

VIOLENCE HAS NO PLACE IN THESE GAMES!

**RISK OF HUMAN RIGHTS
VIOLATIONS AT THE RIO 2016
OLYMPIC GAMES**



**AMNESTY
INTERNATIONAL**



Amnesty International is a global movement of more than 7 million supporters, members and activists in more than 160 countries and territories who campaign to end grave abuses of human rights. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

First published in 2016 by

Anistia Internacional Brasil
Praça São Salvador, nº 5
Laranjeiras
Rio de Janeiro/RJ
22231-170

Amnesty International Ltd
Peter Benenson House
1 Easton Street London
WC1X 0DW
United Kingdom

© Amnesty International 2016
Index: AMR 19/4088/2016
Original language: English
Versions: Portuguese and Spanish
All rights reserved.

This publication is copyright, but may be reproduced by any method without fee for advocacy, campaigning and teaching purposes, but not for resale. The copyright holders request that all such use be registered with them for impact assessment purposes. For copying in any other circumstances, or for reuse in other publications, or for translation or adaptation, prior written permission must be obtained from the publishers, and a fee may be payable. To request permission, or for any other inquiries, please contact copyright@amnesty.org

Specifications

Cover: Illustration of Rio de Janeiro city by REC Design
Design: REC Design



Armed forces in the favela
Complexo da Maré,
Rio de Janeiro, 2014.



1. MAJOR SPORTING EVENTS IN BRAZIL RAISE RISKS TO HUMAN RIGHTS

“The UN Human Rights Council calls upon States to co-operate with the International Olympic Committee and the International Paralympic Committee in their efforts to use sport as a tool to promote human rights, development, peace, dialogue and reconciliation during and beyond the period of the Olympic and Paralympic Games, in particular by observing the Olympic Truce.”

(Resolution adopted by the Human Rights Council on 24 March 2016, A/HRC/RES/31/23)

The city of Rio de Janeiro will soon be home to the Olympic Games in August 2016. Amnesty International warns that previous experiences with major sporting events hosted in the country – the 2007 Pan-American Games and the 2014 FIFA World Cup – along with a history of human rights violations committed by the Brazilian security forces, raise concerns regarding the potential risk of human rights violations occurring prior to and during the Rio 2016 Olympic Games.

In recent years, the issue of the link between human rights and major sporting events has moved into the global spotlight. There are human rights abuses and violations directly related to the preparation of the events, such as forced evictions to make way for the building of new sports facilities and other infrastructure, and forced labour or labour exploitation particularly in the construction sector. A major sporting event tends to increase human rights violations that already occur in the host city or country. Among other abuses by law enforcement officials, such violations include undue restrictions of the rights to freedom of expression and peaceful assembly and arbitrary detentions of homeless people.¹

In the run-up to the 2014 FIFA World Cup, human rights were increasingly restricted and violated by Brazilian security forces. Since 2013, police forces across Brazil have used unnecessary and excessive force to disperse mostly peaceful protests, including through the abuse of so-called “less lethal” weapons, that resulted in hundreds of people being injured and arbitrarily detained, among them journalists and media activists.² The use of the military to undertake tasks relating to public safety and policing of demonstrations – including an operation in the Maré Complex favelas from April 2014 to June 2015 – has also resulted in a series of human rights violations.³ Government officials have announced a plan to implement a similar model of security operations during the Rio 2016 Olympics, raising concerns about the security and integrity of peaceful protesters and of those living in communities where the military is expected to be deployed, particularly in marginalized areas and favelas.

For several years, there was a recorded decrease in the number of homicides resulting from police intervention in the state of Rio de Janeiro.⁴ But in 2014, when the FIFA World Cup was held, the number increased by almost 40%, as Amnesty International documented in its 2015 report *You killed my son*.⁵ In 2015, the increasing trend of homicides as a result from police intervention in the state of Rio de Janeiro continued.

Brazilian authorities, as well as national and international sports governing bodies, must take all appropriate measures to ensure that human rights violations do not take place as a consequence of hosting the Rio 2016 Olympic Games, and that staging the major sporting event does not contribute to deepening recurrent abuses.

