

of the entity laws regulating the rights of civilian victims of war was still not completed.

By the end of the year, the remains of 435 people had been exhumed at a mass grave in Tomašica village. The victims had disappeared and were subsequently killed by Bosnian Serb forces in the Prijedor area in 1992. In August, BiH signed a regional declaration on missing persons, and committed to establishing the fate and whereabouts of those 7,800 still missing. The Law on Missing Persons had not been implemented at the end of the year, leaving the families of the missing with no access to repatriation.

BRAZIL

Federative Republic of Brazil

Head of state and government: **President Dilma Rousseff**

Serious human rights violations continued to be reported, including killings by police and the torture and other ill-treatment of detainees. Young and Black residents of *favelas* (shanty towns), rural workers and Indigenous Peoples were at particular risk of human rights violations. Protests that swept the country, particularly around the football World Cup, were often suppressed using excessive and unnecessary force by the security forces. Arbitrary detentions and attempts to criminalize peaceful protesters were reported in various parts of the country. Although legislation allowing same-sex marriage was approved, lesbian, gay, bisexual, transgender and intersex (LGBTI) people continued to face discrimination and attacks. Brazil continued to play a significant role on the international stage on issues such as privacy, the internet and discrimination based on sexual orientation and gender identity. Some progress was

made in addressing impunity for past grave human rights violations under the dictatorship (1964-1985).

BACKGROUND

Brazil continued serving its third mandate in the UN Human Rights Council, where it was a key supporter of resolutions against discrimination based on sexual orientation and gender identity. At the General Assembly, the Brazilian and German governments presented a resolution on privacy in the internet age, which was approved in December 2013. In April 2014, Brazil approved its Civil Framework for the Internet, ensuring the neutrality of the web and setting out rules to protect freedom of expression and privacy.

HUMAN RIGHTS VIOLATIONS IN THE CONTEXT OF SOCIAL PROTESTS

In 2014, thousands of protesters took to the streets in the run-up to and during the football World Cup in June and July. The protests echoed huge demonstrations that had taken place the previous year to express discontent over a number of issues including increased public transport costs, high spending on major international sports events and insufficient investment in public services. The police frequently responded to protests with violence. Hundreds of people were rounded up and arbitrarily detained, some under laws targeting organized crime, even though there was no indication that those detained were involved in criminal activity.¹

In April, ahead of the World Cup, soldiers from the Army and Marines were deployed to the Maré complex in Rio de Janeiro. Initially, it was stated that they would remain until the end of July, but the authorities subsequently declared that the troops would remain there indefinitely. This raised serious concerns given the weak accountability mechanisms for human rights abuses during military operations.

By the end of the year, the only person convicted of offences related to violence

during the protests was Rafael Braga Vieira, a Black homeless man. Although he was not taking part in a demonstration, he was arrested for “carrying explosives without authorization” and sentenced to five years in prison. The forensic report concluded that the chemicals in his possession - cleaning fluids - could not have been used to create explosives, but the court disregarded the finding.

Excessive use of force

Military Police often used excessive and unnecessary force to disperse protesters.²

In Rio de Janeiro, military police used tear gas to disperse peaceful protesters on many occasions, including in confined spaces such as the Pinheiro Machado Health Centre in July 2013 and subway stations in June and September 2013 and June 2014.

Freedom of expression and association - journalists

According to the Brazilian Association of Investigative Journalism, at least 18 journalists were assaulted while working during the World Cup in cities including São Paulo, Porto Alegre, Rio de Janeiro, Belo Horizonte and Fortaleza. In Rio de Janeiro, on 13 July, the day of the World Cup final, at least 15 journalists were assaulted by police officers while covering a demonstration. Some had their equipment broken. In February, Santiago (Ilídio) Andrade, a cameraman, died after being hit by fireworks being used by protesters. The police arrested two men in connection with the killing. They were charged with intentional homicide and were awaiting trial at the end of the year.

PUBLIC SECURITY

Public security remained the context for widespread human rights violations.

According to official statistics, 424 people were killed by police in the state of Rio de Janeiro during security operations in 2013. The first six months of 2014 showed an increase in the number of such deaths, with 285 people being killed by police, 37% more than during the same period in 2013.

Claudia Silva Ferreira was shot and wounded by police officers in a shoot-out in the Morro da Congonha favela in March. While she was being taken to the hospital by police in the boot of their car, she fell out and was dragged along the ground for 350m. The incident was recorded and broadcast in the Brazilian media. At the end of the year, six police officers were under investigation, but remained at liberty.

Douglas Rafael da Silva Pereira, a dancer, was found dead in April 2014 following a police operation in the Pavão-Pavãozinho *favela*. The death sparked protests during which Edilson Silva dos Santos was shot dead by police. By the end of the year, no one had been charged in connection with the deaths.

