



General Assembly

Distr.: General
25 April 2025

Original: English

Human Rights Council

Fifty-ninth session

16 June–11 July 2025

Agenda item 9

Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action

Visit to Brazil

Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P.*

Summary

The report summarizes the findings of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P., on her visit to Brazil.

In the report, the Special Rapporteur welcomes the fact that the Government of Brazil has recognized that racism is a systemic phenomenon and has institutionalized efforts to prevent and address racial discrimination. She emphasizes, however, that it was very evident during her visit that people of African descent, Indigenous Peoples, Quilombola communities, Roma people and those from other marginalized racial and ethnic groups, including those who face intersectional discrimination, continue to experience multifaceted, deeply interconnected and pervasive manifestations of systemic racism.

In her report, the Special Rapporteur makes a series of recommendations about how the Government of Brazil can build upon and expand efforts to address racial discrimination.

* The summary of the report is being circulated in all official languages. The report itself, which is annexed to the summary, is being circulated in the language of submission only.



Annex

Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P., on her visit to Brazil

I. Introduction

1. During her visit, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance travelled to Brasília, Salvador, São Luís, São Paulo, Florianópolis and Rio de Janeiro. She met with a wide range of representatives from federal and state-level government and the justice system. She also met with over 120 representatives of communities and civil society groups, the Resident Coordinator, and members of the Inter-Agency Thematic Group on Gender, Race and Ethnicity.

2. The Special Rapporteur thanks the federal Government for its open and positive engagement and for all its efforts to facilitate her visit. She also extends her gratitude to all the state-level officials and justice-sector actors who engaged in dialogue with her. The Special Rapporteur also expresses her deep appreciation to the United Nations country team and to all the civil society representatives with whom she met for their cooperation.

II. Background

A. General background

3. Brazil is a vast country divided into the following five major regions: the North, North-East, Mid-West, South-East and South Regions. The country has 26 states and one federal district. It is a federal republic formed of the Federal Union, the states, the municipalities and the Federal District. The country has a presidential system, with the President of Brazil as the Head of the Government and of the State.¹

4. Brazil is very diverse in its demographic, climatic, cultural and social characteristics. The country was under Portuguese rule for more than three centuries. Brazil gained its independence in 1822. Enslavement was abolished in 1888, prior to which it is estimated that Brazil received the largest number of enslaved individuals trafficked from Africa to the Americas.² Following independence, the country went through periods of civilian rule and military dictatorship before the National Congress adopted the current Constitution in 1988.

5. According to the most recent census, carried out in 2022, Brazil has a population of just over 203 million people, of which approximately 92.1 million persons (45.3 per cent of the population) self-identify as brown, 88.2 million (43.5 per cent) as white, 20.6 million (10.2 per cent) as Black, 1.7 million (0.8 per cent) as Indigenous and 850,100 (0.4 per cent) as Asian.³

B. Legal framework

6. Brazil has a civil legal system. The Constitution of Brazil came into force, in 1988, in response to the demands of Brazilian society, following the end of the military regime that was in place between 1964 and 1985. It follows several previous constitutions in Brazil. Brazil has ratified the majority of the international human rights treaties, including the

¹ [HRI/CORE/BRA/2020](#), para. 126.

² Leonardo Marques “The slave trade in the U.S. and Brazil: comparisons and connections”, blog post, Yale University Press, 21 November 2016.

³ Caio Belandi and Irene Gomes, “2022 census: self-reported brown population is the majority in Brazil for the first time”, Brazilian Institute of Geography and Statistics, 2022.

International Convention on the Elimination of All Forms of Racial Discrimination.⁴ Brazil is a member State of the Organization of American States and a State Party to the American Convention on Human Rights and the Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance. Within the national legal framework, there are several legal provisions in place relating to the eradication of racial discrimination, including Law No. 12.711 of 2012 on a quota system in the public higher education network and in federal institutes; Law No. 12.990 of 2014 on public service quotas; and Law No. 12.288 of 2010 on racial equality.⁵

III. Positive measures

7. During her visit, the Special Rapporteur welcomed the fact that the Government of Brazil has recognized racism and racial discrimination as systemic phenomena, thus moving away from the previously commonplace but erroneous characterization of Brazil as a “racial democracy” in which all racial and ethnic groups live together harmoniously in conditions of broad equality. Moreover, she identified several promising steps that had been taken to address racial discrimination, including:

- (a) Institutionalization of anti-racial discrimination efforts in Brazil through the creation of the Ministry of Racial Equality and the Ministry for Indigenous Peoples, in 2023;
- (b) Creation of a secretariat on Roma people within the Ministry of Racial Equality and the development of a policy on Roma persons;
- (c) Some increases in the resources available for anti-racial discrimination measures;
- (d) Robust affirmative action programmes to facilitate access among marginalized racial and ethnic groups to some universities and to public sector employment;
- (e) New policies and programmes aimed at addressing important issues facing marginalized racial and ethnic groups. These include the “Black Youth Alive” plan, the National Plan to Combat Racism against Indigenous Peoples, the work of the National Justice Council to address the sentencing that is driving the mass incarceration of people of African descent, the aforementioned policy on Roma persons, and a pilot project to provide psychosocial support to mothers and other family members of victims of State violence;
- (f) Plans to develop the Recommendations Monitoring System (SIMORE) mechanism to monitor and evaluate implementation of the recommendations of the human rights mechanisms, including on racial discrimination;
- (g) Efforts to ensure the cultural recognition and memorialization of the experiences of those from marginalized racial and ethnic groups. These include, for example, efforts to memorialize the victims of the trade in enslaved persons, at 102 sites, including the arrival points of enslaved Africans, places of trade, labour and daily life, places of religious worship and Quilombo communities, as well as to preserve other forms of cultural heritage. They also include an exchange programme with African universities to develop research on African history, organized by the Ministry of Racial Equality; an award to celebrate Roma culture; and measures by the federal Government and state governments to recognize and celebrate hip-hop and other manifestations of Afro-Brazilian culture. The Special Rapporteur also welcomes reports that the National Truth Commission has acknowledged the right to truth, reparation and memory of at least 40 Black individuals victimized by the authoritarian dictatorship of 1964–1985;
- (h) A dedicated health facility in Bahia to address sickle cell anaemia, a debilitating health condition that disproportionately affects people of African descent;
- (i) Measures to facilitate regional and international cooperation on racial discrimination. Notable efforts include advocacy on the development of a new sustainable

⁴ See

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=24&Lang=EN.

⁵ CERD/C/BRA/CO/18-20, para. 4.

development goal on the elimination of racial discrimination, support for the International Decade for People of African Descent and some efforts to implement the Durban Declaration and Programme of Action.

IV. Key issues relating to the Special Rapporteur's mandate and relevant government initiatives

8. While recognizing positive elements in the response of the Government of Brazil to racism and racial discrimination, it was evident to the Special Rapporteur during her visit that people of African descent, Indigenous Peoples, Quilombola communities, Roma persons and those from other marginalized racial and ethnic groups in Brazil, including those who face intersectional discrimination on the basis of disability, gender, lesbian, gay, bisexual, transgender or intersex status and/or migrant or refugee status, continue to experience multifaceted, deeply interconnected and pervasive manifestations of systemic racism. In the present section, the Special Rapporteur outlines key areas where additional efforts are needed to address contemporary manifestations of systemic racism and racial discrimination.

