials effectively enforced OSH laws. Penalties for violations included fines that varied widely depending on the nature of the violation. Penalties were in general commensurate with similar crimes such as fraud or negligence. Penalties were regularly applied against violators. The number of labor inspectors was insufficient to enforce compliance, according to the Labor Inspectors Union. Inspectors had the authority to make unannounced inspections and initiate sanctions.

According to data collected by the Brazilian Institute of Geography and Statistics, the informal sector represented almost 40 percent of the workforce. Part-time workers were covered by wage, hour, OSH, and other labor laws and inspections.

Gig workers were not considered employees, and food delivery and ride-share companies did not consider the workers who provided services through their platforms to be employees. These workers were not protected by labor laws.

# **Exhibit 4**

# World Report 2026: Brazil | Human Rights Watch

[hrw.org/world-report/2026/country-chapters/brazil](https://www.hrw.org/world-report/2026/country-chapters/brazil)

January 5, 2026



## Brazil

### Events of 2025

Penha favela residents protest in front of the Guanabara Palace against a deadly police operation that resulted in 122 killings, in Rio de Janeiro, October 29, 2025.

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In a landmark ruling, the Brazilian Supreme Court convicted former President Bolsonaro and other former officials of plotting a coup. It was the first time in Brazil's history that the leaders of a coup were tried.

Amazon deforestation fell 11 percent in the last year. Cattle raised in illegally deforested land kept on entering the legal supply chain. The government sought a sharp increase in oil production, ignoring its impacts on the global climate.

Police killed 5,920 people between January and November 2025. A court ruling and a resolution that instructed prosecutors to lead investigations into police killings, instead of leaving them in the hands of the police themselves, offered hope of improved investigations.

Brazil became the first Latin American country to pass a law to protect children's rights online.

## Democratic Rule

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In September, a panel of five Supreme Court justices [sentenced](#) former President Jair Bolsonaro to more than 27 years in prison for plotting to remain in office after losing the 2022 election and other crimes. The plan included killing President Luiz Inácio Lula da Silva, the vice-president, and a Supreme Court justice investigating Bolsonaro. The Supreme Court also convicted seven others, including active and retired military officers.

Charges included involvement in the ransacking of federal buildings in Brasilia carried out by a crowd calling for a coup on January 8, 2023. As of August, the Supreme Court had [convicted 638 people](#) who participated in the attack and another 552 had signed plea agreements. Bolsonaro allies in Congress promoted a bill to [grant amnesty](#) to all.

In September, the attorney general [charged](#) congressman Eduardo Bolsonaro, former President Bolsonaro's son, and a businessman with coercion for seeking US government interference in the trial against Bolsonaro. The Trump administration [imposed tariffs](#) on Brazil and [sanctions and visa restrictions](#) on Supreme Court judges who took decisions against Bolsonaro, their relatives and other officials.

Also in September, the Supreme Court [ordered](#) an investigation into Bolsonaro's conduct during the Covid-19 pandemic, after a [Congressional inquiry concluded](#) his policies endangered the health and lives of Brazilians.

## Corruption and Transparency

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[Budget allocations](#) decided by lawmakers have increased eight-fold since 2014, to 50 billion reais (US\$9 billion) in 2025. The Supreme Court had suspended such disbursements in 2024 due to lack of transparency, but allowed them to resume in 2025 after approving [a plan](#) drafted by Congress and the government that required, among other measures, public identification of the lawmakers responsible for the allocations and of those receiving the funds. Yet in August, a Supreme Court justice [ordered](#) federal police to investigate disbursements totaling 694 million reais (\$129 million) allocated by lawmakers between 2020 and 2024 that were registered in the official system without providing sufficient information about their use.

In April, federal police and the comptroller-general [uncovered unauthorized deductions](#) from pensions paid to 3.3 million retirees totaling more than 6 billion reais (\$1 billion). Media [reported](#) successive governments had received allegations of fraud but failed to act.

## Freedom of Expression

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In June, a comedian was [sentenced](#) to eight years in prison for public comments a court labeled “discriminatory.” Brazil’s penal code includes criminal defamation provisions that are incompatible with the obligation to protect [free speech](#).

Also in June, the Supreme Court expanded the [liability regime](#) applicable to social media platforms in ways that digital rights experts fear could incentivize them to censor legitimate speech to avoid possible fines.

In July, a Supreme Court justice temporarily [banned](#) Bolsonaro from using social media over allegations he used them to obstruct justice, and, in August, the justice [ordered](#) that the former president be placed under house arrest for violating the ban.

## Children’s Rights

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In September, Brazil [passed its first-ever law](#) to protect children’s rights online, which establishes sweeping safeguards for children’s data, and compels companies to provide children with the highest levels of privacy and safety by default.

In August, the government [requested](#) that Meta remove chatbots created with Meta AI Studio that mimic children and engage in sexually explicit dialogue. Meta [stated](#) that its policies prohibit such use and that the company removes artificial intelligence software that violates its policies.

In 2023, [13,117 students, teachers, and others](#) experienced violence in schools, more than triple the number in 2013. Fifty percent of the cases involved physical violence, followed by psychological and sexual violence at 23 percent each.

In December 2024, the National Council of Prosecutors (CNMP) [established guidelines](#) orienting prosecutors on how to address violence at school, including respecting teachers’ freedom and obligations to teach comprehensive sexuality education in line with international human rights standards.

## Sexual Orientation and Gender Identity

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In February, the Supreme Court [ruled](#) that Brazil’s anti-domestic-violence law applies to same-sex couples and trans women.

In July, a federal court [suspended](#) a Federal Council of Medicine resolution that had raised the minimum age for hormone therapy and gender-affirming surgeries, and had banned

puberty blockers for minors.

## Public Security and Police Conduct

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[Homicides](#), not counting killings by police, fell 10 percent, to 30,159, between January and November, compared to the same period in 2024.

Police [killed](#) 5,920 people from January to November 2025; police killed 5,725 during the same period in 2024. Black Brazilians are [three and a half times](#) more likely to become a victim than white individuals.

In October, police [conducted the most lethal raid](#) in Rio de Janeiro's history, which left 122 people dead, including 5 police officers.

While some police killings are in self-defense, many result from illegal use of force. Inadequate investigations into those cases, carried out by the police themselves, result in impunity for abuses.

In April, the Supreme Court [ordered](#) prosecutors to lead investigations whenever there is "suspicion" that police were responsible for an unlawful killing. In May, the CNMP [published a resolution](#) detailing how prosecutors should conduct these investigations to ensure they are thorough and independent.

In February, Rio de Janeiro's new attorney general [reestablished a unit of prosecutors](#) tasked with overseeing police conduct.

[In seven states and the federal district](#), official forensic units remain fully subordinated to civil police, a set-up that does not accord them the necessary independence, particularly in police abuse cases. Forensic units in other states have varying degrees of independence from police.

## Detention Conditions

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More than [674,500](#) people were incarcerated as of December 2024, exceeding the capacity of Brazilian facilities by [35 percent](#).

In April, the Supreme Court [prohibited](#) invasive body searches of visitors to prisons. Strip searches can be conducted only in exceptional cases and only with the visitor's consent.

The number of children and young people held in youth detention—[12,054](#)—increased nearly 3 percent in 2024 compared to 2023, after several years of reduction.

## Gender-Based Violence

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In October 2024, Brazil [enacted a law](#) classifying “femicide,” defined as killings “on account of being persons of the female sex,” as a stand-alone crime instead of an aggravating factor of homicide. From January through November 2025, 3,286 women and girls were [killed](#), a 4 percent decrease compared with the same period in 2024. Of those, police registered 1,350 as femicide, a 3 percent increase.

There were 64,276 [reported rapes](#) of women and girls from January through November, a reduction of 8 percent compared with the same period in 2024. Between January and November 2025, [70 percent](#) of the victims were under 14 or lacked capacity to express consent due to illness or for other reasons.

## Abortion

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Abortion is legal in Brazil only in cases of rape, to save a woman’s life, or in cases of fetus anencephaly. Access to abortion services even in such cases is highly restricted.

Criminalization of abortion pushes women, girls, and pregnant people out of the healthcare system. People who have illegal abortions can face up to three years in prison, and those who perform them face up to four years in prison. Police [arrested](#) at least 218 people in the context of illegal abortion investigations between 2012 and 2022, a study showed. Health providers reported women to police in dozens of cases.

[Politicians](#) around the country have introduced dozens of bills in recent years to further restrict legal abortion. The Chamber of Deputies [approved a bill](#), now pending in the Senate, that would suspend [guidelines](#) for care for child survivors of sexual violence, including access to abortion.

## Military-Era Abuses

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In February 2025, the Supreme Court agreed to examine whether Brazil’s amnesty law applies to [enforced disappearance, kidnapping, and unlawful imprisonment](#). The law, enacted by the dictatorship (1964-1985), has shielded officials responsible for grave human rights abuses and been ruled in violation of international law by the Inter-American Court of Human Rights.

In April, Indigenous organizations and federal prosecutors [called on the government](#) to create a new National Truth Commission to investigate human rights abuses against Indigenous peoples during the dictatorship.

As of November, the Ministry of Human Rights [had issued 84](#) new death certificates attesting that the victims had been forcibly disappeared and killed during the dictatorship.

In August, a court [found](#) German company Volkswagen had subjected workers to slave-like conditions during Brazil's dictatorship and ordered a fine of 165 million reais (\$30 million). The company [said](#) it had complied with labor laws and would appeal.

## Indigenous and Afro-Descendant People, and Environmental Defenders

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In 2023, the Supreme Court ruled unconstitutional the *marco temporal* doctrine, which posits that Indigenous peoples have no right to their traditional land if they cannot prove they were physically on the land when Brazil's Constitution was adopted in 1988. Congress responded by enshrining the doctrine in law. At time of writing, the Supreme Court had not yet ruled on a challenge to the new law. The impasse stalled administrative procedures to demarcate Indigenous territories.

As of November, the Lula administration had [titled 7 Indigenous territories](#) in 2025, bringing the total to 20 since it took office in 2023. Recognition of more than [800 territories](#) claimed by Indigenous peoples was pending.

The government conducted operations to evict landgrabbers and illegal loggers in [several Indigenous territories](#), in compliance with a Supreme Court decision. In some cases, illegal occupants took [reprisals](#) against communities.

In November, [gunmen](#) killed an Indigenous man and injured four others during an attack within an Indigenous territory that is in the process of being demarcated in Mato Grosso do Sul state.

The Lula administration has titled [4 territories](#) of Afro-descendant (*quilombolas*) rural communities since 2023, but [more than 2,000](#) applications remained pending at time of writing. In 2025, as of November, it had [recognized](#) the official limits of 5 *quilombola* territories and [declared](#) the area occupied by another 28 as "of social interest," but had not titled any.

In November, the [Chamber of Deputies approved the Escazú agreement](#), which strengthens the protection of environmental defenders, among other measures. At time of writing, it was pending before Senate.

Also in November, the government published the [National Plan to Protect Human Rights Defenders](#), following pressure from human rights organizations for 20 years.

## Environment

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The government took measures to protect the environment but continued with plans to massively expand fossil fuel production.

Between August 2024 and July 2025, [5,796 square kilometers of Amazon rainforest](#) were razed, an 11 percent decrease over the same period a year earlier.

Cattle ranching is the main driver of deforestation in the Amazon. Illegal ranching in protected areas and the territories of traditional communities often leads to violence and environmental harm. Illegally raised cattle [enters the beef and leather supply chains](#), reaching national and international markets. In December 2024, the government announced a program to individually trace cattle, but full implementation would only be achieved in 2032.

In June, the government [auctioned 34 blocks for oil and gas exploration](#) and in October environmental authorities [approved a license](#) for an exploratory well near the mouth of the Amazon River. The government plans to increase oil production by [56 percent](#) by 2030 compared to 2023. In July, Congress approved a [bill](#) that would have effectively dismantled the environmental licensing process. Lula vetoed the most harmful provisions, but retained the creation of a [“special environmental license”](#) allowing speedy approval of “strategic” projects. In November, Congress [reinstated](#) almost all vetoed provisions.

During the United Nations Climate Change Conference held in Belém, Brazil [launched](#) the Tropical Forest Forever Facility, an investment fund that would pay tropical countries to keep their forests standing.

In June, Brazil created the [National Program to Reduce the Use of Pesticides](#), which civil society groups had pushed for over a decade. Authorities are [failing to protect](#) against health and environmental harms caused by these chemicals, especially impacting Indigenous and quilombola people, and small farmers.

## Disability and Older People’s Rights

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In 2025, [14.4 million Brazilian adults and children](#) over the age of 2 had disabilities. Thousands are [confined](#) in institutions—sometimes for life—where some face neglect and abuse.

In July, the government [published](#) a national care policy that includes support for people with disabilities and older people.

## Migrants, Refugees, and Asylum Seekers

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Over [700,000 Venezuelans](#) have crossed the border into Brazil in recent years, fleeing hunger, lack of health care, or persecution.

Between January and July, Brazil [granted](#) residency permits to 44,278 Venezuelans, while 11,578 [requested](#) refugee status.

In total, Brazil has [granted](#) asylum to 145,276 Venezuelans and residency permits to 575,918 since 2010.

As of June, a voluntary relocation program initiated in 2018 had benefited [150,000 Venezuelans](#).

Browse countries

# **Exhibit 5**

# Human rights in Brazil Amnesty International

[amnesty.org/en/location/americas/south-america/brazil/report-brazil](https://www.amnesty.org/en/location/americas/south-america/brazil/report-brazil)



## Brazil 2025

Poverty levels decreased significantly, mainly due to income-transfer policies, but structural inequalities persisted and access to human rights was compromised. Vulnerable populations, especially Black and low-income people, were disproportionately affected by extreme weather events. The approval of a new environmental law and other legislation exacerbated regressions in environmental policies and the territorial rights of Indigenous Peoples and traditional communities. Violence against human rights defenders intensified, in particular for environmental, Indigenous and *Quilombola* defenders. Police violence persisted, disproportionately affecting the Black population. Violence against LGBTI people and gender-based violence, particularly feminicides of Black women, continued to be of serious concern. Difficulties in accessing justice, particularly in cases of police violence, continued to undermine state accountability.

## Background

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Former president Jair Bolsonaro was sentenced to 27 years and three months in prison for an attempted coup, while coordinated campaigns on social media showed increased support for authoritarianism. In November, after the Supreme Federal Court ruled that the sentence was final, Bolsonaro began serving his prison term, initially under a closed regime at the headquarters of the Federal Police in the capital, Brasília. In this context, the National Congress became a source of tension, with legislative police officers expelling journalists and assaulting lawmakers during parliamentary proceedings on 9 December. However, some legislative initiatives aimed at reducing the former president's sentence and re-examining his responsibility for the events in question moved forward, despite intense social mobilization in defence of the conviction.

Misogynist, racist and transphobic attacks were directed at women, Indigenous Peoples and transgender parliamentarians in the National Congress. This demonstrated the fragility of institutional mechanisms in the face of political violence based on gender, race or sexual orientation.

COP30, held in Belém, put the city at the centre of the global climate agenda and afforded high visibility to social actions advocating for climate justice, a just energy transition and reparations for environmental racism. The intensity of these demands contrasted starkly with the scant progress towards a just transition achieved by formal negotiations. Although the contribution of Afro-descendant populations to climate action and solutions for a just transition was recognized for the first time, the conference failed to secure a sufficient increase in funding for loss and damage, and to make clear commitments to end the use of fossil fuels.

## Economic and social rights

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Poverty and inequality in Brazil reduced to the lowest levels in 30 years through the consolidation of distributive policies and income-transfer programmes. Despite this, significant budgetary restrictions on policies and ministries responsible for social affairs particularly affected residents in marginal neighbourhoods or in communities peripheral urban areas.

Profound inequalities persisted in access to, retention in, and quality of, education. According to data from the Continuous National Household Sample Survey published in September, in 2024 only 50% of Afro-descendant adults had completed compulsory basic education, compared with 63.4% of white adults. A UNICEF analysis published in January revealed that at least 1.17 million Brazilian children had their schooling disrupted by extreme weather events in that same year. In addition, the Brazilian Public Security Forum reported that

disruptions to education due to episodes of extreme violence – shootings, threats of attacks and police operations – had increased by around 245% between 2021 and 2023.

Access to safe drinking water remained a key challenge in several regions of the country. According to an Instituto Trata Brasil report that covered access to treated water and sanitation, the greatest needs were concentrated in the northern and north-eastern regions, where coverage of water-related services was significantly lower than in southern and south-eastern regions.

## **Right to a healthy environment**

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Environmental monitoring mechanisms were put in place and conservation policies implemented in some regions, reflecting the state’s efforts to address the climate crisis. One of the main measures was the approval of the National Civil Protection and Defence Plan to counter extreme weather events.

According to the National Institute for Space Research (INPE), deforestation rates in the Amazon decreased again in 2025 and were among the lowest of the historical data series. In the Cerrado, rates also decreased for a second consecutive year. Nevertheless, deforestation continued to be prevalent in both biomes. Other ecosystems, such as Caatinga and its transition zones, continued to be under intense pressure. Serious environmental crimes and fierce and devastating wildfires were recorded, reflecting the persistence of livelihoods based on the spread of agricultural lands and environmental degradation. According to INPE and other specialized organizations, deforestation rates and the high number of wildfire outbreaks continued to threaten ecosystems critical for global climate regulation.

Climate change-related disasters disproportionately affected peripheral and vulnerable populations in all regions of the country, exacerbating existing social inequalities and fuelling recurrent forms of environmental racism, particularly against Black, Indigenous and low-income communities. Water and rainfall scarcity, landslides, storms, flooding, heatwaves and drought were all recorded. Assessments by the National Centre for Monitoring and Early Warning of Natural Disasters (CEMADEN) published during the year indicated an increase in the frequency and intensity of extreme events related to heavy rains and prolonged drought, with 3,620 disaster alerts and around 1,690 incidents in 2024. The World Meteorological Organization warned that global warming was intensifying extreme events around the world, while CEMADEN stated that Brazil had already entered an “age of extremes”, with an increasing risk of human, economic and social loss concentrated in historically marginalized territories.

One year after the floods in Rio Grande do Sul, the largest hydrological disaster in the state's history, fewer than one in four of the actions included in the Rio Grande Plan, the state programme for reconstruction, adaptation and climate resilience created in 2024, had been completed. Policies prioritized the reconstruction of infrastructure, leaving vulnerable populations exposed to new extreme weather events.

Approval of the General Environmental Licensing Law (Law 15.190/2025) intensified threats to human rights, in particular the right to a healthy environment, by making licensing more flexible, exempting from licensing or simplifying procedures for potentially polluting projects, and reducing safeguards for Indigenous Peoples and traditional communities. Congress rejected 52 of the 63 presidential vetoes to the law, thereby increasing the grounds for licence exemptions, reducing deadlines for project assessments, and limiting social participation and involvement of local protection agencies.

President Luiz Inácio Lula da Silva issued instructions in December for the drafting of a national roadmap to transition towards a phase-out of fossil fuels, but the government continued to authorize new projects in crucial ecosystems. At the same time, projects that facilitated mining on Indigenous lands were processed and the drilling of an exploratory oil well was authorized in the Foz do Amazonas basin, in an area known as the Equatorial Margin. Authorization to drill at the river mouth, together with the history of social and environmental damage caused by oil exploitation in Guanabara Bay (Rio de Janeiro state), reinforced the persistence of an extractive model based on fossil fuel use. This was contrary to a just energy transition focused on human rights and contributed to the creation of “sacrifice zones” in exploited territories.