In November, at least 10 people were killed, allegedly by off-duty military police officers, in the city of Belém in the state of Pará. Residents of the neighbourhood told Amnesty International that military police vehicles closed off streets prior to the killings and that people in unidentified cars and on motorcycles threatened and attacked residents.³ There were indications that the killings may have been a reprisal for the killing of a policeman.

Ten police officers, including the former commander of a battalion, were tried between December 2012 and April 2014 and convicted in connection with the murder of Judge Patrícia Acioli in August 2011. She had been responsible for sentencing 60 officers convicted of involvement in organized crime.

PRISON CONDITIONS

Severe overcrowding, degrading conditions, torture and violence remained endemic in Brazil's prisons. Several cases regarding prison conditions were submitted to the Inter-American Commission on Human Rights and Inter-American Court of Human Rights in recent years and conditions remained a serious concern.

In 2013, 60 detainees were murdered in the prison of Pedrinhas, in the state of Maranhão. More than 18 were killed in the

prison between January and October 2014. Videos of beheadings were broadcast in the media. An investigation into the incident was continuing at the end of the year.

From April 2013 to April 2014 the courts sentenced 75 police officers for the killing of 111 prisoners in the 1992 Carandiru prison riots. The officers lodged appeals and remained on active service at the end of the year. The commander of the police operation had been convicted in 2001, although this was overturned; he was murdered by his girlfriend in 2006. The prison governor and the Minister of Public Security at the time of the riots were not charged in connection with the case.

TORTURE AND OTHER ILL-TREATMENT

There were several reports of torture and other ill-treatment at the time of arrest and during interrogation and detention in police stations.

In July 2013, Amarildo de Souza, a bricklayer, was detained by the police as he was returning home in Rocinha, Rio de Janeiro. He died under torture in the custody of the local Pacification Police Unit. The police denied that Amarildo de Souza was ever in custody despite video footage showing that he had been detained. Twenty-five police officers were charged in connection with the case, including the commander of the unit, and six of them were detained awaiting trial at the end of 2014.

The National System to Fight and Prevent Torture, created by law in 2013, had yet to be fully established by the end of 2014. Although the System did not fully meet international standards in terms of its independence, it represented an important step forward in fulfilling the country's obligations under the Optional Protocol to the UN Convention against Torture, which Brazil had ratified in 2007.

IMPUNITY

The establishment of the National Truth Commission generated widespread public

interest in the human rights violations committed under the 1964-1985 dictatorship. This led to the creation of more than 100 truth commissions in states, cities, universities and trade unions. These engaged in investigations into cases such as the enforced disappearance of former congressman Rubens Paiva in 1971. They also highlighted less well-known violations against Indigenous Peoples and rural workers, such as the military attacks (1968-1975) against the Waimiri-Atroari in the Amazon and the torture of peasant farmers during the Araguaia guerrilla conflict (1967-1974).

The Truth Commission published its final report on 10 December recommending that the 1979 Amnesty Law should not be an obstacle to criminal charges being brought against the perpetrators of serious human rights violations. The report also recommended several public security reforms such as the demilitarization of the police. Federal prosecutors trying to bring the perpetrators of these crimes to justice condemned the Amnesty Law as incompatible with international human rights treaties. To date, judges have rejected these arguments. However, at the end of the year, three bills were before Congress which proposed changes to the interpretation of the Amnesty Law so that it would no longer apply to agents of the state charged with crimes against humanity.

HUMAN RIGHTS DEFENDERS

The National Programme for the Protection of Human Rights Defenders continued to face numerous difficulties in fulfilling its mandate, including lack of resources, judicial insecurity, lack of coordination with state officials, and disputes about the scope of the programme and who should benefit from it. The authorities refused to include a woman sex worker known as "Isabel" in the programme. She had lodged a complaint about police violence against herself and her colleagues during their eviction in May 2014 from the building where they lived in Niterói, in the

state of Rio de Janeiro. After lodging the complaint, Isabel was kidnapped and beaten by men who showed her photos of her son. Fearing for her safety, she left the area and was still in hiding at the end of the year.

In April 2013, two men were convicted of the murder in 2011 of José Cláudio Ribeiro and Maria do Espírito Santo, rural workers' leaders in the state of Pará who had reported illegal logging. In August 2014, a retrial was ordered of a landowner accused of ordering their assassination; he had been acquitted of involvement in the killings in 2013. However, he evaded arrest and remained at liberty at the end of the year. Maria do Espírito Santo's sister, Laísa Santos Sampaio received death threats because of her human rights work and was part of the National Programme for the Protection of Human Rights Defenders. Although she received some protection, including a police escort, concerns for her safety persisted.

In the state of Rio de Janeiro, the government's failure to guarantee the safety of the Fishermen's Association of Guanabara Bay resulted in the closure of its headquarters. Its president and his wife have not been able to return to their home since November 2012 because of threats to their lives. Other fishermen from AHOMAR, such as Maicon Alexandre, also received death threats.

