



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

List of issues prior to submission of the third periodic report of Brazil*

Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee's previous recommendations

Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations,¹ the Committee requested the State Party to provide information on the follow-up to its recommendations on the use of excessive force by law enforcement and military officials, conditions of detention, juvenile justice, and the national preventive mechanism (paras. 18 (b), 22 (c), 24 (b) and 34 (a), respectively). Noting that replies concerning the information sought by the Committee were provided on 14 August 2024,² and with reference to the letter dated 24 January 2025 from the Committee's Rapporteur for follow-up to concluding observations,³ the Committee considers that the above-mentioned recommendations have been partially implemented.

Articles 1 and 4

2. With reference to the Committee's previous concluding observations,⁴ please provide updated information on the legislative measures taken to amend article 1 of Law No. 9,455 of 1997 to incorporate a definition of torture that is fully in line with article 1 of the Convention, in particular by strictly limiting it to acts intentionally committed by or at the instigation of or with the consent or acquiescence of a public official or any person acting in an official capacity,⁵ and for the purpose of intimidating or coercing a person, or for any reason based on discrimination of any kind. Please specify the measures taken to ensure that all acts of torture, as defined in article 1 of Law No. 9,455, and not only those committed under aggravating circumstances, are punishable by penalties that take into account their grave nature, in accordance with article 4 (2) of the Convention.⁶ Please indicate the measures

* Adopted by the Committee at its eighty-fourth session (13 April–1 May 2026).

¹ CAT/C/BRA/CO/2, para. 51.

² See CAT/C/BRA/FCO/2.

³ See https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FBRA%2F62184&Lang=en.

⁴ CAT/C/BRA/CO/2, paras. 7–10.

⁵ The definition of torture set out in article 1 of Law No. 9,455 of 1997 is overly broad, as it establishes that acts of torture may be committed by any person and provides for aggravating circumstances when this crime is committed by a public official.

⁶ Art. 1 (II) of Law No. 9,455 of 1997 provides for a prison sentence of two to eight years for an act of torture committed in the absence of any aggravating circumstances.



taken to ensure that the offence of torture is not subject to a statute of limitations in order to preclude any risk of impunity in relation to the investigation of acts of torture and the prosecution and punishment of perpetrators.

Article 2⁷

3. Please describe the measures taken to amend Law No. 9,455 of 1997 to include provisions to the effect that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture, in accordance with article 2 (2) of the Convention, and that, pursuant to article 2 (3) of the Convention, an order from a superior officer or a public authority may in no case be invoked as a justification of torture. In this regard, please indicate the steps taken to establish mechanisms and procedures to ensure protection from reprisals for subordinates who refuse to obey unlawful orders, including those relating to acts of torture, issued by a competent authority, and the measures adopted to ensure that all law enforcement officers are informed of the prohibition against obeying such unlawful orders and are made aware of these mechanisms and procedures. Please provide information on the measures taken to incorporate the principle of command responsibility or superior responsibility for acts of torture or ill-treatment committed by subordinates, whereby those exercising superior authority are held criminally responsible for the conduct of their subordinates where they knew or should have known that such impermissible conduct was occurring, or was likely to occur, and they failed to take reasonable and necessary preventive measures or to refer the case to the competent authorities for investigation and prosecution.

4. With reference to the Committee's previous concluding observations,⁸ please provide information on the measures taken by the State Party to ensure that all detainees enjoy in practice all fundamental legal safeguards from the outset of their deprivation of liberty, in particular the rights: (a) to have ready access to an independent lawyer of their choice without delay and in full confidentiality, or to free and adequate legal aid for those who do not have sufficient means to pay for legal representation, particularly in remote and rural areas;⁹ (b) to notify a relative or any other person of their choice of their detention and whereabouts; and (c) to request and receive a confidential medical examination by an independent doctor, free of charge, including by ensuring that forensic medical institutes are structurally and operationally independent of the police and public security authorities in all state jurisdictions, or, alternatively, to pay for an examination by a medical doctor of their choice, and to have such examinations conducted out of the sight and hearing of any police officer, unless the doctor concerned explicitly requests otherwise. Please describe the steps taken to resume custody hearings with the physical presence of the detainee, before a magistrate and in a judicial setting, in all states of the country, as a required and essential safeguard to assess the legality of the detention, to bring the person under judicial control and to detect and investigate cases of torture or ill-treatment.¹⁰ Please indicate the monitoring measures taken to ensure that law enforcement or other officials respect, in practice, from the moment of deprivation of liberty, all fundamental legal safeguards of detained persons. Please provide information on any cases in which disciplinary or other measures were taken against public officials found responsible for failing to comply with these safeguards since the consideration of the State Party's previous periodic report. Please inform the Committee of the percentage of places of deprivation of liberty and of interrogation rooms that include a video monitoring

⁷ The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee's general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also section V of the same general comment.

⁸ CAT/C/BRA/CO/2, paras. 11 and 12.