## **Indigenous People's rights**

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During COP30, the federal government concluded the final stage of the process for officially recognizing or ratifying four Indigenous territories and issued 10 ordinances for the demarcation of new lands. A total of 20 demarcation processes were advanced.

Land invasions and acts of violence related to land conflicts and armed attacks continued in areas of rapid agribusiness expansion, particularly affecting the communities of Guaraní Kaiowá (Mato Grosso do Sul state), Avá Guaraní Paranaense (Paraná state) and Pataxó and Pataxó Hã-hã-hãe (Bahia state). Invasions, illegal land grabbing and illegal mining activity were also recorded on already demarcated Indigenous lands, especially in the Amazon region (Yanomami, Kayapó, Munduruku and Sararé territories).

Threats and attacks against leaders increased significantly. Cases of extreme violence included the murder and decapitation of Everton Lopes Rodrigues, a young Avá Guaraní

Paranaense in the municipality of Guaira (Paraná state), and the murder of the Guaraní Kaiowá leader Vicente Fernandes Vilhalva during an attack by armed individuals on the recovered territory of Pyelito Kue, in the municipality of Iguatemi (Mato Grosso do Sul state). These events occurred in the context of ongoing violence resulting from the demarcation of territories in the states of Paraná, Mato Grosso do Sul and Bahia, among other regions, with threats, night attacks, arson and persecution of community leaders.

In March, the federal government, the company Itaipú Binacional and the Avá Guaraní Paranaense People reached an agreement establishing reparation measures and the allocation of resources for the acquisition of land. This followed decades of human rights violations associated with the construction of a hydroelectric plant. Months later, the Brazilian state and the company issued a long-overdue apology for the violence committed. Despite this symbolic and material progress, Indigenous communities continued to denounce the inadequacy of the measures in the face of increased territorial losses and continuing invasions, threats and pressure on their lands across the country.

## ***Quilombolas***

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There was partial legal recognition of the rights of *Quilombola* communities, with judicial decisions reaffirming the state's obligation to advance processes of identification, demarcation and titling of their lands. In March, the Inter-American Court of Human Rights condemned Brazil for violating the territorial rights of 171 *Quilombola* communities in the municipality of Alcântara (Maranhão state) and ordered the titling of approximately 78,000 hectares of land, as well as other collective reparation measures.

Despite this, *Quilombola* communities faced increased physical, symbolic and structural violence. The absence of effective demarcation and territorial protection policies perpetuated historical vulnerability and a lack of restorative justice. Threats against *Quilombola* leaders increased, often in relation to agrarian conflicts and attempts at illegal land grabbing.

## **Human rights defenders**

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The new National Plan for the Protection of Human Rights Defenders was approved, reinforcing the state's obligation to adopt comprehensive physical, psycho-social and legal protection measures for individuals and communities at risk.

Nevertheless, attacks, threats and serious violence persisted against human rights defenders, particularly environmental defenders, *Quilombolas* and Indigenous and community leaders in contexts of territorial conflict. Killings, attacks, death threats and cases of criminalization were recorded. In November, Antônia Ferreira dos Santos and Marly Viana Barroso, aged 53 and

71 respectively, environmental defenders and collectors of Babassu coconut, were killed in the municipality of Novo Repartimento (Pará state) in a context of territorial disputes and defence of the traditional way of life.

In November, Brazil's Chamber of Deputies approved the Escazú Agreement, but at year's end it remained unratified due to delays in the Senate.

Human rights organizations accused the Pará state government of misusing the Programme for the Protection of Human Rights Defenders to carry out surveillance on Indigenous and community leaders, including members of parliament.

Legal proceedings relating to high-profile cases of violence against defenders, such as the murders of Marielle Franco, Anderson Gomes, Maria Bernadete Pacífico (known as Mother Bernadete), Bruno Pereira and Dom Phillips, reached different investigative and judicial stages without a final ruling. In the case of Marielle Franco and Anderson Gomes, the process against the alleged instigators reached its final phase and the trial in the First Chamber of the Supreme Federal Court was scheduled for February 2026, almost eight years after the crime was committed. In the case of Mother Bernadete, the Court of Justice in Bahia also scheduled a hearing for those accused for February 2026 in the Jury Court, two years after the murder was committed.

## **Unlawful use of force**

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Police violence continued to characterize public security policy. According to the Brazilian Public Security Yearbook and organizations such as the Democracy under Threat (DX) Institute, in 2024 the police killed an average of 17 people per day, totalling more than 6,200 deaths over the year. Thus Brazil maintained its position as one of the top-ranking countries worldwide in terms of death rates from police violence.

The Brazilian Public Security Yearbook published in July indicated that the Black population continued to represent the majority of victims of police killings in absolute terms. In 2024, approximately 82% of those killed in police operations were Black, despite this demographic constituting only 55.5% of the total population.

At the institutional level, a number of legal decisions relating to the protection of the essential constitutional values against acts of public power – such as actions for breach of fundamental precept 635 (known as “ADPF das Favelas”) and 709 – reinforced the state's responsibility for violence committed by security agents and for the protection of vulnerable population groups. However, those decisions were not implemented. In January, an operation carried out in the neighbourhoods of Alemão and Penha, in Rio de Janeiro, left dozens dead and disrupted daily life in these *favelas*, with reports of extrajudicial executions and ambulance access being

hindered. In the city of São Paulo, deaths at the hands of on-duty military police increased in 2025 to 672 victims, with a steeper increase in the second half of the year following the adoption by police of a new model of body camera with a narrower field of view.

In May, a military police operation in the Pantanal neighbourhood of the city of Macapá (Amapá state) resulted in the deaths of seven young people returning from a football match, including a 14-year-old boy, when the vehicle they were travelling in was repeatedly shot at.

In October, Operation Containment in the Penha and Alemão *favelas* carried out by 2,500 civil and military agents resulted in the deaths of 121 people, including four police officers. Considered the deadliest operation in the history of Rio de Janeiro state, there were reports of extrajudicial executions, house raids, violation of crime scene preservation protocols and disproportionate use of force in a densely populated area.

Some progress was made in terms of state responsibility through convictions in a number of high-profile cases of police violence. In the city of Fortaleza, eight military police officers were sentenced to long prison terms for homicide, attempted homicide and torture committed in 2015 against residents of a number of peripheral urban neighbourhoods, in what became known as the Curio Massacre. Several agents were acquitted in a separate trial. In the case of João Pedro Matos Pinto, a 14-year-old Black boy killed inside his Rio de Janeiro home during a police operation in 2020, a judicial decision determined that the agents involved should be tried for qualified homicide before a popular jury, following their acquittal by a court in 2024. In the case of Johnatha de Oliveira Lima, a young Black man killed during a police operation in a Rio de Janeiro *favela*, a series of court decisions allowed the reopening of investigations. However, these examples remained exceptional: around 98% of investigations into police officers were dismissed, with fewer than 2% of deaths at the hands of the police going to trial.

## **LGBTI people's rights**

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Progress was made in increasing visibility of LGBTI issues and in legal decisions extending recognition of LGBTI rights, with rulings by higher courts reinforcing equality in matters of filiation (family recognition), parental leave and registration of non-binary gender identities. At the same time, violence against the LGBTI population increased, with the Bahia Gay Group Observatory recording 291 violent deaths of LGBTI people in 2024 (an increase of approximately 9% compared with 2023). Furthermore, the National Association of Transvestites and Transexuals registered more than 100 murders of transgender people in the same year, meaning that Brazil remained one of the deadliest countries in the world for this population group. Investigation and accountability continued to be low in the face of hate crimes based on sexual orientation and gender identity.

## **Sexual and gender-based violence**

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The creation of institutional protection and accountability mechanisms for gender-based violence progressed, including a gradual increase in the number of specialized police stations, the expansion of care networks and the running of awareness campaigns, which indicated a measure of official acknowledgement of the issue's severity. Femicides nevertheless reached a record level, with at least 1,470 cases in 2025 or four women killed per day, a slight increase compared with 2024. In a context of persistent racial inequality, Black women remained over-represented among the victims and several successive high-profile cases prompted mass protests and calls for a stronger response from the authorities.

## **Sexual and reproductive rights**

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The National Congress moved forward with initiatives to restrict access to legal abortion. The processing of draft bill 1904/2024, which sought to equate abortion after 22 weeks of pregnancy to the crime of simple homicide, even in cases of rape, generated massive protests by feminist and human rights organizations. The bill had still not become law at year's end.

## **Impunity**

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Despite some specific progress on accountability, reports by the UN Special Rapporteur on truth, justice and reparation pointed to the persistence of structural impunity and major barriers in access to justice, especially in cases of extrajudicial executions, torture and enforced disappearances.

Some transitional justice mechanisms continued to face legislative delays and political resistance, including attempts to restrict historical memory policies and revise the Amnesty Law, putting the collective right to truth, justice and reparation at risk.

Access to justice continued to be profoundly unequal. Data from the National Council of Justice showed that Black people and vulnerable groups continued to be over-represented among the prison population and under-represented in terms of access to adequate legal defence. This was despite initiatives such as the application of protocols for judging with a racial and human rights perspective.

# **Exhibit 6**



Home Office

# **Country Policy and Information Note**

## **Brazil: Sexual orientation, gender identity and expression (SOGIE)**

**Version 1.0**

**December 2024**

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# Executive summary

In general, persons identifying as lesbian, gay, bisexual, trans or intersex (LGBTI) are not subject to treatment by the state that is sufficiently serious, by its nature or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.

While the Constitution does not explicitly protect LGBTI persons, anti-discrimination laws have been applied to safeguard their rights. Same-sex sexual relations, same-sex marriages, civil partnerships and adoption are all permitted. Transgender people may legally change their name and gender without surgery, and gender reassignment surgery, HIV medication and hormone therapy are available for free. Trans people face barriers in accessing formal employment, but public agencies have or intend to adopt a 2% quota for their employment. Licensed psychologists are prohibited from practising conversion therapy.

Society is generally conservative and holds to traditional family values. Opinion polls in recent years show division over LGBTI issues. However, the younger, urban population in bigger cities such as Sao Paulo and Rio de Janeiro hold more tolerant attitudes to the LGBTI community.

In absolute numbers, Brazil has had the highest number of recorded murders of LGBTI people in the world for several years, although the total number of victims has been decreasing from its peak in 2017. In 2023, LGBTI persons comprised approximately 0.64% of all violent deaths in Brazil. This equates to approximately 0.009% of the LGBTI population. Transgender persons made up the majority of victims in 2022 and 2023, with gay men the second highest group. Victims are often black or mixed race, and sex workers.

There is no information to suggest that state actors systematically target the LGBTI community. Nevertheless, they are generally mistrusting of law enforcement, and some report facing violence, discrimination and homophobia and transphobia, which has led to underreporting of crimes. The state has been criticised for its failure to provide comprehensive official data on crimes against LGBTI persons. However, since gaining power in 2023, President Lula has spoken in support of LGBTI rights and has created governmental institutions to further these. Some police forces are also investing in training to better respond to complaints from LGBTI persons.

In general, the state is willing and able to offer sufficient protection from non-state actors. This will depend on the facts of the case. In general, internal relocation is also likely to be reasonable and not unduly harsh, particularly to urban areas and large cities, such as Sao Paulo and Rio de Janeiro, where LGBTI persons have a higher degree of freedom to express their sexual orientation and/or gender identity.

The presence of dedicated NGOs in Brazil contributes positively to the advancement of LGBTI rights.

Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. Brazil is listed as a designated state.

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# Assessment

Section updated: 1 December 2024

## About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably likely to face a real risk of persecution/serious harm by state or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity or expression
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

This note provides an assessment of the general situation for gay men, lesbians, bisexuals, trans and intersex (LGBTI) persons, as well as those perceived as such. They are referred to collectively as 'LGBTI persons', although the experiences of each group may differ. Where information is available, the note will refer to and consider the treatment of each group discretely.

Paragraphs 35 and 82 of the determination of the Supreme Court's ruling in [HJ \(Iran\) and HT \(Cameroon\) v Secretary of State for the Home Department \[2010\] UKSC 31, heard 10,11,12 May and promulgated 7 July 2010](#), have set out the approach to take and established the test that should be applied when assessing such a claim based on a person's sexual orientation and/or gender identity/expression.

For general guidance on considering claims made by LGBTI persons, decision makers should refer to the Asylum Instructions, [Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim: transgender](#).

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case's specific facts.

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## 1. Material facts, credibility and other checks/referrals

### 1.1 Credibility

1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum](#)

[Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

- 1.1.3 Decision makers must also consider making an international biometric data-sharing check (see [Biometric data-sharing process \(Migration 5 biometric data-sharing process\)](#)).
- 1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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**Official – sensitive: Not for disclosure – Start of section**

The information in this section has been removed as it is restricted for internal Home Office use.

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**Official – sensitive: Not for disclosure – End of section**

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## 1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention, Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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**Official – sensitive: Not for disclosure – Start of section**

The information in this section has been removed as it is restricted for internal Home Office use.

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**Official – sensitive: Not for disclosure – End of section**

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## 2. Convention reason(s)

- 2.1.1 Actual or imputed membership of a particular social group (PSG).
- 2.1.2 LGBTI persons form a PSG in Brazil within the meaning of the Refugee Convention because they share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it, **and** have a distinct identity in Brazil because the group is perceived as being different by the surrounding society.
- 2.1.3 Although LGBTI persons in Brazil form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the person has a well-founded fear of persecution

on account of an actual or imputed Refugee Convention reason.

- 2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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### 3. Risk

#### 3.1 Risk from the state

- 3.1.1 In general, LGBTI persons do not face treatment from state actors which is sufficiently serious by its nature or repetition, or by an accumulation of measures, that it amounts to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.1.2 Consensual same-sex sexual activity is not criminalised for men or women. Same-sex marriages, civil unions and adoption have been legalised through judicial decisions and resolutions (see [Penal code](#), [Same-sex marriage, civil unions and adoption](#)).
- 3.1.3 While the Brazilian Constitution does not list sexual orientation and gender identity among the prohibited grounds for discrimination, the Constitutions of some states do (see [Constitution](#)). The National Congress has not enacted any specific laws criminalising homophobic and transphobic conduct. However, as of 2019, the Federal Supreme Court has included homophobic and transphobic acts within a law that criminalised racially-motivated acts of discrimination (see [Anti-discrimination law](#)).
- 3.1.4 Licensed psychologists are banned from conducting conversion therapy. The ban does not apply to any other professionals or any other person willing to offer conversion therapies. Sources indicate that these have been offered by persons other than psychologists, particularly those affiliated to religious organisations (see [Conversion therapy](#)).
- 3.1.5 Persons have the legal right to change their name and gender. They are not required to undergo surgery (see [Transgender rights](#)). When facing detention, transgender persons can express a preference over whether to attend a male or female prison, although sources suggest this is not always complied with (see [LGBTI persons in detention](#)). Sources are mixed regarding whether intersex children are legally protected against non-essential surgeries (see [Intersex rights](#)).
- 3.1.6 Former President Bolsonaro and other public officials made strong anti-LGBTI statements and discontinued governmental agencies which advanced LGBTI rights. During his tenure, this exacerbated marginalisation of LGBTI persons. Since gaining power in early 2023, current President Lula has vocalised his support for LGBTI rights and has begun to rebuild institutional agencies to protect these (see [Government rhetoric](#), [LGBTI policy initiatives and support](#)). Various anti-LGBTI bills continue to be proposed, and several are in force at the state and municipal levels. Some are challenged and struck down by the judiciary (see [Political debate on LGBTI issues](#), [Education](#)).
- 3.1.7 There is no information in the sources consulted that state actors systematically target LGBTI persons. The vast majority of reports of human

rights violations against LGBTI persons relate to acts committed by non-state actors (see [Societal treatment of LGBTI persons: overview](#)). According to the most recent official data available, in 2022, only 1% of LGBTI victims of interpersonal aggression reported that the likely perpetrator was a police officer and/or law enforcement agent (see [State treatment of LGBTI persons: overview](#)).

- 3.1.8 For an assessment of the protection afforded by the state to members of the LGBTI community, see [State treatment of LGBTI persons](#).
- 3.1.9 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## 3.2 Risk from non-state actors

- 3.2.1 In general, LGBTI persons in Brazil do not face treatment that is sufficiently serious by its nature and/or repetition, or by an accumulation of various measures, to amount to persecution or serious harm. However, some individuals may be able to show differently on the facts of their case.
- 3.2.2 Within the LGBTI community, transgender persons face an elevated risk of serious harm due to increased visibility and involvement in sex work, especially if they are black or mixed race, and of lower socio-economic status. Gay men, particularly those who are black, mixed race and of lower socio-economic status, also face a heightened risk. The proportion of lesbian and bisexual victims of violence is lower, and there is limited information on societal treatment of intersex persons. Whether the treatment of LGBTI persons meets the high threshold for persecution will depend on the specifics of each case.
- 3.2.3 In general, Brazilian society has conservative views, linked to religion and traditional family values. Societal attitudes towards LGBTI persons in Brazil are divided. Research conducted in Brazil between 2021 and 2024 has found that societal perceptions of LGBTI issues have remained steady during that period, with approximately 54% supporting LGBTI persons being open about their sexual orientation or gender identity. Certain demographics like older persons, those living in non-urban areas and protestants reportedly exhibited more negative views than younger, urban, catholic demographics (see [Cultural norms](#), [Public opinion on LGBTI persons](#)).
- 3.2.4 In general, LGBTI persons showing affection in public can be met with disapproval. However, larger urban areas, including cities like Rio de Janeiro, Sao Paulo and Salvador have thriving LGBTI communities where persons are able to openly express and celebrate their sexual orientation and gender identity (see [Public opinion on LGBTI persons](#), [LGBTI communities](#), [LGBTI population](#)).
- 3.2.5 From 2019 data, official estimates indicated that approximately 1.9% of the Brazilian population (2.9 million of a total population of approximately 212.5 million) identified as gay or bisexual. However, this number is thought to be underreported and did not include the transgender population (see [LGBTI](#)

[population](#), [Freedom of movement](#)).

- 3.2.6 Sources reported that Brazil has had the highest number of (recorded) violent deaths of LGBTI persons in the world every year from 2021 to 2023. However, this is presented in absolute numbers, not as a proportion of Brazil's total LGBTI population. According to the Brazilian government, there were 40,429 violent deaths in 2023. Civil society organisations reported that approximately 257 LGBTI persons were murdered in 2023, comprising 0.64% of all violent deaths, and 0.009% of the LGBTI population. Whilst some cases were assessed by the reporting organisations to include an anti-LGBTI motive, their methodologies note that this does not apply to all. Therefore, it is plausible that some of the victims were not murdered because of their sexual orientation or gender identity (see [Deaths of LGBTI persons](#)).
- 3.2.7 Between 2021 and 2023, LGBTI victims of violent deaths included primarily gay men and transgender persons. In 2021, gay men represented the majority, followed by transgender persons, whereas in 2022 and 2023, transvestite and transgender women became the primary victims, with gay men as the second-largest group. Violence often intersects with race, with a disproportionate number of victims being black or mixed race. Most victims are murdered at home or on the street, with transgender victims often engaged in sex work. From the sources consulted, the proportion of lesbian and bisexual victims is lower, but underreporting is possible. There is a lack of information on the societal treatment of intersex persons (see [Societal treatment of LGBTI persons](#)).
- 3.2.8 From the most recent official data available, intentional bodily injuries were the most reported form of violence against LGBTI individuals in 2022, reaching 2,324 records (a 13.4% increase from 2021, averaging about 6 victims per day or 0.08% of the LGBTI population), with the highest numbers in the states of Pernambuco, Minas Gerais, and Ceará. These states also recorded the highest number of rape cases against LGBTI individuals. One study indicated that lesbian and bisexual women may be particularly at risk of violence short of murder due to the intersection of sexism and discrimination based on sexual diversity. There were also reports of LGBTI women being threatened with corrective rape and reports of LGBTI politicians generally being threatened with violence (see [Societal treatment of LGBTI persons: overview](#), [Societal treatment of lesbian and bisexual women](#), [Conversion therapy](#), [Online harassment](#)).
- 3.2.9 Official data on violence against LGBTI persons is widely seen as incomplete, as not all states report and disaggregate their data accordingly. Additionally, reported numbers of violent deaths of LGBTI persons vary by civil society organisation and numbers are considered to be higher in reality as a result of underreporting and limitations in data gathering (see [Deaths of LGBTI persons](#), [Societal treatment of LGBTI persons: overview](#), [Official data on violence against LGBTI persons](#)).
- 3.2.10 Brazilian law states that all healthcare providers must operate without prejudice. Gender reassignment surgery, hormone therapy and HIV medication are available free of charge through Brazil's health service. However, sources indicate that the amount of medical professionals and

establishments that have the knowledge and equipment to meet the requirements of the transgender population may be insufficient. Additionally, it was reported that pharmacists have been suspended from prescribing Pre- and Post-Exposure Prophylaxis for HIV/AIDS to patients in the public health service, which may hinder access to it. Sources also report that prejudices and preconceptions about bisexual and lesbian cisgender women limit the type of services they receive (see [Access to healthcare](#)).