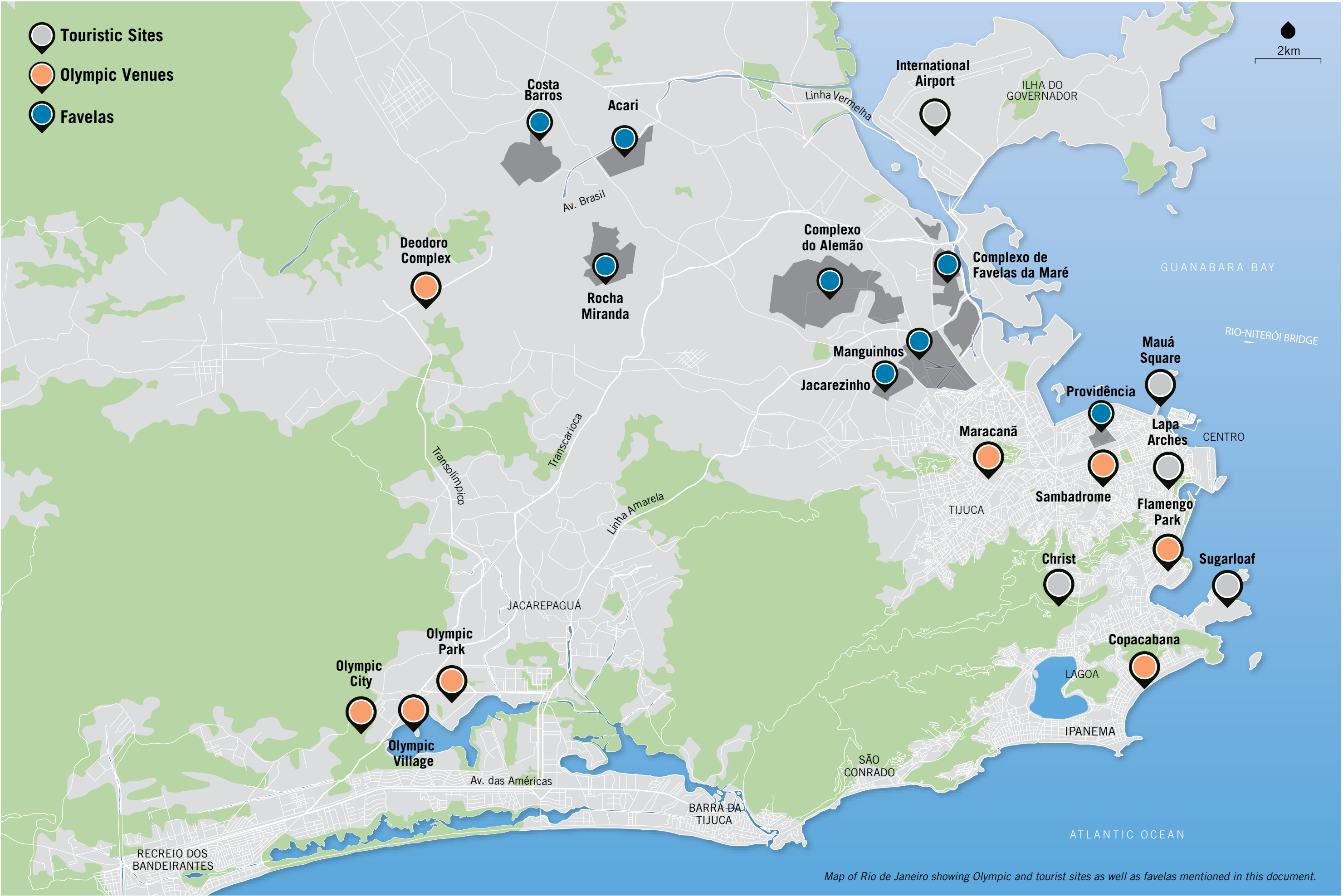
¹ Amnesty International has worked on cases of human rights violations ahead of and during major sports events in China (Beijing Olympics 2008), Russia (Winter Olympics 2014), Brazil (World Cup 2014), Qatar (World Cup 2022) and Azerbaijan (European Games 2015).

² Amnesty International, *They use a strategy of fear* (Index: AMR 19/005/2014) www.amnesty.org/en/documents/AMR19/005/2014/en/

³ Amnesty International Report 2015/2016, Brazil entry (Index: POL 10/2552/2016) www.amnesty.org/en/countries/americas/brazil/report-brazil/

⁴ “Homicide resulting from police intervention” is the administrative term used by the police to register cases of people killed during police operations.

⁵ Amnesty International, *You killed my son: Homicides by military police in the city of Rio de Janeiro* (Index: AMR 19/2068/2015) www.amnesty.org/en/documents/amr19/2068/2015/en/





Armed forces in the favela
Complexo da Maré,
Rio de Janeiro, 2014.

2. PUBLIC SECURITY OPERATIONS UNDERMINING OLYMPICS LEGACY

“We have an extraordinary level of detail in the security plans. They are exemplary plans and they have been delivered ahead of time.”

Carlos Arthur Nuzman, Rio 2016 president.⁶

⁶ Official Olympics website www.rio2016.com/en/news/security-plans-delivered-for-all-rio-2016-olympic-and-paralympic-games-venues

When Rio de Janeiro presented its candidacy to host the 2016 Olympic Games, a series of pledges were made as part of the legacy of the Games, including generating better security conditions for all people in the city, state and country. The authorities also said that the public security planning had already started with the Pan American Games back in 2007 and the FIFA World Cup in 2014:

“The three government levels will be working jointly to ensure a safe and agreeable environment for the Games. The Games will act as a catalyst of long-term improvements in Rio de Janeiro security systems, representing a real opportunity of transformation, through a process that started with the Pan-American Games 2007, and has been evolving with the preparations for the FIFA World Cup in 2014. The planning of the Games’ security operation was based on a full assessment of security and related risks, conducted by international risk and security management experts, working jointly with the competent Brazilian authorities... The Brazilian experience in ensuring the security of the large events held in the city... will guarantee the delivery of a successful and friendly security operation. The general population is already reaping the benefits of the project of Rio de Janeiro Pacifying Police Units (UPPs) deployed based on a responsible and careful planning”.⁷

However, several emblematic cases documented by Amnesty International and other human rights organizations, along with the available official statistics of abuse committed by law enforcement agents, paint a different picture. The organizers have failed to meet the promised conditions, and human rights violations in the context of public security operations are still taking place. The risk of increased violations committed directly as a result of hosting the Olympic Games is great. The current financial crisis in the state of Rio de Janeiro, which has resulted in budget cuts for the public security sector, could also contribute to increasing this risk.