⁹ CCPR/C/BRA/CO/3, paras. 47 and 48.

¹⁰ Ibid., paras. 47 and 48.

system, as well as the efforts undertaken to include them in all such places, except where doing so might give rise to violations of detainees' right to privacy or the confidentiality of their conversations with their counsel or doctor.

5. Please indicate the measures taken to expedite the establishment of an independent national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to provide it with a mandate to receive and investigate complaints relating to torture or ill-treatment, as well as adequate human, technical and financial resources to enable it to discharge its mandate effectively.¹¹

6. Further to the Committee's previous concluding observations,¹² please provide updated information on the measures taken to prevent and combat all forms of violence against women, in particular domestic violence, sexual violence and femicides, especially those cases involving actions or omissions by State authorities or other entities that engage the international responsibility of the State Party under the Convention. In particular, please inform the Committee about the measures taken or envisaged to adopt a comprehensive law on gender-based violence with a view to preventing and combating all forms of violence against women. Please indicate the steps taken to strengthen capacity-building activities for law enforcement officers and members of the judiciary on the investigation and prosecution of gender-based violence cases. Please describe the measures taken to ensure that women, particularly Afro-Brazilian, Indigenous, Quilombola, migrant, refugee, asylum-seeking,¹³ lesbian, bisexual and transgender women,¹⁴ have access to effective reporting mechanisms, remedies and means of protection and to encourage the reporting of incidents of gender-based violence. Please provide updated information, including statistical data for all jurisdictions, disaggregated by the age, ethnic or national origin and nationality of the victim, on the number of complaints of gender-based violence, on the investigations and prosecutions and the convictions and sentences imposed on perpetrators, and on any redress provided to victims. Please report on the measures taken to ensure the sufficient and even geographical distribution of safe and adequately funded reception units or shelters providing comprehensive support services for victims of gender-based violence throughout the territory of the State Party, especially in remote and rural areas.¹⁵

7. In the light of the Committee's previous concluding observations,¹⁶ please provide information on measures taken to prevent and combat internal and external trafficking, especially trafficking in Indigenous, Afro-Brazilian, Quilombola, migrant, refugee and asylum-seeking men, women and children for forced labour, domestic servitude¹⁷ and sexual and other forms of exploitation, including in regions where large development projects are being implemented,¹⁸ in tourist areas and online.¹⁹ In particular, please indicate the steps taken: (a) to enforce the existing legislative framework, in particular article 149-A of the Criminal Code, and ensure that all cases of trafficking in persons are promptly, thoroughly and impartially investigated, including in the absence of a complaint, and that alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions; (b) to ensure the effective implementation of the fourth National Plan to Combat Trafficking in Persons (2024–2028) and to monitor and evaluate its effectiveness; (c) to ensure that all victims of trafficking, irrespective of their ability or willingness to cooperate with prosecuting authorities, are provided with adequate protection, redress and support services, including by increasing the number and geographical coverage of adequately funded, specialized long-term shelters, in particular in rural and tourist areas; and (d) to strengthen

¹¹ Ibid., paras. 7 and 8; CEDAW/C/BRA/CO/8-9, paras. 16 and 17; and CRC/C/BRA/CO/5-7, para. 13.

¹² CAT/C/BRA/CO/2, paras. 41 and 42.

¹³ CEDAW/C/BRA/CO/8-9, paras. 42 and 43.

¹⁴ Ibid., paras. 44 and 45.

¹⁵ Ibid., paras. 22 and 23; and CCPR/C/BRA/CO/3, paras. 23 and 24.

¹⁶ CAT/C/BRA/CO/2, paras. 43 and 44.

¹⁷ See communication BRA 1/2025 (all communications mentioned in the present document are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>).

¹⁸ CEDAW/C/BRA/CO/8-9, para. 24.

¹⁹ CRC/C/OPSC/BRA/CO/1, paras. 20–23.

the capacity of police officers, judges, prosecutors, border guards, immigration officials, labour inspectors, social workers and healthcare professionals to improve the early identification and referral of victims of trafficking to appropriate social and legal services.²⁰ Please provide updated information, including statistical data, disaggregated by the age, sex, ethnic or national origin and nationality of the victim, on the complaints received, the investigations and prosecutions carried out, the convictions handed down, the sentences imposed and any redress provided to victims in cases of trafficking in persons during the period under consideration.