- 3.2.11 Sources indicate that transgender persons struggle to enter the formal job market and the majority of transgender women resort to prostitution. However, some public agencies have or intend to introduce a 2% quota for the employment of transgender persons, and anti-discrimination law covers LGBTI persons in employment situations (see [Access to employment](#)).
- 3.2.12 There have been attempts across Brazil to introduce laws banning 'gender ideology' from education, with the Supreme Court striking down some of these (see [Education](#)). Anti-discrimination law covers LGBTI persons in the context of housing (see [Housing](#), [Anti-discrimination law](#)).
- 3.2.13 If a person does not openly express their sexual orientation or gender identity, consideration must be given to the reasons why. Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk on return.
- 3.2.14 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## 4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution from non-state actors, including 'rogue' state actors, decision makers must assess whether the state can provide effective protection.
- 4.1.2 For background information about the criminal justice system generally and an assessment of its effectiveness in providing protection, see the Country Policy and Information Note, [Brazil: Actors of protection](#).
- 4.1.3 In general, the state is willing and able to offer effective protection. The onus is on the person to demonstrate otherwise. A reluctance to seek protection is not an indication that it is not available.
- 4.1.4 There is a functioning police force, laws and avenues of redress in place for LGBTI persons (see [Legal context](#), [LGBTI policy initiatives and support](#)). While there is no anti-discrimination law explicitly protecting the LGBTI population, in 2019 the Supreme Court considered that victims of homophobic or transphobic conduct are protected under a law that criminalised racial discrimination (see [Anti-discrimination law](#)).
- 4.1.5 During the term of former President Bolsonaro, government institutions that furthered LGBTI policies and rights were downgraded. As of 2023, current President Lula has been rebuilding these and has vocalised his support of LGBTI rights. However, general political support for LGBTI rights remains

polarised, with several bills being proposed which would set back protections (see [Government rhetoric](#), [Political debate on LGBTI issues](#)).

- 4.1.6 Whilst official data on violence against LGBTI persons is said to be underreported (see [Official data on violence against LGBTI persons](#)), available information indicates that LGBTI persons can, and do, report incidents of violations to their human rights. Police have taken action, including in notable cases such as the murder of bisexual city councillor Marielle Franco, but the lack of data on crimes against LGBTI persons makes it difficult to ascertain trends in their responses (see [State treatment of LGBTI persons](#)).
- 4.1.7 Sources report that LGBTI persons are reluctant to report hate crime incidents due to a fear of facing violence, discrimination, or inaction from law enforcement agents. There is anecdotal evidence of law enforcement personnel being biased against the LGBTI community and there have been some reports of human rights abuses perpetrated by state agents (see [State treatment of LGBTI persons: overview](#), [State treatment of transgender persons](#), [State treatment of lesbian and bisexual women](#)). Sources from within the police also acknowledged that discriminatory attitudes are prevalent among law enforcement. However, these sources also indicated a willingness to invest in further training to improve protections for LGBTI persons (see [State treatment of LGBTI persons: overview](#)).
- 4.1.8 There is also a significant number of non-governmental organisations in Brazil who advocate for LGBTI rights and the LGBTI community. These organisations can offer support to LGBTI persons (see [LGBTI organisations](#)).
- 4.1.9 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## **5. Internal relocation**

- 5.1.1 In general, there are parts of the country where a person would not have a well-founded fear of persecution/real risk of suffering serious harm and it will be reasonable for them to relocate there.
- 5.1.2 However, internal relocation will not be an option if it depends on the person concealing their sexual orientation and/or gender identity in the proposed new location to avoid persecution. Each case must be considered on its facts.
- 5.1.3 Brazil is a large country with a population of approximately 212,583,750. People are generally able to move around freely (see [Freedom of movement](#)).
- 5.1.4 Available data suggests that people are less open about their sexual orientation in smaller cities and rural areas. Urban areas are likely to be more accepting (see [LGBTI population](#), [LGBTI communities](#), [Cultural norms](#)).

- 5.1.5 According to available data, the South-East is the region with the highest number of violent deaths of LGBTI persons, followed by the North-East. Sao Paulo, Minas Gerais and Rio de Janeiro states generally have the highest absolute numbers of complaints of lethal violence against LGBTI persons, but are also the most populous states of Brazil (see [Deaths of LGBTI persons](#), [Freedom of movement](#)).
- 5.1.6 LGBTI persons in urban areas such as the cities of Sao Paulo, Rio de Janeiro and Salvador enjoy a higher degree of freedom in expressing their sexual orientation and gender identity. These cities are known for their Pride parades and have a reputation for being LGBTI-friendly (see [LGBTI communities](#)).
- 5.1.7 While the onus is on the person to establish a well-founded fear of persecution or real risk of serious harm, decision makers must demonstrate that internal relocation is reasonable (or not unduly harsh) having regard to the individual circumstances of the person.
- 5.1.8 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status Sexual orientation in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## **6. Certification**

- 6.1.1 Where a claim is refused, it must be considered for certification under section 94(3) of the Nationality, Immigration and Asylum Act 2002 as Brazil is listed as a designated state.
- 6.1.2 Where a claim is refused, it is likely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.3 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

## About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **28 August 2024**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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## 7. Legal context

### 7.1 Constitution

7.1.1 One of the fundamental objectives of Brazil's Constitution, in force since 1988, is 'to promote the well-being of all, without prejudice as to origin, race, sex, color, age and any other forms of discrimination.'<sup>1</sup>

7.1.2 Although the Constitution does not explicitly prohibit discrimination based on sexual orientation, gender identity/expression, or sex characteristics, 8 Brazilian states (Alagoas, Ceara, Espirito Santo, Mato Grosso, Para, Piaui, Santa Catarina and Sergipe) and the Federal District do have provisions in their state constitutions which prohibit discrimination based on sexual orientation - but not on gender identity/expression or sex characteristics<sup>2</sup>.

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### 7.2 Penal code

7.2.1 The current Brazilian Penal Code can be found here: [Brazilian Penal Code](#) (in Portuguese).

7.2.2 According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), 'a leading organisation and a global voice for the rights of those who face discrimination on the grounds of sexual orientation, gender identity, gender expression and/or sex characteristics'<sup>3</sup>, the Brazilian Penal Code was incepted in 1831 and has never contained any provisions criminalising same-sex sexual relations<sup>4</sup>.

7.2.3 The same source stated: 'Despite this early decriminalisation, it has been indicated that other provisions of that Code were used to persecute persons

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<sup>1</sup> Constitute Project, '[Constitution of Brazil](#)' (Article 3), 5 October 1988

<sup>2</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>3</sup> ILGA, '[What we do](#)', no date

<sup>4</sup> ILGA, '[World Database - Brazil](#)', no date

who engaged in same-sex sexual acts.<sup>5</sup> It did not elaborate on which provisions, what form the persecution took, or the scale or extent thereof.

- 7.2.4 The United States Department of State (USSD)'s 2023 'Country Report on Human Rights Practices: Brazil' (USSD 2023 Report), covering events in 2023, noted that 'The law did not criminalize so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons.'<sup>6</sup>

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### 7.3 Same-sex marriage, civil unions and adoption

- 7.3.1 The USSD 2023 Report noted that 'The law did not explicitly recognize LGBTQI+ couples.'<sup>7</sup>

- 7.3.2 Regarding marriage and civil unions, ILGA stated that: 'Resolution No. 175 (2013) issued by the National Council of Justice states that notaries cannot refuse to register same-sex marriages...

'In 2011, the Supreme Federal Court (STF) of Brazil recognised same-sex civil unions with erga omnes effects (i.e. applicable to the whole population) in two joint decisions: Ação Direta de Inconstitucionalidade 4277 and Arguição de Descumprimento de Preceito Fundamental 132.'<sup>8</sup>

- 7.3.3 Regarding adoption, ILGA stated that:

'In April 2010, the Superior Court of Justice of Brazil (STJ) ruled in No. REsp 889,852/RS that same-sex couples could adopt children...

'In November 2023, the National Council of Justice reaffirmed... the rights of same-sex couples to adopt. The resolution mandates courts and judges to uphold equal rights and combat discrimination based on sexual orientation and gender identity. It prohibits expressions opposing applications solely due to being same-sex or transgender couples or families, ensuring fair treatment in qualification, adoption, custody, and guardianship processes... Judges must... promote adoption by including same-sex and transgender-affirming families in encouragement activities while facilitating avenues for lodging discrimination complaints.'<sup>9</sup>

- 7.3.4 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] No specific avenues for lodging discrimination complaints are set out in the relevant Resolution. However, it stated that 'the courts shall... disseminate the ombudsman's channels for complaints in case of situations of discrimination.'<sup>10</sup> On a webpage describing the National Human Rights Ombudsman, the Brazilian government stated that the main channel for lodging complaints is Dial 100<sup>11</sup>. For more information on this, see [LGBTI policy initiatives and support](#).

<sup>5</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>6</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>7</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>8</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>9</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>10</sup> Brazilian National Council of Justice, '[Resolution No. 532](#)', 16 November 2023

<sup>11</sup> Government of Brazil, '[National Human Rights Ombudsman](#)', 20 January 2021

## 7.4 Anti-discrimination law

7.4.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2019, the Federal Supreme Court of Brazil included homophobic and transphobic acts within a law which criminalised racially-motivated acts of discrimination. The Court stated that:

‘...there was an unconstitutional omission by the National Congress for not enacting a law that criminalizes acts of homophobia and transphobia...

‘...until the National Congress enacts a specific law, homophobic and transphobic conducts, real or supposed, fall within the crimes provided for in Law 7,716/2018 (sic, Law 7,716/1989) and, in the case of intentional homicide, constitute a circumstance that qualifies it, as it constitutes a vile motive... criminal repression of the practice of homotransphobia does not reach or restrict the exercise of religious freedom, as long as such manifestations do not constitute hate speech...the concept of racism goes beyond strictly biological or phenotypic aspects and reaches the denial of the dignity and humanity of vulnerable groups.’<sup>12</sup>

7.4.2 The USSD Overseas Security Advisory Council (OSAC) noted in its 2023 ‘Brazil Country Security Report’ (OSAC 2023 Report) that ‘No specific law prohibits discrimination against LGBTI+ persons in essential goods and services such as health care....’<sup>13</sup>

## 7.5 Transgender rights

### a. Name change

7.5.1 The USSD 2023 Report noted that:

‘A [2016] presidential decree standardized the use of a person’s social name (versus the name given to the person at birth) by bodies and entities of federal public administration. In federal institutions, respect for the social name was mandatory; persons had the right to be respected by the name and gender by which they identified themselves. This also applied to health-care units and hospitals. Many of these institutions reserved a field in forms and documents intended for social names.’<sup>14</sup>

### b. Gender recognition

7.5.2 ILGA stated that:

‘Changing the legal gender marker has been available in Brazil since 2009, when the Superior Court of Justice of Brazil issued its Judgment No. 2007/0273360-5 (2009)...

‘...In 2018, the [Supreme Federal] Tribunal handed down ADI No. 4,275 (2018) in which all justices unanimously agreed that neither surgical procedures nor hormonal treatment or pathologising requirements were

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<sup>12</sup> Supreme Court of Brazil, ‘...Homophobia and transphobia as crimes of racism...’, 13 June 2019

<sup>13</sup> USSD OSAC, ‘[Brazil Country Security Report](#)’ (LGBTI+ Travellers), 18 July 2023

<sup>14</sup> USSD, ‘[Human Rights Report Brazil 2023](#)’ (Section 6), 2023

necessary. The majority also agreed that judicial authorization was not necessary...

'Following this decision, the National Council of Justice adopted Order No. 73 (2018), which established an administrative procedure before the Civil Registry to request amendments to the applicant's name and gender marker based on the autonomy of the applicant. Article 7 explicitly provides that it is not necessary to submit any medical or psychological information or diagnosis.

'In 2021, the Court of Justice of the State of São Paulo delivered its Judgment of 28 September 2021... allowing a non-binary applicant to be registered with a gender marker "not specified/agender"...'<sup>15</sup>

- 7.5.3 The USSD 2023 Report stated that 'Individuals were able to change their gender identity marker on legal and government identification documents to align with their gender identity. There were no options available for "nonbinary/intersex/ gender nonconforming." Individual self-identification was usually sufficient, but sometimes judges required gender-affirming surgery.'<sup>16</sup>
- 7.5.4 In its 2024 report 'Laws on Us', ILGA stated that 'In 2023, Public Defender Offices in Rio de Janeiro and Pernambuco achieved notable success in granting individuals the option of listing "non-binary" as their gender marker on birth certificates...'<sup>17</sup>

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## 7.6 Intersex rights

- 7.6.1 ILGA stated that, to the best of its knowledge, 'laws in force in Brazil do not restrict medically unnecessary interventions aimed to modify the sex characteristics of intersex minors without their free, prior and full informed consent.'<sup>18</sup>
- 7.6.2 [The remaining information in this subsection was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] Resolution 1.664/2003 of the Brazilian Federal Medical Council details standards of treatment for intersex persons, stating that persons should be assured an 'early investigation with a view to an adequate definition of the gender and timely treatment'<sup>19</sup>, and that this should be conducted by 'a multidisciplinary team' that will provide 'support and information about the problem and its implications' to family members and legal guardians of the person concerned<sup>20</sup>.
- 7.6.3 In a 2023 paper published in the 'Cadernos de Saude Publica' journal, academics from universities across Brazil opined that this resolution 'legitimizes interventions upon intersex bodies, being the only national normative instrument that address the subject.'<sup>21</sup>

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<sup>15</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>16</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>17</sup> ILGA, '[Laws on Us](#)' (page 200), June 2024

<sup>18</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>19</sup> Brazilian Federal Medical Council, '[Resolution No. 1.664/2003](#)' (article 2), 15 May 2003

<sup>20</sup> Brazilian Federal Medical Council, '[Resolution No. 1.664/2003](#)' (article 4), 15 May 2003

<sup>21</sup> Leivas and others, '[Human rights violations... intersex children](#)', 6 February 2023

- 7.6.4 The Brazilian Intersex Association (ABRAI), an NGO which works to raise awareness of and advocate for intersex issues in Brazil<sup>22</sup>, stated that ‘In early August 2021, Brazil’s National Council of Justice (CNJ) authorized intersex children, born without male or female sex defined, to be registered with “undetermined” gender on their birth certificates. The change became effective nationwide on September 12, 2021.’<sup>23</sup>
- 7.6.5 On 12 July 2023, ABRAI reported that ‘a significant achievement in the fight for intersex rights took place in the Brazilian Congress... two crucial proposals were approved, putting an end to surgeries on intersex infants.’<sup>24</sup>

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## 7.7 LGBTI persons in detention

- 7.7.1 The information in this subsection was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed.
- 7.7.2 A Joint Resolution of the National Council for Criminal and Penitentiary Policy (CNPCCP) (Joint Resolution No. 1 of 15 April 2014) stated that:
- ‘Article 2 The transvestite or transsexual person deprived of their liberty has the right to be called by their social name...
- ‘Art. 3 Transvestites and gay men deprived of their liberty in male prison units, considering their safety and special vulnerability, must be offered specific living spaces...
- ‘The transfer of the prisoner to the specific living space will be conditioned on their express expression of will.
- ‘Art. 4 Male and female transsexuals should be sent to female prison units.
- ‘Transsexual women must be guaranteed equal treatment with other women deprived of their liberty.
- ‘Art. 5 Transvestites or transsexuals deprived of their liberty will be allowed to wear female or male clothing, depending on their gender, and to keep their hair long, if they have it, guaranteeing their secondary characters in accordance with their gender identity...
- ‘Transvestites, transsexual women and men in prison, will be guaranteed maintenance of their hormone treatment...
- ‘Art. 10 The state must guarantee ongoing training for professionals in penal establishments considering the perspective of human rights and the principles of equality and non-discrimination, including in relation to sexual orientation and gender identity.’<sup>25</sup>
- 7.7.3 On 20 January 2021, a National Council of Justice Resolution amended Resolution No. 348 of 13 October 2020<sup>26</sup>. After amendment, Resolution No. 348’s Article 7 stated that:

<sup>22</sup> ABRAI, ‘[About ABRAI](#)’, no date

<sup>23</sup> ABRAI, ‘[...First Person in World to Achieve Judicial Correction of Gender to Intersex](#)’, 7 March 2024

<sup>24</sup> ABRAI, ‘[...Importance of non-surgical approaches for intersex infants](#)’, 12 June 2023

<sup>25</sup> National Council for Criminal and Penitentiary Policy, [Joint Resolution No. 1](#), 15 April 2014

<sup>26</sup> National Council of Justice, [Resolution No. 366](#), 20 January 2021

‘In the event of the arrest of a self-declared member of the LGBTI population, the place of deprivation of liberty shall be defined by the magistrate in a reasoned decision....

‘The decision that determines the place of deprivation of liberty shall be issued after questioning the preference of the arrested person... and the possibility of changing the place of deprivation of liberty shall be [advised]...

‘The possibility of expressing preference as to the place of deprivation of liberty and of changing it shall be expressly informed to the person...’<sup>27</sup>

7.7.4 Article 8 of Resolution No. 348 stated that the judge must:

‘clarify in accessible language the structure of the prisons available in the respective locality, the location of male and female units, the existence of specific wings or cells for the LGBTI population, as well as the consequences of this choice on coexistence and the exercise of rights;

‘ask... transsexual, transvestite and intersex [persons] about [their] preference for custody in a female, male or specific unit, if any, and, in the chosen unit, preference for detention in general [population] or in specific wings or cells, where available...

‘ask... gay, lesbian and bisexual [persons] about [their] preference for custody in general [population] or in specific wards or cells.’<sup>28</sup>

7.7.5 Resolution No. 348 also advised that:

‘Art. 10. The rights guaranteed to women should be extended to lesbian, transvestite and transsexual women and to transsexual men, where appropriate...

‘Art. 11... the judge... shall ensure that material, health, legal, educational, social and religious assistance is guaranteed, without any form of discrimination on the basis of sexual orientation or gender identity... especially:

‘I – Regarding health care...

‘the guarantee... of the right to hormonal treatment and its maintenance... especially for people living with HIV/TB... or demands arising from the needs of the transsexualization process...

