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Report: Dimensions of Institutional Violence



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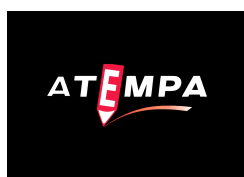
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Introduction

1. This report was prepared based on the topics of interest of two institutions located in the South region of Brazil: Coletivo de Proteção a Infância Voz Materna (The Childhood Protection Collective Voz Materna) and Instituto de Memória e Direitos Humanos (the Institute of Memory and Human Rights) of the Federal University of Santa Catarina (IMDH-UFSC).
2. The **Coletivo de Proteção a Infância Voz Materna** is a group of women/mothers of resistance, fight and shelter, which disseminates information and denounces the use of the ideology of parental alienation, in the form of Law (Parental Alienation Law no. 12.318/2010 - LAP), as a strategy to defend the aggressor/abusive parents in litigation processes on the custody of children, since it legitimizes the institutional violence against the victims and prevents the access to protection laws, perpetuating the violence with the legal authorization of the Brazilian Judiciary
3. The **IMDH-UFSC** was created in March 2020 and aims to organize a Memory on Human Rights in Santa Catarina and Brazil, to make its content available through teaching, research, and extension activities, and to collect and produce information on violations and other issues on the Human Rights agenda. The IMDH is structured in Working Groups (WG), and the production of this report was inserted in the Human Rights Observatory WG. The institute is also coordinating and participating in several research projects inside and outside the UFSC and UDESC related to this theme. In the biennium 2021-2023, the IMDH was elected to the State Council of Human Rights of Santa Catarina (CEDH-SC)
4. Converging in the concern to combat institutional violence, in this report the Coletivo de Proteção a Infância Voz Materna focuses its evaluation on recommendations that address the issue of gender violence, and the IMDH points relate to violence perpetrated by state security forces, both referring to the situation and data from the southern states of the country: Paraná, Santa Catarina, and Rio Grande do Sul.

Methodology

5. The present report was elaborated by a Brazilian regional articulation (South Region), an international advocacy network created with CSO's that attended [IDDH's](#) international advocacy training.
6. The methodology follows the guidelines of the OHCHR and combines the experience of assessing recommendations developed by the [Coletivo RPU Brasil](#) (UPR Brazil Coalition).
7. This report was entirely prepared by the submitting organizations, with IDDH's coordination and support. It presents: **a)** assessments of the recommendations, indicating their degree of implementation as "Implemented", "Partially implemented" or "Not implemented". In cases of non-implementation, also indicating whether the evaluated theme, in addition to not being complied with, is also in situation of setback; **b)** for justify each assessment block, there is a short text containing data (laws, public policies, official publications, newspaper articles, among others); and also, **c)** an association with one or more of the Sustainable Development Goals (SDGs) of the 2030 Agenda, as well as the respective Targets, when pertinent.