The Public Security Secretary of the state of Rio de Janeiro, José Mariano Beltrame, said in an interview to the press, that security plans for Rio included the deployment of about 65000 police officers and up to 20,000 military soldiers to guard the Olympic Games, the largest security operation in Brazilian history.⁸ However, Mr. Beltrame said that the number of public security forces initially planned to be deployed from other states or from the federal government will be significantly reduced.⁹ This means there is no official confirmation on the exact figure of security forces planned to guard the Games. It is expected that the military, as well as other federal security forces, will be deployed to favelas in Rio de Janeiro as part of the public security strategy for the Olympic Games. This raises concerns that human rights violations will take place without proper investigations and prosecutions as it has been the case in previous incidents. A member of the security team for Rio 2016 stated to the press that a study by the armed forces and the Public Security Secretary indicates that the military would be deployed to at least six favelas and that the public security operation for the Olympic Games would be focussing on the main access to the favelas.¹⁰

⁷ Official Olympics website, question no 23, on security at the Games <http://secure.rio2016.com/en/transparency/frequently-asked-questions>

⁸ AP interview, ‘Rio security head says cuts impact Olympics’, 6 May 2016 http://hosted.ap.org/dynamic/stories/o/oly_rio_security_cut-s?site=ap§ion=home&template=default&time=2016-05-06-15-38-13

⁹ Interview with José Mariano Beltrame, Public Security Secretary of Rio de Janeiro, on 11 May 2016 <http://oglobo.globo.com/rio/beltrame-rio-vai-receber-menos-policiais-para-os-jogos-olimpicos-19275776>

¹⁰ “Army should occupy six favelas during Rio Olympics in August”, 13 May 2016, <http://www1.folha.uol.com.br/cotidiano/2016/05/1770856-exercito-deve-ocupar-seis-favelas-durante-a-olimpiada-do-rio-em-agosto.shtml>



Military police in the favela Complexo do Alemão, Rio de Janeiro, 2016.

Security operations in favelas – lessons unlearned

Rio de Janeiro has a poor record regarding the use of military and other federal security forces to undertake tasks relating to public safety and policing in favelas. On 14 June 2008, three teenagers from the favela of Providência were abducted by military troops. The soldiers later handed them over to criminal gang members of a rival favela who then killed them. The military troops had been deployed to Providência to police the community during the implementation of an urbanization project.¹¹

A year before, just ahead of the 2007 Pan-American Games, there were reports from local human rights organizations and residents of specific favelas of extrajudicial executions, beatings, and theft by security officers during security operations in Rio de Janeiro. In June 2007, 1,350 civil and military police officers from Rio de Janeiro and the National Forces of Security engaged in a police operation in Complexo do Alemão, a group of favelas, in which at least 19 were people killed, including a 13-years-old boy. The episode became known as the “Pan-Killings” (*Chacina do Pan*), making reference to the upcoming major sporting event. The Human Rights Commission of the Rio de Janeiro Bar Association and the Special Secretariat of Human Rights of the federal government carried out independent investigations of official forensic reports and pointed out that there was strong evidence of extrajudicial executions.¹² In 2007, the year of the Pan-American Games, at least 902 people were killed by the police in the city of Rio de Janeiro alone.

On 20 December 2013, ahead of the 2014 World Cup, the Ministry of Defence issued new guidelines for the use of military for law and order operations and policing work through the document MD33-M-10, “Guarantee of Law and Order” (GLO). The document was updated in February 2014. Amnesty International sent an official letter to the Minister of Defence, the Minister of Justice and the Minister Chief of Staff of the Presidency expressing its concerns about the use of the military to undertake tasks relating to public safety in favelas, pointing out previous experiences in Rio de Janeiro that resulted in human rights violations. Amnesty International also urged the authorities to establish specific accountability and transparency mechanisms as part of the GLO framework.

¹¹ Amnesty International, ‘Brazil: Faces behind the statistics - report challenges long standing impunity in Rio’. Public statement, 10 March 2009 (Index: AMR 19/006/2009) www.amnesty.org/download/Documents/44000/amr190062009en.pdf

The Justice system working against justice – decisions set free military and policemen accused of crimes and rights violations, 26 March 2009, www.redecontraviolencia.org/Documentos/445.html

¹² *Amnesty International Report 2008* (Index: POL 10/001/2008), Brazil entry, p. 74 www.amnesty.org/en/documents/pol10/001/2008/en/

As part of the public security strategy, just ahead of the World Cup in April 2014 military troops were deployed to the Complexo da Maré, a group of 16 favelas, home to around 140,000 people, located near Rio de Janeiro’s international airport. The military troops were supposed to retreat soon after the end of the sporting event but continued to carry out law enforcement functions in the community until June 2015, almost a year after the World Cup had ended. Residents from Maré have reported a number of human rights violations committed by the military during this period, including physical violence and shootings.¹³



Vitor Santiago and his mother Irone in their home, favela Complexo da Maré, Rio de Janeiro, 2016.