A. Cross-cutting considerations

9. The effectiveness of anti-racial discrimination measures needs to be continually monitored and regularly evaluated to ensure that they are reaching all affected communities and are contributing to the realization of substantive racial equality. Disaggregated data on all racial and ethnic groups is therefore essential. The Special Rapporteur welcomes the information that she received on the efforts being made to ensure the collection of disaggregated data, including the Racial Equality Hub, the inclusion of Quilombola people in the 2022 census, the National Observatory for Human Rights and the National Human Rights Evidence Network. She is, however, concerned that gaps in the available disaggregated data persist. These include a seeming lack of data on the situations of Roma persons and on persons facing intersectional discrimination, and gaps in data on the situation of Indigenous Peoples.

10. Another cross-cutting concern is the continued lack of an independent national human rights institution that is fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The Special Rapporteur welcomes the steps that have been taken to operationalize a national human rights institution and stresses the importance of completing this process given the essential role that such institutions play in the development, implementation and monitoring of measures to combat racial discrimination.

11. The Special Rapporteur highly commends Brazil on the setting up of the Ministry of Racial Equality and welcomes information about the Ministry and its coordination of anti-racial discrimination initiatives across government. She notes, however, the absence of a national action plan for the eradication of racial discrimination, which would help to consolidate and monitor the different measures being taken at the federal and state levels. She also notes reports that, despite some recent increases, the overall budget allocated to anti-racial discrimination initiatives remains limited.

12. The Special Rapporteur notes with concern information about the potentially racially disproportionate impact of efforts made in the National Congress to introduce legislation that would contravene existing protections in national law and obligations under international human rights law. These efforts include the passing by the National Congress of Law No. 14.701/2023 on the demarcation of Indigenous land, and consideration of a number of bills, including bill No. 1904/2024 by which penalties of up to 20 years of prison could be imposed on those who seek an abortion on the permitted grounds beyond 22 weeks of gestation, proposed constitutional amendment No. 164/2012 aimed at amending article 5 of the Constitution to establish that the right to life must be guaranteed from conception and proposed constitutional amendment No. 45/2023 criminalizing the possession of all illegal drugs. In this regard, the Special Rapporteur reminds the State, including the legislature, of its obligations under international human rights law to prevent and address all forms of racial

discrimination, as well as to uphold the foundational principle of non-retrogression in the realization of human rights.

B. Indigenous and Quilombola land rights

13. The Special Rapporteur was deeply concerned to learn of violence against the Guarani-Kaiowá Indigenous Peoples of the Panambi-Lagoa Rica territory in the State of Mato Grosso do Sul, as her visit commenced. Eleven individuals were reportedly injured after farmers attacked the Guarani-Kaiowá people as they attempted to reclaim their ancestral land. The Special Rapporteur condemns these acts of violence as a manifestation of systemic racial discrimination prohibited under international human rights law. Moreover, the case of the Guarani-Kaiowá people exemplifies a broader issue of profound concern. The Special Rapporteur met with representatives from several Indigenous and Quilombola communities and repeatedly heard from them, as well as from federal and state officials, about how the ongoing lack of Indigenous and Quilombola land demarcation is driving continuous attacks by both State and non-State actors, who often extract natural resources from the land, leading to degradation and pollution.

14. In Bahia, the Special Rapporteur met with the Alto do Tororó Quilombola community, a fishing and shellfish-gathering community who are direct descendants of enslaved Africans trafficked to Brazil. She heard how the community's land has been encroached upon by a range of private and State actors, including the armed forces. These continuous attacks have reportedly led to land degradation and environmental pollution, particularly water contamination, weakening of cultural traditions and loss of the territorial continuity of the community's land. The Special Rapporteur witnessed the physical annexation of parts of the land of the Alto do Tororó Quilombola community. It was also brought to her attention that the presence of armed forces had led to the inaccessibility of water bodies, further leading to loss of income from shellfish farming. Given that what the Special Rapporteur witnessed is emblematic of broader trends, she welcomes the fact that the Government is developing a national policy to benefit Quilombola communities. She stresses, however, the importance of ensuring that Quilombola land rights are acknowledged as a central part of this policy.

15. Land dispossession and extractivism are defining characteristics of colonialism and systemic racism. There is also a direct link between these phenomena and endemic racialized violence against Indigenous and Quilombola communities, as has been recognized by many officials at the federal and state levels. Conflict over land titling is fuelling violence, as in the case of the Guarani-Kaiowá peoples. In addition, the Special Rapporteur heard accounts of fatal shootings of Quilombola leaders, in Maranhão, in the context of land disputes over untitled or partially titled land. She also received reports about how the lack of land protections has resulted in violence and repression, including femicide and rape, against Indigenous women.

16. The Special Rapporteur stresses that land demarcation is a fundamental step that must be taken in order to dismantle systemic racism and reduce racialized violence against Indigenous and Quilombola communities. She welcomes reports that land demarcation has restarted, after it had previously come to a standstill, and that, in 2023, eight Indigenous lands were fully demarcated and 25 processes progressed. She was shocked, however, to hear that at the current pace it will take hundreds of years to demarcate all Indigenous and Quilombola lands. The Special Rapporteur met with the Santa Rosa dos Pretos Quilombola community, in Maranhão, whose land demarcation has been pending for many years but, concerningly, was still not expected to be completed until 2035.

17. A key barrier to the demarcation of all Indigenous Peoples' ancestral land is the ongoing debate in Brazilian institutions, including the National Congress and Supreme Court, about the temporal framework ("marco temporal") doctrine. The Special Rapporteur is deeply concerned about any application of this doctrine, pursuant to which only those lands that were occupied by Indigenous Peoples at the time of the adoption of the current Constitution, in 1988, are considered eligible for demarcation. In Florianópolis, the Special Rapporteur met with the Xokleng people, whose rights to their ancestral lands are linked to the outcome of the debate on the temporal framework doctrine. She heard about the long

history of disputes, dating back long before 1988, over the Xokleng people's right to their ancestral lands and about State violence against them. She also met with a range of other Indigenous Peoples who stressed the ahistorical nature of the temporal framework doctrine and highlighted how it threatened the demarcation of Indigenous lands and the very existence of Indigenous Peoples in Brazil. Moreover, application of the temporal framework doctrine would penalize those Indigenous Peoples who had been violently dispossessed of their lands at the time of the adoption of the Constitution and would reward the perpetrators of such violence. The Special Rapporteur stresses the vital importance of rejecting patently ahistorical approaches to Indigenous rights and of rigorously upholding national and international standards on Indigenous rights.

18. The Special Rapporteur also wishes to highlight the obligations of Brazil pursuant to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the United Nations Declaration on the Rights of Indigenous Peoples. These international standards establish a clear obligation to ensure the free, prior and informed consent of Indigenous Peoples in relation to any projects that affect their rights to land, territory and resources. The Special Rapporteur was deeply concerned to hear of systemic violations of the obligation to ensure free, prior and informed consent in Brazil, including by private entities engaging in mining activities and both legal and illegal deforestation and logging, including in the Amazon. In Maranhão, the Special Rapporteur was shocked to hear from actors in the state-level justice system that the duty to consult with Indigenous Peoples and Quilombola communities and ensure their free, prior and informed consent was being outsourced to the very companies that had commercial interests in extractive projects and, moreover, that judges were accepting these consultations in their judicial decisions about land. Such expedition of licensing for extractive, agribusiness and development projects at the expense of the right to free, prior and informed consent of the affected communities was reported to the Special Rapporteur as being a significant problem across Brazil.