Assessments

GENDER-BASED VIOLENCE

8. **Recommendations: 36, 179, 180, 181, 182, 184, 185, 187, 188, 189, 191, 192, 194**, dealing with gender discrimination and violence against women are **not being implemented** and are clearly in a situation of **setback**.
9. With the approval of the Parental Alienation Law (Law no. 12.318/2010¹) elaborated with a misogynistic character, describing in its justifications that "women use their children for revenge, do not overcome the end of relationships and even make false accusations of sexual abuse to harm the father-child relationship". With only one debate and without the participation of civil society organizations, the bill (current law of Parental Alienation) has references in the personal opinions of the American doctor Richard Gardner, rejected by international organizations such as WHO², EDVAW³ platform and UN Women⁴.
10. This legislative reform together with the approval of the Law of Compulsory Shared Guardianship represents setbacks in the few advances made to guarantee women's rights, especially the right to denounce domestic and family violence suffered and to obtain the removal of their aggressor from their convivality, also promoting the protection of their sons and daughters. However, based on the argument of the best interests of the child (LAP and Shared Guardianship), it forces children to live with their parents even in the face of criminal proceedings for aggression against their mothers. It should also be mentioned that witnessed violence also promotes suffering for children.
11. With this report is intended to draw attention to the frightening numbers of violence against women and absence of seriousness in the judicial processes, seen the low number of convictions as well as the proposals of conciliation with aggressors promoted by the specialized courts, disregarding recommendations of the CEDAW and, through the Law of Parental Alienation, maintaining the coexistence of genitors supposed aggressors and abusers with their daughters/daughters. It is understood that, with the application of the Parental Alienation Law, the country facilitated the access of aggressors to women/mothers and authorized, even if indirectly, aggressions and femicides.
12. Studies⁵ on the impact of the protection of women's lives in relation to the approval of the Maria da Penha Law, estimated about 54,107 deaths of women from aggression in the period studied; the corrected mortality rates were 5.28 and 5.22 per 100,000 women in the periods before (2001-2006) and after (2007-2011) the effectiveness of the Law, respectively; comparing these periods, there was no reduction in the annual mortality rates of women from

¹ Law 12318/2010. Available at: < http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2010/lei/l12318.htm> Accessed on 15 Sep 2021

² OMS - **CID11**. 2020. Available at: <<https://icd.who.int/dev11/proposals/f/icd/en#/http://id.who.int/icd/entity/109729818?readOnly=true&action=DeleteEntityProposal&stableProposalGroupId=ca7ce75d-c85c-4d97-82c3-689822878234>> Accessed on 25 Sep. 2021

³ Intimate partner violence against women is an essential factor in the determination of child custody, say women's rights experts. EDVAW Platform 2019. Available at: <<https://rm.coe.int/final-statement-vaw-and-custody/168094d880>> Accessed 24 Sep 2021

⁴ UN WOMEN. Inadmisibilidad del "síndrome de alienación parental. 2011. Available at: <<https://www.endvawnow.org/en/articles/424-inadmissibility-of-parental-alienation-syndrome.html>> Accessed 24 Sep 2021

⁵ Evaluation of the impact of the Maria da Penha Law on women's mortality from assaults in Brazil, 2001-2011. Available at: <http://scielo.iec.gov.br/scielo.php?script=sci_arttext&pid=S1679-49742013000300003>

aggression ($p=0.846$). In this period in 2011 Brazil was ranked 7th in femicides and in 2013 it became 5th in femicides according to the WHO⁶.

13. On the alleged false reports of sexual abuse and domestic violence that women/mothers are accused of filing, a sample of the violence against women and children noted in the surveys:

- I. Data from the Childhood⁷ platform estimated that during the years 2011 and 2017, only 10% of cases of sexual abuse and exploitation against children and adolescents were actually reported to the authorities.
- II. Panorama of Lethal and Sexual Violence against Children and Adolescents in Brazil stated⁸ that from 2016 to 2020, in the 18 states for which complete data for the historical series is available, the annual number of violent deaths of children aged 0 to 4 years increased by 27%, while the number of victims in the other age groups fell. In these four years, 179,277 cases of rape or rape of a vulnerable person were reported with victims up to 19 years old - an average of almost 45,000 cases per year. Children under 10 years old represent 62,000 of the victims in these four years - that is, a third of the total. The vast majority of victims of sexual violence are girls - almost 80% of the total. In cases where the victims are adolescents aged 15 or older, girls accounted for more than 90% of the cases. Most cases of sexual violence occur in the victim's home, and for those cases where there is information about the perpetrator, 86% of the perpetrators were known to the victims.
- III. Rape reports are 3.5 times higher than the total number of people arrested for this crime⁹: in these three years, 148,960 rape reports were registered in police stations all over the country. The number of people arrested for this crime in the same period totaled 42,737 - 3.5 times less than the number of reports made to the security authorities. This shows that about 4% of the records may have resulted in a conviction of the accused.
- IV. Ministry of Health's¹⁰ 2018 Epidemiological Bulletin, based on data from 2011 to 2017 (the LAP's effective period), saw an overall 83.0% increase in sexual violence notifications and a 64.6% and 83.2% increase in sexual violence notifications against children and adolescents;
- V. Public Ministry of Paraná (MPPR) presented¹¹ data from 2018 stating that rape cases set a record in Brazil and most victims are girls up to 13 years old;
- VI. The Public Security Yearbook presented data warning that 87% of the victims of femicide between 2018 and 2019 in the state of Ceará were mothers¹²;
- VII. In addition, Brazil recorded 14,000 reports of child sexual abuse in 2020¹³;

