



**MISSION PERMANENTE DU BRESIL AUPRES DE L'OFFICE DES NATIONS UNIES
ET DES AUTRES ORGANISATIONS INTERNATIONALES A GENEVE**

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The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honor to refer to the letter ARDS/AT/SH/fc, dated 26 January 2024.

The Permanent Mission of Brazil in Geneva would like to forward the attached information by the Ministry of Justice and Public Security and the Ministry of Racial Equality on the intersectional discrimination against people of African descent and advancing racial justice and equality through an intersectional approach, as the Brazilian contribution to the preparation of the High Commissioner's report to be presented to the Human Rights Council at its 57th session pursuant to Human Rights Council resolution 47/21.

The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 24th April, 2024.

To the Office of the United Nations High Commissioner for Human Rights (OHCHR)

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THE INTERSECTIONAL DISCRIMINATION AGAINST PEOPLE OF AFRICAN DESCENT AND ADVANCING RACIAL JUSTICE AND EQUALITY THROUGH AN INTERSECTIONAL APPROACH

(Brazil)

Regarding data on lethality caused by the police, the year 2021 saw an increase in the number of deaths, with 84.1% of those killed by the police being Black. Similarly, Black police officers are also the ones who die the most: 67.7% of police officers killed in 2021 were Black.

The data becomes even more alarming when age is combined with race. The Brazilian Public Security Yearbook (2022) indicates that when age and gender are taken into account, the numbers of lethality against the Black population are even more impactful. Black teenagers account for 87.8% of homicide victims in Brazil. Taking care of the youth - approximately 50 million out of Brazil's 211 million inhabitants - means taking care of the present and future of a nation, through assistance to those who are already contributing to the national wealth but will gain even more economic importance in the country, as represented by the Gross Domestic Product (GDP), in a few years.

The socio-economic development tends to be impacted by the result of an equation that includes elements such as the precarization of youth living conditions due to lack of access to rights, as well as the demographic and progressive aging of Brazilian society. Solving this equation is therefore related to guaranteeing dignity and rights for a potent and vibrant youth.

In this sense, the Black Youth Alive Plan is an instrument of racial equality policy for Black youth aimed at building cross-cutting actions to reduce lethal violence and other social vulnerabilities affecting this population segment. With social participation and democratic principles at the center of its construction, the Plan was developed based on active listening to approximately 6,000 young people from all Brazilian states and the Federal District.

As a result of a process led by the Ministry of Racial Equality and the General Secretariat of the Presidency and agreed upon with 16 Ministries, the plan is structured around 11 guidelines of cross-cutting public policies that address, among other topics, access to justice and public security, education, health, culture, and the environment. Each guideline has specific goals and cross-cutting actions aimed at promoting structural and lasting changes in the lives of Black youth. In total, there are 217 actions, divided into 11 guidelines and 43 goals, as follows:

Guideline 1 - Access to Justice and Public Security

Goal 1: Train public security professionals

Goal 2: Qualify information on offenses committed due to color and race

Goal 3: Prevent violence against Black youth

Goal 4: Promote qualified and citizen-oriented action by public security agents

Guideline 2 - Health Promotion

Goal 5: Qualify health services for the Black youth population

Goal 6: Implement and expand affirmative actions in the Unified Health System

Goal 7: Disseminate and improve access to health services

Goal 8: Strengthen mental health care for the Black youth population and their families

Goal 9: Improve health data production based on racial criteria

Guideline 3 - Generation of Work, Employment, and Income

Goal 10: Qualify Black youth for the labor market

Goal 11: Ensure dignity in labor relations and combat slavery-like work

Goal 12: Expand affirmative actions for the entry of Black individuals into the federal public service and the occupation of leadership positions

Goal 13: Promote the entry of Black individuals into the private sector

Goal 14: Expand and strengthen the role of Black youth in the popular and solidarity economy and Afro-entrepreneurship

Guideline 4 - Education

Goal 15: Improve affirmative action policies in education to increase the participation of Black youth in basic and secondary education

Goal 16: Improve affirmative action policies in education to increase the participation of Black youth in higher education and postgraduate studies

Goal 17: Promote the implementation of Law No. 10,639/2003 and No. 11,645/2008

Goal 18: Strengthen Quilombola Education

Guideline 5 - Culture

Goal 19: Establish mechanisms for access to culture for Black youth

Goal 20: Implement and expand affirmative actions in actions of the Ministry of Culture