Article 3

8. Please provide updated information on the measures taken to ensure, in practice, that no person is returned to a country where there are substantial grounds for believing that he or she would be in danger of being subjected to torture. In particular, please describe the measures taken to ensure that all asylum-seekers and other persons in need of international protection, including unaccompanied, separated and undocumented children, especially those from the Bolivarian Republic of Venezuela,²¹ have access to fair and efficient asylum procedures and non-refoulement determinations within the territory of the State Party, regardless of their mode of arrival. Please specify the steps taken to review or repeal the administrative measures, in particular ordinance No. 678/2022, that introduced entry restrictions related to the coronavirus disease (COVID-19) pandemic and resulted in summary deportations, pushbacks, the suspension of asylum procedures and violations of due process.²² Please detail the measures taken to ensure that all asylum-seekers are afforded procedural safeguards, including access to independent, qualified and free-of-charge legal assistance and interpretation services, at all stages of the asylum procedure and a genuine opportunity to effectively challenge any adverse decisions concerning their claims. Please indicate whether individuals facing expulsion, return or extradition are informed that they have the right to seek asylum and to appeal a deportation decision.²³ If so, please indicate whether such an appeal has suspensive effect. Please provide detailed information on the plans and procedures in place to identify and immediately refer asylum-seekers in vulnerable situations, including victims of torture, to the appropriate services and to ensure that their specific needs are taken into consideration and addressed in a timely manner.²⁴

9. Please provide updated data, disaggregated by year and by the sex, country of origin or nationality and age group (minor or adult) of persons seeking asylum, on the number of: (a) asylum applications received during the period under review; (b) successful applications for asylum, refugee status or other forms of humanitarian protection, specifying how many applications were accepted on the grounds that the applicants had been tortured or were at risk of torture if returned or expelled; (c) appeals against decisions regarding expulsion; (d) successful appeals, specifying the number of decisions regarding return or expulsion, as applicable, that were reviewed on the grounds that the applicants had been tortured or were at risk of torture if returned or expelled; and (e) persons extradited, expelled or returned, the grounds on which they were sent back and the countries to which they were returned. Please indicate the number of returns, extraditions and expulsions carried out by the State Party during the reporting period on the basis of diplomatic assurances, or the equivalent thereof, and specify what content the State Party requires any such assurances or guarantees to have and what measures have been taken in such cases with regard to subsequent monitoring. Please also indicate any instances where the State Party has offered such diplomatic assurances or guarantees and the measures taken in such cases with regard to subsequent monitoring.

²⁰ CCPR/C/BRA/CO/3, paras. 43 and 44; CEDAW/C/BRA/CO/8-9, paras. 24 and 25; and CRC/C/BRA/CO/5-7, para. 59. See also Special Rapporteur on contemporary forms of slavery, including its causes and consequences, end-of-mission statement, 29 August 2025, available from <https://www.ohchr.org/sites/default/files/documents/issues/slavery/sr/statements/2025-08-28-com-sr-slavery-en.pdf>.

²¹ CCPR/C/BRA/CO/3, para. 45; and CRC/C/BRA/CO/5-7, para. 54.

²² CCPR/C/BRA/CO/3, paras. 45 and 46.

²³ CEDAW/C/BRA/CO/8-9, paras. 42 and 43.

²⁴ CCPR/C/BRA/CO/3, paras. 45 and 46.

Articles 5–9

10. Please provide information on any new legislation or measures that have been adopted to implement article 5 of the Convention. Please indicate what measures have been taken by the State Party during the period under review to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). In particular, please provide updated information on cases in which the State Party has agreed to extradite a person for torture or related offences. Please also indicate whether the State Party has rejected, for any reason, the request of a third State for the extradition of an individual suspected of having committed torture and whether it has started prosecution proceedings against such an individual as a result. If so, please provide information on the status and outcome of such proceedings. Please also inform the Committee of any extradition treaties concluded with other States Parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in those treaties. Please describe the legislative and administrative measures taken by the State Party to ensure that the Convention may be invoked as a legal basis for extradition in respect of the offences referred to in article 4 of the Convention when the State Party receives an extradition request from a State with which it has no extradition agreement or treaty. Please give details of any treaties or agreements on mutual judicial assistance that the State Party has entered into, and clarify whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. If so, please provide examples.

Article 10

11. Bearing in mind the Committee’s previous concluding observations,²⁵ please provide up-to-date information on any new educational and training programmes developed by the State Party to ensure that all law enforcement officials, prison staff, immigration and border control officers, members of the military and intelligence agencies, and personnel of “therapeutic communities” and privately run detention facilities are fully acquainted with the provisions of the Convention and the absolute prohibition of torture and are made aware that breaches will not be tolerated, that allegations of torture and ill-treatment will be investigated and that offenders will be prosecuted. Please indicate whether these training courses are mandatory or optional, how often they are conducted, how many law enforcement officials, prison staff, immigration and border control officers, members of the military and intelligence agencies, and personnel of “therapeutic communities” and privately run detention facilities have already completed them, what percentage of all such officials have completed them and what measures have been taken to train the remaining officials. Please also provide details on the programmes used in the training of police officers and other law enforcement officials in non-coercive investigating and interviewing techniques, taking into account the Principles on Effective Interviewing for Investigations and Information-Gathering.²⁶ Please further indicate whether the State Party has developed any methodology to assess the effectiveness of training and educational programmes in reducing the number of cases of torture and ill-treatment and, if so, please provide detailed information on that methodology. Please provide information on the programmes aimed at training judges, prosecutors, forensic doctors and other medical personnel who deal with persons deprived of their liberty to detect the physical and psychological consequences of torture, ensure the effective documentation of torture and verify the admissibility of confessions. Please indicate whether these programmes include specific training on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), as revised. Lastly, please indicate the measures taken to give effect to the provisions of article 10 (2) of the Convention.