‘the guarantee of psychological and psychiatric care... especially aimed at suicide prevention, as well as specialized gynecological, urological and endocrinological treatment for transsexual, transvestite and intersex people...

‘IV – Regarding self-determination and dignity:

‘a) the guarantee to transsexual men of the right to use socially read garments as masculine and accessories for breast compression as an instrument to maintain their gender identity;

‘b) the guarantee of transsexual and transvestite women the right to wear socially feminine clothing, to keep their hair long, including fixed hair

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<sup>27</sup> National Council of Justice, [Resolution No. 348](#) (article 7), 13 October 2020

<sup>28</sup> National Council of Justice, [Resolution No. 348](#) (article 8), 13 October 2020

extension, and controlled access to tweezers for hair extraction and make-up products, guaranteeing their secondary characters according to their gender identity; and

‘c) the guarantee of intersex persons the right to wear clothing and controlled access to utensils that preserve their self-recognized gender identity.’<sup>29</sup>

7.7.6 In March 2021, various Brazilian news agency UOL<sup>30</sup> reported that ‘The Minister of the Federal Supreme Court, Roberto Barroso decided... that trans people and transvestites, who identify with the female gender, will be able to choose to serve their sentence in female or male prisons, but in a reserved area, which guarantees their safety. Prior to the ruling, transgender people were subject to serving time only in male prison systems.’<sup>31</sup>

7.7.7 In 2024, Global Voices, a non-profit ‘community of writers, translators, and human rights activists founded in 2004’<sup>32</sup>, interviewed Caio Klein, the director of Brazilian NGO Somos<sup>33</sup>, and stated: ‘With data from the complaints made, Klein maintains that there are at least two current resolutions that are not being complied with: Resolution No. 348/2020 and Joint Resolution No. 1/2014.’<sup>34</sup>

7.7.8 A 2024 research article written by three academics at the University of Brasilia stated that:

‘In Brazilian prisons, transgender women often fall victim to violence, sexual abuse, discriminatory treatment, and a lack of access to adequate healthcare services. These women face a dual marginalization, both as women and as transgender, which results in increased vulnerability and difficulty in social reintegration after the period in prison...

‘In 2020, the first penitentiary survey focused on the LGBTI + community was published, revealing that out of 1,499 establishments consulted, only 106 units (all male) reported having specific spaces for the custody of cisgender homosexual men, bisexuals, transvestites, trans women, and transgender men including a population of LGBTI population of 12,356 individuals... In 2019, the Supreme Federal Court ordered the transfer of trans women to female prisons or reserved areas in male prisons to ensure their safety... However, the implementation of these guidelines is still flawed...’<sup>35</sup>

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## 8. Societal attitudes towards LGBTI persons

### 8.1 Public opinion on LGBTI persons

8.1.1 In 2023, the Pew Research Center conducted a survey on attitudes to same-sex marriage. In total, 1,044 persons aged 18 and over were surveyed, across 85 Brazilian municipalities<sup>36</sup>. No detail was given on the demographic

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<sup>29</sup> National Council of Justice, [Resolution No. 348](#) (articles 10, 11), 13 October 2020

<sup>30</sup> UOL, [‘Homepage’](#), no date

<sup>31</sup> UOL, [‘STF: Trans inmates and transvestites can choose...’](#), 21 March 2021

<sup>32</sup> Global Voices, [‘What Is Global Voices?’](#), no date

<sup>33</sup> Somos, [‘Who We Are’](#), no date

<sup>34</sup> Global Voices, [‘A report about... LGBTQ+ people in Brazil raises the alarm’](#), 5 February 2024

<sup>35</sup> Raquel B Miranda and others, [‘Social reintegration... post-incarceration in Brazil...’](#), 11 July 2024

<sup>36</sup> Pew Research Center, [‘Country-Specific Methodology’](#), 8 January 2019

breakdown of the respondents. This survey found that 40% of Brazilian respondents opposed same-sex marriage, in contrast with 52% who supported it<sup>37</sup>. These attitudes were further broken down into demographic characteristics:

- 64% of respondents aged between 18 and 34 supported same-sex marriage; 47% of respondents aged 35 and over supported it.
- 48% of surveyed men supported same-sex marriage, and 56% of surveyed women supported it.
- Political ideology also had an impact: 44% of surveyed persons who had right-wing political views supported same-sex marriage, in contrast with 59% of those with left-wing views and 62% of those with centrist views.
- 56% of Catholic respondents supported same-sex marriage versus 32% of Protestants<sup>38</sup>.

8.1.2 A 2024 survey by IPSOS asked approximately 1,000 Brazilians aged between 16 and 74 a variety of questions about their attitudes towards LGBT+ issues<sup>39</sup>. 13% of respondents identified as any of lesbian, gay, homosexual, bisexual, pansexual, omnisexual and asexual<sup>40</sup>. The methodology noted that Brazilian respondents were generally 'more urban, more educated, and/or more affluent than the general population. The survey results... should be viewed as reflecting the views of the more "connected" segment of their population.'<sup>41</sup> Among other things, the survey indicated that:

- 54% of respondents supported LGBT+ people being open about their sexual orientation or gender identity, and 13% opposed this. This response was in line with IPSOS's 2021 survey which asked the same question, with a 1% decrease in support<sup>42</sup>.
- 39% supported LGBT+ people displaying affection in public, and 26% opposed, with a 3% decrease in support from the 2021 survey<sup>43</sup>.
- 77% said that LGB persons should be protected from discrimination in employment, housing, and access to services such as restaurants and stores, and 16% said that they should not<sup>44</sup>. When asked the same question regarding transgender persons, 76% supported protection and 16% did not<sup>45</sup>.
- 58% supported laws banning discrimination against LGBT+ persons in the areas of employment and access to education, housing and social services, whereas 16% did not; a decrease in support of 7% compared

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<sup>37</sup> Pew Research Center, '[How people around the world view same-sex marriage](#)', 27 November 2023

<sup>38</sup> Pew Research Center, '[How people around the world view same-sex marriage](#)', 27 November 2023

<sup>39</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 57), June 2024

<sup>40</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 52), June 2024

<sup>41</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 57), June 2024

<sup>42</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 16), June 2024

<sup>43</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 17), June 2024

<sup>44</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 25), June 2024

<sup>45</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 29), June 2024

with the 2021 survey<sup>46</sup>.

- 56% indicated that teens should be given access to gender-affirming care (eg counselling and hormone replacement treatment). 30% said they should not<sup>47</sup>.
- 53% believed that transgender persons should be able to use single-sex facilities corresponding to the gender they identify with; 34% said they should not<sup>48</sup>.
- 54% believed that official documents should have gender options in addition to male and female; 33% did not<sup>49</sup>.
- 16% (an increase of 1% from the 2021 survey) had attended a public event in support of the LGBT+ community, such as a Pride march; 76% had not<sup>50</sup>. Likewise, 16% had attended a same-sex wedding (an increase of 5% from the 2021 survey); 78% had not<sup>51</sup>. 26% had visited an LGBT+ bar or nightclub (an increase of 5% from the 2021 survey); 66% had not<sup>52</sup>.
- 41% of respondents (a decrease of 2% from the 2021 survey) indicated that they had spoken out against someone who was expressing prejudice against LGBT+ people; 49% had not<sup>53</sup>.
- Regarding views on same-sex marriage, 51% believed that same-sex marriage should be legal; 17% believed that there should be some kind of legal recognition of same-sex unions, but not marriage; 18% were not sure; 14% believed that same-sex couples should not be permitted to marry or obtain any kind of legal recognition. These results were the same as those of the 2021 survey<sup>54</sup>.
- 68% of respondents (a decrease of 1% from the 2021 survey) believed that same-sex couples should have the same rights to adopt as heterosexual couples; 24% did not<sup>55</sup>.
- When asked how much discrimination they think that transgender persons face in society, 76% of respondents indicated 'a great deal/fair amount' and 14% indicated 'not much/at all'<sup>56</sup>.

8.1.3 The results were similar to those of a 2023 survey by IPSOS, which used the same methodology and asked the same questions<sup>57</sup>.

8.1.4 The results were also similar to those of the 2023 AmericasBarometer survey, wherein 49% of Brazilian respondents approved of same-sex

<sup>46</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 28), June 2024

<sup>47</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 31), June 2024

<sup>48</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 33), June 2024

<sup>49</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 35), June 2024

<sup>50</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 46), June 2024

<sup>51</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 47), June 2024

<sup>52</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 48), June 2024

<sup>53</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 49), June 2024

<sup>54</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 40), June 2024

<sup>55</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 41), June 2024

<sup>56</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 26), June 2024

<sup>57</sup> IPSOS, '[LGBT+ Pride 2023](#)', 2023

marriage and 60% approved of equal rights for gender minorities<sup>58</sup>. This survey had an average of 1,512 respondents per country<sup>59</sup>, the demographic breakdown of which was not indicated.

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## 8.2 Cultural norms

8.2.1 In 2019, English-language Latin-American news agency The Rio Times<sup>60</sup> stated that:

‘Brazil is still a predominantly Catholic country but one also experiencing explosive growth in evangelical Christianity. Both groups constitute powerful conservative social forces ensuring the hegemony of heteronormativity and reinforcing traditional gender roles.

‘At the same time, Brazil contains a vibrant LGBTQ community and has an international reputation (albeit undoubtedly exaggerated) for sexual permissiveness...

‘Traditionally a rural machismo culture, open hostility, and discrimination towards sexual minorities is still surprisingly common in Brazil.

‘Worse, its cities are not safe environments for the public expression of sexual orientations or gender identities that differ from traditional norms.’<sup>61</sup>

8.2.2 In its 2021 Report, ‘Situation of Human Rights in Brazil’ (IACHR 2021 Report), the Inter-American Commission on Human Rights (IACHR) stated that ‘Brazil’s social make-up, rooted in rigid hetero-cis-normative roles, has meant that LGBTI persons have always been exposed to patterns of violence, discrimination, and dehumanization in the country...’<sup>62</sup>

8.2.3 The Australian Institute of International Affairs (AIIA) noted in a 2023 article that ‘Brazil is a country where traditional views on gender and family are still aligned with strong cultural values, often consolidated through Catholicism.’<sup>63</sup>

8.2.4 In a 2023 article, international news agency El Pais<sup>64</sup> reported that:

‘Brazil has always been a conservative country. However, in recent decades, the achievements of progressives — such as the right to same-sex marriage and the right for same-sex couples to adopt — have coincided with the push made by the Evangelical churches, which continue to gain followers and power. If the estimates are true, by 2030, Evangelicals will surpass Catholics. In the Evangelical universe, “the discourse that homosexuality is a sin is hegemonic. Some churches — though not all of them — try to think of ‘cures’ [for homosexuality]”... there are some progressive denominations that welcome the LGBTQ+ faithful.’<sup>65</sup>

8.2.5 The USSD’s ‘2023 Report on International Religious Freedom: Brazil’,

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<sup>58</sup> Vanderbilt University and others, ‘[AmericasBarometer Pulse of Democracy...](#)’ (pages 65, 69), 2023

<sup>59</sup> Vanderbilt University and others, ‘[AmericasBarometer Pulse of Democracy...](#)’ (page 114), 2023

<sup>60</sup> The Rio Times, ‘[About Us](#)’, no date

<sup>61</sup> The Rio Times, ‘[Brazil’s LGBTQ Challenge...](#)’, 28 May 2019

<sup>62</sup> IACHR, ‘[Situation of Human Rights in Brazil](#)’ (pages 186), 12 February 2021

<sup>63</sup> AIIA, ‘[...Greatest Political Chimera of Our Time](#)’, 9 March 2023

<sup>64</sup> El Pais, ‘[Homepage](#)’, no date

<sup>65</sup> El Pais, ‘[Conversion therapy is still thriving in Brazil](#)’, 5 November 2023

published in 2024, stated that ‘According to Datafolha, a private polling institute, the 2022 electoral polls showed that 49 percent of respondents are Catholic, 26 percent evangelical Christians, 14 percent adhere to no religion, and the remaining 11 percent do not specify a religion.’<sup>66</sup>

- 8.2.6 Bertelsmann Stiftung’s Transformation Index 2024 (BTI 2024) covers the period from February 1, 2021 to January 31, 2023. The BTI assesses movements toward democracy and market economy around the world<sup>67</sup>. This report noted that noted that ‘The evangelical caucus articulates positions against issues such as... same-sex marriage. It also opposes the imposition of criminal penalties for violence and discrimination against homosexuals, bisexuals and transsexuals...’<sup>68</sup>
- 8.2.7 The UK Foreign, Commonwealth and Development Office (FCDO) travel advice for British Citizens visiting Brazil noted that ‘Brazil is generally tolerant. However, Brazilian society is quite conservative, particularly outside the larger towns and cities. There are reports of discrimination, violence and harassment against the LGBT+ community. Urban areas are usually more accepting.’<sup>69</sup>

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## 9. Societal treatment of LGBTI persons

### 9.1 Societal treatment of LGBTI persons: overview

- 9.1.1 Open Democracy, an ‘independent international media platform’<sup>70</sup>, noted in a 2020 article that:

‘Discrimination and violence against Brazil’s LGBTQ communities are widespread, yet often underreported... The full dimensions of violence against LGBTQ people is still unclear. This is because official and non-governmental data on physical and digital violence targeting gay, lesbian, bisexual, queer and trans people is patchy and uneven. Where threats, attacks, injuries and killings are recorded at all by Brazilian authorities, they rarely register the underlying motive. To date, most available data involving violence against LGBTQ people is produced by non-government advocacy and research groups such as Transgender Europe, Grupo Gay da Bahia, Instituto Brasileiro Trans de Educação and others.’<sup>71</sup>

- 9.1.2 The IACHR 2021 Report stated that ‘Brazil has one of the highest incidences of violence against persons whose sexual orientation, gender identity and/or expression, and sexual characteristics differ from the pattern accepted by society with respect to all endemic discrimination and violence found in the country...’<sup>72</sup>
- 9.1.3 Amnesty International reported in 2021 that ‘physical attacks, threats, discrimination and social marginalization fuelled a cycle of violence that

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<sup>66</sup> USSD, ‘[2023 Report on International Religious Freedom: Brazil](#)’ (Section 1), 26 June 2024

<sup>67</sup> BTI, ‘[Who we are](#)’, no date

<sup>68</sup> BTI, ‘[Brazil Country Report 2024](#)’ (Stateness), 2024

<sup>69</sup> UK FCDO, ‘[Brazil Travel Advice](#)’ (Safety and Security), 15 November 2024

<sup>70</sup> Open Democracy, ‘[About us](#)’, no date

<sup>71</sup> Open Democracy, ‘[Brazil’s LGBTQ community faces surging violence...](#)’, 9 December 2020

<sup>72</sup> IACHR, ‘[Situation of Human Rights in Brazil](#)’ (page 94), 12 February 2021

prevented LGBTI people from enjoying their rights in safety.<sup>73</sup>

9.1.4 [All information from the following source was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, Nádia Machado de Vasconcelos and 4 other scholars from the Universidade Federal de Minas Gerais, School of Medicine, alongside professionals from the Brazilian Institute of Geography and Statistics (IBGE) and Brazilian Ministry of Health, published a paper in the Revista Brasileira de Epidemiologia. This paper analysed data provided by respondents to the 2019 National Health Survey (see [LGBTI population](#)), aiming to understand the prevalence of violence among the LGB+ community in Brazil<sup>74</sup>. The authors explained the methodology:

‘Total violence and its subtypes (psychological, physical, and sexual) were analyzed in the previous 12 months...

‘Violence was considered present when the interviewee answered “yes” to any option of questions concerning psychological, physical, and sexual violence...

‘A total of 88,531 individuals aged 18 years or older who answered the Violence and Sexual Activity modules of [the National Health Survey] were analyzed. Most of the interviewees self-identified as heterosexuals (94.75%...) and 1.89%... as LGB+...’<sup>75</sup>

9.1.5 The authors summarised the results:

‘... About half of the LGB+ individuals reported having experienced some kind of violence in the previous 12 months, and they had around twice the chances of experiencing any type of violence compared to people who self-identified as heterosexuals... The odds ratio is higher for sexual violence — LGB+ people were almost five times more likely to be victims of this violence subtype...

‘Among many issues... is... “corrective rape”...’<sup>76</sup>

9.1.6 [All information from the following source was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH, the Brazilian government’s repository for human rights data, stated that:

‘More than 4 thousand reports of human rights violations against LGBTQIA+ people were registered by the... National Human Rights Ombudsman in 2022. This number is equivalent to 11 reports per day...

‘The complaints were registered in 777 municipalities (which corresponds to 14% of the country’s municipalities). The low proportion... may suggest underreporting of these complaints in Brazil.

‘The states with the highest number of registered complaints were: São Paulo (25.2%), Rio de Janeiro (14%), Minas Gerais (8.8%), Bahia (5.5%) and Pernambuco (4.9% ). Together they account for 58.5% of the country’s

<sup>73</sup> Amnesty International, ‘[The State of the World’s Human Rights](#)’, 29 March 2022

<sup>74</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

<sup>75</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

<sup>76</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

complaints.

‘According to the National Human Rights Ombudsman Data Panel, Dial 100 registered 2,536 reports from January to May of this year [2024], compared to only 565 in the same period in 2022 - indicating a 303% increase...

‘Psychological violence was the most frequent, particularly psychological torture and embarrassment, suffered by approximately half of the victims.

‘1,081 violations were motivated by sexual orientation and 487 violations were motivated by sexual orientation and/or gender identity.’<sup>77</sup>

9.1.7 Of the 4,000 reports in 2022, ObservaDH stated that the aggressors (where known) were:

- A neighbour (402 cases, 10% of the total)
- A stranger (387 cases, 9.6% of the total)
- The victim’s mother (386 cases, 9.6% of the total)
- Partner or ex-partner (279 cases, 6.9% of the total)
- The victim’s brother (243 cases, 6% of the total)
- The victim’s father (225 cases, 5.6% of the total)
- A service provider (162 cases, 4% of the total)
- The victim’s aunt/uncle (140 cases, 3.5% of the total)
- The victim’s son/daughter (103 cases, 2.5% of the total)<sup>78</sup>.

9.1.8 ObservaDH did not further specify which form the 4,000 human rights violations took.

9.1.9 Regarding police records of crimes against LGBTI persons in 2022, ObservaDH stated that:

‘...intentional bodily injuries were the most reported violence against LGBTQIA+ individuals, reaching 2,324 records in 2022 (a 13.4% increase from 2021, averaging about 6 victims per day), with the highest numbers in the states of Pernambuco, Minas Gerais, and Ceará. These states also recorded the highest number of rape cases against LGBTQIA+ individuals. In the case of intentional homicides, there was also a significant number in the state of Alagoas. In the states of Acre, Bahia, Maranhão, Rio de Janeiro, Rio Grande do Sul, and São Paulo, this information was not available...

‘Despite underreporting, Brazil registered approximately one intentional homicide against LGBTQIA+ individuals every 3 days (163 cases in 2022, a reduction of 7.4% compared to 2021) and one rape involving a LGBTQIA+ victim every two days (199 cases in 2022, the same absolute number recorded in 2021).’<sup>79</sup>

9.1.10 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy

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<sup>77</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

<sup>78</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

<sup>79</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

cannot be guaranteed] In 2023, Instituto Matizes, ‘an independent organization focused on the production of data and dissemination of knowledge... from an LGBTI+ perspective’<sup>80</sup>, published its ‘Technical Note: Highlights on the Dismantling of LGBTI+ Policies’ (Instituto Matizes Technical Note). It stated therein that ‘Threats to the physical integrity and lives of LGBTI+ parliamentarians and political leaders have increased worryingly in recent years... Cases involving threats of death and physical integrity of parliamentarians and family members of LGBTI+ parliamentarians, like Erika Hilton, Duda Salambert, Erica Malunguinho, Benny Briolli, among others, reinforces the need for adequate protection measures for LGBTI+ political representatives.’<sup>81</sup>

- 9.1.11 Freedom House, in its 2024 ‘Freedom in the World’ report (Freedom House 2024 Report), covering events throughout 2023, stated that ‘Criminal groups have carried out attacks against political candidates... especially... LGBT+ politicians...