C. Environmental racism

19. The continuous invasion of Indigenous and Quilombola lands – a manifestation of systemic racism – significantly undermines the right to a clean, healthy and sustainable environment for all. The environmental degradation, pollution and extraction of natural resources that routinely follows the invasion of Indigenous and Quilombola lands exposes these communities to significant health hazards. These hazards include exposure to harmful pesticides, mercury poisoning and infectious diseases. For example, the Special Rapporteur received information that Quilombola communities in Maranhão had toxic pesticides sprayed on them by drones designed to spray crops, after agribusiness actors invaded their land. The spraying of such chemicals is reportedly leading to elevated rates of cancer and gynaecological disease.

20. The invasion of and extraction of natural resources from Indigenous and Quilombola lands have broader consequences. Indigenous and other forms of traditional knowledge and practices play a vital role in protecting the environment at a time of immense global climate, pollution and biodiversity crisis. This serves to underline the importance of rejecting the temporal framework doctrine and significantly expediting Indigenous and Quilombola land demarcation. The environmental consequences of the failure to do so will reverberate across the world and gravely affect future generations. The Special Rapporteur notes information that she received about a national plan for research, which would be used to analyse how the traditional knowledge of Indigenous Peoples could be utilized in the fight against climate change. She welcomes the information provided on the Amazon Fund, set up by Decree No. 6.527, which raises funds to prevent, monitor and combat deforestation, as well as to promote the preservation and sustainable use of the Amazon. The Special Rapporteur also notes the recognition of environmental racism among federal and state officials, as well as information about measures taken by the federal Government to develop a national policy on business and human rights.

21. The Special Rapporteur is concerned about other forms of environmental racism, including spatial segregation along racial and ethnic lines in both rural and urban areas, leaving those from marginalized racial and ethnic groups in “sacrifice zones” that are

disproportionately vulnerable to pollution, natural disasters and extreme weather events, such as floods and droughts. The marginalized living on the periphery are invariably prone to natural calamities. Ongoing marginalization can make individuals more prone to displacement after such events and less able to gain access to support for recovery. This vulnerability occurs despite these groups typically having contributed the least to these crises due to their pre-existing marginalization. For example, following the flooding in Rio Grande do Sul in April and May 2024, Indigenous people, Quilombola communities and Roma persons were reportedly displaced. The Special Rapporteur met with representatives of these groups who had not been able to gain access to rehabilitation and government aid in the wake of the large-scale and destructive floods. The displacement of many of these groups from their lands because of the floods has also exacerbated existing challenges faced in claiming their land rights. The Special Rapporteur also heard about high levels of air pollution and vulnerability to flooding in the peripheries of cities such as São Paulo and Rio de Janeiro, where people of African descent often live.

22. The Special Rapporteur highlights that considerations of environmental racism have been largely marginalized in international policy debates about the global ecological and climate crises.⁶ Negotiations within the framework of the thirtieth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, being hosted in the city of Belém, Pará State, in 2025, offers an important opportunity for Brazil to demonstrate leadership by addressing environmental racism and the marginalization of racial and ethnic groups in relevant international dialogues.

D. Attacks against anti-racism human rights defenders

23. The work of anti-racism human rights defenders is at the heart of any progress that has been made towards the realization of racial equality in Brazil. The Special Rapporteur was therefore shocked to hear about the high levels of threats, intimidation and violence, including lethal violence, against human rights defenders working to address systemic racism. These acts reportedly include the targeting of those who defend Indigenous and Quilombola lands and advocate for the right to a safe and healthy environment for all, as well as bereaved women of African descent advocating for justice and change following the loss of their children due to State violence and repression.

24. A survey identified 1,171 cases of violence against human rights defenders in Brazil between 2019 and 2022.⁷ Given the threat levels faced by anti-racism human rights defenders and the fundamental role they play in the realization of racial equality, the Special Rapporteur notes with concern multiple reports that a federal programme for the protection of human rights defenders does not have adequate resources and is not fully effective. She welcomes the fact that efforts have been made to improve this programme, including through steps to comply with the findings of the Inter-American Court of Human Rights in the case of *Sales Pimenta v. Brazil*, which concerned a human rights defender killed in the context of violence over land and agrarian reform.⁸

E. Situation of women from marginalized racial and ethnic groups

25. The Special Rapporteur is deeply concerned about the situation of racially and ethnically marginalized women in Brazil, including those facing intersectional discrimination. All too often, Brazilian women from marginalized racial and ethnic groups sit at the harsh intersection between misogyny, sexism, racism and classism in Brazil, deepening their marginalization and increasing their vulnerability to violence and unrelenting attacks on their bodily autonomy.

⁶ A/77/549.

⁷ See <https://www.global.org.br/en/blog/programa/protection-of-democracy-and-human-rights-defenders/>.

⁸ See https://corteidh.or.cr/docs/casos/articulos/seriec_454_ing.pdf (in English) and https://www.corteidh.or.cr/docs/casos/articulos/seriec_454_esp.pdf (in Spanish).

26. The shocking scale of femicide in Brazil is reflective of a deeply troubling reality. According to a survey by the Fórum Brasileiro de Segurança Pública, between 2015 and 2023 10,600 women were victims of femicide, many of whom were killed in the context of domestic violence.⁹ Domestic violence levels are high in Brazil, with 258,941 reported cases in 2023.¹⁰ Women of African descent make up the majority of femicide cases, with those who are also part of the lesbian, gay, bisexual, transgender and intersex community often being particularly vulnerable. Femicide among white women is reportedly decreasing, while femicide among women of African descent is increasing.¹¹ The Special Rapporteur is also concerned about the high levels of femicide of Indigenous women and adolescent girls, including in Mato Grosso do Sul, as well as cases of femicide of Quilombola women.

27. Sexual violence and rape are worryingly prevalent among women from marginalized racial and ethnic groups. The Fórum Brasileiro de Segurança Pública reported the highest ever number of rapes in 2023, at 83,988 cases.¹² Women and especially girls of African descent were significantly disproportionately affected by the horrifying levels of sexual violence, according to the data.¹³ Indigenous and Quilombola women are also reportedly affected by high levels of rape in Brazil. The Special Rapporteur welcomes the fact that the President of Brazil has declared that combating violence against women is a priority for his administration and that some robust legal protections, including the “Maria da Penha” Law, on domestic violence, and provisions of the Criminal Code, are now in place. She is nevertheless concerned about reported gaps and challenges in the implementation of relevant laws, including differences between rural and urban areas, as clearly demonstrated by the latest statistics.

28. The impact of rape on the lives of women from marginalized racial and ethnic groups can be exacerbated by the lack of adequate access to reproductive health rights, particularly the right to safe and legal abortion. Abortion is criminalized in all but very limited circumstances, namely in cases of rape, fetal anencephaly and risk to the life of the pregnant woman. Even under such circumstances, many women and girls face significant barriers to accessing safe and legal abortion, including social stigmatization and difficulties in accessing the necessary medical services, as exemplified by a horrifying case in Santa Catarina, in 2022. The case involved public officials, including a judge, who tried to pressure an 11-year-old girl of African descent into continuing a pregnancy resulting from rape, despite the fact that the circumstances fell within the legally permissible grounds for termination.¹⁴ Severe legal restrictions on safe and legal abortion and barriers to accessing relevant medical services under legally permissible circumstances are forcing women to resort to unsafe abortions. This is leading to preventable deaths among women, in contravention of international human rights law provisions that protect the right to life. The Special Rapporteur received troubling reports that a disproportionate number of the women who tragically lose their lives in these circumstances are from marginalized racial and ethnic groups.