VITOR SANTIAGO, SHOT BY ARMED FORCES ON THE WAY HOME

In the early morning of 13 February 2015, Vitor Santiago Borges, aged 30, was shot by members of the armed forces in the favela Complexo da Maré. Vitor Santiago was driving home with friends. When they entered Maré, they noticed soldiers everywhere. The car was waved down by the soldiers who searched the group and checked over the vehicle. Vitor Santiago and his friends were allowed to drive on but a few metres down the road, they reached another military checkpoint. Without any warning, soldiers opened fire on the vehicle. Vitor Santiago was shot twice and the driver of the car once; the others were not injured. Due to the severity of his injuries, Vitor Santiago fell into a coma for a week and had to remain in hospital for more than three months. His injuries have left him paralyzed from the waist down and one of his legs was amputated. The authorities have failed to provide him or his family with adequate assistance or to conduct a full and impartial investigation into the shooting.¹⁴

¹³ *Amnesty International Report 2015/2016* (Index: POL 10/2552/2016), p. 92 www.amnesty.org/en/documents/pol10/2552/2016/en/

¹⁴ Naomi Westland, ‘Trigger-happy: Rio’s security forces show their true colours ahead of Olympics’ www.amnesty.org/en/latest/news/2016/04/rios-true-colours-police-shootings-in-favelas-olympics/



Protest against police violence at favela Complexo do Alemão, Rio de Janeiro, 2015.

3. HOMICIDES DURING POLICE OPERATIONS IN RIO DE JANEIRO

“Why did you do this?” A father asking the police officer who killed his son.¹⁵

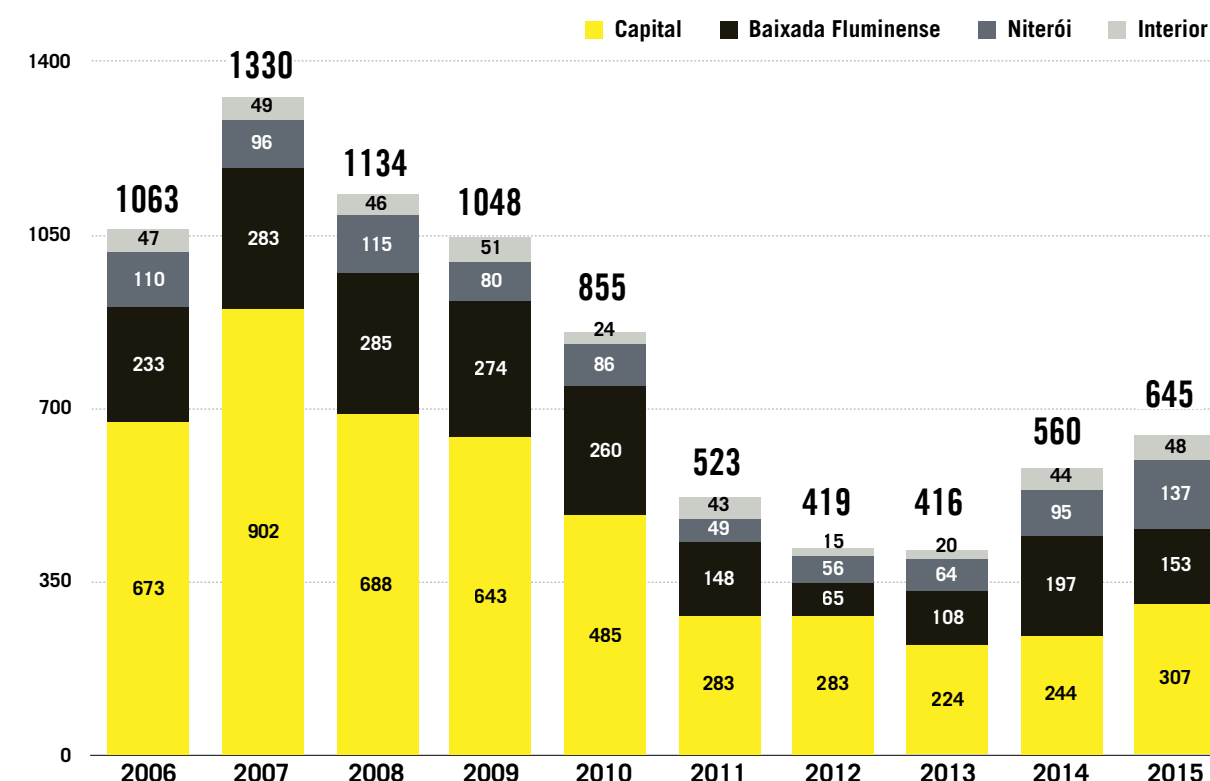
Rio de Janeiro is known for its high death rates during police operations. Between 2006 and 2015, around 8,000 people were killed during police operations in the state of Rio de Janeiro, more than 4,700 in the capital alone. The numbers decreased between 2007 and 2013, but in 2014 – the year when the World Cup was hosted – there was a 39.4% increase in the number of homicides resulting from police intervention in the state in comparison with the previous year.¹⁶ The trend

¹⁵ The father of a boy killed by the police speaking on 29 October 2015 to the military police officer who killed his son.