⁶ Brazil is the 5th country that kills the most women in the world, according to Mapa da Violência 2015. Available at: <<https://dossies.agenciapatriciagalvao.org.br/violencia-em-dados/brasil-e-o-5o-pais-que-mais-mata-mulheres-no-mundo-segundo-mapa-da-violencia-2015/>> Accessed on 22 Sep. 2021.

⁷ CHILD SEXUAL VIOLENCE IN BRAZIL. CHILDHOOD. Available at: <<https://www.childhood.org.br/a-violencia-sexual-infantil-no-brasil>> Accessed Sept. 20, 2021

⁸ Overview of Lethal and Sexual Violence against Children and Adolescents in Brazil. Available at: <<https://www.unicef.org/brazil/media/16421/file/panorama-violencia-letal-sexual-contra-criancas-adolescentes-no-brasil.pdf>> Accessed on 01 Dec. 2021

⁹ Rape records are 3.5 times higher than the total number of people arrested for the crime. Available at: <<https://piaui.folha.uol.com.br/lupa/2016/06/09/registros-de-estupro-sao-35-vezes-maiores-do-que-o-total-de-presos-pelo-crime/>> Accessed on 06 Dec. 2021

¹⁰ MINISTRY OF HEALTH (MS). Epidemiological bulletin 27. Volume 49. 2018. Available at: <<https://antigo.saude.gov.br/images/pdf/2018/junho/25/2018-024.pdf>> Accessed 19 Dec. 2021

¹¹ STATISTICS - Rape breaks record and most victims are girls up to 13 years old. Available at: <<https://crianca.mppr.mp.br/2020/03/233/ESTATISTICAS-Estupro-bate-recorde-e-maioria-das-vitimas-sao-meninas-de-ate-13-anos.html>> Accessed on 22 Sep. 2021

¹² 87% of victims of femicide between 2018 and 2019 in Ceará were mothers. Available at: <<https://diariodonordeste.verdesmares.com.br/seguranca/87-das-vitimas-de-feminicidio-entre-2018-e-2019-no-ce-eram-maes-1.3008946>>

¹³ Brazil recorded 14,000 reports of child sexual abuse in 2020. Available at: <https://folhabyv.com.br/noticia/CIDADES/Capital/Brasil-registra-14-mil-denuncias-de-abuso-sexual-infantil->

- VIII. The Center for Research on Gender, Race, and Ethnicity of the School of Magistracy of Rio de Janeiro¹⁴ in 2020 shows that the vast majority of victims of femicide in the state were mothers and that the aggressors had close ties with them. 74% of the women killed in RJ were mothers, 90% of the aggressors had close ties, and 39% of them lived with them;
- IX. The Atlas of Violence 2021 pointed¹⁵ out that 80% of attempted homicides in the country are against mothers.

14. Is also presented gender discrimination numbers in lawsuits with the use of the ideology of parental alienation against women/mothers, according to research conducted at the Court of Justice of Rio Grande do Sul¹⁶:

- I. Research at the Court of Justice of Rio Grande do Sul (hereinafter, TJRS) and which are available on its institutional website. The search for the terms "parental alienation" and "parental alienation syndrome" reveals 547 decisions dating from 2006, precisely the year in which the first two (2) judgments with the above-mentioned keywords appeared; both were reported by the then Judge Maria Berenice Dias.