Article 11

12. Please describe the procedures in place for ensuring compliance with article 11 of the Convention and provide information on any interrogation rules, instructions, methods and practices, or arrangements for custody, that may have been introduced since the consideration

²⁵ CAT/C/BRA/CO/2, paras. 35 and 36.

²⁶ CCPR/C/BRA/CO/3, para. 40.

of the previous periodic report. Please indicate the frequency with which these rules, instructions, methods, practices or arrangements are reviewed and report on the procedures in place for reviewing them.

13. With reference to the Committee's previous concluding observations²⁷ and the State Party's follow-up replies,²⁸ please provide, for the period under review, annual statistics on the total capacity of all detention facilities and their occupancy rates, disaggregated by place of detention. Please indicate the number of remand and convicted prisoners at each facility, disaggregated by the sex, age, ethnic or national origin and nationality of the detainee. Bearing in mind that the Supreme Federal Court, in its the judgment in the case of Allegation of Disobedience of Fundamental Precept (ADPF) No. 347 of October 2023, found that conditions in the prison system were unconstitutional, please provide detailed information on further measures taken to improve conditions of detention in penitentiary institutions and other detention facilities, in line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including through the implementation of the Fair Sentencing Plan (Plano Pena Justa). In particular, please indicate the steps taken to reduce overcrowding in places of detention, including through the use of alternatives to imprisonment both before and after trial, and to address the overall very high rate of incarceration, including for drug-related offences, in particular among young Afro-Brazilian men and women. Please explain the measures taken to improve hygiene and sanitation, ventilation, access to natural light, and the quality and quantity of food²⁹ and water, as well as the healthcare, including psychiatric care, available to detainees,³⁰ in particular for inmates with chronic diseases, drug users and persons with psychosocial or intellectual disabilities. Please indicate the measures adopted to remedy the lack of recreational, educational and vocational activities to foster rehabilitation of detainees. Please inform the Committee about the measures taken to improve the security of prisons and put an end to self-rule arrangements, including by increasing the number of adequately trained prison staff. Please report on any judicial and disciplinary measures taken against prison officers and other custodial personnel found responsible for corruption in the penitentiary system. Please describe the efforts made to address the special needs of: (a) women deprived of their liberty, in particular pregnant women and women detained with their children; (b) persons with disabilities; (c) lesbian, gay, bisexual, transgender and intersex persons; and (d) older persons. Please provide information on further measures adopted to ensure, in practice, the separation of pretrial detainees from convicted prisoners, children from adults, and men from women, and specify in which facilities detainees are not yet separated in this way. Please also describe the steps taken to ensure that private companies running detention facilities comply with all applicable international standards, in particular the provisions of the Convention, that all allegations of torture, ill-treatment and other human rights violations are effectively investigated and that perpetrators are duly punished if found guilty, and that such facilities are regularly monitored by independent mechanisms.

14. In the light of the Committee's previous concluding observations,³¹ please comment on reports of the continued use of prolonged solitary confinement in small cells and in deplorable conditions³² with severe restrictions on visits and calls to relatives. In this regard, please indicate the measures taken to ensure that solitary confinement and other segregation regimes are used only in exceptional cases and as a last resort, for as short a time as possible, and that they are subject to monitoring by an independent mechanism and imposed only with the permission of the competent authority. Please provide details on the State Party's legislation and practice on solitary confinement and indicate its maximum and average duration, in both federal and state correctional facilities. Please describe the steps taken to ensure that the means of family contact may be restricted only for a limited period of time and as strictly required for the maintenance of security and order, and never as a disciplinary

²⁷ CAT/C/BRA/CO/2, paras. 21 and 22.

²⁸ CAT/C/BRA/FCO/2, paras. 14–26. See also the letter dated 24 January 2025 from the Rapporteur for follow-up to concluding observations.

²⁹ See communication BRA 2/2024.

³⁰ CCPR/C/BRA/CO/3, paras. 41 and 42.

³¹ CAT/C/BRA/CO/2, paras. 25 and 26.

³² CCPR/C/BRA/CO/3, para. 41.

measure. Please provide information on the measures taken to review article 52 of the Criminal Enforcement Law, with a view to ending the practice of collective punishment of inmates who may be held indefinitely under the differentiated detention regime in punishment cells, reportedly in very harsh, inhuman and degrading conditions.