¹⁶ Amnesty International, *You killed my son: Homicides by military police in the city of Rio de Janeiro* (Index: AMR 19/2068/2015) www.amnesty.org/en/documents/amr19/2068/2015/en/

continued in 2015; in the state of Rio de Janeiro, 645 people were killed during police operations, 307 in the capital. This represents an increase of 11.2% in the state in comparison with 2014. The majority of those killed during police operations were young black men.¹⁷

Graphic 01: Number of homicides resulting from police intervention by region of Rio de Janeiro state between 2006 and 2015

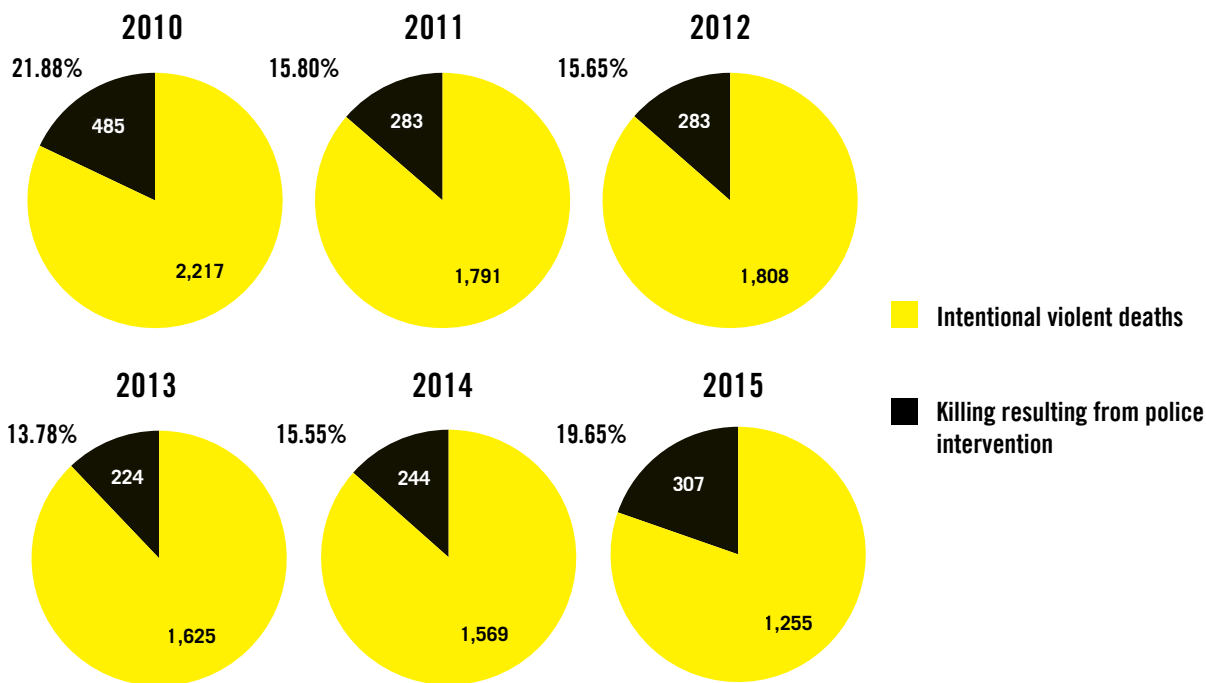


Source: Institute for Public Security of the State of Rio de Janeiro

On-duty police have been responsible for a significant percentage of the total number of people killed in the city of Rio de Janeiro. In the past six years, this percentage varied from around 13% to over 21%. In 2015, one in five people killed in the city died as a result from police interventions. This number could be potentially higher considering that some cases of people killed during police operations are officially registered as generic “homicides” and not as “homicides resulting from police intervention”. This was the case with 10-year-old Eduardo de Jesus, who was killed by the police on 2 April 2015 in Complexo do Alemão.

¹⁷ When analysing the disaggregated data of the profile of victims killed during police operations in the city of Rio de Janeiro between 2010 and 2013, Amnesty International identified that 99.5% of the victims were men, 79% were black and 75% were young (aged between 15 and 29 years).

Graphic 02: Number of intentional violent deaths and killings resulting from police intervention in the city of Rio de Janeiro between 2010 and 2015



Source: Institute for Public Security of the State of Rio de Janeiro



FIVE BOYS, 111 SHOTS

In the night of 28 November 2015, five young black men aged between 16 and 25 were shot dead by military police officers from the 41st Military Police Battalion in the neighbourhood of Costa Barros in Rio de Janeiro.¹⁸ Roberto de Souza Penha, aged 16, Wesley Castro Rodrigues, aged 25, Wilton Esteves Domingos Junior, aged 20, Cleiton Corrêa de Souza, aged 18, and Carlos Eduardo da Silva Sousa, aged 16, were friends and had spent the day together. They were driving in their car looking for a place to have dinner. Four police officers fired 111 shots at the car as it drove past them. The five men were killed. Further investigations and information obtained by Amnesty International indicate that the police officers fired at the car from different angles while surrounding it. There is also indication that they later manipulated the crime scene by placing a gun near the car in an attempt to criminalize the victims and to justify the killings. By April 2016, the four military police officers were in pre-trial detention and had been accused of intentional homicide and fraud; the criminal process was in its initial phase (instruction).