‘Violent homophobic rhetoric contributes to a sense of fear among many that open discussion of LGBT+ rights and issues could be met with harassment or attack...’<sup>82</sup>

- 9.1.12 In 2024, a group of Brazilian governmental and non-governmental organisations submitted a contribution to a forthcoming thematic report of the United Nations Independent Expert on Sexual Orientation and Gender Identity and Expression (IE SOGIE 2024 submission). This stated that:

‘It is estimated that LGBTI+ persons are 2.52 times more likely to suffer physical violence than others [this is based on 2019 data analysed in the Machado de Vasconcelos study referred to above<sup>83</sup>] - in 2022, 2,324 LGBTI+ persons were victims of physical assault. And, even though the country’s legal and normative frame[work] adamantly condemn discrimination, 65% percent of LGBTI+ persons declare to be afraid of holding hands in public...

‘The threat of violence operates as a form of coercion because it makes LGBTI+ persons scared and insecure in publicly expressing their sexual orientation and gender identity, particularly in small urban areas and the countryside where religious traditional values are pervasive.’<sup>84</sup>

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## 9.2 Deaths of LGBTI persons

- 9.2.1 The NGO Grupo Gay da Bahia (GGB) aims to promote the human rights of the LGBT+ community in Brazil<sup>85</sup>. In so doing, it collects yearly data on violence against members of that community<sup>86</sup>. In 2021, GGB reported that:

‘300 LGBT+ people suffered violent death in Brazil in 2021, 8% more than the previous year: 276 homicides (92%) and 24 suicides (8%). Brazil continues to be the country in the world where most LGBT people are

<sup>80</sup> Instituto Matizes, ‘[About](#)’, no date

<sup>81</sup> Instituto Matizes, ‘[...Highlights on the Dismantling of LGBTI+ Policies...](#)’ (page 5), January 2023

<sup>82</sup> Freedom House, ‘[Brazil: Freedom in the World 2024](#)’ (B3, D4), 2024

<sup>83</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

<sup>84</sup> ANTRA and others, ‘[Contribution to IE SOGI on LGBT+ violence](#)’ (pages 2-3), 31 January 2024

<sup>85</sup> Grupo Gay da Bahia (GGB), ‘[What is GGB](#)’, no date

<sup>86</sup> GGB, ‘[Observatory of Violent Deaths of LGBT+ in Brazil](#)’, no date

# **Exhibit 7**

## **2024 Observatory of Violent Deaths of LGBT+ Individuals in Brazil**

**Grupo Gay da Bahia, Salvador, Ba, 17/01/2025**

### **BRAZIL LEADS GLOBAL RANKINGS FOR LGBT+ HOMICIDES AND SUICIDES IN 2024**

In 2024, Brazil remained the country with the highest number of homicides and suicides of LGBT+ individuals worldwide. A total of 291 violent deaths were recorded—34 more cases than in 2023—representing an 8.83% increase compared to the previous year (257 deaths). This equates to one violent LGBT+ death every 30 hours. Of these, 273 were homicides, and 18 were suicides. The data was released by the Grupo Gay da Bahia (GGB), the oldest LGBT+ non-governmental organization in Latin America, which has been conducting this survey since 1980, for 45 years.

The GGB's research is based on information collected from media outlets, online research platforms, and correspondence sent to the organization. Unfortunately, despite annual demands for government action, authorities remain negligent: no official statistics exist on hate crimes against LGBT+ populations in Brazil. This makes the GGB's research essential for shedding light on these tragedies, even as it acknowledges the underreporting of such cases due to the lack of public funding for this type of research. These 291 violent LGBT+ deaths are just the tip of an iceberg of hate and bloodshed.

In addition to the 291 confirmed deaths, there are 32 cases under investigation, classified as "in limbo," pending further verification. If validated, the total number of violent deaths would rise to 323. This research, conducted without governmental financial support, relies on the dedication of volunteers gathering data from internet sites, blogs, social networks, and media outlets.

Despite this Herculean effort combining patience and investigative skill, many journalistic reports and police records omit critical information about victims' sexual orientation, gender identity, race, and the modus operandi of the perpetrators. Such omissions hinder a broader understanding of the violence faced by different segments of the LGBT+ community.

Globally, consolidated data on LGBT+ homicides by country or continent is scarce. The sole exception is a limited study on transgender individuals conducted by the NGO Transgender Europe, which recorded 321 murders across 39 countries in the past year. Of these, 94 occurred in Brazil, accounting for 29.2% of the global total. Mexico and the United States occupy second and third places, with 66 and 61 deaths, respectively. It is worth noting that the U.S. has 120 million more inhabitants than Brazil, further underscoring the GGB's longstanding claim that Brazil leads this tragic global ranking of violent deaths—not only among the transgender population but across the entire LGBT+ spectrum.

Brazil's continued prominence in this deadly toll highlights the urgent need for governmental, legislative, and social action to combat violence against over 10% of Brazil's LGBT+ population. Statistical invisibility and institutional neglect in implementing effective public policies perpetuate impunity and increase the

vulnerability of these individuals. This tragic cycle repeats annually, demanding immediate and decisive government action, starting with comprehensive statistical tracking of such hate crimes.

## Sexual Orientation and Gender Identity

### LGBT+ Deaths in Brazil, 2024

Sexual Orientation	Absolute (Abs.)	Relative (%)
Gay	165	56.70%
Transgender Women/Transvestites	96	32.99%
Lesbian	11	3.78%
Bisexual	7	2.41%
Trans Men	6	2.06%
Heterosexual	6	2.06%
<b>Total</b>	<b>291</b>	<b>100%</b>

In 2024, the Grupo Gay da Bahia documented 291 violent deaths of LGBT+ individuals in Brazil, comprising 165 gay men, 96 transgender women and transvestites, 11 lesbians, 7 bisexual individuals, and 6 transgender men. Additionally, six heterosexual individuals were included in this tally due to circumstances where they were mistakenly perceived as LGBT+, attacked while defending LGBT+ individuals, or associated directly or indirectly with the community and its social spaces.

These figures, despite acknowledged underreporting, underscore the persistence of violence against this community and highlight the urgent need for effective public policies to combat hate crimes. The numbers reflect an 8.83% increase compared to 2023.

Professor Luiz Mott, founder of GGB, noted that data collection and analysis methods improved compared to 2023, allowing for a more detailed examination of victim profiles: “These numbers again reveal the higher incidence of homicides involving gay men compared to transgender individuals and women.”

### Brutal Cases

Among the most brutal cases documented is the murder of Admilson Julião Martins (Maia), a 53-year-old gay man in Caruaru (PE), who was beheaded, had his heart removed and replaced with a stone, and whose body was left in a vacant lot. This crime shocked the nation with its extreme cruelty.

### Age of LGBT+ Victims of Violent Deaths, 2024

Age Range	Absolute (Abs.)	Relative (%)
5-18	16	5.50%

19-25	43	14.78%
26-35	66	22.68%
36-45	52	17.87%
46-55	30	10.31%
56-65	24	8.25%
66 and older	3	1.03%
Not Specified	57	19.59%
<b>Total</b>	<b>291</b>	<b>100%</b>

A striking 60.8% of victims were in their prime (19-45 years old) when they were murdered or committed suicide. The youngest victim was only 5 years old, and the oldest was 75.

One of the most shocking cases involved a 5-year-old boy, LFN, who was killed with stones by a 14-year-old adolescent simply because he called her a "dyke." This heinous act occurred in Lácio/Marília, SP, on February 11, 2024, highlighting how toxic LGBTphobia is deeply rooted even among youth.

Other tragic cases include a 12-year-old boy beaten to death by his stepfather in Monte Mor/Campinas and a 13-year-old boy who died after severe bullying by classmates at a school in Praia Grande, SP. Additionally, a 14-year-old black boy in Osasco faced bullying at an elite school where he was a scholarship student.

The average age of transgender women and transvestites murdered in 2024 was 24.64 years, underscoring the tragic reality that most of these individuals, primarily sex workers, lose their lives before reaching 35.

### **Racial Identity of LGBT+ Victims of Violent Deaths, 2024**

Race	Absolute (Abs.)	Relative (%)
White	115	39.52%
Black/Brown	79	27.15%
Not Specified	97	33.33%
<b>Total</b>	<b>291</b>	<b>100%</b>

Consistent with previous observatories, racial identity remains one of the least reported variables in media and police records about LGBT+ victims. Only 34% of cases specify the victim's race. This disparity is particularly striking: 76% of transgender women and transvestites had their race recorded, compared to only 17% of gay men. None of the reported cases for lesbians and bisexual individuals included racial information.

The breakdown shows white individuals as the largest reported racial group (39.52%), followed by Black and Brown individuals (27.15%). However, when combining the latter two categories into a single "Black" designation, they account for 21.39% of victims, surpassing whites. Such disparities highlight systemic racial and sexual prejudices, as illustrated by insults like "Besides being gay, you're Black," which often preceded violent attacks.

## Regional Distribution of Violent Deaths

Region	Absolute (Abs.)	Relative (%)
Northeast	99	34.02%
Southeast	99	34.02%
Central-West	44	15.12%
North	34	11.68%
South	15	5.15%
<b>Total</b>	<b>291</b>	<b>100%</b>

In 2024, the Northeast and Southeast regions jointly accounted for 68.04% of violent deaths of LGBT+ individuals, recording 99 deaths each. These figures mark a shift from prior years, where the Northeast traditionally held the highest count. The North region, historically noted for its violence, recorded fewer deaths, falling to fourth place. Meanwhile, the South registered the fewest deaths, at only 15 cases.

# **Exhibit 8**



# DOSSIER

**murders and violence  
against brazilian transvestites  
and transsexuals in 2025**

**Bruna G. Benevides**

**Brazil-2026**



**ANTRA**

National Association of  
Transvestites and Transsexuals

# DOSSIER

**murders and violence  
against brazilian transvestites  
and transsexuals in 2025**

**Bruna G. Benevides**

## NATIONAL ASSOCIATION OF TRANSVESTITES AND TRANSSEXUALS OF BRAZIL (ANTRA)

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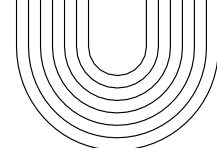
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(continuation)

PARAMETER	DESCRIPTION
l) Type of space	Whether it occurred in a public or private space.
m) City	Municipality where the event occurred.
n) State	Federation Unit of the occurrence.
o) Region	If it occurred in the North, Northeast, Midwest, South or Southeast.
p) Suspect's Identity	Identification of whether the suspect is male, female or other, whether cis or trans.
q) Suspect's relationship with the victim	Check if there was any kind of relationship with the suspect.
r) Status of the case	It provides information if the case is being investigated, if the suspect (s) has/have been identified, if there has been an arrest and if the case has been solved.
s) Additional Information	This field provides information that helps to complement the victim's profile, such as social situation, housing status, whether they were a human rights defender or a sex worker, if they had a disability, and any other type of data that enhances the victim's profile.
t) Source type	What type of source was considered, whether primary or secondary and its subcategories.

With this information, several complementary analyzes are carried out and the data is cross-referenced until the source is eligible for the database. Additional information may be inserted that may add to the research and that, in many cases, can complement the information from the perspective of investigators-researchers. After the systematization of this information, the **victim's profile** is built, which assists in the analysis of cases and can be further examined below in a dedicated chapter.

All analyzes undergo individual reviews and a complementary search on the updating of cases in order to seek information on the state of responsibility and/or arrest of suspects, if the victim was identified (when the information is not in the initial source), situation of deaths after disappearances and attempted murders, etc.

During all stages of this research, which takes place between January 1 and December 31 of each year, reviews, discussions and meetings are carried out with partners, activists and institutions from various fields of activity, with training, forums and intersectoral workshops being held with the purpose of qualifying and improving this work, conferring legitimacy, and peer validation.

The information presented here is the result of the analyzes based on the data found during our investigations and does not represent the totality of cases of murders, violence and/or human rights violations against trans and non-binary people in Brazil, but is only a



part of this social problem. They are constituted as hypotheses that considered the general, political, economic, geographical, social, national and international context.

### C) Main challenges faced in conducting the research

Although the data produced in ANTRA's Dossiers are widely used nationally and internationally by civil society organizations, political figures, educational and research institutions, government bodies, the private sector, and international agencies, this research does not receive any specific funding. There are no financial or material resources allocated for its implementation, which significantly undermines the conditions under which the work is carried out, particularly when active search is required across states and municipalities, involving courts, police stations, hospitals, Medical Legal Institutes, victims' families, and other sources, in order to cross-check and validate the data. This lack of support limits access to information that is often unavailable, protected by confidentiality, or non-existent in the governmental sphere. In this context, we identify the main challenges faced in the production of this research:

- lack of financial support and/or investments to carry out the research, including the formation of a qualified team for data collection and processing;
- lack of adequate equipment, such as computers and mobile devices, which forces the use of personal resources and compromises data storage and processing;
- absence of unified government databases, particularly socioeconomic and demographic ones, combined with difficulties in accessing information from public security agencies and the justice system, including under the Access to Information Law;
- obstacles in competing in public notices, since the theme of transphobic violence is often neglected and faces erasure attempts;
- the high human cost of active data collection, which remains largely manual and requires continuous monitoring of the press and social media, directly impacting the physical and mental health of the teams involved;
- lack of institutional psychological support for researchers and other professionals who are exposed on a daily basis to content involving extreme violence;
- difficulty in including and retaining individuals, particularly trans and transvestites, in voluntary activities of this nature, due to their continued exposure to narratives of severe human rights violations;
- incidence of structural and institutional transphobia, which leads to the invisibilization and delegitimization of this research, despite its recognition as the main source of data on homicides and transphobic violence in the country;
- systematic attacks on ANTRA, accompanied by the spread of denialist discourse and misinformation regarding the data and the methodological rigor employed; and
- Limitations in conducting in-depth verification of information from complementary sources, due to the scarcity and fragmentation of available data.



## PART II – MURDERS and DEATHS

*Violence begins in the imagination of a project of world and of society, and ends in physical, material and concrete violence, which is to exterminate our existence. (Minister Macaé Evaristo)*

### 3. MURDERS IN 2025

In 2025, 80 trans and transvestite people were murdered. In a comparison between 2023 and 2025, a consecutive decline was observed, with a 34% decrease this time in the number of murders of trans people, from 122 to 80 cases in 2025, and from 145 in 2023 to 122 in 2024 - the largest drop observed in the historical series. Out of a total of more than 1,954 reports recorded throughout the year (45% more than in 2024), at least 92 cases of murdered trans people were initially cataloged. Following in-depth verification, 12 deaths were excluded for not meeting the criteria established for this research, which considers only Intentional Violent Lethal Crimes (IVLC). **Thus, for the purposes of this dossier, 80 deaths by murder<sup>102</sup> will be considered, representing a 34% decrease compared to the previous year.** A specific analysis of this decline will be presented in Section 3.1 of this chapter.

In addition, 77 murders were committed against transvestites and trans/transsexual women, and 3 against trans men and transmasculine people, which will be further detailed in Chapter Five, which provides information on the victims' profiles. Among the sources that constitute this research, as had already been observed in previous editions, no information was identified regarding the murder of individuals publicly recognized or identified as non-binary,

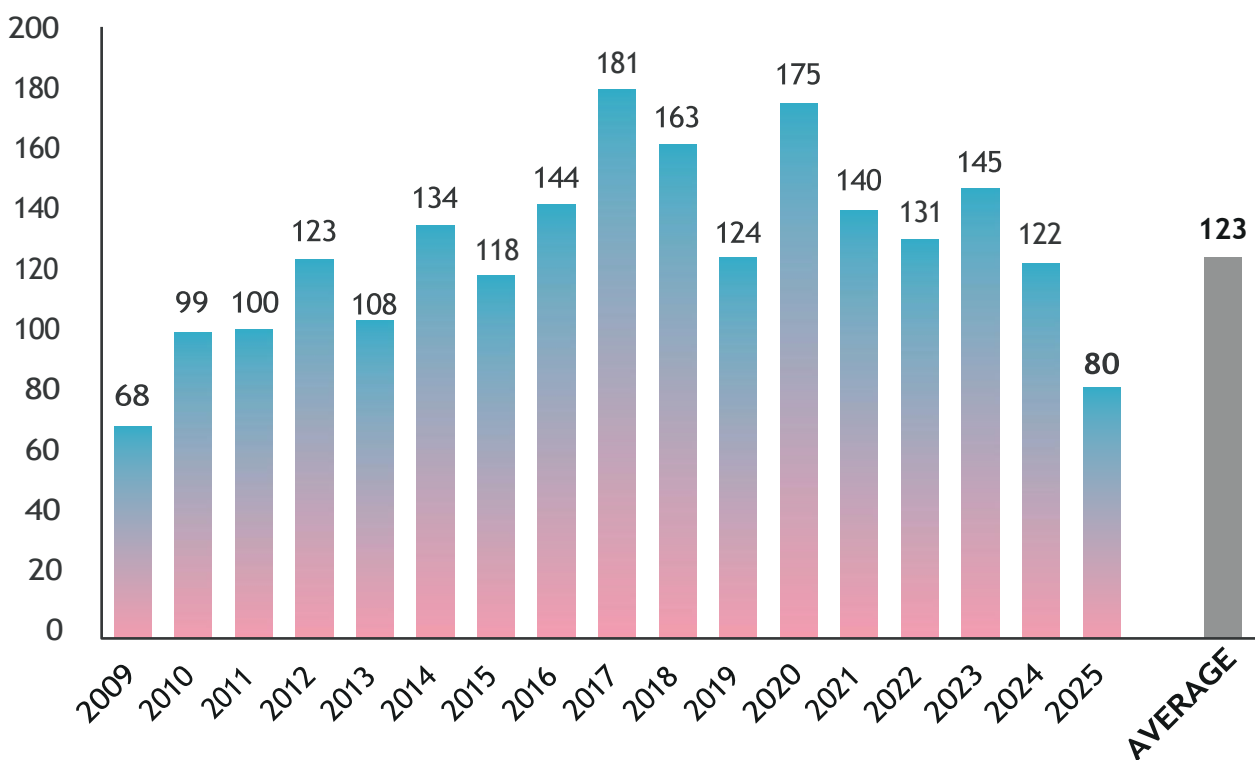
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<sup>102</sup> We highlight that, out of the 80 cases considered in this research, two did not include information on the type of murder.

highlighting the extent to which a binary perspective still prevails in the reporting of cases, and the need for closer attention to the forms of violence affecting these identities.

When examining the first year in which the NGO Transgender Europe started to organize the global ranking<sup>103</sup> in 2008, 58 murders had been reported. Since then, in every subsequent year, the numbers have remained higher when compared to that initial baseline. Regarding the average number of murders in the TGEU series, there are 123 cases per year (for the period from 2008 to 2025). Considering the 2025 cases, the year was 34% below the average number of cases. This is the first year in which the number of deaths falls below the annual average.