Goal 21: Valorize Afro-diasporic cultural assets and communities

Guideline 6 - Science and Technology

Goal 22: Expand connectivity for Black youth

Goal 23: Encourage the inclusion of young Black individuals in the country's scientific and technological production

Guideline 7 - Sports

Goal 24: Expand the provision of actions and structures for sports practice in vulnerable territories for Black youth

Goal 25: Implement and expand actions to confront racism, gender violence, and inclusion in sports practices

Guideline 8 - Environment, guarantee of the right to the city, and valorization of territories

Goal 26: Implement actions to address environmental racism and climate change

Goal 27: Implement and expand affirmative actions in activities developed in the Environmental Policy

Goal 28: Encourage the permanence in the territories of Black youth and rural succession

Goal 29: Expand and strengthen Education in Rural Areas

Goal 30: Increase access to rights in urban peripheries

Goal 31: Improve urban quality of life, habitability conditions, and security of tenure in urban peripheries

Guideline 9 - Social Assistance

Goal 32: Expand the Policy for the Promotion of Racial Equality in the Unified Social Assistance System (SUAS)

Goal 33: Expand Basic Social Protection

Goal 34: Expand actions for Black youth under the Promotion Program for Access to the World of Work

Guideline 10 - Food and Nutritional Security

Goal 35: Strengthen Food and Nutritional Security for Black youth

Guideline 11 - Strengthening Democracy

Goal 36: Territorialize attention to Human Rights for Black Youth

Goal 37: Expand and improve the protection network for adolescents and young people

Goal 38: Recognize Memory and ensure the Right to Reparation for Victims of Lethal State Violence

Goal 39: Qualify and humanize attention to socio-educational individuals and graduates of the socio-educational system

Goal 40: Implement and strengthen anti-racist best practices in public management

Goal 41: Strengthen the management of Racial Equality Promotion Policies throughout the national territory through the National System for Racial Equality Promotion

Goal 42: Institutionalize, strengthen, and publicize public policies for youth at the national and international levels and in coordination with states and municipalities, and expand channels of dialogue, representation, and social participation of youth

Goal 43: Promote emancipation, qualification, autonomy, culture of peace, and democratic culture among young people

At the Ministry of Justice and Public Security, the National Secretariat for Public Security is guided by Article 24 of Decree No. 11,348, dated January 1, 2023, which outlines its preponderant role in the conception, implementation, and evaluation of public policies aimed at promoting public security effectively and efficiently throughout the national territory, emphasizing integration with federative entities and guided by the principle of federative autonomy.

The public policies developed within this Secretariat are guided by the National Policy for Public Security and Social Defense, the National Plan for Public Security and Social Defense, as well as the priority guidelines outlined in the National Program for Public Security with Citizenship - Pronasci 2.

It is worth noting the resumption, through Decree No. 11,436, dated March 15, 2023, of the National Program for Public Security with Citizenship - Pronasci, for the biennium 2023-2024, referred to as Pronasci 2, which included the Bolsa-Formação Project. In 2023, approximately 100,000 scholarships worth R\$ 900 (nine hundred reais) were made available for training in different thematic areas, covering the following priority guidelines: promotion of policies to address and prevent violence against women; promotion of public security policies, with citizenship and focus on vulnerable territories with high violence indicators; promotion of citizenship policies, focusing on work and formal and vocational education for prisoners and parolees; support for victims of crime and combating structural racism and crimes resulting from it.

The National Policy for Public Security and Social Defense, in accordance with Law No. 13,675, dated June 11, 2018, lists among its objectives the encouragement and support for actions to prevent violence and crime, with priority for those related to the lethality of young Black population, women, and other vulnerable groups. On the other hand, Decree No. 11,436, dated March 15, 2023, which institutes the National Program for Public Security with Citizenship - Pronasci 2, aimed at promoting public security focused on the prevention, control, and repression of crime, establishing social policies and actions to protect victims with the promotion of human rights, intensifying a culture of peace and systematic combating of gender, ethnic, racial,

generational, sexual orientation, and cultural diversity prejudices, enunciates as one of its priority guidelines the fight against structural racism and crimes resulting from it.

In this context, the relevance of the actions developed within this Secretariat in the exercise of coordinating, proposing, and promoting policies, programs, projects, and actions to prevent violence and crime against groups in situations of vulnerability is evident, within the scope of which various initiatives are developed:

National Body Cameras Project: aims to ensure safety for the actions of public security agents, as well as to assist in the prevention and elucidation of deaths resulting from police intervention. It is important to emphasize that the implementation of body cameras in police forces is a priority project of the Ministry of Justice and Public Security (MJSP) with financing in the States and the Federal District, available through the National Public Security Fund, according to Ordinance No. 439, dated August 4, 2023.