15. At this point it is worth noting that even before the approval of the LAP in 2010, among the 547 procedural judgments found, were selected for analysis those dated in the limited period between the years 2019 (82 judgments) and 2020 (36 judgments up to October 6).

16. Of the 118 second-degree decisions evaluated (2019-2020) it was found that in cases of accusations of parental alienation, women/mothers totalize 107 decisions (90,67%). 2019 perfected 82 of these decisions, 75 relating to accusations of parental alienation against women/ mothers (91,46%). In 2020, the survey conducted came across 36 decisions, 32 of which were accusations of parental alienation against women / mothers (88.88%). The reversal of custody is present in 22 judgments in 2019 and in 7 judgments in 2020. Regarding the allegations of sexual abuse against genitors these appeared in a significant number, since, in 2019, they appear in 18 decisions and, in 2020, in 9 decisions. Among these procedural decisions, 11 of them dated 2019, and 7 from 2020, presented reports and evidence of sexual abuse. Even so, we found 4 processes of reversal of custody for the parent accused of sexual abuse, that is, two per year (2019 and 2020). In the qualifications attributed to the male parents, we did not identify any moral approach to their personal, affective, professional life and / or the exercise of parenthood, unlike the profuse pejorative

em-2020/75845>. Accessed on 22 Sep 2021

¹⁴ Femicide: 74% of women killed in RJ were mothers, research shows. Available at: < <https://www.geledes.org.br/feminicidio-74-das-mulheres-mortas-no-rj-eram-maes-aponta-pesquisa/>> Accessed on 22 Sep. 2021.

¹⁵ Atlas of violence. 2021. Available at: < <https://forumseguranca.org.br/atlas-da-violencia/>> Accessed on 06 Dec.2021

¹⁶ THE JUDICIAL DISCOURSES OF THE APPLICATION OF THE PARENTAL ALIENATION LAW: THE SYMBOLIC AND REAL VIOLENCE OF GENDER IN TIMES OF CORONAVIRUS DISEASE. Sheila Stolz, Sibeles de Lima Lemos. 2021. Available at: <https://www.amazon.com.br/s?k=MATERNIDADE+NO+DIREITO+BRASILEIRO%3A+PADECER+NO+MACHISMO%2C+Melo%2C+Ezilda&__mk_en_BR=%C3%85M%C3%85%C5%BD%C3%95%C391&ref=nb_sb_noss> Accessed Sep 02, 2021

and belittling attributions aimed at women / mothers; stereotypes reproduced in the 2019 decisions: male parent - 4, female parent - 40; in 2020: male parent - 7 and female parent 39.

17. In Brazil, the CNJ (National Council of Justice) promotes courses on parental alienation through parenting workshops¹⁷ (module 4 - parental alienation) forcing women/mothers to participate by judicial determination, divorce hornbook, which in reality is a form of denial to the 5th place in femicides, as it treats all divorces as conflicts and difficulty of the former couple in dealing with the separation and managing life after divorce.

18. **Related SDGs: SDG 5:** Achieve gender equality and empower all **women and girls**.

POLICE AND OTHER SECURITY FORCES VIOLENCE

19. **Recommendations 42, 98 and 32**, which deal with **intensifying efforts to build the capacity of the security forces to avoid racially biased and prejudice against vulnerable minorities practices** (42 and 98), and reducing deaths by police action by 10% (32) respectively can be considered **not implemented and are clearly in situation of setback**.

20. With regard to the use of force with a lethal result, the increase in police violence in recent years has become a matter of concern in Brazil. In 2018, deaths resulting from police action consisted of the second leading cause of killings in the country¹⁸. Between 2016 and 2018, police lethality rates increased by 18.7%¹⁹. Although between 2018 and 2020 this rate stood at 3.9%, they still consist of quite expressive numbers in absolute terms²⁰. In a more comprehensive historical series, however, considering data since 2013, this number increased by 190%²¹. It is not new information that institutional violence, and violence in general, affects different segments of society in different ways, with a more significant impact when we establish cleavages of race, age, and class with regard to violence caused by the security forces. An increase in the rates of violence with no evidence of structural changes suggests no change in this pattern.