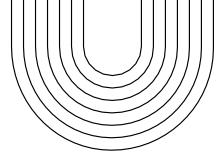
**Graph: Data on the murders of trans people in Brazil between 2008 and 2025<sup>104</sup> - TGEU**



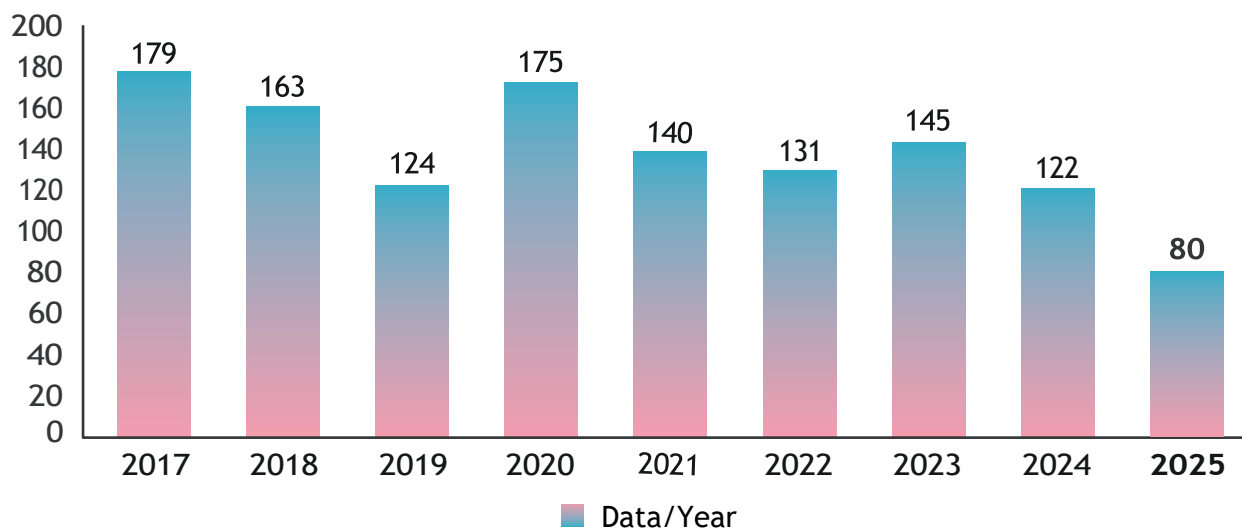
Between 2017 and 2025, the period in which ANTRA began systematically compiling these data on a continuous basis, 1.261 murders of transvestites, trans women, trans men, transmasculine people, and non-binary people were recorded in Brazil. Within this timeframe, 181 cases were recorded in 2017, 163 in 2018, 124 in 2019, 175 in 2020, 140 in 2021, 131 in 2022, 145 in 2023, 122 in 2024, and 80 in 2025, resulting in an average of 140 murders per year.

<sup>103</sup> The ranking includes only countries that conduct this type of data collection, highlighting that the data are produced by civil society institutions.

<sup>104</sup> Data between 2008 and 2016 were published by the Gay Group of Bahia (GGB).



**Graph: Data on the murders of trans people in Brazil between 2017 and 2025 - ANTRA**



### 3.1 WHEN THE DROP IN NUMBERS DOES NOT REFLECT AN IMPROVEMENT IN THE SCENARIO

The analysis of the numerical reduction in murders of trans people in 2025 observed in this study requires a technical, critical, and politically responsible perspective. In a context marked by the advance of an anti-trans agenda, deliberate state omissions, the absence of specific public policies to address transphobia, and Brazil’s persistent position as the country that kills the most trans people—especially transvestites and trans women—in the world, any celebratory interpretation of these data would be not only mistaken but dangerous. When there are no policies addressing these issues, institutions (police, hospitals, assistance centers, and others) cease to be perceived as safe or welcoming spaces.

If, at first glance, the reduction in the volume of available and cataloged murder data could initially lead to the mistaken interpretation of a supposed improvement in the scenario, the in-depth analysis of 2025 presented in the introduction to this dossier demonstrates precisely the opposite. The apparent numerical reduction does not reflect structural progress, protection of the right to life, or the strengthening of citizenship through the guarantee of fundamental rights, but rather reveals the consolidation of new mechanisms for the invisibilization of violence, alongside the deliberate maintenance of the non-production of information and statistical underreporting as part of necropolitics. In practice, this process operates as a state and institutional strategy that sustains the illusion of a reduction in violence, either through the systematic production of underreporting or through the repeated disregard of complaints submitted by social movements and human rights defense organizations. This dynamic stands in direct contrast to the structural and everyday



violence experienced by the trans population, highlighting the gap between the information produced by the State and the material reality of these violations. To understand this phenomenon, it is necessary to begin by identifying the key factors that help explain this statistical reduction in the absence of any real change in the risk scenario.

The main factors identified are: 1) increasing difficulties in monitoring and reporting the cases used as sources for the research; 2) a reduction in coverage by major media outlets and the concentration of news in regional and low-reach platforms; 3) control, censorship, and restricted reach of content and profiles on social media; 4) systematic attacks on data production and attempts to delegitimize the work of ANTRA and other organizations; 5) generalized fear, reduced mobility, and greater isolation of the trans population; 6) loss of trust in security and justice institutions, combined with the artificial construction of a narrative of normalization of violence.

The first dimension to be considered concerns the growing barriers to case monitoring. In 2025, there was a clear weakening of the material, institutional, and political conditions for identifying, verifying, and tracking violent deaths of trans people. The absence of specific government systems, the precarious nature of data collection across territories, and the lack of active cooperation from the State impose severe limits on independent monitoring work. This results in underreporting and fragmented data, without allowing any inference of a concrete reduction in lethal violence.

In addition, when victims believe there will be no punishment or that they will be mistreated when reporting, they stop filing complaints. In a context without state protection, reporting an aggressor may expose individuals to even greater risks, leading to “strategic silence” as a means of survival. There is also a shift in how cases are recorded, with hate crimes being classified as “robbery followed by death,” “street fight,” “suspicious homicide,” “bodily injury,” and other labels, in addition to the outright denial of the recognition of LGBTphobia. A policy of ignoring context, severity, and transphobic motivation is adopted due to the lack of sensitive investigative guidelines on the issue.

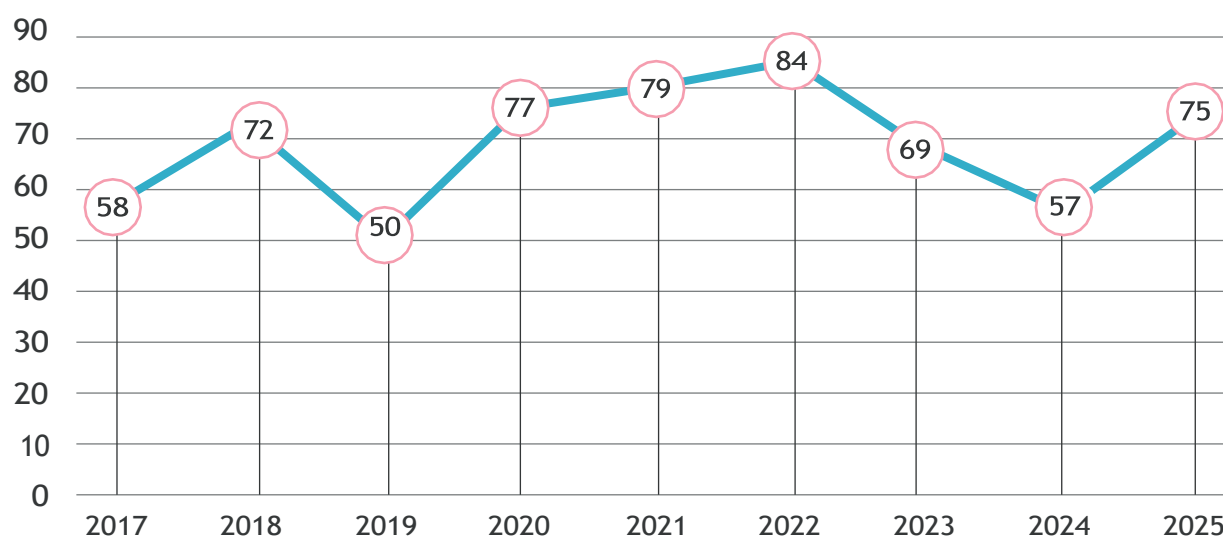
Associated with this phenomenon is the reduction in coverage by the mainstream media. In a context of setbacks in diversity policies and attacks on pro-trans agendas, major outlets have given less prominence to cases involving trans victims, while most reports have circulated in local, regional, or low-reach news platforms. Among the sources, 49% of the cases found in 2025 were published in non-hegemonic channels, regional outlets, and city portals with lower reach. This dynamic reduces the educational and informational impact of these reports, hinders the national consolidation of data, and increases the risk that cases disappear from public debate just days after occurring, contributing to the systematic erasure of these deaths. There is also the fact that the speed of events, marked by the multiplication of attacks and overlapping news coverage, makes researchers’ work even more challenging, since fewer circulating data does not mean less violence occurring, as the evidence itself indicates.

## 7. ATTEMPTED MURDER (Attempted homicide)<sup>123</sup>

*Dreaming is the antidote to fear. (Neon Cunha)*

In 2025, at least **75 attempted homicides** were recorded in our searches, a **32% increase compared to 2024**, during the course of this research, using the same methodology applied to murders, all of them against transvestites and trans women. In the same sense, we observed that the profile of the victims, in the vast majority of cases, does not differ from that already identified among homicide victims—**young black trans women and transvestites**, since attempted homicides are in fact unconsummated murders or situations in which the victims survived. In 2024, we had 57 cases. In 2023 there were 69 attempted homicides; in 2022 there were 84 cases; in 2021 there were 79 survivors; in 2020 there had been 77 attempts; 50 in 2019; 72 in 2018; and 58 in 2017.

Graph - Homicide Attempts - 2025



<sup>123</sup> For the purposes of this research, we consider as attempted murder, cases where the victim has been subjected to situations of violence in which the murder has not been consummated. The dynamics present in cases of non-consummated homicides draw attention due to the similarity with the elements contained in the consummated cases.

When observing the nuances of the cases, not very different from previous years, the explicit form of the desire to kill appears in very peculiar elements. The following are frequent: a) Use of more than one tool during an act (stabbing, shooting, beating); b) A large number of stab wounds, gunshots, or blows; c) The victim's inability to defend themselves; d) Use of extreme force applied; e) Attempt committed by more than one element; f) Explicit signs of cruelty and/or torture (the person may have been tied, set on fire, had their hair shaved, etc.); g) The location of the blows on the body (head, breasts and genitals); h) The fact that the expression of gender is non-normative and; i) Public gender identity of the victim.

The recurring presence of certain elements in cases of violence shows that the selection of victims and the circumstances in which the attacks occur are not random. In many episodes, multiple factors overlap, revealing structured dynamics of aggression marked by intent and extreme cruelty. A careful reading of these episodes allows for the identification of regularities that point to deeper patterns, which are essential for understanding how violence is organized, who the main targets are, which risks accumulate, and how these aggressions are socially reproduced.

The marks left by an attempted homicide are not limited to immediate physical harm. The emotional and psychological effects persist over time, severely impacting mental health, social bonds, and the ability to rebuild everyday life. Surviving an experience of this nature means dealing with the breakdown of the sense of security, with constant fear, and with a grieving process that affects identity and autonomy. In this context, access to mental health care, support networks, and ongoing follow-up becomes a central part of addressing the consequences of violence.

The analysis of the data shows that transvestites and trans women, especially those exposed to greater social precariousness and engaged in sex work, account for the majority of attempted homicides. This reality highlights the intersection of gender, identity, economic exclusion, and stigmatization, configuring a context in which certain bodies are systematically exposed to extreme violence. It is a pattern that cannot be understood as an exception, but rather as the direct result of institutional neglect and the absence of public policies capable of ensuring protection and inclusion.

The effects of this violence go beyond individual experiences and directly impact public health, social cohesion, and the reproduction of cycles of aggression. The increase in psychological disorders, the strain on public services, and the normalization of violence as part of everyday life produce long-lasting effects on society as a whole. Addressing this situation requires coordinated strategies that combine prevention, effective accountability for perpetrators, strengthening health and education policies, as well as recognizing victims as holders of rights. Only integrated and committed responses can break the cycle of repeated violence and affirm other horizons of dignity and justice.

I, Carolina Favero da Silva, telephone number 415 425-2508, mailing address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Portuguese to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.



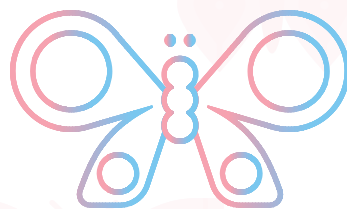
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# DOSSIÊ

**assassinatos e violências  
contra travestis e transexuais  
brasileiras em 2025**

**Bruna G. Benevides**

**Brasil - 2026**



**ANTRA**

Associação Nacional de  
Travestis e Transexuais

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## ASSOCIAÇÃO NACIONAL DE TRAVESTIS E TRANSEXUAIS DO BRASIL (ANTRA)

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PARÂMETRO	DESCRIÇÃO
l) Tipo de espaço	Se ocorrido em espaço público ou privado.
m) Cidade	Município onde ocorreu o fato.
n) Estado	Unidade da Federação do ocorrido.
o) Região	Se ocorrido na região Norte, Nordeste, Centro-Oeste, Sul ou Sudeste.
p) Identidade do Suspeito	Identificação se o suspeito é homem, mulher ou outra, seja cis ou trans.
q) Relação do suspeito com a vítima	Verifica se havia algum tipo de relação com o suspeito.
r) Situação do caso	Traz informações sobre se o caso está sendo investigado, se o(s) suspeito(s) foi/foram identificado(s), se houve prisão e se o caso foi solucionado.
s) Informações adicionais	Este campo traz informações que ajudam a complementar o perfil da vítima, como a situação social, de moradia, se era defensora de direitos humanos ou profissional do sexo, se era uma pessoa com deficiência, e qualquer outro tipo de dado que complemente o perfil da vítima.
t) Tipo da fonte	Qual tipo de fonte foi considerado, se primária ou secundária e suas subcategorias.

De posse dessas informações, são realizadas diversas análises complementares e o cruzamento de dados até que a fonte seja elegível para a base de dados. Poderão ser inseridas informações adicionais que porventura venham a agregar à pesquisa e que, em muitos casos, possam complementar as informações a partir do olhar de investigadores-pesquisadores. Após a sistematização dessas informações, é construído o **perfil da vítima**, que ajuda na análise dos casos e poderá ser melhor verificado a seguir, em um capítulo específico.

Todas as análises passam por revisões individualmente e uma busca complementar sobre a atualização dos casos, com a finalidade de buscarmos informações sobre o estado da responsabilização e/ou prisão dos suspeitos, se a vítima foi identificada (quando a informação não consta na fonte inicial), situação de óbitos posteriores a desaparecimentos e às tentativas de assassinatos etc.

Durante todas as etapas desta pesquisa, que ocorre entre 1º de janeiro e 31 de dezembro de cada ano, são feitas revisões, discussões e reuniões com parceiros, ativistas e instituições de vários campos de atuação, tendo sido realizadas formações, fóruns e oficinas intersetoriais com a finalidade de qualificar e aperfeiçoar este trabalho, conferir-lhe legitimidade e validação entre pares.

As informações aqui apresentadas são resultado das análises a partir dos dados encontrados durante nossas investigações e não representam a totalidade de casos de assassinatos, violência e/ou violações de direitos humanos contra pessoas trans e não binárias

no Brasil, mas são apenas uma parte desse problema social. Elas são constituídas como hipóteses que consideram o contexto geral, político, econômico, geográfico, social, nacional e internacional.

## C) Principais desafios enfrentados para a realização da pesquisa

Embora os dados produzidos pelos Dossiês da ANTRA sejam amplamente utilizados no Brasil e no exterior por organizações da sociedade civil, agentes políticos, instituições de ensino e pesquisa, órgãos do Estado, setor privado e agências internacionais, este levantamento não conta com qualquer financiamento específico. Não há recursos financeiros ou materiais destinados à sua realização, o que precariza significativamente o trabalho desenvolvido, sobretudo quando se faz necessária a busca ativa de informações em estados e municípios, junto a juizados, delegacias, hospitais, Institutos Médicos Legais, familiares das vítimas e outras fontes, para o cruzamento e validação dos dados. Essa ausência de apoio limita o acesso a informações que, com frequência, são inexistentes, protegidas por sigilo ou negadas pelas instâncias governamentais. Nesse contexto, identificamos os principais desafios enfrentados na produção desta pesquisa:

- ausência de financiamento e de investimentos contínuos, incluindo a impossibilidade de formação e manutenção de equipe técnica qualificada;
- carência de equipamentos adequados, como computadores e dispositivos móveis, o que obriga o uso de recursos pessoais e compromete o armazenamento e o tratamento dos dados;
- inexistência de bases governamentais unificadas, especialmente socioeconômicas e demográficas, aliada às dificuldades de acesso a informações de órgãos de segurança pública e do sistema de justiça, inclusive via Lei de Acesso à Informação;
- obstáculos à participação em editais, em razão da recorrente negligência e tentativa de apagamento da temática da violência transfóbica;
- elevado custo humano da busca ativa de notícias, ainda majoritariamente manual, que exige monitoramento permanente da imprensa e das redes sociais e impacta diretamente a saúde física e mental das equipes envolvidas;
- inexistência de apoio psicológico institucional para pesquisadoras(es) e demais profissionais expostos cotidianamente a conteúdos de extrema violência;
- dificuldade de inclusão e permanência de pessoas, sobretudo trans e travestis, em atividades voluntárias dessa natureza, em razão da exposição continuada a narrativas de violações graves de direitos humanos;
- incidência de transfobia estrutural e institucional, que invisibiliza e deslegitima esta pesquisa, apesar de seu reconhecimento como principal fonte de dados sobre homicídios e violências transfóbicas no país;
- ataques sistemáticos à ANTRA, acompanhados da disseminação de discursos negacionistas e desinformação sobre os dados e o rigor metodológico adotado; e
- limitações à verificação aprofundada de informações provenientes de fontes complementares, em razão da escassez e da fragmentação dos dados disponíveis.