An important element in the national public security policy is the implementation of the Unified Public Security System, which has the following objectives, among others:

[...]

VII - articulate, propose, formulate, and execute public security and social defense policies;

[...]

IX - identify, highlight, and promote the use of new technologies and good practices of innovation in the field of public security and social defense, aiming at strengthening and modernizing its institutions;

X - elaborate studies and coordinate actions on standardization, certification, metrology, accreditation, and management of programs, projects, products, and processes in the field of public security and social defense; and

XI - elaborate and promote actions for violence and crime prevention.

Thus, through the General Coordination of Violence and Crime Prevention Policies (CGPREV), there is competence to coordinate, propose, and promote policies, programs, projects, and actions to prevent violence and crime against vulnerable groups, as well as to promote public policies aimed at addressing violence against women, managing the national policy for the search of missing persons, and community policing.

It is worth mentioning Interministerial Ordinance No. 4,226, dated December 31, 2010, which establishes guidelines on the Use of Force by Public Security Agents. Thus, it guides the Federative Units so that their public security agents "who, due to their function, may become involved in situations of the use of force, must carry at least 2 (two) instruments of lesser offensive potential and necessary protective equipment for specific action, regardless of whether or not they carry a firearm." The mentioned Ordinance is undergoing updating through a Working Group created as a result of Senasp/MJSP Ordinance 556/2024 (26725803).

In order to reduce the lethal use of firearms by law enforcement officials, on December 22, 2014, Law No. 13.060 was enacted, which regulates the use of less-lethal weapons (LLWs) by public security agents throughout the national territory, with the obligation to comply with the provisions of article 2:

Article 2. Public security agencies must prioritize the use of less-lethal weapons, provided that their use does not endanger the physical or mental integrity of the police officers, and must adhere to the following principles:

I - legality;

II - necessity;

III - reasonableness and proportionality.

Sole Paragraph. The use of firearms is not legitimate:

I - against a fleeing unarmed person or one who does not pose an immediate risk of death or injury to public security agents or third parties; and

II - against a vehicle that disrespects a police blockade on a public road, except when the act poses a risk of death or injury to public security agents or third parties.

The Ministry of Justice and Public Security - MJSP, through the Directorate of the Unified Public Security System, has included in its scope of actions the implementation of public policies aimed at meeting Goal 1 (Reduce the national homicide rate to below 16 deaths per 100,000 inhabitants by 2030) of the National Public Security and Defense Plan - PNSP, related to the objectives of the National Public Security and Defense Policy - PNSPDS, which states:

Article 6. The objectives of the PNSPDS are:

[...]

IV - encourage and support the implementation of actions to prevent violence and crime, prioritizing those related to the lethality of young Black people, women, and other vulnerable groups;

XVII - promote permanent actions to combat organized crime and corruption;

XXIII - prioritize policies to reduce violent lethality;

XXIV - strengthen mechanisms for investigating heinous crimes and homicides;

XXV - strengthen actions to monitor firearms and ammunition, with a view to reducing armed violence.

Among the actions implemented by the MJSP, to provide the requested information related to the highlighted sections, are:

a) The resumption, in the biennium 2023-2024, of the National Public Security Program with Citizenship - Pronasci, called Pronasci 2, which aims to coordinate public security actions for the

prevention, control, and repression of crime, establishing social policies and actions to protect victims with the promotion of human rights, intensifying a culture of peace, disarmament support, and systematic combat against gender, ethnic, racial, generational, sexual orientation, and cultural diversity prejudices, establishing 5 priority areas of action in these policies, according to Decree No. 11,436, dated March 15, 2023, in its article 3.

I - Promotion of policies to address and prevent violence against women;

II - Promotion of public security policies, with citizenship and focus on vulnerable territories with high indicators of violence;

III - Promotion of citizenship policies, focusing on work and formal and vocational education for prisoners and parolees;

IV - Support for victims of crime; and

V - Combating structural racism and related crimes.

b) National Body Cameras Project: aims to ensure security for the actions of public security agents, as well as to assist in the prevention and elucidation of deaths resulting from police intervention. It is important to note that the implementation of body cameras in police forces is a priority project of the MJSP, with financing available to states and the Federal District through the National Public Security Fund, according to Ordinance No. 439, of August 4, 2023. The forecast of actions to be developed in the thematic area of Reduction of Intentional Violent Deaths, as provided for in art. 5 of MJSP Ordinance No. 439/2023, occurs as follows:

Art. 5 The actions to be developed in the thematic area of Reduction of Intentional Violent Deaths comprise the following:

[...]