21. Following the rates of other dimensions of violence in the country, the rates found in the states of the Southern region - Paraná (PR), Santa Catarina (SC) and Rio Grande do Sul (RS) - present less expressive numbers than other regions of the country when considering one of the criteria defined to identify "disproportionate or excessive use of lethal force" by the security forces in 2020: proportion of civilians killed by the police in relation to the total number of homicides²². The exception would be PR, which ranks 9th considering the

¹⁷ CNJ - Parenting Workshop and More Online. 2015. Available at: <<https://www.cnj.jus.br/formacao-e-capacitacao/oficina-de-pais-e-maes-online-2/>> Accessed on 20 Sep. 2021

¹⁸ BUENO, Samira, LIMA, Renato Sérgio. Politics that kills, police that dies. *G1. Violence Monitor*. May 10, 2018. Available at <https://g1.globo.com/monitor-da-violencia/noticia/policia-que-mata-policia-que-morre.ghtml> - accessed November 29, 2021.

¹⁹ Same as

²⁰ BUENO, Samira et al. Deaths resulting from police intervention in Brazil in 2020. In *Anuário Brasileiro de Segurança Pública 2021*. Brazilian Public Security Forum, p. 67. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/4-as-mortes-decorrentes-de-intervencao-policial-no-brasil-em-2020.pdf> - accessed on November 29, 2021

²¹ Same as

²² Idem, p. 60.

mentioned criterion, with 3.2% of deaths. SC and RS present rates of 1.2% and 1.3% respectively. Even so, all three states in the region suffered from growth in police violence statistics when considering the last years²³. In relation to intentional violent deaths, the rate of deaths by police intervention in PR presents rates of 15%, above the national average of 12.8%, SC of 10.6%, and RS of 7.3%²⁴. According to the Secretariat of Public Safety of Santa Catarina, between 2016 and 2018, deaths by police intervention had an increase of 63.7%²⁵; between 2010 and 2018, this increase was of 143%²⁶. During the pandemic, these numbers were even more alarming; an 85% increase between the year 2019 and the period from January to June 29, 2020²⁷.

22. According to the Brazilian Public Security Yearbook 2021²⁸, the main lethal victims resulting from police intervention continue to be young black men, thus maintaining the country's historical pattern. "The police lethality rate among blacks is 4.2 victims per 100,000, while among whites it is 1.5 per 100,000, which is equivalent to saying that the police lethality rate among blacks is 2.8 times higher than the rate among whites."²⁹

23. Likewise, changes in Decrees No. 9,845/2019 of June 25, 2019, No. 9,847/2019 of June 25, 2019, No. 10,030/2019 of September 30, 2019, and No. 10,628 of February 12, 2021, which provide for the acquisition, registration, recording, and possession of firearms and ammunition, expanding and debureaucratization of access to them³⁰, presents itself as an additional element of concern about violence and homicide rates by security forces. In particular, studies indicate that the increased circulation of firearms can have negative implications on the number of homicides and violence in society and contribute to the access to weapons by criminal agents³¹. Unaccompanied by public security policies at the local level that offer a distinct perspective of police approach, the tendency is that the rates of police violence will also rise. The experience of Rio Grande do Sul deserves attention: between 2018 and 2019, there was a decrease of 23.1% in deaths resulting from police actions (1

²³ Ditto.

²⁴ Ibidem, p. 62

²⁵ GUIMARÃES, Paula, ALVES, Schirlei. Police killings more than double in three years in SC and motivate public hearing. *Portal Catarinas*. March 30, 2019. Available at <https://catarinas.info/mortes-pela-policia-mais-que-duplicam-em-tres-anos-em-sc-e-motivam-audiencia-publica/> - accessed November 27, 2021.