## PARTE II – ASSASSINATOS e MORTES

*A violência começa no imaginário de um projeto de mundo e de sociedade, e termina na violência física, material e concreta, que é exterminar a nossa existência. (Ministra Macaé Evaristo)*

### 3. ASSASSINATOS EM 2025

Em 2025, foram assassinadas 80 pessoas trans e travestis. No comparativo entre os anos de 2023 e 2025, foi percebida uma queda consecutiva, desta vez em 34% no número de assassinatos contra pessoas trans, de 122 para 80 casos em 2025, e de 145 em 2023 para 122 em 2024 – a maior queda observada na série histórica. Em um universo de mais de 1954 notificações ao longo do ano (45% a mais que em 2024), tendo sido catalogados pelo menos 92 casos de pessoas trans assassinadas. E, após verificação aprofundada, foram descartadas 12 mortes que não se enquadraram dentro dos parâmetros estabelecidos para esta pesquisa, que considera apenas Crimes Violentos Letais Intencionais (CVLIs). **Assim, serão consideradas, para fins deste dossiê, 80 mortes por assassinato<sup>102</sup>, uma queda de 34% em relação ao ano anterior. Uma análise específica sobre a diminuição dos números estará disponível no item 3.1 deste capítulo.**

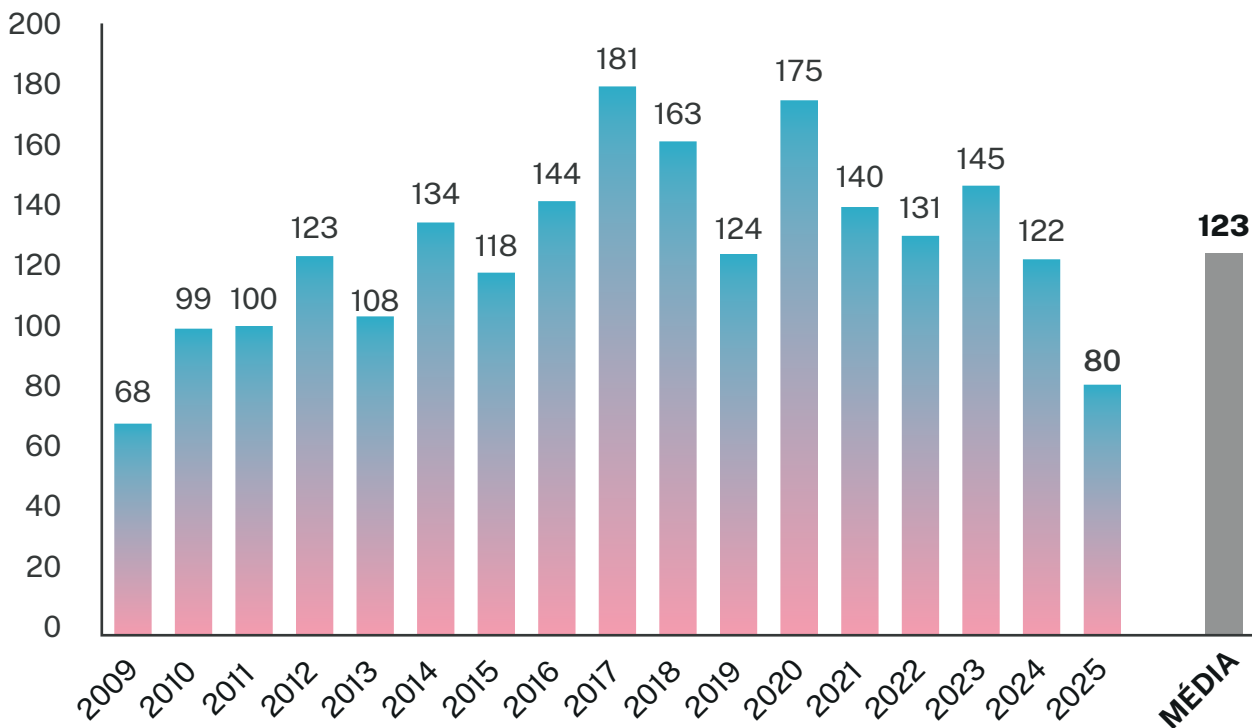
Além disso, 77 assassinatos foram contra travestis e mulheres trans/transsexuais e 3 contra homens trans e pessoas transmasculinas, que serão melhor detalhados no capítulo cinco, que traz informações sobre o perfil das vítimas. Dentre as fontes que constituem esta pesquisa, como já vinha sendo observado nas edições anteriores, não foram identificadas informações sobre o assassinato de pessoas publicamente reconhecidas ou identificadas como sendo não

<sup>102</sup> Destacamos que dos 80 casos considerados nesta pesquisa, dois deles não trouxeram informações sobre o tipo de assassinato.

binárias, denunciando o quanto o olhar binário ainda é imperativo na publicação dos casos, e a necessidade de um olhar atento as violências que incidem sobre essas identidades.

Ao observar o primeiro ano em que a ONG *Transgender Europe* passou a organizar o ranking global<sup>103</sup> em 2008, haviam sido reportados 58 assassinatos. De lá para cá, a cada ano, os números se mantêm acima quando observamos o dado inicial de análise. Em relação à média dos assassinatos na série TGEU, temos 123 casos por ano (período de 2008 a 2025). Considerando os casos de 2025, o ano ficou 34% abaixo da média dos casos. Este é o primeiro ano em que o numero de mortes fica abaixo da média anual.

**Gráfico: Dados dos Assassinatos de pessoas trans no Brasil entre 2008 e 2025<sup>104</sup> - TGEU**

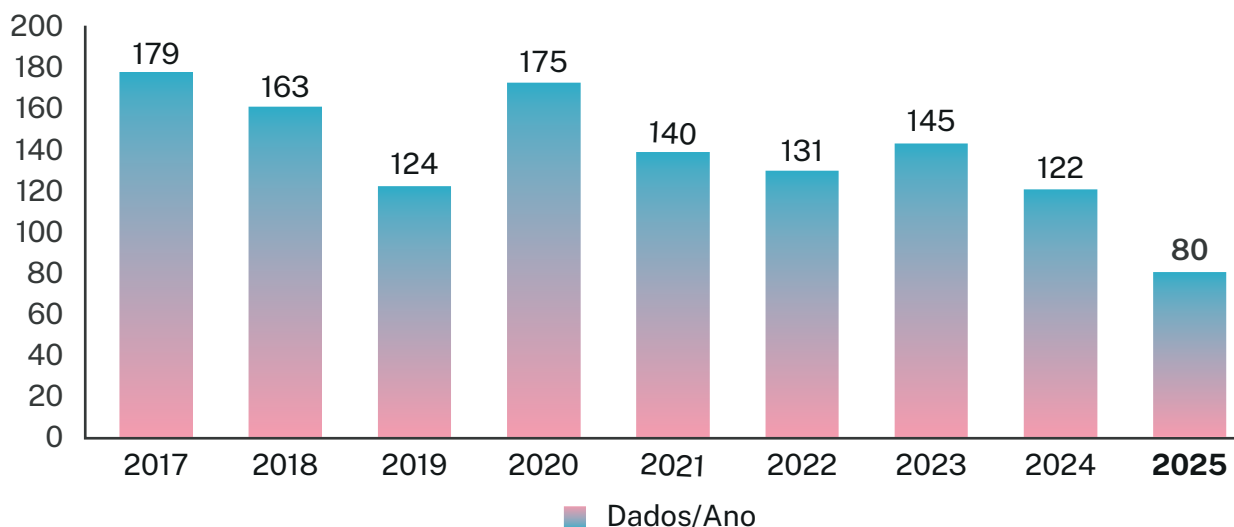


**Entre 2017 e 2025, período em que a ANTRA passou a sistematizar esses dados de forma contínua, foram mapeados 1.261 assassinatos de travestis, mulheres transexuais, homens trans, pessoas transmasculinas e não binárias no Brasil.** Nesse intervalo, registraram-se 181 casos em 2017, 163 em 2018, 124 em 2019, 175 em 2020, 140 em 2021, 131 em 2022, 145 em 2023, 122 em 2024, e 2025 com 80 casos, resultando em uma média de 140 assassinatos por ano.

<sup>103</sup> O ranking considera apenas países que fazem esse tipo de levantamento, destacando que os dados são produzidos por instituições da sociedade civil.

<sup>104</sup> Dados entre 2008 e 2016 foram publicados pelo Grupo Gay da Bahia (GGB).

Gráfico: Assassinatos de pessoas trans e no Brasil entre 2017 e 2025 - ANTRA



### 3.1 QUANDO A QUEDA NOS NÚMEROS NÃO REPRESENTA MELHORA NO CENÁRIO

A análise sobre a redução numérica dos assassinatos de pessoas trans no ano de 2025, observada nesta pesquisa, exige um olhar técnico, crítico e politicamente responsável. Em um contexto marcado pelo avanço da agenda antitrans, por omissões deliberadas do Estado, pela ausência de políticas públicas específicas de enfrentamento à transfobia e pela persistência do Brasil como o país que mais mata pessoas trans – sobretudo travestis e mulheres trans – no mundo, qualquer leitura celebratória destes dados seria não apenas equivocada, mas perigosa. Quando não há políticas de enfrentamento, as instituições (polícia, hospitais, centros de assistência e outros) deixam de ser vistas como locais seguros ou acolhedores.

Se, à primeira vista, a diminuição do volume de dados de assassinatos disponíveis e catalogados poderia inicialmente induzir à interpretação equivocada de uma suposta melhora no cenário, a análise aprofundada do ano de 2025, apresentada na introdução deste dossiê, demonstra precisamente o contrário. A redução métrica aparente não reflete avanços estruturais, proteção do direito à vida ou fortalecimento da cidadania com a garantia de direitos fundamentais, mas evidencia a consolidação de novos mecanismos de invisibilização da violência, acompanhados da manutenção deliberada da não produção de informações e da subnotificação estatística como parte da necropolítica. Esse processo opera, na prática, como uma estratégia estatal e institucional que sustenta a ilusão de redução da violência, seja por meio da produção sistemática de subnotificações, seja pela desconsideração reiterada das denúncias apresentadas por movimentos sociais e por órgãos de defesa de direitos humanos. Tal dinâmica se coloca em contraste direto com a violência estrutural e cotidiana vivenciada pela

população trans, evidenciando o distanciamento entre o que o Estado produz de informações e a realidade material das violações. Para compreender esse fenômeno, é necessário partir da identificação dos fatores centrais que ajudam a refletir sobre essa redução estatística sem que haja alteração real no cenário de risco.

Os principais fatores identificados são: 1) dificuldades crescentes de monitoramento e divulgação dos casos utilizados como fonte da pesquisa; 2) retração da cobertura nos meios de comunicação de grande circulação e concentração das notícias em portais regionais e de baixo alcance; 3) controle, censura e limitação de alcance de conteúdos e perfis nas redes sociais; 4) ataques sistemáticos à produção de dados e tentativas de deslegitimação do trabalho da ANTRA e de outras organizações; 5) medo generalizado, redução da circulação e maior isolamento da população trans; 6) descrédito nas instituições de segurança e justiça aliado à construção artificial de uma narrativa de normalização da violência.

A primeira dimensão a ser considerada diz respeito às barreiras crescentes para o monitoramento dos casos. Em 2025, houve um enfraquecimento evidente das condições materiais, institucionais e políticas para a identificação, checagem e acompanhamento das mortes violentas de pessoas trans. A ausência de sistemas governamentais específicos, a precariedade da coleta de informações nos territórios e a falta de cooperação ativa do Estado impõem limites severos ao trabalho independente de monitoramento. Isso gera subnotificação e fragmentação dos dados, sem que se possa inferir, a partir disso, qualquer redução concreta da violência letal.

Além disso, se a vítima sente que não haverá punição ou que será maltratada ao denunciar, ela deixa de registrar a ocorrência. E em um cenário sem proteção estatal, denunciar um agressor pode expor a pessoa a riscos ainda maiores, levando ao “silêncio estratégico” para sobrevivência. Há ainda uma mudança na forma de registro dos casos, e crimes de ódio passam a ser registrados como “latrocínio”, “briga de rua”, “homicídio suspeito”, “lesão corporal” e outros marcadores, além da própria negação do reconhecimento da LGBTIfobia. Adota-se a política de ignorar o contexto, a gravidade e a motivação transfóbica por falta de diretrizes de investigação sensíveis ao tema.

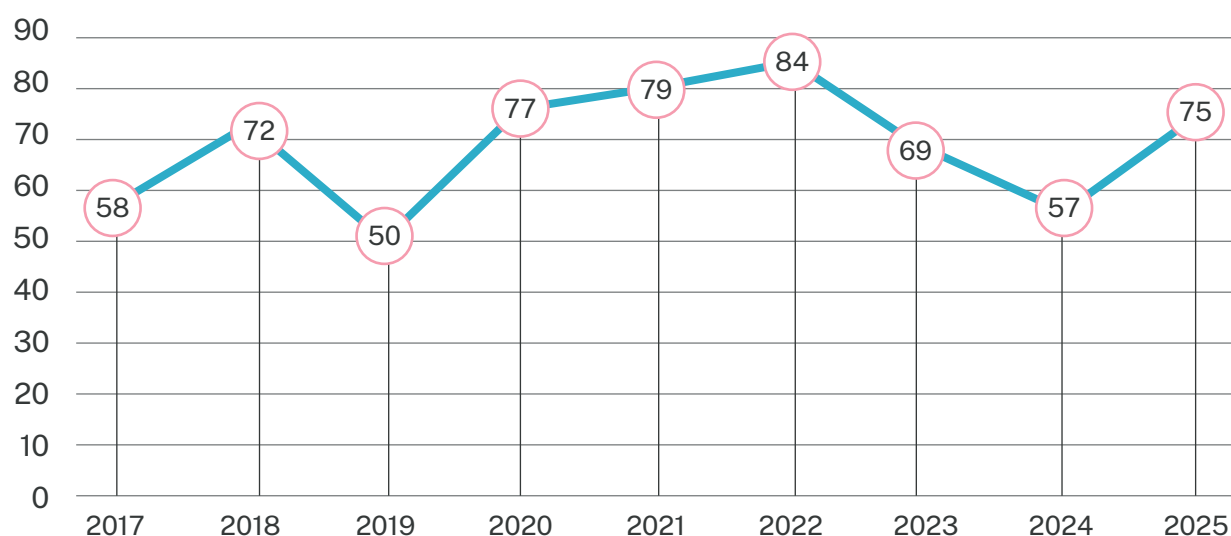
Associada a esse fenômeno está a retração da cobertura por parte da mídia tradicional. Em um contexto de recuos nas políticas de diversidade e ataques às agendas pró-trans, veículos de grande alcance passaram a dar menor destaque aos casos envolvendo vítimas trans, enquanto a maioria das notificações passou a circular em portais locais, regionais ou de baixa circulação. Entre as fontes, 49% dos casos encontrados em 2025 foram publicados em canais não hegemônicos, regionais e portais de cidades com menor alcance. Essa dinâmica reduz o efeito educativo e multiplicador da informação, dificulta a consolidação nacional dos dados e aumenta o risco de que casos desapareçam do debate público poucos dias após sua ocorrência, contribuindo para o apagamento sistemático dessas mortes. Há ainda o fato de que a velocidade dos acontecimentos, marcada pela multiplicação de ataques e notícias que se atravessam e sobrepõem, torna o trabalho de pesquisadores ainda mais desafiador, uma vez menos dados circulando não representa menos violência ocorrendo, como os próprios indícios demonstram.

## 7. HOMICÍDIO TENTADO (Tentativas de assassinato)<sup>123</sup>

*O sonho é o antídoto do medo. (Neon Cunha)*

Em 2025, foram registrados em nossas buscas pelo menos **75 homicídios tentados, aumento de 32% em relação a 2024**, durante a realização desta pesquisa, utilizando a mesma metodologia dos assassinatos, todos contra travestis e mulheres trans. No mesmo sentido, observamos que o perfil das vítimas, em sua grande maioria, não difere daquele que já foi identificado entre as vítimas de assassinatos – jovens trans e travestis negras, já que as tentativas de assassinatos são na verdade assassinatos não consumados ou situações em que as vítimas sobreviveram. Em 2024, tivemos 57 casos. Em 2023 foram 69 tentativas de assassinato; em 2022 foram 84 casos; em 2021 sobreviveram 79 vítimas; no ano de 2020 haviam sido 77 tentativas; 50 em 2019; 72 em 2018; e 58 em 2017.

Gráfico – Tentativas de Homicídio – 2025



<sup>123</sup> Consideramos, para fins desta pesquisa, como tentativas de assassinato (homicídio tentado), os casos em que a vítima tenha sido submetida a situações de violência em que o assassinato não tenha sido consumado. As dinâmicas presentes nos casos de homicídios não consumados chamam atenção pela similaridade com os elementos contidos nos casos consumados.

Ao observar as nuances dos casos, não muito diferente dos anos anteriores, a forma explícita do desejo de matar aparece em elementos muito peculiares. São frequentes: a) Uso de mais de uma ferramenta durante o ato (facadas, tiros, espancamento); b) Grande quantidade de golpes, tiros ou pancadas; c) A incapacidade de defesa da vítima; d) Uso da força extrema aplicada; e) Fato cometido por mais de um elemento; f) Sinais explícitos de crueldade e/ou tortura (a pessoa pode ter sido amarrada, ter tido fogo ateadado, tido os cabelos raspados etc.); g) O local dos golpes no corpo (cabeça, seios e genitais); h) O fato de a expressão de gênero da vítima ser não normativa e; i) Identidade de gênero pública da vítima.

A presença recorrente de determinados elementos nos casos de violência evidencia que a escolha das vítimas e as circunstâncias em que os ataques ocorrem não são aleatórias. Em muitos episódios, múltiplos fatores se sobrepõem, revelando dinâmicas estruturadas de agressão marcadas por intencionalidade e extrema crueldade. A leitura atenta desses episódios permite identificar regularidades que apontam para padrões mais profundos, fundamentais para compreender como a violência se organiza, quem são os principais alvos, quais riscos se acumulam e de que forma essas agressões se reproduzem socialmente.

As marcas deixadas por uma tentativa de homicídio não se restringem aos danos físicos imediatos. Os efeitos emocionais e psicológicos se prolongam no tempo, impactando de maneira severa a saúde mental, os vínculos sociais e a possibilidade de reconstrução da vida cotidiana. Sobreviver a uma experiência dessa natureza significa lidar com a ruptura da sensação de segurança, com o medo constante e com um processo de luto que atravessa a identidade e a autonomia. Nesse contexto, o acesso a cuidados em saúde mental, redes de acolhimento e acompanhamento continuado torna-se parte central do enfrentamento às consequências da violência.

A análise dos dados demonstra que travestis e mulheres trans, especialmente aquelas submetidas a maiores condições de precariedade social e inseridas no trabalho sexual, concentram a maior parte das tentativas de homicídio. Essa realidade evidencia a articulação entre gênero, identidade, exclusão econômica e estigmatização, configurando um cenário em que determinados corpos são sistematicamente expostos à violência extrema. Trata-se de um padrão que não pode ser compreendido como exceção, mas como resultado direto da negligência institucional e da ausência de políticas públicas capazes de garantir proteção e inclusão.

Os efeitos dessa violência ultrapassam as experiências individuais e incidem de forma direta sobre a saúde coletiva, a coesão social e a reprodução de ciclos de agressão. O aumento de transtornos psíquicos, a sobrecarga dos serviços públicos e a naturalização da violência como parte do cotidiano produzem impactos duradouros sobre toda a sociedade. Enfrentar esse quadro exige estratégias articuladas, que combinem prevenção, responsabilização efetiva dos agressores, fortalecimento das políticas de saúde e educação, além do reconhecimento das vítimas como sujeitas de direitos. Somente respostas integradas e comprometidas podem romper com a lógica de repetição dessa violência e afirmar outros horizontes de dignidade e justiça.

# **Exhibit 9**

# Weeks ahead of its famous LGBT Pride parade, Brazil struggles with one LGBTI+ killing every 38 hours

[B](https://brazilreports.com/weeks-ahead-of-its-famous-lgbt-pride-parade-brazil-struggles-with-one-lgbti-killing-every-38-hours/6111) [brazilreports.com/weeks-ahead-of-its-famous-lgbt-pride-parade-brazil-struggles-with-one-lgbti-killing-every-38-hours/6111](https://brazilreports.com/weeks-ahead-of-its-famous-lgbt-pride-parade-brazil-struggles-with-one-lgbti-killing-every-38-hours/6111)

Thiago Alves

May 22, 2024

[Brasil News](#)



**São Paulo, Brazil** – In 2023, 230 LGBTI+ individuals were violently killed in Brazil, according to data [released](#) this month by the Observatory of LGBTI+ Deaths and Violence. This alarming statistic translates to one death every [38](#) hours.

In 2022, the organization recorded [273](#) violent deaths, 15.75% more than last year.

However, the actual number of victims could be higher than collected by the Observatory, which suspects underreporting.