VIII - Use of body cameras by public security professionals;

[...]

X - Reduction of police lethality;

c) Prevention of homicides and allocation of resources from the National Public Security Fund (Ordinance No. 439/2023): prioritizing the prevention of intentional violent deaths, Ordinance No. 439/2023, which allocates the mandatory resources of the National Public Security Fund transferred to states, indicates the thematic areas of investment:

Art. 3 An action plan must be presented for each of the following thematic areas, according to the respective percentages of resources:

I - Reduction of intentional violent deaths: eighty percent;

II - Confrontation of violence against women: ten percent; and

III - Improvement of the quality of life of public security professionals: ten percent.

Furthermore, within the scope of the competence to promote the valorization, education, and training of professionals integrated into the Unified Public Security System, the National Secretariat of Public Security promotes educational actions, such as the Master's degree in Human Rights with an emphasis on Public Security, the face-to-face course "Training of Multipliers - Anti-Racist Police," as well as distance learning courses on the topics "Police Action Towards Vulnerable Groups" and "SUSP and the Confrontation of Racial Inequality in Brazil."

Additionally, it is strictly observed that the international treaties to which Brazil is a party are pertinent to the actions developed by this Directorate, such as:

American Convention on Human Rights (Pact of San Jose, Costa Rica), promulgated by Decree No. 678, of November 6, 1992;

International Covenant on Civil and Political Rights;

Convention on the Elimination of All Forms of Racial Discrimination, promulgated by Decree No. 65,810, of December 8, 1969; and

Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

Within the scope of the National Distance Education Network in Public Security (Senasp EaD Network), through the offering of vacancies in distance learning courses, the application of various regulations aimed at promoting and protecting human rights and fundamental freedoms of the Afro-descendant population against the excessive use of force by public security professionals is envisaged. Furthermore, these are capacity-building initiatives aimed at implementing effective projects that seek to modernize and innovate the educational institutions of public security in the federative units. In this sense, considering the referenced theme, the following distance learning courses are available to SUSP professionals, with a focus on the number of professionals trained between 2022 and 2023:

Table 1 - Available Courses in the Senasp EaD Network

Order 1

EaD Training: Police Action Towards Vulnerable Groups

Duration: 60 hours

Total Trained (2022-2023): 7,576

Observations: -

Order 2

EaD Training: Philosophy of Human Rights Applied to Police Action

Duration: 60 hours

Total Trained (2022-2023): 6,104

Observations: -

Order 3

EaD Training: Human Rights: Practical Cases Applied in Public Security Actions

Duration: 40 hours

Total Trained (2022-2023): 3,677

Observations: -

Order 4

EaD Training: SUSP and Confronting Racial Inequality in Brazil

Duration: 40 hours

Total Trained (2022-2023): 27,225

Observations: Course offered in the Bolsa-Formação/Pronasci 2 Project, referring to the period 2023-2024.

Regarding face-to-face education, one of the educational actions promoted by DEP in 2023, under the Bolsa-Formação Project of the National Program of Public Security with Citizenship - Pronasci 2, is described in the table below:

Table 2 - Face-to-face Courses

Order 1

Training: Anti-Racist Police Multipliers Course

Duration: 80 hours

Total Trained (2023): 37

Observations: Created in 2023, one edition was executed, with the participation of professionals from all federative units of the country. It is a multiplier-level course, whose main objective is to develop in the public security professional a mentality of work based on the principles of the Democratic Rule of Law, respect for human rights, ethical awareness regarding social diversity, and technical-operational performance in close relationship with the community, in order to promote cultural changes.

Regarding educational actions of broad and strict sense formation for SUSP professionals, at the specialization, master's, and doctoral levels, the educational actions developed by DEP/Senasp are presented below, which are related to the current theme:

Table 3 - Postgraduate Programs (broad and strict sense)

Order 1

Postgraduate Program: Interinstitutional Master's in Engineering and Knowledge Management

Number of professionals: 30 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: In progress

Order 2

Postgraduate Program: Specialization in Judicial Police Law

Number of professionals: 27 vacancies

Target audience: SUSP Experts

Modality: EaD

Status: Final stage of execution

Order 3

Postgraduate Program: Specialization in Confronting Domestic and Family Violence against Women

Number of professionals: 250 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: Final stage of execution

Order 4

Postgraduate Program: Specialization in Assisting Children and Adolescents Victims or Witnesses of Violence