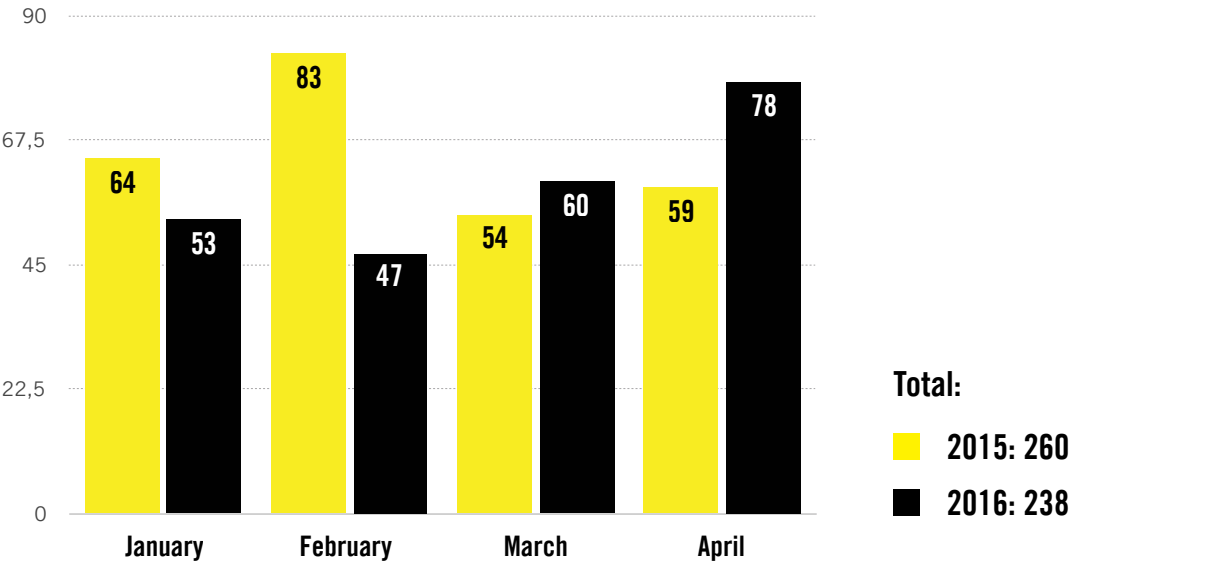
On 29 October 2015, a month prior to the killings in Costa Barros, an officer from the same military police battalion had killed two young men, aged 17 and 24. They were riding a motorbike and one of them was carrying a hydraulic jack, a mechanic tool. The police officer claimed that he mistook the metal tool for a weapon. The case is still under investigation. The 41st Military Police Battalion had been denounced before by Amnesty International for its high records of killings during operations and for strong evidence of extrajudicial executions. The unit's commander was replaced after the five men were killed in Costa Barros. He was temporarily removed from his duties but by April 2016 he had been re-assigned as commander of another military police battalion in the city of Rio de Janeiro.

18 Amnesty International Report 2015/16 (Index: POL 10/2552/2016), p. 92 www.amnesty.org/en/documents/pol10/2552/2016/en/

The first four months of 2016

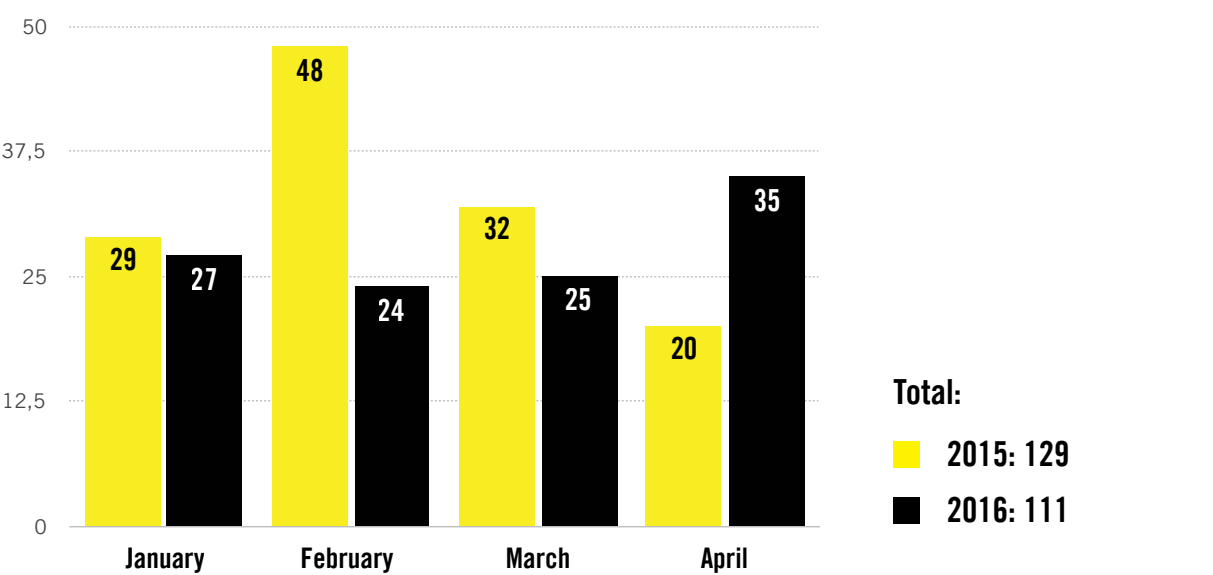
When comparing the first four months of 2016 with the same period in the previous year, there is a decrease of 8.5% in the number of cases of homicides resulting from police interventions in the state of Rio de Janeiro and a decrease of 13.9% in the city of Rio de Janeiro. The decrease happened mostly in the months of January and February, but more recent data shows that this trend is not guaranteed for the months ahead. The month of April 2016 already presents a significant increase when compared with the previous year, which raises serious concerns about the upcoming months.