29. Significant barriers to accessing safe and legal abortion coexist with high levels of maternal mortality among women from marginalized racial and ethnic groups due to factors including lack of adequate access to safe and inclusive prenatal and postnatal care. The Special Rapporteur received concerning reports about disproportionately high levels of obstetric violence against women from marginalized racial and ethnic groups, including those experiencing intersectional discrimination on the basis of race compounded by discrimination based on other grounds, such as socioeconomic status, migrant or refugee status, lesbian, gay, bisexual, transgender or intersex status, and disability. This places many Brazilian women from marginalized racial and ethnic groups in a paradoxical and

⁹ See <https://agenciabrasil.ebc.com.br/en/direitos-humanos/noticia/2024-03/brazil-records-10600-femicides-eight-years>.

¹⁰ For more information, see <https://forumseguranca.org.br/publicacoes/anuario-brasileiro-de-seguranca-publica/>.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ See <https://www.hrw.org/news/2022/06/25/judge-tries-block-abortion-11-year-old-rape-survivor-brazil>.

unacceptable situation wherein no reproductive healthcare decision is safe for them, in violent contravention of their bodily autonomy.

30. This paradox is deepened by the precariousness of the economic situation of many women from marginalized racial and ethnic groups and their families, making motherhood extremely difficult. The Special Rapporteur received information about millions of women from marginalized racial and ethnic groups who head households and struggle to meet their own and their families' basic needs due to interconnected manifestations of systemic racism and discrimination that affect their ability to secure decent work opportunities and access social services.

31. It is disproportionately mothers of African descent, many of whom are domestic workers, living in such poverty and precarity due to systemic oppression, who lose their children, particularly their sons, to the excessive and lethal use of force by law enforcement officials and other forms of violence, including homicide, as detailed below (see sect. IV.H). The grief and trauma endured by these women and their communities are relentless due to the prevalence of violence against young people, particularly men and boys, of African descent. Limited access to legal aid and tedious judicial processes further subject them to extreme trauma. The Special Rapporteur welcomes the development of a pilot project to provide psychosocial support to mothers and other family members who have been victims of systemic police brutality, but she was concerned at reports of significant unmet psychosocial needs among those affected by State violence.

32. The Special Rapporteur also received disturbing information about the economic exploitation and restrictions on the freedom of movement of domestic workers, predominantly women of African descent, as well as about the high prevalence of sexual assault perpetrated by the families by whom they are exploited. The Special Rapporteur was shocked to hear the details of the case of Sônia Maria de Jesus, who was rescued after having lived for more than 40 years in conditions analogous to enslavement, in Florianópolis; she subsequently returned to the family accused of exploiting her. These contemporary forms of exploitation and racism have disturbing parallels with historical patterns of enslavement in Brazil. The Special Rapporteur welcomes the adoption of constitutional amendments guaranteeing equal labour rights for domestic workers and the information provided by justice sector actors in different states on the effective rescue of some women from such situations. However, she calls for urgent action to address gaps and challenges in efforts to effectively address exploitative domestic work, including through the provision of services to support the protection and psychosocial rehabilitation of survivors.

F. Poverty and racial discrimination in the realization of economic and social rights

33. Poverty and economic marginalization are key means by which systemic racism and exclusion are perpetuated in Brazil. Persons from marginalized racial and ethnic groups face disproportionate levels of entrenched poverty and systematic violations of their economic and social rights because of historical underinvestment in their communities and the resulting lack of decent work opportunities.

34. The Special Rapporteur received troubling reports about poverty leading to disproportionate levels of food insecurity among those from marginalized racial and ethnic groups. She therefore highly commends the reinstatement of the Bolsa Família family allowance programme, after it was previously halted, and the development of the "Brazil without Hunger" plan to address hunger and food insecurity by 2030. While welcoming these developments, the Special Rapporteur was concerned by reports that the Bolsa Família programme had failed to reach all persons in need from marginalized racial and ethnic groups. She also stresses the importance of combining social assistance programmes with measures that address the root causes of poverty and food insecurity through the disruption and dismantling of systemic racism. One of the ways that the root causes of poverty can be addressed is by ensuring access to decent work and investment opportunities by persons from marginalized racial and ethnic groups. The Special Rapporteur therefore highlights the importance of providing targeted community investment funds and addressing barriers to

accessing decent work opportunities and any manifestations of racial discrimination within the labour market.

35. The Special Rapporteur received reports, including in Rio de Janeiro and São Paulo, of pervasive spatial segregation along racial and ethnic lines, with people of African descent disproportionately living in favelas in urban periphery areas. Favelas provide for inadequate, environmentally exposed and dangerous housing conditions, with poor access to essential infrastructure, such as shops and public transport. The Special Rapporteur also heard testimonies of the high and rising levels of homelessness experienced predominantly by those from marginalized racial and ethnic groups in urban areas. She was concerned to hear about the disproportionate impact of rising homelessness on women of African descent.

36. The Special Rapporteur welcomes the fact that health is established as a universal right by the Constitution of 1988 and that the unified healthcare system offers publicly funded healthcare. She was nevertheless concerned by reports that significant racial disparities persist in the provision of healthcare and in health outcomes. The Special Rapporteur was also concerned by reports of limited or no access to basic healthcare for the lesbian, gay, bisexual, transgender and intersex community and of racism and phobia against that community among medical professionals within the healthcare system. A lack of understanding of the specific health concerns of people of African descent and Indigenous women by healthcare workers was also brought to her attention. The Special Rapporteur welcomes the reinforcement of the national health policy on people of African descent but stresses the need for its effective implementation. She also notes with concern the absence of similar health policies for other marginalized racial and ethnic groups, including Roma persons and Indigenous Peoples.

37. The lack of access to mental health services, despite the constant anguish caused by systemic racism, was a common theme shared by many of those with whom the Special Rapporteur met. She notes information provided by the Ministry of Health on initiatives to ensure access to mental health services for persons from marginalized racial and ethnic groups. The Special Rapporteur also welcomes the fact that the state government in Bahia has been working to overcome accessibility issues through mobile units offering mental health services. She encourages federal and state government entities to analyse the reach and effectiveness of current initiatives.

38. The Special Rapporteur heard about racial disparities in access to educational institutions at all ages and about how children of African descent and Quilombola and Indigenous children suffer racist bullying in schools. These phenomena are interrelated, as children who are subjected to racist bullying are reportedly more likely to drop out of school. The Special Rapporteur welcomes the National Policy on Equity, Education for Ethnic-Racial Relations, and Quilombola School Education and the measures taken to implement Law No. 10.639/2003 concerning the teaching of African and Afro-Brazilian history in schools. She also welcomes the measures taken in Maranhão to develop curriculum guidelines on Quilombola education and noted measures at the federal and state levels, including in Rio de Janeiro, to address racist bullying. She stresses the importance of ensuring the effective implementation and universal reach of these policies in view of the lasting impact that bullying and the lack of access to education have on the life trajectories of children from marginalized racial and ethnic groups.