15. With reference to the Committee's previous concluding observations,³³ please provide information on further steps taken to tackle the overrepresentation of Afro-Brazilians in the prison population, including efforts to address its underlying causes, such as overpolicing, racial profiling, systemic racial discrimination within law enforcement agencies and other institutions involved in the administration of justice, and policies that criminalize drug possession.³⁴ Please indicate the measures taken to review legislation, policies and practices leading directly or indirectly to their disproportionately high rates of incarceration and to enhance the use of non-custodial measures and diversion programmes. Please provide updated statistical data, for the period under review, disaggregated by type of offence and the age and sex of the detainee, on the number of Afro-Brazilians in the prison population and on the corresponding sentences imposed.

16. Further to the Committee's previous concluding observations,³⁵ please provide information on the measures taken to move away from the placement of drug users and persons with psychosocial or intellectual disabilities in "therapeutic communities" and to prioritize family reintegration and community-based health and social services as an alternative to their institutionalization. Please comment on reports of frequent human rights violations in these communities, including physical and psychological violence, use of excessive force, forced labour, restrictions on freedom of movement and poor living conditions, and indicate the measures taken to ensure that all such allegations are thoroughly and impartially investigated, that those responsible are held accountable and that adequate redress is provided to the victims. Please specify whether drug rehabilitation centres are regularly monitored by health and social services inspection authorities and independent monitoring mechanisms and whether they are provided with sufficient qualified and trained medical staff.

17. In the light of the Committee's previous concluding observations,³⁶ please provide data regarding deaths in custody during the period under consideration, disaggregated by year, place of detention, the sex, age, ethnic or national origin and nationality of the deceased, and the cause of death. Please provide detailed information on the number and outcome of investigations conducted in such cases, specifying whether forensic medical assessments, including autopsies, were performed, with due regard to the Minnesota Protocol on the Investigation of Potentially Unlawful Death, and on the number of deaths suspected of having been caused by assaults committed or tolerated by public officials involving the excessive use of force or by failure to provide detainees with the medical attention and timely treatment needed. Please also provide information on the number of sentences pronounced, the criminal and disciplinary penalties imposed and the steps taken to prevent the recurrence of such acts. Please indicate whether the relatives of the deceased persons received compensation in any such cases. Please describe the steps taken to reduce the incidence of inter-prisoner violence in penitentiary institutions, to investigate all incidents of violence, including riots, sexual violence disproportionately affecting detained women and offences committed by criminal gangs and extortion rings, and to ensure that prison officials are held accountable in cases where they failed to take reasonable measures to prevent and respond to such violence.

18. With reference to the Committee's previous concluding observations³⁷ and the State Party's follow-up replies,³⁸ please provide information on the progress made towards

³³ CAT/C/BRA/CO/2, paras. 21 and 22.

³⁴ See Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, end-of-mission statement, 16 August 2024, available from <https://www.ohchr.org/sites/default/files/documents/issues/racism/sr/statements/20240816-eom-stm-brazil-sr-racism.pdf>.

³⁵ CAT/C/BRA/CO/2, paras. 29–32.

³⁶ Ibid., paras. 27 and 28.

³⁷ Ibid., paras. 33 and 34.

³⁸ CAT/C/BRA/FCO/2, paras. 39–50. See also the letter dated 24 January 2025 from the Rapporteur for follow-up to concluding observations.

establishing a network of preventive mechanisms across all states of the State Party and ensuring that each of its member bodies has the resources and the functional and operational independence necessary to effectively fulfil its mandate,³⁹ including by undertaking regular, independent, unannounced and unrestricted visits to all places of deprivation of liberty under its jurisdiction and by speaking confidentially to all detained persons, in accordance with the Optional Protocol to the Convention and the guidelines of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on national preventive mechanisms.⁴⁰ Please indicate the steps taken to expedite the selection and appointment of the remaining five members of the National Mechanism to Prevent and Combat Torture and to strengthen its capacity to coordinate the work of this multi-body national preventive mechanism. Please provide information on the visits to places of detention carried out during the period under review by the various national and international bodies mandated to monitor and oversee such places, as well as on the steps taken by the State Party to implement the recommendations made by those bodies following their visits, in particular where allegations of torture or ill-treatment are raised in their reports. Please clarify whether the human rights non-governmental organizations that are mandated to monitor places of detention are granted access to such places in practice and under what conditions.