²⁶ ROVARIS, Georgia, BARBOSA, Rodrigo. Police violence skyrockets, and hundreds mobilize in downtown Florianópolis. *Cotidiano UFSC*. April 26, 2019. Available at <https://cotidiano.sites.ufsc.br/violencia-policial-dispara-e-centenas-se-mobilizam-no-centro-de-florianopolis/> - accessed November 27, 2021.

²⁷ ABREU, Miriam Santini et al. Epidemic of executions: Santa Catarina's Military Police kills 85% more in social isolation. *Portal Catarinas*. 09 July 2020. Available at <https://catarinas.info/epidemia-de-execucoes-pm-catarinense-mata-85-a-mais-no-isolamento-social/> - accessed November 29, 2021.

²⁸ BUENO, Samira et al. Deaths resulting from police intervention in Brazil in 2020. In *Anuário Brasileiro de Segurança Pública 2021*. Brazilian Public Security Forum, p. 67. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/4-as-mortes-decorrentes-de-intervencao-policial-no-brasil-em-2020.pdf> - accessed on November 29, 2021

²⁹ Idem, p. 67.

³⁰ VILELA, Pedro Rafael. Government changes decrees to expand access to weapons and ammunition. *Agência Brasil*. February 13, 2021. Available at <https://agenciabrasil.ebc.com.br/politica/noticia/2021-02/governo-altera-decretos-para-ampliar-acesso-armas-e-municoes> - accessed on December 12, 2021.

³¹ WESTIN, Ricardo. Experts see danger in arming citizens. Shooters expect more incentives from the government. *Agência Senado*. March 18, 2021. Available at <https://www12.senado.leg.br/noticias/infomaterias/2021/03/especialistas-veem-perigo-em-armar-cidadaos-e-atiradores-esperam-mais-incentivos-do-governo> - access December 12, 2021; ODILLA, Fernanda. 'If there are more guns, there is more crime,' says American criminologist. *BBC News Brazil in London*. 01 August 2019. Available at <https://www.bbc.com/portuguese/brasil-49165671> - accessed December 12, 2021.

death in 100,000 inhabitants)³². This number increased slightly in 2020: 1.3 deaths per 100,000 inhabitants³³. Explanations for these numbers may be related to investments made in the state's homicide police stations and in police management and organization³⁴. Two cities in Paraná, however, are among the 15 Brazilian cities with the highest absolute numbers of deaths resulting from police intervention in 2020: Curitiba in 6th place and Londrina in 14th place³⁵.

24. **Related SDGs: SDG 16:** Peace, justice and strong institutions.

25. **Recommendations 70 and 71**, which deal with **ensuring that security forces will refrain from using violence and resorting to extrajudicial execution practices are not being implemented**.

26. By February 2021, official indicators show that the police killed 11 people in the state of Santa Catarina, "which represents more than 10% of violent deaths in the period"³⁶. There are reports of execution, without proof of these deaths being the result of confrontation, of the security forces denying rescue and altering the crime scene³⁷. According to data from the Secretariat of Public Safety of Santa Catarina, in 2018 there were 99 victims of violent deaths resulting from police confrontation, 78 in 2019, and 86 in 2020³⁸. It is worth noting the weakness in the proof of these deaths resulting from confrontation and the reports of residents that contradict the official version (see newspaper reports mentioned). Bill No. 4471/2012, mentioned in recommendation 71, remains unapproved³⁹.

27. **Related SDGs: SDG 16:** Peace, justice and strong institutions.