G. Affirmative action

39. The Special Rapporteur received information from a range of different stakeholders on the design and implementation of an affirmative action programme in Brazil. The programme, started in 2001, initially created quotas for certain marginalized racial and ethnic groups in some public higher educational institutions. It was subsequently expanded to include more higher education institutions and some public sector employers. The programme has reportedly been successful in raising higher education enrolment rates among students from certain marginalized racial and ethnic groups and improving racial representation in parts of the public sector. She therefore commends Brazil for its affirmative action programme, which is an important step forward. The Special Rapporteur also

welcomes the fact that the Ministry of Racial Equality includes a secretariat dedicated to affirmative action and that it was successful in ensuring the renewal of the university quota system by the National Congress, in 2023.

40. Notwithstanding the foregoing, the Special Rapporteur stresses that the affirmative action programme would benefit from further strengthening and expansion. She notes with concern reports that the programme does not apply to all higher education and public institutions and does not include all marginalized racial and ethnic groups. Roma persons are not able to gain access to affirmative action programmes despite experiencing systemic racial discrimination and inequality. This non-inclusion of the Roma community in the marginalized racial or ethnic group category has resulted in the underrepresentation of the Roma community in higher education. The judiciary is also not included in formal affirmative action programmes, reportedly resulting in very low representation of those from marginalized racial and ethnic groups in judicial positions. In addition, the programme does not take intersectional discrimination into account and its effective implementation reportedly differs significantly between states, creating inequitable access. For example, the Special Rapporteur noted with concern reports of the non-implementation of the affirmative action programme in Santa Catarina.

41. Affirmative action and its beneficiaries can be subjected to racialized misconceptions and stereotypes within society. Affirmative action does not always comprehensively address the systemic barriers that those from marginalized racial and ethnic groups face in gaining access to education and decent work opportunities. Special measures work most effectively when they are complemented by a suite of other anti-racial discrimination and equality measures.¹⁵ In this respect, the Special Rapporteur welcomes the fact that the Government provides scholarships to beneficiaries of affirmative action in higher education. However, she notes reports that the support available does not fully meet the needs of students. She notes the recognition among many officials with whom she spoke of the negative stereotypes surrounding these special measures and how they can contribute to exclusion and hostility towards beneficiaries in universities and public sector organizations. She did not, however, get a clear sense of the policies in place to effectively address such stereotypes or to build and maintain strong societal support for affirmative action. The Special Rapporteur also notes with concern some resistance to affirmative action that she observed among state officials in Santa Catarina.

H. Systemic racial discrimination in law enforcement and the criminal justice system

42. The Special Rapporteur received shocking reports of the endemic use of excessive and lethal use of force by Brazilian law enforcement officials, particularly against people of African descent. Such violence includes frequent incidents of highly militarized police raids carried out in favelas by law enforcement officials from multiple State security entities, including the military, the civilian police and the federal highway police. These raids, ostensibly aimed at curtailing the activities of drug cartels, often deploy highly militarized policing techniques involving heavy and indiscriminate machine gunfire in densely populated civilian areas. This frequently results in the death and injury of residents, who are predominantly Afro-Brazilian civilians, including pregnant women and children. Law enforcement officials have also been accused of other very serious forms of violence, including sexual violence and assault, against people of African descent during raids in favelas. The secondary human rights violations resulting from these raids are also significant, as they disrupt education, health and other essential services that are in the vicinity of favelas and cause damage to people's property.

43. The excessive and lethal use of force is not limited to raids in favelas. The Special Rapporteur received reports about endemic racial profiling of Quilombola people and people of African descent and about how frequent stops made on the basis of non-objective, discriminatory criteria can lead to escalation of the situation, resulting in the use of excessive and lethal force. The Special Rapporteur also received disturbing reports of violence

¹⁵ [A/79/316](#), para. 59.

perpetrated against Roma persons by law enforcement officers in Bahia, including the killing of eight individuals and a brutal attack against a teenage boy.

44. Publicly available data reinforces reports that the Special Rapporteur received about the shocking prevalence of police brutality. According to the 2024 yearbook of the Fórum Brasileiro de Segurança Pública, 6,393 people died because of civil and military police interventions in 2023, with the States of Bahia, Rio de Janeiro and Pará having the highest number of lives lost; according to the same data, 82.7 per cent of victims were Black, 41.5 per cent were aged between 18 and 24 years and 99.3 per cent were male.¹⁶ Such horrifying violence seems to continue with impunity due to many factors, such as legal provisions and practices hindering accountability among law enforcement officials and a degree of societal normalization of these atrocities.

45. The Special Rapporteur welcomes the measures being taken to try to address police brutality, including a ministerial decree of the Ministry of Justice and Public Security on the use of force and the “Black Youth Alive” plan. However, a more significant paradigm shift is urgently needed to ensure greater focus on addressing the root causes of systemic police brutality within law enforcement. Such a shift is necessary to reduce the militarization of civilian policing and to ensure that the use of force is deployed in strict accordance with the principles of proportionality, necessity and legality and with international human rights standards relating to racial equality.

46. While the use of body cameras by law enforcement officials is not sufficient to achieve this paradigm shift, it is a step that can reduce police violence, according to civil society organizations. The Special Rapporteur welcomes the efforts made by the Ministry of Justice and Public Security to ensure the use of body cameras, including through national guidance on their use, as well as reports that the federal highway police started deploying body cameras in 2024. The Special Rapporteur is, however, alarmed at reports that, in many of the states she visited, such equipment is not always used effectively. She urges the consistent and effective use of body cameras by all law enforcement agencies as an important interim step that should be implemented alongside other measures to ensure justice and accountability for victims of police brutality, as well as more transformative approaches to dismantle systemic racism within law enforcement.

47. The Special Rapporteur received information about the use of facial recognition systems, which rely on artificial intelligence, in law enforcement activities, representing a new manifestation of racial profiling. Justice sector actors in Bahia and Rio de Janeiro explained that those States are investing significantly in facial recognition systems, without public consultation or consideration of algorithmic bias or the inaccuracies of facial recognition systems when detecting faces of persons of African descent. The Special Rapporteur welcomes the information provided by the Ministry of Justice and Public Security about an interministerial group on racial bias in facial recognition and its intention to develop a policy on this issue. She is nevertheless alarmed by the reported speed of investment in artificial intelligence without proportionate consultation and regulation. Deploying unregulated facial recognition technologies in a law enforcement and criminal justice system that has an enduring history of racial discrimination presents serious human rights risks. It is therefore concerning that bill No. 2.338/2023 on the use of artificial intelligence reportedly fails to include human rights-based protections against racial profiling by facial recognition systems.

48. The Special Rapporteur is concerned at the mass incarceration of people of African descent in the criminal justice system, including increasing numbers of women of African descent, and at reports of the disproportionate incarceration of persons from other marginalized racial and ethnic groups. Drug policies and systemic racism in the administration of justice seem to be key drivers of the overincarceration of these persons. The Special Rapporteur was concerned by information she received indicating that racial diversity is low in the judiciary and that harsh sentencing, combined with racial insensitivity, is contributing to mass incarceration. The Special Rapporteur welcomes the efforts made to develop pacts aimed at improving diversity in the judiciary and the measures taken by the

¹⁶ See <https://forumseguranca.org.br/publicacoes/anuario-brasileiro-de-seguranca-publica/>.

National Council of Justice to address the sentencing that is driving mass incarceration and to encourage the use of non-custodial alternatives.