19. Bearing in mind the Committee's previous concluding observations⁴¹ and the State Party's follow-up replies,⁴² please update the Committee on further efforts made to bring its juvenile justice system fully into line with the Convention and other relevant international standards. In particular, please provide information on the measures taken to ensure that detention of children is used only as a last resort, for the shortest period possible, and is reviewed on a regular basis with a view to its withdrawal, and to promote non-judicial measures and, wherever possible, the use of alternatives to detention, both before and after trial. Please describe the measures taken to guarantee access to free and specialized legal aid to children in conflict with the law from the outset of their detention and throughout the legal proceedings. Please present the measures taken to increase the number of specialized juvenile court facilities and specialized judges for children. Please indicate the steps taken to promptly, thoroughly and impartially investigate all cases of violence against children deprived of their liberty, including sexual and gender-based violence, and all child deaths in custody,⁴³ and to impose appropriate criminal and disciplinary penalties on the perpetrators. Please specify the measures taken to reduce overcrowding and improve living conditions in detention centres for children, including socioeducational centres, with regard to sanitation, hygiene, safety and access to education, health services, and food and water and to ensure that appropriate, culturally diverse socioeducational and rehabilitation programmes and recreational activities are available, that staff receive adequate training and that regular inspections are carried out. Please describe the steps taken to expedite legal proceedings involving children in conflict with the law and strictly adhere to regulations regarding the maximum period of pretrial detention. Please inform the Committee about the measures taken to observe the prohibition on imposing solitary confinement and similar measures on children in all juvenile detention facilities across all jurisdictions, in line with rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and rule 45 (2) of the Nelson Mandela Rules.⁴⁴

Articles 12 and 13

20. Further to the Committee's previous concluding observations,⁴⁵ please provide information on the measures taken to ensure that all complaints of torture and ill-treatment committed by prison guards, police officers, in particular members of the military police,

³⁹ [CCPR/C/BRA/CO/3](#), paras. 39 and 40.

⁴⁰ [CAT/OP/12/5](#).

⁴¹ [CAT/C/BRA/CO/2](#), paras. 23 and 24.

⁴² [CAT/C/BRA/FCO/2](#), paras. 27–38. See also the letter dated 24 January 2025 from the Rapporteur for follow-up to concluding observations.

⁴³ [CRC/C/BRA/CO/5-7](#), paras. 20, 21 and 60.

⁴⁴ *Ibid.*, paras. 12, 60 and 61.

⁴⁵ [CAT/C/BRA/CO/2](#), paras. 13–16.

military personnel, the rapid intervention groups, the federal Penitentiary Intervention Task Force and other public officials, which disproportionately target Afro-Brazilians, including children, in custody or in the context of anti-drug operations, are promptly, thoroughly and impartially investigated by an independent body and that alleged perpetrators are prosecuted and, if found guilty, punished with penalties commensurate with the gravity of the crime committed.⁴⁶ Please indicate the steps taken to ensure that there is no hierarchical or institutional link between investigators and suspected perpetrators of acts of torture or ill-treatment. Please also provide more detailed information regarding which authorities are competent to initiate and carry out investigations, at both the criminal and the disciplinary levels, and describe how those authorities interact with the Public Prosecutor's Office at the federal and state levels during investigations. In this regard, please also specify:

(a) Whether the State Party has set up a dedicated, effective, accessible and independent system of confidential complaints that can be lodged with an independent body in all places of detention, and the measures taken to protect victims of torture and ill-treatment from any form of intimidation or reprisals that may result from the lodging of a complaint;

(b) Whether the Public Prosecutor's Office at the federal and state levels is required to initiate an *ex officio* investigation wherever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed and to request that alleged victims undergo a forensic medical examination;

(c) Whether alleged perpetrators are automatically relieved of their duties while the criminal and/or disciplinary investigation is being conducted, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim or obstruct the investigation.

21. Please provide annual statistical data for the period under consideration, disaggregated by type of offence, by the sex, age group (minor or adult) and ethnic or national origin and nationality of victim and by the services to which the persons accused of committing acts of torture belong, on: (a) the number of complaints received by prosecutors or other competent authorities regarding offences, such as actual or attempted acts of torture or ill-treatment or complicity, participation or acquiescence in such acts; (b) the number of complaints that have led to criminal or disciplinary investigations, and the number of cases dismissed; (c) the number of *ex officio* investigations opened into the above-mentioned offences; (d) the number of prosecutions carried out; and (e) the number of convictions secured, including the penal and disciplinary sanctions imposed, specifying the length of any prison sentences.

22. In the light of the Committee's previous concluding observations⁴⁷ and the State Party's follow-up replies,⁴⁸ please provide information on the measures taken to promptly, effectively and impartially investigate all allegations of torture, ill-treatment, excessive use of force and other grave human rights violations, including extrajudicial killings, enforced disappearances,⁴⁹ arbitrary detention, and sexual and gender-based violence,⁵⁰ particularly against Afro-Brazilian civilians, including children,⁵¹ committed during highly militarized police raids in favelas by law enforcement officials from multiple State security entities in the context of security operations to combat organized crime.⁵² Please indicate the steps taken to prosecute the alleged perpetrators, to punish them appropriately, if convicted, and to provide full redress to the victims.⁵³ Please provide, for the period under review, data disaggregated by the type of offence and the sex, age, national or ethnic origin and nationality of the victim, on complaints lodged, investigations carried out, prosecutions initiated, convictions handed down, and sentences and disciplinary measures imposed, as well as on

⁴⁶ [CCPR/C/BRA/CO/3](#), paras. 39 and 40; and [CRC/C/BRA/CO/5-7](#), para. 30.