Graphic 03: Homicides resulting from police intervention in the state of Rio de Janeiro, January – April 2015 and 2016



Source: Institute for Public Security of the State of Rio de Janeiro

Graphic 04: Homicides resulting from police intervention in the city of Rio de Janeiro, January – April 2015 and 2016



Source: Institute for Public Security of the State of Rio de Janeiro

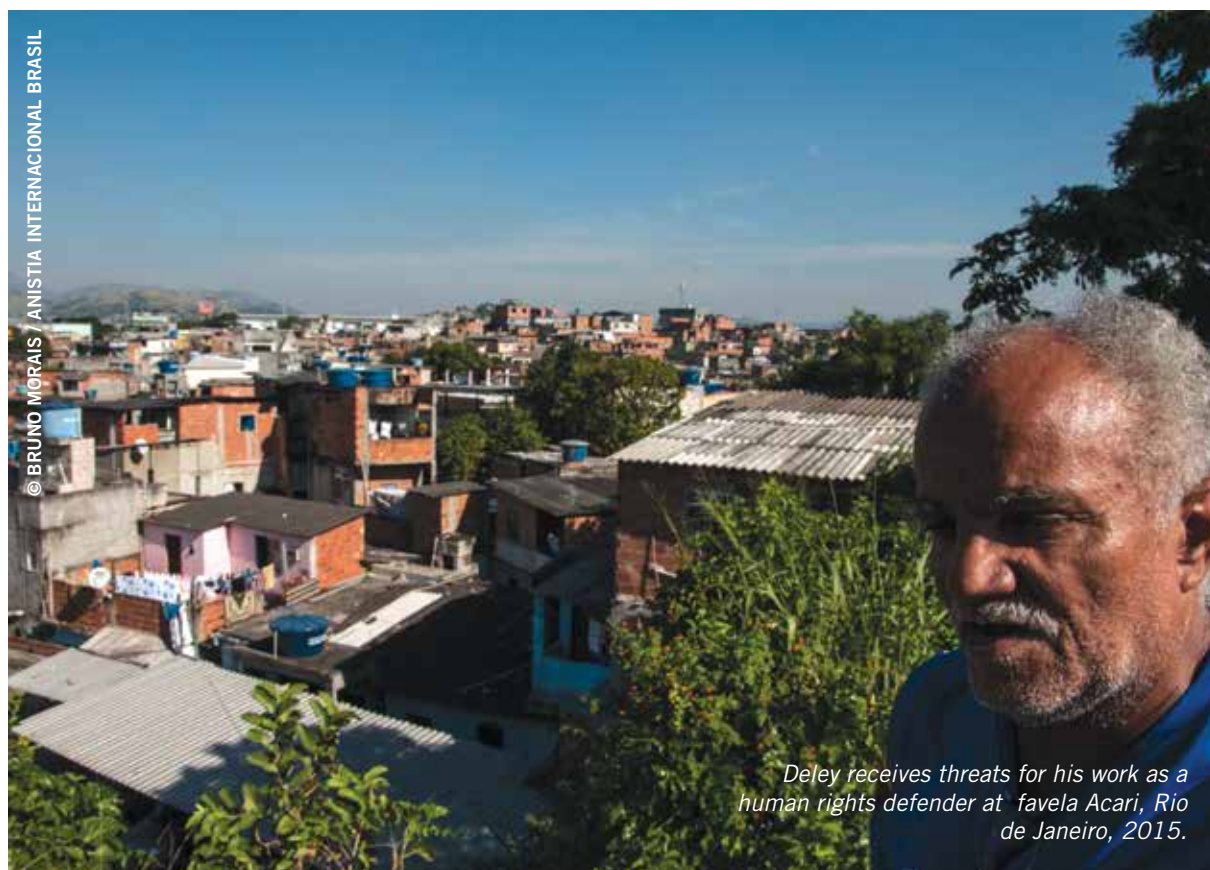
In the last trimester of 2015, the Military Police in Rio de Janeiro began implementing the programme to control the use of force with the main objective of reducing the use of firearms and lethal force during police operations and thus, the number of people killed. The programme is intended to identify police units and specific officers with the highest records of use of firearms to undergo training. The General Commander of the Military Police has claimed that, after a few months, positive impacts can already be seen. However, a more detailed analysis is needed to properly understand the reasons for the decreasing numbers of people killed by police and to ensure this trend will continue throughout 2016.