49. The Special Rapporteur notes information she received about some efforts to improve detention conditions in Brazil. These efforts include work done by the Ministry of Justice and Public Security to implement the 2019 judgment of the Supreme Court on the unconstitutionality of detention conditions, and state-level programmes in Bahia to ensure access to education and other programmes for incarcerated persons. However, she met with individuals who described dehumanizing conditions of detention where persons deprived of their liberty live in squalid and overcrowded conditions without access to basic necessities, essential services, such as healthcare, and opportunities to access education, employment experience or rehabilitation services. Those with whom the Special Rapporteur met articulated the parallels between current detention conditions and historical patterns of enslavement.

50. In addition, dehumanizing detention conditions and a lack of social support services when people are released from prison are reportedly only compounding their marginalization and exclusion, leading, in some cases, to recidivism. The Special Rapporteur was also deeply disturbed by testimonies about racial profiling and targeted violence by law enforcement officials against individuals who have recently been released from prison.

I. Religious intolerance and discrimination

51. Systemic racism, oppression and violence in Brazil intersects with religious intolerance and discrimination, including against those who practise African religions. The Special Rapporteur is concerned by reports about the high – and growing – numbers of cases of such religious intolerance and discrimination, often referred to in Brazil as “religious racism”, against persons who practise Afro-Brazilian religions. These reports included deeply harmful acts of everyday racism, such as taxi drivers shutting the door on persons wearing clothes associated with Afro-Brazilian religions, restrictions on the wearing of such clothes in workplaces and the bullying of children who practise Afro-Brazilian religions.

52. Moreover, the Special Rapporteur received deeply concerning information about high and increasing rates of attacks against *terreiros* – Afro-Brazilian religious and sacred sites and hubs of community support and care – and seeming impunity for such violence. These attacks, which often involve the desecration of religious sites and violence against individuals practising Afro-Brazilian religions, are reportedly perpetrated by State actors or individuals involved in drug trafficking. The Special Rapporteur perceives such violence to be acts of misogyny and racism given that many *terreiros* are led by women of African descent. She is also concerned at reports that women who practise Afro-Brazilian religions face losing custody of their children on the basis of their religious affiliation. The Special Rapporteur is also concerned by reports that public events organized by practitioners of Afro-Brazilian religions have been threatened or attacked by members of neo-Pentecostal groups. She notes that the Government and both federal and state officials recognized the growing issue of religious racism and welcomes the fact that the Ministry of Racial Equality is taking steps to develop a programme to address this deeply concerning phenomenon.

53. The Special Rapporteur was also concerned by reports she received during her visit of incidents of Islamophobia targeting Brazilian Muslims and migrants, including refugees and asylum-seekers, particularly in Santa Catarina. These incidents include public abuse, violence and intimidation, with women at particular risk, especially women who wear the hijab. Some individuals with whom the Special Rapporteur met reported an increase in Islamophobia since the escalation of violence in Israel and the Occupied Palestinian Territory, since 7 October 2023. The Special Rapporteur notes with concern a lack of information from state and federal officials about the steps being taken to address Islamophobia.

J. Inadequate political participation and representation

54. Political participation and representation are powerful means by which those from marginalized racial and ethnic groups can contribute to the disruption, deconstruction and dismantling of systemic racism. It is vital to the health of a democracy for the population of a country to be represented within political institutions. The Special Rapporteur is therefore concerned by reports that there is very low representation of marginalized racial and ethnic groups, including people of African descent, Indigenous Peoples, Quilombola communities and Roma persons, in political and decision-making bodies, including the National Congress and bodies at the state and municipal levels. She welcomes the fact that quotas for racial representation in political party candidate lists are in place but was concerned to hear that they are not being implemented and that there is an absence of accountability for such non-compliance. The Special Rapporteur also heard troubling testimony of how political institutions are experienced as deeply hostile and unsafe places for those from marginalized racial and ethnic groups, particularly women.

55. The use of threats and violence, including lethal violence, against those from marginalized racial and ethnic groups, including women, who run for or participate in political office is a further issue of deep concern to the Special Rapporteur.

K. Racial and xenophobic stereotyping and hatred

56. “Othering” on the basis of race and ethnicity, racialization and reliance on racial and xenophobic stereotypes are core components of systemic racism. The Special Rapporteur was therefore concerned at multiple reports of the endemic incidence of everyday racism driven by pervasive stereotypes and tropes about people of African descent, Indigenous Peoples, Quilombola communities, Roma persons, migrants, refugees and other groups experiencing systemic racism. She gained the impression that all non-white, non-Catholic Brazilians were subjected to racialization, othering and harmful stereotyping, including in schools, public life and in the media. Effective education and public awareness-raising on the history and culture of racial and ethnic groups and their vital contributions to Brazilian society are important tools in the fight against racist tropes and stereotypes. The Special Rapporteur therefore welcomes Law No. 10.639/2003 concerning the teaching of African and Afro-Brazilian history. She nevertheless stresses the need to ensure the effective implementation of these legal provisions and notes with concern the absence of similar legislation to develop understanding about other marginalized racial and ethnic groups.

57. Factors driving everyday racism and endemic stereotyping also contribute to concerning levels of racist hate speech, including online hate speech, and hate crimes. According to public data, 13,897 cases of racial abuse and 11,610 cases of racism were reported in 2023.¹⁷ Despite these concerning high numbers, the rates of prosecution and conviction remain low. Moreover, it is unclear to the Special Rapporteur whether all forms of racist hate speech covered by article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination are included in the Criminal Code and other legal provisions and whether such provisions apply to online violations. The Special Rapporteur notes that the Government has taken steps to engage in a dialogue with private companies on online racist hate speech but remains concerned about persistently high levels of online abuse.

58. Another concerning trend contributing to racial hatred, including online hatred, is the rise in the number of neo-Nazi cells in the southern states of Brazil, including Santa Catarina. Neo-Nazism and other forms of right-wing extremism are dangerous drivers of racism and other similar forms of hate and intolerance. Criminal cases and investigations relating to neo-Nazism have reportedly included an incident of school violence in which the perpetrator wore a military uniform and a swastika on his clothes; Nazi graffiti daubed in educational settings; threats, including Nazi references, made within educational settings; a factory making goods that glorified Nazism; and individuals with affiliations to neo-Nazism and associated ideologies who were implicated in violent crimes. The Special Rapporteur is concerned about the apathy towards trends in neo-Nazism shown by state officials and the

¹⁷ See <https://forumseguranca.org.br/publicacoes/anuario-brasileiro-de-seguranca-publica/>.

government in affected states, such as Santa Catarina. She welcomes the establishment by the National Human Rights Council of a Special Rapporteur for Combating the Growth of Neo-Nazi Cells in Brazil but urges further action.

L. Access to justice and remedy for victims and survivors of racial discrimination

59. The Special Rapporteur received concerning reports about the low number of investigations, prosecutions and convictions regarding racial discrimination and racist crimes. This can contribute to impunity and sends a disturbing message that racism and racial discrimination are acceptable, thus perpetuating systemic oppression.

60. The Special Rapporteur welcomes the fact that the “Dial 100” (Disque 100) hotline for reporting human rights violations is in place and that the Ministry of Racial Equality is taking steps to improve the reporting and referral of racist incidents, including those that might constitute crimes. While such steps are welcome, the Special Rapporteur also received concerning information about barriers to access to justice and remedy once incidents of racism and racial discrimination have been reported and referred to the justice system. These include long delays in proceedings, difficulties in accessing legal aid and hostility in the justice system towards those from marginalized racial and ethnic groups.