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- ³² TREZZI, Humberto. Experts point out reasons for the drop in violence in RS; in Brazil, crime rates are growing. GZH. October 22, 2020. Available at <https://gauchazh.clicrbs.com.br/seguranca/noticia/2020/10/especialistas-apontam-razoes-para-a-queda-da-violencia-no-rs-no-brasil-os-indices-de-criminalidade-estao-crescendo-ckgkxc5kb003v015x6h9ug96n.html> - accessed December 12, 2021.
- ³³ BUENO, Samira et al. Deaths resulting from police intervention in Brazil in 2020. In *Anuário Brasileiro de Segurança Pública 2021*. Brazilian Public Security Forum. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/4-as-mortes-decorrentes-de-intervencao-policia-no-brasil-em-2020.pdf> - accessed on November 29, 2021
- ³⁴ TREZZI, Humberto. Experts point out reasons for the drop in violence in RS; in Brazil, crime rates are growing. GZH. October 22, 2020. Available at <https://gauchazh.clicrbs.com.br/seguranca/noticia/2020/10/especialistas-apontam-razoes-para-a-queda-da-violencia-no-rs-no-brasil-os-indices-de-criminalidade-estao-crescendo-ckgkxc5kb003v015x6h9ug96n.html> - accessed December 12, 2021.
- ³⁵ BUENO, Samira et al. Deaths resulting from police intervention in Brazil in 2020. In *Anuário Brasileiro de Segurança Pública 2021*. Fórum Brasileiro de Segurança Pública, p. 65. Available at <https://forumseguranca.org.br/wp-content/uploads/2021/07/4-as-mortes-decorrentes-de-intervencao-policia-no-brasil-em-2020.pdf> - accessed on November 29, 2021.
- ³⁶ GUIMARÃES, Paula. Protest against death of young man by Military Police denounces genocide in Morro do Mocotó, in Florianópolis. *Portal Catarinas*. February 16, 2021. Available at <https://catarinhas.info/protesto-contramorte-de-jovem-pela-pm-denuncia-genocidio-no-morro-do-mocoto-em-florianopolis/> - accessed December 10, 2021.
- ³⁷ Idem; GUIMARÃES, Paula, ALVES, Schirlei. Police killings more than double in three years in SC and motivate public hearing. *Portal Catarinas*. 30 de março de 2019. Available at <https://catarinhas.info/mortes-pela-policia-mais-que-duplicam-em-tres-anos-em-sc-e-motivam-audiencia-publica/> - accessed November 27, 2021.
- ³⁸ SECRETARIAT OF PUBLIC SECURITY OF SANTA CATARINA. Monthly Bulletin of Public Safety Indicators. May 2021. Available at https://www.ssp.sc.gov.br/files/dinidocs2021/Boletim_Mensal_202105.pdf - access December 10, 2021.
- ³⁹ For history of the bill in the House, see <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=556267> - accessed December 12, 2021.

28. **Recommendations 61, 63, and 71** regarding **improving the investigation of cases of violence by police forces** **are not being implemented** and are clearly in a situation of **setback**.
29. Law No. 13,491/2017, which amends the Code of Military Criminal Procedure and draws to military jurisdiction crimes committed by them in the exercise of their function remains in force. Although intentional crimes against the life of civilians remain under the jurisdiction of the Jury Court by force of constitutional rule, other acts of violence committed by the military police, the main force of surveillance and repression of the states, are investigated by their own institutions. The very existence of a military police is in itself a contradiction in terms in a democratic government.
30. **SDG Goal 16:** Peace, justice and strong institutions.

Recommendations

31. Recommendations with suggested actions that the Brazilian State could take to implement the UPR recommendations:
- I. Revoke the Parental Alienation Law (Law 12318/2010) and prohibit the use of concepts without scientific recognition in the Brazilian legal system;
 - II. Use only scientifically proven concepts and theories to support the drafting of laws to protect women and children and provide continuing education for the Legislative, Judiciary, and Executive branches about domestic and family violence and gender-based violence;
 - III. In Santa Catarina's case, the creation of its own ombudsman for the Military Police, the source of the largest number of victims of violence and death by security forces;
 - IV. Ensure the autonomy of investigations of violence by security force agents and the critical and active involvement of the state public ministry in prosecuting these agents;
 - V. Improve the conditions, training and framework related to forensic procedures, contributing to the adequate defense of victims in cases of deaths resulting from police action, including, although not exclusively, the approval of Law 4471/2012.