Number of professionals: 250 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: Final stage of execution

Order 5

Postgraduate Program: Specialization in Confronting Violence against Women and Girls

Number of professionals: 200 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: Start in March 2024

Order 6

Postgraduate Program: Specialization in Assisting Children and Adolescents in Situations of Violence

Number of professionals: 200 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: Start in March 2024

Order 7

Postgraduate Program: Specialization in Contemporary Public Security

Number of professionals: 60 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: Execution stage/Started in November 2023

Order 8

Postgraduate Program: Master's in Human Rights with emphasis on Public Security

Number of professionals: 60 vacancies

Target audience: SUSP professionals

Modality: EaD

Status: Student selection stage

Among the vacancies for specialization courses, broad and strict sense, it is emphasized that they are intended for SUSP professionals from federative states and municipalities, and interested parties participate in a selection process that qualifies them to join the specialization programs.

The promotion and protection of human rights and fundamental freedoms of People of African descent, in contrast to the excessive use of force and other violations by law enforcement agents, will be revisited primarily in the Master's program in Human Rights with emphasis on Public Security, scheduled to start in 2024, but it is also addressed, albeit transversally, like other forms of violence, in other postgraduate programs promoted by DEP/Senasp.

Furthermore, the National Curriculum Matrix (NCM) is highlighted as a didactic-pedagogical instrument that considers the cognitive, operative, and attitudinal competencies that must be developed by public security professionals, and is based on 4 (four) articulating guidelines: Subject and Interactions in the Context of Public Security; Society, Power, State, Public Space, and Public Security; Ethics, Citizenship, Human Rights, and Public Security; Ethnic-sociocultural Diversity, Conflicts, and Public Security. The NCM is being updated, and its reformulation will seek to promote the improvement of SUSP professionals by readjusting the disciplines with even greater emphasis on human rights knowledge and the peculiarities of historically marginalized groups, corroborating with the development and alignment of the necessary competencies and skills for the citizen formation of the public security professional, safeguarding the peculiarities of each agency and region.

Another initiative of the Ministry of Justice and Public Security in the current government, in 2023, was the creation and proposed activities by the Access to Justice Secretariat (SAJU), as determined by Decree 11,348, of January 1, 2023, which reflects a response to the demands of organized civil society and is in line with recommendations from international organizations. Its main mission is to expand and guarantee the rights of the Afro-descendant population in the judicial sphere, while also committing to promoting actions to reduce violence against women, LGBTQIA+ people, indigenous peoples, and traditional communities, and improve the justice system itself.

Furthermore, it is essential to highlight the constant efforts of this secretariat to establish close collaborations with national and international human rights organizations, which reinforces its commitment to promoting a fairer and more egalitarian society. These partnerships are crucial to

expanding the reach and effectiveness of SAJU initiatives, strengthening its capacity to act in favor of vulnerable and marginalized groups, especially People of African descent.

Regarding the specific initiatives developed by SAJU, programs aimed at access to justice for historically marginalized groups, such as women and youth, deserve attention. Among these initiatives are projects in partnership with the Federal District Court of Justice (TJDF) and federal universities throughout the country, such as the Popular Defenders Course, aimed at training women, especially Black women, in conflict resolution in their communities and expanding the protection of fundamental rights.

It is also important to mention SAJU's support and encouragement for the training of young people, especially People of African descent, as community rights defenders, through partnerships established with popular preparatory courses, linked to federal institutes and universities in the Federal District and Rio Grande do Sul, as well as with the Youth Secretariat of the state of Ceará.

Moreover, it is crucial to highlight the measures adopted by SAJU in combating rights violations, such as institutional violence, and in seeking reparations. In this sense, collaboration with institutions such as the Network of Care for People Affected by State Violence (RAAVE), the Federal University of São Paulo (UNIFESP), and the Public Defender's Office of the State of São Paulo is of utmost importance. These initiatives aim not only to provide assistance to victims but also to seek effective solutions to prevent and combat institutional violence, thus strengthening democratic values and the Rule of Law.

Finally, it is worth noting the dedication of this Secretariat to promoting the improvement of the justice system, in coordination with various organs and entities of the Executive and Judicial branches, as well as the Public Prosecutor's Office, the Public Defender's Office, the Brazilian Bar Association, international agencies and organizations, and civil society organizations. A notable example of these partnerships is the "Mirante" project of the Federal Fluminense University (UFF), which aims to develop and structure research lines at the university, as well as to produce data and evidence on human rights violations committed during police operations resulting in deaths.