61. One way that the justice system can build trust with those from marginalized racial and ethnic groups is through adequate racial representation. As such, the Special Rapporteur is concerned about information she received about the lack of representation of those from marginalized racial and ethnic groups in the judicial system. She welcomes the National Justice Council programme on racial equality for the Brazilian justice system, which includes measures to improve racial representation, and encourages its effective and timely implementation.

V. Conclusions and recommendations

A. Conclusions

62. **It was very evident to the Special Rapporteur that people of African descent, Indigenous Peoples, Quilombola communities, Roma people and persons from other marginalized racial and ethnic groups, including those who face intersectional discrimination on the basis of disability, gender, lesbian, gay, bisexual, transgender or intersex status, or migrant or refugee status, continue to experience multifaceted, deeply interconnected and pervasive manifestations of systemic racism.**

63. **Endemic structural violence and exclusion – which dehumanize persons from marginalized racial and ethnic groups, cause often irreparable harm and render people invisible within society – were consistently reported to the Special Rapporteur as being integral characteristics of systemic racism. Neither racial identity nor racial discrimination are monolithic in Brazil. It is clear that there is heterogeneity among the different racial and ethnic groups. There also appear to be differences in the lived experiences of those living in rural and urban areas. While such differences are significant and should be reflected in anti-racism measures, the systematized nature of racial discrimination and pervasive racialized violence and exclusion appear to be common characteristics of the lived experiences of those from diverse marginalized racial and ethnic groups.**

64. **There is a direct link between these contemporary manifestations of systemic racism and the complex history of Brazil, which includes Portuguese colonialism, previously legalized enslavement and military dictatorships. Systemic racism appears to have endured since the formation of the State of Brazil, despite courageous and sustained advocacy among anti-racism human rights defenders.**

65. The Special Rapporteur welcomes the fact that the Government of Brazil has recognized that racism is a systemic phenomenon and has institutionalized efforts to prevent and address racial discrimination. Nevertheless, dismantling systemic racism in Brazil demands more urgency, and policies and laws need to more effectively reach the most marginalized. The current pace of change does not appear to fully match the severity of the situation. There are significant gaps in the implementation and reach of laws and policies and progress on key racial justice issues is too slow. Those from marginalized racial and ethnic groups in Brazil have already waited far too long for racial justice and equality. Given the persistent and endemic levels of violence, the very existence of marginalized lives depends on bolder and more urgent action being taken.

66. Anti-racial discrimination efforts need to recognize, address and remedy the root causes, historical drivers and underlying power structures of contemporary systemic racism through a reparatory justice approach. To achieve the effective implementation of a reparatory justice approach, Brazil should dedicate significant additional resources to anti-racial discrimination efforts to address the historical underinvestment in marginalized racial and ethnic groups, provide reparations for historical harms and accelerate the pace of change towards substantive racial equality.

B. Recommendations

67. The Special Rapporteur lists below several categories of recommendations. Unless otherwise specified, all recommendations are for the Government of Brazil.

1. Cross-cutting considerations

(a) Invest significant resources at the federal and state levels to develop a comprehensive reparatory justice approach, which includes reparations for enslavement, colonialism and sustained systemic racism, in full and meaningful consultation with affected individuals and communities;

(b) Ensure that all parts of the State, including the legislature, comply with their obligations under international human rights law to prevent and address all forms of racial discrimination and uphold the foundational principle of non-retrogression in the realization of human rights;

(c) Establish a national human rights institution consistent with the Paris Principles with a mandate and the capacity to monitor the effectiveness of efforts to address racial discrimination, receive and investigate complaints of all forms of racial discrimination and coordinate efforts to achieve racial equality and justice;

(d) Ensure that all efforts to address racial discrimination take intersectional forms of discrimination into consideration;

(e) Ensure the full implementation of relevant international racial justice standards, including the International Convention on the Elimination of All Forms of Racial Discrimination, including the most recent recommendations of the Committee on the Elimination of Racial Discrimination,¹⁸ and the Durban Declaration and Programme of Action;

(f) Strengthen efforts to collect and coordinate the collection of data, fully disaggregated by race and ethnicity, across all areas of government activity in order to monitor the situation of marginalized racial and ethnic individuals and groups, including those experiencing intersectional forms of discrimination, and better target laws, policies and programmes;

(g) Ensure that data is collected about Roma people, such as by including such individuals in the next national census;

¹⁸ See [CERD/C/BRA/CO/18-20](#).

(h) Ensure the effective and timely implementation of the Recommendations Monitoring System mechanism to monitor and evaluate implementation of the recommendations of the human rights mechanisms, including on racial discrimination;

(i) Develop a national action plan on addressing racism and racial discrimination, including systemic racism, to ensure a fully coordinated approach to addressing these phenomena;

2. Indigenous and Quilombola land rights

(j) Invest more resources to strengthen the institutions responsible for Indigenous and Quilombola land demarcation and significantly expedite the process. In this regard, consider developing a concrete timeline that maps out the expedited demarcation of all Indigenous and Quilombola lands;

(k) Reject all manifestations of the temporal framework (“marco temporal”) doctrine and uphold the protections of Indigenous Peoples’ rights in the national legal framework and under international human rights law;

(l) Suspend Law No. 14.701/2023 and uphold the 2023 judgment of the Supreme Court on the unconstitutionality of the temporal framework doctrine;

(m) Ensure that the national policy being developed for Quilombola communities is completed and that it includes land rights as a central component;

(n) Guarantee the consistent and effective application of the principle of free, prior and informed consent in all decisions affecting Indigenous and Quilombola lands in all states, including when adjudicating licences for land use;

(o) Ensure access to justice and remedy for all Indigenous and Quilombola peoples who have experienced violence in the context of land disputes, including the Guarani-Kaiowá Indigenous Peoples;

3. Environmental racism

(p) Build on the recognition by government officials of environmental racism and the measures taken by the federal Government to develop a policy on business and human rights so as to ensure that a comprehensive legal and policy framework on addressing all forms of environmental racism is in place;

(q) Ensure the effective integration of a racial justice lens at the thirtieth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and the full and meaningful participation of people from all marginalized racial and ethnic groups in Brazil;

4. Anti-racism human rights defenders

(r) Implement the recommendations issued by the Special Rapporteur on the situation of human rights defenders in her report on her visit to Brazil, in April 2024,¹⁹ in full consultation with persons from marginalized racial and ethnic groups;

(s) Step up efforts to improve and ensure the effectiveness of the Protection Programme for Human Rights Defenders, including through targeted measures to more effectively protect human rights defenders belonging to marginalized racial and ethnic groups;

(t) Continue and expand efforts to comply with the findings of the Inter-American Court of Human Rights in the case of *Sales Pimenta v. Brazil*;

5. Situation of women from marginalized racial and ethnic groups

(u) Ensure that legal provisions guaranteeing protection from violence against women, including those in the Criminal Code and the Maria da Penha Law, are

¹⁹ [A/HRC/58/53/Add.2](#).

effectively and equitably implemented so that forms of violence against women from marginalized racial and ethnic groups are punished and remedied, thereby addressing impunity;