LAND DISPUTES AND INDIGENOUS PEOPLES' RIGHTS

Indigenous Peoples and *Quilombola* communities (descendants of former slaves) continued to face grave threats to their human rights.

In September 2013, the Guarani-Kaiowá community of Apika'y, in the state of Mato Grosso do Sul, occupied a sugarcane plantation that they claim as their traditional land. A local court ordered them to leave, but they refused to comply. At the end of the year they remained on the land but at risk of eviction. In 2007, the federal government had signed an agreement with public prosecutors

to demarcate the community's land until 2010, but the process was never completed.

At the end of the year, a bill was pending in Congress which, if passed, would transfer responsibility for demarcating Indigenous land from the Executive to the Legislature, where the agribusiness lobby was very strong. The new Mining Code proposal also puts traditional communities at risk of having corporate activity on their land without their permission, in breach of international law.

Quilombola communities continued to fight for recognition of their right to land. The slow process of resolving land entitlement claims resulted in conflict and left communities at risk of threats and violence from gunmen and local ranchers. The community of São José de Bruno in the state of Maranhão was under direct threat in October 2014 after a landowner invaded part of their land.

Thirty-four people were killed as a result of conflict over land in 2013, three of them in the state of Maranhão. Between January and October 2014, five people were killed due to conflict over land in the state. Impunity for these crimes continued to feed a cycle of violence.

Those responsible for the killing of *Quilombola* leader Flaviano Pinto Neto in October 2010 had not been brought to justice, despite the fact that a police investigation had identified four suspects.⁴

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

In May 2013 the National Council of Justice approved a resolution authorizing same-sex marriage, following a 2011 ruling by the Supreme Court. However, frequent homophobic statements by political and religious leaders continued. Conservative politicians vetoed attempts by the federal government to distribute human rights education materials in schools to curb discrimination on the grounds of sexual orientation. Homophobic hate crimes were frequent. According to the NGO Bahia Gay Group (Grupo Gay da Bahia), 312 people

were killed as a result of homophobic or transphobic hate crimes in 2013.

SEXUAL AND REPRODUCTIVE RIGHTS

Religious groups continued to put pressure on the authorities to criminalize abortion in all circumstances - Brazilian law allows abortion in cases of rape, threat to the life of the woman and anencephalic fetuses. This limited range of possibilities results in many women resorting to clandestine, unsafe abortions. In September 2014, the cases of Jandira dos Santos Cruz and Elisângela Barbosa caused a national outcry. The two women died in Rio de Janeiro following clandestine abortions in clinics. The body of Jandira dos Santos Cruz was hidden from her family and burned by clinic employees.

ARMS TRADE

Brazil signed the Arms Trade Treaty on 4 June 2013, the first day it was open for signature. By the end of 2014, it had yet to ratify the treaty. The Brazilian government did not publish data on arms exports and refused requests under the Freedom of Information Act from researchers and journalists for details of the country's involvement in the arms trade, such as, for example, whether weapons had been exported to countries where mass human rights violations were being committed.

1. Brazil: Protests during the World Cup 2014: Final overview: No Foul Play, Brazil! Campaign (AMR 19/008/2014)
www.amnesty.org/en/library/info/AMR19/008/2014/en
2. Brazil: They use a strategy of fear: Protecting the right to protest in Brazil (AMR 19/005/2014)
www.amnesty.org/en/library/info/AMR19/005/2014/en
3. Brazil: At least nine killed overnight in north Brazil (AMR 19/013/2014)
www.amnesty.org/en/library/info/AMR19/013/2014/en
4. Brazil: Killers of community leader must be brought to justice (News story)
www.amnesty.org/en/news/brazil-killers-community-leader-must-be-brought-justice-2014-10-30

BRUNEI DARUSSALAM

Brunei Darussalam

Head of state and government: Sultan Hassanal Bolkiah

Lack of transparency and scarcity of information made independent monitoring of the human rights situation difficult. Amid strong international criticism, the amended Penal Code came into force on 1 May, although it was announced that its implementation would be phased. The new Code, purporting to impose Shari'a law, contained a number of provisions that violate human rights, widening the scope of offences punishable by the death penalty, expanding the imposition of torture and cruel, inhuman or degrading punishment, restricting the rights to freedom of expression and religion or belief, and discriminating against women. Also in May, the country's human rights record was assessed under the UN Universal Periodic Review (UPR) mechanism.

DEATH PENALTY

The new Penal Code¹ imposed death by stoning as a possible punishment for conduct that should not be criminal, such as extramarital sexual relations and consensual sex between people of the same gender, as well as for offences such as theft and rape. It also allowed for the imposition of the death penalty for child offenders and for offences such as mocking the Prophet Muhammad. However, while Brunei Darussalam retained the death penalty in law, it remained abolitionist in practice.

TORTURE AND OTHER ILL-TREATMENT

Brunei Darussalam has not ratified the UN Convention against Torture. The country's new Penal Code significantly expanded the