⁴⁷ [CAT/C/BRA/CO/2](#), paras. 17 and 18.

⁴⁸ [CAT/C/BRA/FCO/2](#), paras. 8–13. See also the letter dated 24 January 2025 from the Rapporteur for follow-up to concluding observations.

⁴⁹ [CCPR/C/BRA/CO/3](#), paras. 35 and 36; and [CRC/C/BRA/CO/5-7](#), paras. 20 and 21.

⁵⁰ [CEDAW/C/BRA/CO/8-9](#), paras. 40 and 41.

⁵¹ [CRC/C/BRA/CO/5-7](#), paras. 20 and 21.

⁵² [CCPR/C/BRA/CO/3](#), paras. 27 and 28.

⁵³ *Ibid.*, paras. 31 and 32. See also OHCHR, "Brazil: UN experts urge swift investigation into deadly police operation in Rio de Janeiro", press release, 31 October 2025.

the redress obtained by the victims or their families in cases of excessive use of force by law enforcement officers, in particular during security operations,⁵⁴ including the police raid known as “Operation Containment” (Operação Contenção), which was conducted on 28 October 2025 in the Alemão and Penha complexes.⁵⁵ Please comment on reports of security forces destroying or manipulating evidence to cover up unlawful killings.⁵⁶ Please report on further measures taken to demilitarize law enforcement activities in the State Party and to deploy less-lethal weapons during policing activities, particularly in areas densely populated with civilians. Please describe the measures taken to strengthen independent oversight mechanisms with regard to all law enforcement entities in the State Party and to ensure that guidelines and manuals used to train all relevant law enforcement and security officials outline protocols for the use of force, according to the principles of proportionality, necessity and legality, as set forth in the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement,⁵⁷ and standards relating to racial equality, and that training is frequent and effective.

23. With reference to the Committee’s previous concluding observations,⁵⁸ please inform the Committee of the measures taken to ensure that all incidents of violence, such as threats, intimidation, harassment, sexual violence, ill-treatment and killings, against Indigenous and Quilombola persons, including human rights defenders and women,⁵⁹ are promptly, thoroughly and impartially investigated by an independent body, that alleged perpetrators are prosecuted and, if convicted, adequately punished, and that victims receive full redress. Please indicate the steps taken to cease forced evictions from, and the illegal occupation and exploitation of, Indigenous and Quilombola communities’ lands, including measures to ensure effective legal protection of lands traditionally owned or occupied by them, to combat land-grabbing by local ranchers and illegal activities by logging, mining, fishing and large-scale farming companies, to guarantee meaningful and systematic consultation with those communities with a view to obtaining their free, prior and informed consent before adopting and implementing any legislative or administrative measures that may affect them, and to provide effective remedies in cases of violation of their rights.⁶⁰

24. Please provide updated information on the measures taken to ensure the full and effective implementation of the recommendations contained in the report of the National Truth Commission. In particular, please indicate the steps taken to review the Amnesty Law of 1979 in order to ensure that all allegations of serious human rights violations committed between 1946 and 1988, including cases of torture and ill-treatment, are effectively, thoroughly and impartially investigated and that alleged perpetrators are prosecuted and, if convicted, punished with appropriate penalties. Please describe the progress made in processing such cases since the consideration of the State Party’s previous periodic report. Please also inform the Committee of the measures taken to provide adequate redress to victims, including appropriate compensation, specifying the number of victims compensated, the amounts paid and the obstacles encountered in this process.⁶¹

⁵⁴ See OHCHR, “Brazil Government must intensify efforts to ensure racial justice and redress, UN expert panel says”, press release, 8 December 2023.

⁵⁵ See OHCHR, “Brazil: comprehensive reform of policing methods urgently needed – Türk”, press release, 29 October 2025.

⁵⁶ [CCPR/C/BRA/CO/3](#), paras. 31 and 32. See also OHCHR, “Brazil: UN experts urge swift investigation into deadly police operation in Rio de Janeiro”, press release, 31 October 2025.

⁵⁷ [CCPR/C/BRA/CO/3](#), paras. 27 and 28.

⁵⁸ [CAT/C/BRA/CO/2](#), paras. 19 and 20.

⁵⁹ See communications [BRA 3/2024](#) and [BRA 2/2023](#). See also OHCHR, “UN experts condemn deadly attack on Guarani and Kaiowá Indigenous Peoples in Brazil”, press release, 20 November 2025.

⁶⁰ [CCPR/C/BRA/CO/3](#), paras. 51, 52 and 65–68; [CEDAW/C/BRA/CO/8-9](#), paras. 40 and 41; and [CRC/C/BRA/CO/5-7](#), paras. 20, 21 and 55. See also OHCHR, “Brazil must protect Indigenous Peoples’ lands, territories and resources, says Special Rapporteur”, press release, 11 July 2024; and OHCHR, “Brazil must abandon ‘Marco Temporal’ doctrine once and for all, says UN expert”, press release, 11 June 2025.