“Because the recognition of gender identity and sexual orientation of the victims depends on the media reporting the deaths, many cases of violence against LGBTI+ people may be omitted and/or distorted. There is likely a significant underreporting of violent deaths of LGBTI+ individuals in Brazil,” the Observatory [stated](#) in its report.

This concern is reinforced by the fact that in many small towns across the country, there is no local media to report potential incidents of violence against LGBTI+ community members, making it impossible to collect data in these locations.

Violence against transgender women stood out. Among those killed in 2023 were 142 transgender women, 59 gay men, 13 transgender men, seven lesbians, eight belonged to other segments, and one non-binary person was killed. The report also revealed that the majority of the victims (120) were between the ages of 20 and 39.

São Paulo is the state with the highest number of murders, with 27; Ceará and Rio de Janeiro each reported 24 violent deaths.

Partial data collected in the first months of 2024 by the Observatory indicate a rise in violence against LGBTI+ individuals in Brazil. In January and February, 61 people were violently killed in the country. If the pace continues, 2024 could record more deaths than the 316 recorded in 2021.

In two weeks, the city of São Paulo will host another [edition](#) of its traditional LGBT Pride Parade. Considered one of the largest pro-LGBT events in the world, this year’s parade will focus on the theme: “Enough Negligence and Legislative Regression!” It marks another chapter in the ongoing struggle for rights and protection for the community.



*São Paulo LGBT Pride Parade 2023  
(Rovena Rosa / Agência Brasil courtesy)*

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[Thiago Alves](#)

[Thiago Alves is a reporter for Brazil Reports. He covers politics, economy and society for the news outlet. Thiago is also an editor at CNN Brasil, and has decades of experience working for some of the country's largest media outlets including Grupo Bandeirantes de Comunicação.](#)

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# **Exhibit 10**

# Reported murders, suicides of trans people soar in Brazil

 [reuters.com/article/world/reported-murders-suicides-of-trans-people-soar-in-brazil-idUSKBN25Z31N](https://www.reuters.com/article/world/reported-murders-suicides-of-trans-people-soar-in-brazil-idUSKBN25Z31N)

Oscar Lopez

September 8, 2020

(Thomson Reuters Foundation) - The number of transgender people killed in Brazil this year has risen by 70% over last year, according to research underscoring the South American country's rank as the world's deadliest place for trans people.

The 129 trans people murdered since January already exceeds the total killings in 2019, according to a report by the National Association of Transvestites and Transsexuals (ANTRA), a local activist organization.

The number of trans people - 16 - who died by suicide in the first six months of 2020 is a third higher than last year as well, ANTRA said.

"The outlook is bleak," said Bruna Benevides, a trans activist and author of ANTRA's report, via messaging service WhatsApp.

"The death of trans people ... starts long before the trigger is pulled. It's in the insults, the evictions from home, the lack of job opportunities, it's at school where gender is never discussed," she told the Thomson Reuters Foundation.

Brazil has made a number of strides in transgender rights in recent years, such as a Supreme Court ruling last year that transphobia and homophobia are criminal offences.

A 2018 ruling by the highest court allowed trans people to change their names and gender on official documents without undergoing surgery.

Despite the legal recognition, gay and trans Brazilians face prejudice and widespread violence in the socially conservative country where powerful Evangelical churches are highly critical of LGBT+ rights.

The nation of some 200 million people regularly ranks as the deadliest country worldwide for trans people, according to the Trans Murder Monitoring research project.

Activists say social prejudice has grown under right-wing President Jair Bolsonaro who regularly speaks out against "gender ideology," a conservative term used to condemn progressive ideas on sex and gender.

"People feel legitimized expressing the hate that has been encouraged in every speech, in every lack of action, in every manipulation of public opinion against the boogeyman of gender ideology," Benevides said.

The coronavirus pandemic has made matters worse, activists say, with trans people locked out of jobs or trapped in unsupportive or abusive home lives during lockdown measures.

A pandemic hot spot, Brazil has registered 4.15 million cases of the coronavirus and the official death toll has soared past 126,000 people, according to Health Ministry data.

A survey published in June found a quarter of unemployed gay and trans Brazilians had lost their jobs during the pandemic, and that joblessness among LGBT+ Brazilians was almost

double the nation's overall rate.

"This whole scenario creates a process of sickness caused by the lack of public policies to prevent suicide and transphobic violence," Benevides said.

The report from ANTRA, published late on Monday, was based on reports of killings in local media, on social networks and from partner groups.

However, the authors said the true number of murders could be much higher than what has been reported.


Reporting by Oscar Lopez @oscarlopezgib; editing by Ellen Wulfhorst. Please credit the Thomson Reuters Foundation, the charitable arm of Thomson Reuters, that covers the lives of people around the world who struggle to live freely or fairly. Visit <a href="http://news.trust.org">news.trust.org</a>

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# **Exhibit 11**

## Brazil remains the country that kills the most transgender people in the world for the 18th consecutive year, according to a report.

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 [oglobo.globo.com/brasil/noticia/2026/01/26/brasil-segue-como-pais-que-mais-mata-pessoas-trans-no-mundo-pelo-18o-ano-consecutivo-diz-dossie.ghtml](https://oglobo.globo.com/brasil/noticia/2026/01/26/brasil-segue-como-pais-que-mais-mata-pessoas-trans-no-mundo-pelo-18o-ano-consecutivo-diz-dossie.ghtml)

26 de janeiro de 2026

Brazil maintained its position as the country that kills the most trans people in the world for the 18th consecutive year in 2025. 80 murders motivated by transphobic crimes were recorded throughout the year, according to the Dossier Murders and Violence Against Brazilian Transvestites and Transsexuals, which will be released this Monday (26) by the National Association of Transvestites and Transsexuals (Antra).

The number represents a 34% reduction compared to 2024, when 122 deaths were recorded. Despite the decrease, the survey indicates that violence against the trans population remains serious. The report points to an increase in attempted homicides, which rose from 57 to 75 in one year, and highlights structural factors that hinder the fight against these crimes, such as underreporting, lack of official statistics, and poor journalistic coverage in many regions.

The report shows that violence is concentrated in the Northeast region, with recurring occurrences in the Southeast, and that most victims are transvestites and transgender women, predominantly Black, young, and in situations of social vulnerability. In 2025, the murders mostly occurred in public spaces, peripheries, and urban streets.

The survey also points to a process of internalization of violence. In 2025, 67.5% of murders occurred in inland cities, while 32.5% were recorded in capital cities. According to Antra, the displacement of crimes to areas with less state presence and support networks increases the risk of deaths going unnoticed.

In addition to mapping homicides, the report highlights the need for public policies focused on violence prevention, proper crime investigation, and the social inclusion of the transgender population.

### Some of the cases recorded in 2025

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Among the homicides recorded last year is the murder of cook Danielly Rocha, 37, who was found dead in the early morning of May 2025 in a hallway of the building where she lived, on Rua do Riachuelo, in Lapa, central Rio de Janeiro.


Witnesses reported that Danielly, known as Danny, arrived home accompanied by a man, who remained in the apartment for several hours. The body was sent to the Forensic Medical Institute, and the case was registered at the 5th Police Station in Mem de Sá.

Another homicide occurred on December 9, 2025, in Bahia. A man presented himself at the Luís Eduardo Magalhães Territorial Police Station with the body of a transgender woman in his car and confessed to the crime.

The victim, identified as 18-year-old Ryana, died of strangulation during a trip between Barreiras and Luís Eduardo Magalhães.

# **Exhibit 12**

# Healthcare for transgender people is under threat, researchers say

 [cnnbrasil.com.br/saude/assistencia-a-saude-para-pessoas-trans-esta-sob-ameaca-dizem-pesquisadores](https://www.cnnbrasil.com.br/saude/assistencia-a-saude-para-pessoas-trans-esta-sob-ameaca-dizem-pesquisadores)

July 2, 2025

0:00 1.0x

Recent restrictions on public policies and healthcare for transgender people applied in several countries, including Brazil, threaten to dismantle existing care structures for this population and may lead to setbacks. This warning is contained in an article published in the scientific journal *Nature Medicine* by a group of Brazilian researchers.

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The [text](#) highlights the new resolution ( [no. 2,427](#) ) from the Federal Council of Medicine (CFM), which, in April, [prohibited the use of hormone blockers in minors under 18 years of age in Brazil](#) , increased the minimum age for cross-sex hormone therapy from 16 to 18, and authorized gender transition surgeries only from the age of 21.

Read more

In addition to prohibiting the clinical use of hormone blockers in transgender youth, the Brazilian resolution also prevents research in this area. Hormone therapy involves administering [sex hormones](#) to promote physical changes consistent with gender identity. These procedures had been adopted based on the CFM's own previous resolution ( [No. 2,265](#) ), published in 2020.

According to the authors, in addition to creating an intimidating effect among healthcare professionals, these rules hinder the provision of adequate care and may increase the risk of [depression](#) , social isolation, and even suicide among transgender youth – those who do not identify with their birth sex. Regarding science, the group believes there is a brake, with limits or prohibitions on research and treatments specifically aimed at this group.

The article also calls upon professional bodies and the academic community – institutions, funding agencies, scientific journals, and researchers – to reaffirm their support for evidence-based care for transgender individuals.

“Public policies and health legislation need to be based on evidence and ethical principles, not ideology. Everyone, including transgender youth and their families, health professionals, and researchers, needs to participate, be heard, and understand what is happening,” psychiatrist Alexandre Saadeh, one of the authors of the article, who has worked in the field for over 35 years, told Agência Fapesp.

Saadeh is the coordinator of the Transdisciplinary Outpatient Clinic for Gender Identity and Sexual Orientation at the Institute of Psychiatry of the Hospital das Clínicas of the University of São Paulo (Amtigos-IPq-HCFMUSP), a pioneer in the care of transgender youth in Brazil and a reference in the creation and application of care protocols during childhood and puberty. In ten years, Amtigos has treated approximately 120 children and more than 350 adolescents out of a universe of 1,300 people who underwent screening.

Contacted by Agência Fapesp, the CFM cited Sweden, Norway, Finland, and England, in addition to the United States, as “countries that have revised their guidelines in recent years and restricted the use of puberty blockers and hormone therapy for minors, reflecting the need for more research and a more cautious approach in prescribing these medications.”

“The Federal Council of Medicine respects opposing opinions and reiterates that one of the objectives of the changes proposed in the resolution, based on more than 100 scientific studies published in recent years, is to protect children and adolescents from procedures that are often absolutely irreversible and can cause lifelong problems and sequelae,” the council informs through its press office, adding that the rule was approved in plenary session, composed of 28 federal councilors from all states, “of different ideological persuasions.”

## **Principle of progressive autonomy**

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According to Saadeh, [gender identity](#) has always existed. “It’s not an illness, it’s not a disorder, it’s a variation that happens to human beings in all cultures and in all countries. We have to look at these people, listen to them, and not try to prevent them from being who they are. Restricting rights is not how we will protect childhood and adolescence,” argues the psychiatrist.

The Statute of Children and Adolescents (ECA) guarantees young people participation in decisions about their health through the principle of progressive autonomy.

According to Professor Bruno Gualano, president of the Lifestyle Medicine Center at USP and co-author of the article, the new CFM (Federal Council of Medicine) regulation hinders scientific production. "The resolution eliminates the possibility for doctors to prescribe, for example, hormone blockers, as was being done under the previous council regulation, which had specific rules. On the other hand, it demands more scientific evidence of the effects of this procedure on young people. But if it's prohibited, how are we going to produce evidence?" he asks.

The researchers highlight that the previous CFM resolution guided the care provided at Amtigos to 79 transgender adolescents using puberty blockers. "Adverse effects were rare, with few discontinuing the blockers and only one expressing a desire to detransition after hormone therapy, and this occurred without regret. These results align with international standards, showing detransition rates below 2% when appropriate assessment protocols are followed," the group writes in *Nature Medicine*.

Currently, Gualano is the principal investigator of the project "Eating behaviors, symptoms of eating disorders and obesity in transgender youth: a proposal for assessment and intervention," developed by nutritionist Bruna Caruso Mazzolani, who is also a co-author of the text. Supported by FAPESP, the study aims, in addition to assessing eating behaviors and possible [eating disorders](#), to develop and implement a lifestyle intervention specific to this population.

Preliminary data obtained by Gualano's team indicate that Amtigos patients and their caregivers strongly disagree with the main changes brought about by the new CFM resolution. "Naturally, any proposal to alter the care of transgender people should take into account what they think," argues the researcher, hoping that the new data will shed light on the discussion.

Brazil lacks official statistics on the transgender population and has few studies and research involving these people, especially young people. A survey by the Botucatu Faculty of Medicine of the São Paulo State University (FMB-Unesp), [published](#) in *Scientific Reports* in 2021, showed that the country has 3 million people identified as transgender or non-binary, which corresponds to about 2% of the adult population.

The 2023 National Demographic and Health Survey (PNDS), conducted by the Brazilian Institute of Geography and Statistics (IBGE) in partnership with the Ministry of Health, included for the first time the collection of data on sexual orientation and gender identity of Brazilians aged 18 or older, but the results have not yet been released.

## Other cases

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In the United Kingdom, the National Health Service (NHS) has restricted access to puberty blockers to research settings only.

In the United States, following an Executive Order from President Donald Trump's administration ( [published](#) in January of this year) prohibiting gender-affirming care for minors under 19, only 14 of the 50 states decided to maintain healthcare services for transgender people. The restriction was approved despite opposition from medical organizations such as the American Academy of Pediatrics and the American Medical Association, which support care for this population based on evidence-based protocols.

For researchers, the new policies bring serious ethical implications, compromising everything from the right to health – “when indicated medical care is denied for political reasons” – to the possibility of transgender people seeking care from professionals who do not recognize their gender identity.

“In Brazil, the CFM resolution could lead these young people to seek out unqualified doctors or even to self-medicate, harming their health. Furthermore, these policies disproportionately affect low-income families, threatening important gains in rights and healthcare,” says Saadeh.

## Customer service at Amtigos

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The outpatient clinic receives individuals who spontaneously seek healthcare services. They fill out a registration form and then undergo triage. From the moment they enter, children and young people have access to follow-up care with psychiatric evaluation and a multidisciplinary team – speech therapy, social work, psychology, psychiatry, pediatrics, nutrition, physical education, and others. Families participate in the process and receive guidance. The clinic serves adolescents up to adulthood.

"This is a moment that proves medicine's commitment to evidence, above ideology. From AIDS to reproductive rights, the scientific community has defended health equity and integrity. (...) Medical care is necessary, ethically grounded, and widely supported by evidence. Its reversal is unjustifiable," the researchers conclude.

Read the full article " The [global](#) rollback of transgender care, science and rights" .

# **Exhibit 13**

## Brazil: Violent deaths of LGBTQIA+ individuals reach 257 in 2023

 [agenciabrasil.ebc.com.br/en/direitos-humanos/noticia/2024-01/violent-deaths-lgbtqia-individuals-reach-257-2023](https://agenciabrasil.ebc.com.br/en/direitos-humanos/noticia/2024-01/violent-deaths-lgbtqia-individuals-reach-257-2023)

27 de janeiro de 2024

In 2023, a total of 257 violent deaths were reported among LGBTQIA+ individuals in Brazil. This means that, on average, an LGBTQIA+ person lost their life to violence every 34 hours. This turns Brazil into the most homophobic country in the world. These statistics were released by the Bahia Gay Group (GGB), the oldest LGBT non-governmental organization in Latin America.

For 44 years, the GGB has collected data on homicides and suicides within the LGBTQIA+ community through various sources, including news reports, online surveys, and information obtained from the victims' families.

However, the actual number of deaths could be even higher. According to the NGO, there are still 20 deaths under investigation, which could bring the total to 277 cases. "The government continues to ignore this veritable holocaust, with an LGBTQIA+ person being violently killed every 34 hours," remarked anthropologist Luiz Mott, founder of the Bahia Gay Group.

Out of the recorded deaths, 127 were of transvestites and transgender individuals, while 118 were gay, nine were identified as lesbian, and three as bisexual. "For the second time in four decades, the absolute number of [deaths of] transvestites has exceeded that of gays. This is concerning because transvestites and transsexuals represent around 1 million people, whereas gays represent around 10 percent of Brazil's population, approximately 20 to 22 million people. Thus, the risk of a trans or transvestite being murdered [in the country] is 19 times higher than that of a gay or lesbian," explained Mott.

The report also reveals that most victims (67%) were young people aged between 19 and 45 at the time of their violent deaths. The youngest victim was only 13 years old and was killed in Sinop, Mato Grosso state, following an attempted rape.

Of the total deaths, 204 were homicides and 17 were murders. The Bahia Gay Group also documented 20 suicides, six more than in 2022.

Regarding the location of the violence, 29.5 percent of the victims were killed in their homes, while 40 percent lost their lives on the streets or in outdoor areas.

"The pattern persists, with transvestites being shot in public places such as streets,

vacant lots, roads, motels, and inns, while gays and lesbians are more likely to be stabbed or killed with tools and household utensils, especially inside their homes," the report stated.

Anthropologist Luiz Mott, founder of the Bahia Gay Group LGBT - **Personal archive**

## Regional disparities

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The Bahia Gay Group also highlighted the alarming increase in violent deaths of LGBTQIA+ individuals in Brazil's Southeast region, which recorded 100 cases, making it the most affected region for the first time in 44 years.

The Northeast region followed closely with 94 deaths, while the South reported 24, the Central-West 22, and the North 17.

"What is striking is the unexplained increase in violent mortality among LGBT+ individuals in the Southeast, which surged from 63 cases in 2022 to 100 in 2023, claiming the top spot nationally—a trend unprecedented since 1980, marking a 59 percent rise. Unfortunately, this data indicates that, contrary to expectations and aspirations, improved education and higher regional quality of life measured by the Human Development Index (HDI) have not acted as deterrents to homotransphobic lethal violence," stated Alberto Schmitz, coordinator of the Luiz Mott Documentation Center of the Dignity Group in Curitiba.

São Paulo state reported 34 deaths, Minas Gerais 30, Rio de Janeiro 28, Bahia 22, and Ceará 21, making them the states with the highest number of violent deaths of LGBTQIA+ individuals in 2023. "Unfortunately, the police authorities only managed to solve 77 cases of violent death," the NGO reported.

### Urgent need for public policies

The GGB emphasized the urgent need for effective public policies and actions to combat violence against the LGBTQIA+ community, starting with the official documentation of these deaths. "The Bahia Gay Group has consistently urged public authorities to compile statistics on hate crimes against LGBT individuals, as well as against black and indigenous communities. Unfortunately, even the government's statistic agency IBGE has not systematically and universally included LGBT individuals in its census, and neither have police stations nor public security departments at the national level been able to record all cases of harassment, bullying, assault, and deaths of LGBT individuals," said Mott.

The NGO asserts that the absence of official data, which could enable more effective public policies, reflects deep-rooted homophobia and transphobia within Brazil's structures, institutions, and government.

Translation:

Mário Nunes

Edition:

Nádia Franco

[Bahia Gay Group LGBTQIA+ violent deaths](#)

**PROOF OF SERVICE**

On this day, I, Otavio Haverroth Silva , served a copy of the following documents:

**RESPONDENTS' COUNTRY CONDITIONS IN SUPPORT OF ASYLUM AND WITHHOLDING OF REMOVAL**

To the following:

<b>Office Location:</b>  Office of the Principal Legal Advisor Department of Homeland Security 900 Market Street, Suite 346 Philadelphia, PA 19107	<b>Mailing Address:</b>  US Immigration and Customs Enforcement US Department of Homeland Security Office of the Principal Legal Advisor 900 Market Street, Suite 346 Philadelphia, PA 19107
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by:

Through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.



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