(v) Take targeted steps to address the disproportionately high levels of violence, including sexual violence, against women from marginalized racial and ethnic groups;

(w) Take measures, in line with the recommendations of relevant human rights bodies, including the Committee on the Elimination of Discrimination against Women,²⁰ to urgently legalize abortion, decriminalize it in all cases and ensure that women and girls have adequate access to safe abortion and post-abortion services in order to guarantee the full realization of their rights, equality, and economic and bodily autonomy;

(x) Take further steps to prevent, address and remedy all cases of obstetric violence against women from marginalized racial and ethnic groups, including by expanding the training of healthcare professionals;

(y) Step up measures to address high maternal mortality rates and ensure that specific attention is given to addressing the disproportionate impact on women from marginalized racial and ethnic groups;

(z) Expand efforts to provide psychosocial support to mothers and other family members who are victims of systemic police brutality. Ensure that such psychosocial support reaches all affected women and is implemented alongside actions to address the root causes of State violence;

6. Poverty and racial discrimination in the realization of economic and social rights

(aa) Continue the Bolsa Família programme and ensure that it reaches all persons from racial and ethnic groups who experience poverty and food insecurity;

(bb) Implement other measures, alongside the Bolsa Família programme, to address the root causes of poverty and food insecurity;

(cc) Address the root causes of poverty by improving access to decent work opportunities and remedying historical underinvestment in marginalized racial and ethnic groups through the establishment of targeted community investment funds;

(dd) Take action to effectively prevent and address manifestations of racial discrimination in the labour market;

(ee) Develop urgent measures to provide support to unhoused persons and to address the root causes of rising homelessness and its disproportionate impact on those from marginalized racial and ethnic groups, including women of African descent;

(ff) Ensure the effective implementation of the national health policy on people of African descent;

(gg) Develop health policies regarding other marginalized racial and ethnic groups and ensure that they are effectively implemented;

(hh) Step up investment in the training of healthcare professionals on racial discrimination and human rights standards and in broader efforts to ensure that healthcare spaces are safe for all those from racial and ethnic groups;

(ii) Continue and expand efforts to ensure access to mental health services for persons from marginalized racial and ethnic groups and ensure that they are effective in reaching communities;

²⁰ CEDAW/C/BRA/CO/8-9, paras. 34 and 35.

7. Affirmative action

(jj) Ensure that affirmative action programmes are expanded to cover all higher education institutions and relevant public sector employers, including the judiciary;

(kk) Effectively implement policies and laws on affirmative action in all states to ensure equitable access;

(ll) Include all marginalized racial and ethnic groups in all affirmative action programmes, taking particular action to ensure the inclusion of Roma persons and those with experiences of intersectional discrimination in all affirmative action programmes;

(mm) Make sure that the implementation of affirmative action is complemented by other policies and programmes, such as scholarships that fully meet the needs of students, and public education and awareness-raising campaigns to address negative stereotypes and misconceptions relating to affirmative action;

(nn) Ensure the full and meaningful participation of all marginalized racial and ethnic groups in the development and implementation of all affirmative action policies and laws;

8. Inadequate political participation and representation

(oo) Urgently address the lack of effective implementation of quotas to improve racial representation in political parties;

(pp) Step up efforts to protect from threats, intimidation and violence politicians and other public figures from marginalized racial and ethnic groups;

9. Systemic racial discrimination in law enforcement and the criminal justice system

(qq) Consider ways to achieve a paradigm shift in Brazilian law enforcement to effectively address the root causes of systemic police brutality by law enforcement agencies and reduce the militarization of civilian policing;

(rr) Guarantee the effective implementation across all states in Brazil of the ministerial decree of the Ministry of Justice and Public Security on the use of force;

(ss) Ensure that laws and policies to guarantee that the use of force is deployed in accordance with the principles of proportionality, necessity and legality, and in line with international human rights standards relating to racial equality, are in place and effectively implemented;

(tt) Ensure the effective and timely implementation of the recommendations issued by the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement, following its visit in 2023, in full consultation with relevant communities;²¹

(uu) Continue and strengthen work to ensure that all law enforcement officials in all states of Brazil consistently wear body cameras, while ensuring the full and meaningful participation of persons from marginalized racial and ethnic groups in the development, implementation and monitoring of relevant laws and policies;

(vv) Ensure that the Ministry of Justice and Public Security continues the work of the interministerial group on racial bias in facial recognition;

(ww) Ensure that plans to develop a policy on addressing racial bias in facial recognition are implemented and develop other forms of effective and human rights-based regulation, giving due consideration to systemic racism, on any use of emerging technologies, particularly by Brazilian law enforcement;

²¹ See [A/HRC/57/71/Add.1](#).

(xx) **Revise bill No. 2.338/2023 on the use of artificial intelligence to ensure that it contains human rights-based protections against racial profiling by facial recognition systems;**

(yy) **Ensure the immediate cessation of the use of any digital technologies within law enforcement and the criminal justice system if the human rights risks are deemed to be too high;**

(zz) **Set up monitoring, evaluation and appeals processes on the use of all artificial intelligence systems in law enforcement and criminal justice;**

(aaa) **Increase efforts to address the root causes and manifestations of the overincarceration of people of African descent and persons from other marginalized racial and ethnic groups, including by stepping up efforts to increase alternatives to detention and revising drug policies;**

(bbb) **Continue and expand efforts to increase racial diversity among members of the judiciary;**

(ccc) **Step up efforts to address dehumanizing conditions of detention, in line with the 2019 judgment of the Supreme Court on the unconstitutionality of detention conditions and international human rights law standards;**

10. Religious racism

(ddd) **Ensure the effective implementation of plans to develop policy on addressing religious racism;**

(eee) **Develop public education and awareness-raising campaigns to address negative stereotypes about Afro-Brazilian and Islamic faiths and engender peaceful coexistence and respect for all religions;**

(fff) **Ensure that policies and laws are in place to prevent and address manifestations of Islamophobia;**

(ggg) **Increase reporting of incidences of religious racism, including by further promoting the Dial 100 hotline;**

(hhh) **Take urgent action to address and remedy any manifestations of religious racism in child custody proceedings;**

11. Racial and xenophobic stereotyping and hatred

(iii) **Step up efforts to ensure the effective and consistent implementation of Law No. 10.639/2003 concerning the teaching of African and Afro-Brazilian history to prevent and address racism;**

(jjj) **Develop similar provisions to encourage understanding of the history and culture of other marginalized racial and ethnic groups;**

(kkk) **Ensure that all forms of hate speech included in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination are included in the national legal framework and expand the implementation of legal and non-legal measures to prevent and address racist hate speech, including any incidents which could constitute incitement to discrimination, hostility or violence;**

(lll) **Continue and step up efforts to work with private technology companies to address the growing incidence of online racist hate speech and tackle any gaps in binding legal frameworks to address such phenomena;**

(mmm) **Take concrete action at the federal and state levels to combat the growing number of neo-Nazi cells, particularly in southern states, such as Santa Catarina;**

12. Access to justice and remedy for victims and survivors of racial discrimination

(nnn) Ensure that remedy mechanisms are in place to provide for effective restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition in all cases of racial discrimination;

(ooo) Address any manifestations of systemic racism in the Brazilian justice system that are impeding access to justice and remedy by victims and survivors of racial discrimination. This should include the provision of adequate legal aid, adequate racial representation among employees of the justice system, including judges, and efforts to decrease backlogs and delays.