⁶¹ [CCPR/C/BRA/CO/3](#), paras. 11 and 12. See also Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, end-of-mission statement, 7 April 2025, available from

Article 14

25. In the light of the Committee's previous concluding observations,⁶² please indicate whether the State Party has taken further measures to ensure, in law and in practice, that victims of torture or ill-treatment, including excessive use of force, committed in the State Party or abroad may seek and obtain prompt, fair and adequate compensation and as full rehabilitation as possible, including in cases where the civil liability of the State Party is involved. Please provide statistical data on redress and compensation measures, including means of rehabilitation, ordered by the courts or other State bodies and actually provided to victims of torture or ill-treatment or to their families during the period under review. Please include data on the number of applications for State compensation for torture and ill-treatment, the number of time-barred claims owing to the courts' inaction, the number of applications granted and the range of awards in successful cases. Please clarify whether the State Party has taken legislative and administrative measures to ensure that victims of torture and ill-treatment have access to effective remedies and can obtain redress in cases in which the perpetrators have not been identified or found guilty of an offence. Please also provide information on any ongoing rehabilitation programmes for victims of torture and ill-treatment and on the resources allocated to them.

Article 16

26. In the light of the Committee's previous concluding observations,⁶³ please respond to the numerous allegations of threats, harassment, intimidation, including online, violent attacks and killings carried out against human rights defenders, in particular Afro-Brazilian, Indigenous and Quilombola human rights defenders, including women, environmental rights defenders, journalists, lawyers, community leaders, trade unionists, and lesbian, gay, bisexual and transgender activists,⁶⁴ and the reported lack of investigation of such crimes. Please describe the legislative and other measures taken to ensure the effective protection of these persons with a view to enabling them to conduct their legitimate activities freely. Please provide statistical data for the reporting period on the number of complaints related to these allegations, the outcomes of any investigations initiated in response, the sentences and penalties handed down, and the redress provided to the victims or their families. Please indicate the steps taken to ensure the effective implementation of the Programme for the Protection of Human Rights Defenders, Communicators and Environmentalists and to monitor and evaluate its effectiveness. Please specify the measures taken to ensure that legislation on drugs and counter-terrorism is not misused to criminalize the work of human rights defenders.⁶⁵

27. With reference to the Committee's previous concluding observations,⁶⁶ please provide information on the measures taken to review the existing legal framework, including Law No. 13,491 of 2017, to ensure that cases involving human rights violations or offences committed against civilians that are attributed to military personnel or members of the security forces, including acts of torture and ill-treatment, are excluded from the jurisdiction of military courts and that only civil courts are competent to hear such cases. Please indicate the steps taken to ensure that civilians are not subject to the jurisdiction of military courts, regardless of the crimes committed.

<https://www.ohchr.org/en/press-releases/2025/04/brazil-must-fully-address-violations-dictatorship-guarantee-human-rights-and>.

⁶² CAT/C/BRA/CO/2, paras. 37 and 38.

⁶³ Ibid., paras. 45 and 46.

⁶⁴ See communication BRA 5/2024. See also OHCHR, "Brazil: Franco and Gomes murder convictions a milestone but fight for full justice not over, say UN experts", press release, 6 November 2024.

⁶⁵ CCPR/C/BRA/CO/3, paras. 49, 50, 57, 58, 61 and 62; CEDAW/C/BRA/CO/8-9, paras. 28 and 29; CRC/C/BRA/CO/5-7, para. 15; and communications BRA 3/2025, BRA 6/2024, BRA 4/2024, BRA 1/2024, BRA 3/2023 and BRA 2/2023. See also Special Rapporteur on the situation of human rights defenders, end-of-mission statement, 19 April 2024, available from <https://www.ohchr.org/sites/default/files/documents/issues/defenders/statements/20240419-Brazil-com-statement.pdf>.

⁶⁶ CAT/C/BRA/CO/2, paras. 47 and 48.

Other issues

28. Please provide updated information on the measures taken by the State Party to respond to threats of terrorism. Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State Party has ensured that counter-terrorism measures are compatible with all its obligations under international law, especially the Convention. Furthermore, please indicate: (a) what training is given to law enforcement officers in this area; (b) the number of persons who have been convicted under legislation adopted to combat terrorism; (c) the legal remedies and safeguards available in law and in practice to persons subjected to counter-terrorism measures; and (d) whether there have been complaints of the non-observance of international standards in applying measures to combat terrorism and, if so, what the outcome was.⁶⁷

General information on other measures and developments relating to the implementation of the Convention in the State party

29. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State Party's previous periodic report to implement the provisions of the Convention or the Committee's recommendations. Such measures may include institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State Party considers relevant.

⁶⁷ CCPR/C/BRA/CO/3, paras. 21 and 22.