On the other hand, there has been an escalation in the number and repressiveness of police operations during April and May 2016. Amnesty International together with local civil society organizations and human rights defenders have gathered information that indicate an increase in violent police operations in a number of favelas in which several people were killed and many others were injured.



Killings during police operations in April and early May 2016 in Rio de Janeiro

In the first weeks of April 2016, at least 11 people were killed and others were injured during police operations that were intensified in the city of Rio de Janeiro and its surrounding neighbourhoods. Residents of several favelas experienced hours of intensive shootings. On 2 April, a five-year-old boy was killed in a military police operation in Magé, a municipality of the metropolitan area of Rio, and two other persons were injured. On 4 April, five people were killed in the favela of Acari during a joint operation of the federal and civil police. On the same day, a young man was killed in the favela of Manguinhos during a different military police operation. On 7 April, at least two people were killed in Jacarezinho, also during a military police operation. Between 16 and 17 April, a major military police operation in Complexo do Alemão resulted in two people being killed and nine others being injured; residents witnessed 36 hours of intense shootings. Between 5 and 6 May, six people including a police officer were killed during a military police operation in Providência. On 7 and 8 May, major police operations took place in Manguinhos, Alemão, Rocha Miranda and Acari. Initial reports indicate that in Manguinhos, one person was killed and three others were injured on 8 May. On the same day, in the favela of Jorge Turco in Coelho Neto, two people were reported to be killed during an intensive shooting between the police and criminal gang members. In Complexo do Alemão, at least three people were injured and one woman was killed during a police operation on 7 May.



THREATS TO HUMAN RIGHTS DEFENDERS

Human rights defenders in favelas are playing a key role in protecting human rights. They have been crucial in denouncing police abuses and extrajudicial executions. On several occasions, human rights defenders have been harassed, intimidated and threatened by police officers who want to stop those denouncing human rights violations. In the last two weeks of April and the first week of May 2016, police officers from the 41st Military Police Battalion threatened local community leaders and human rights defenders who have been denouncing killings and abuses committed by the police in the favela of Acari. A human rights defender from Acari was told by military police officers to stop giving information to “these human rights people” and another was told to be aware that in the next police operation the police officers would “not be nice and would go after them”.

Public security operations in Rio de Janeiro are excessively repressive, justified by a confrontational logic of the so-called “war on drugs”, leading to a high number of people being killed, including police officers. Between 2006 and 2015, 228 civil and military police officers were killed while on duty in the state of Rio de Janeiro. In 2015, there was an increase of 66.6% in comparison with 2014.

Graphic 05: Number of civil and military police officers killed while on duty in the state of Rio de Janeiro between 2006 and 2015

YEAR	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
CIVIL	2	9	4	7	5	4	6	4	0	3
MILITARY	27	23	22	24	15	8	12	16	15	22
TOTAL	29	32	26	31	20	12	18	20	15	25

Source: Institute for Public Security of the State of Rio de Janeiro

Between January and April 2016, eight police officers were killed while on duty in the state of Rio de Janeiro, a small decrease from the same period in 2015, when nine cases were reported.¹⁹

In August 2015, Amnesty International launched its report *You killed my son: Homicides by military police in the city of Rio de Janeiro*²⁰, which listed more than 20 recommendations to authorities of the different levels of government. Until May 2016, little progress had been made by the authorities to implement these recommendations and to address the issues raised by Amnesty International:

- The investigations into the killings by the police documented in Acari have not been concluded yet and investigations have made little progress.
- Families of the victims still lack access to effective remedies, adequate reparation or any psycho-social assistance.
- The Rio de Janeiro state assembly opened a Parliamentary Commission of Investigation (CPI) to look into killings resulting from police operations in Rio de Janeiro. It will conclude its work only in June 2016.
- The Chief of the Civil Police publicly announced that the investigations into killings by the police would be gradually transferred from local civil police stations to the Homicide Division, this is yet to be fully implemented.
- The Public Prosecutor's Office issued the resolution GPGJ number 2.021 from 30 December 2015, creating the Group for Action on Public Security (Grupo de Atuação em Segurança Pública, GAESP), which advises and supports the Public Prosecutor's office in its role of external control of police activity. Its concrete role and ways of operating in practice are currently still unclear.
- On 4 January 2016, the Police Superior Council issued a resolution (Joint resolution number 02, approved in the session from 13 October 2015) to standardize the records of cases of people killed during police operations. The resolution, however, reinforces the logic of previous systems, which used the terminology of “resistance followed by death”, which justifies the killing prior to any investigation by arguing that the police officer acted in self-defence, automatically criminalizing the victim.²¹

¹⁹ Institute for Public Security of the State of Rio de Janeiro (Instituto de Segurança Pública do Estado do Rio de Janeiro - ISP), through its monthly statistics tables on criminality indicators.

²⁰ Amnesty International, *You killed my son: Homicides by military police in the city of Rio de Janeiro* (Index: AMR 19/2068/2015) www.amnesty.org/en/documents/amr19/2068/2015/en/

²¹ ‘Resolution from the Police Superior Council maintains logic of resistance followed by death’ affirms Amnesty International’, 5 January 2016, <https://anistia.org.br/noticias/resolucao-conselho-superior-de-policia-mantem-logica-dos-autos-de-resistencia-afirma-anistia-internacional/>

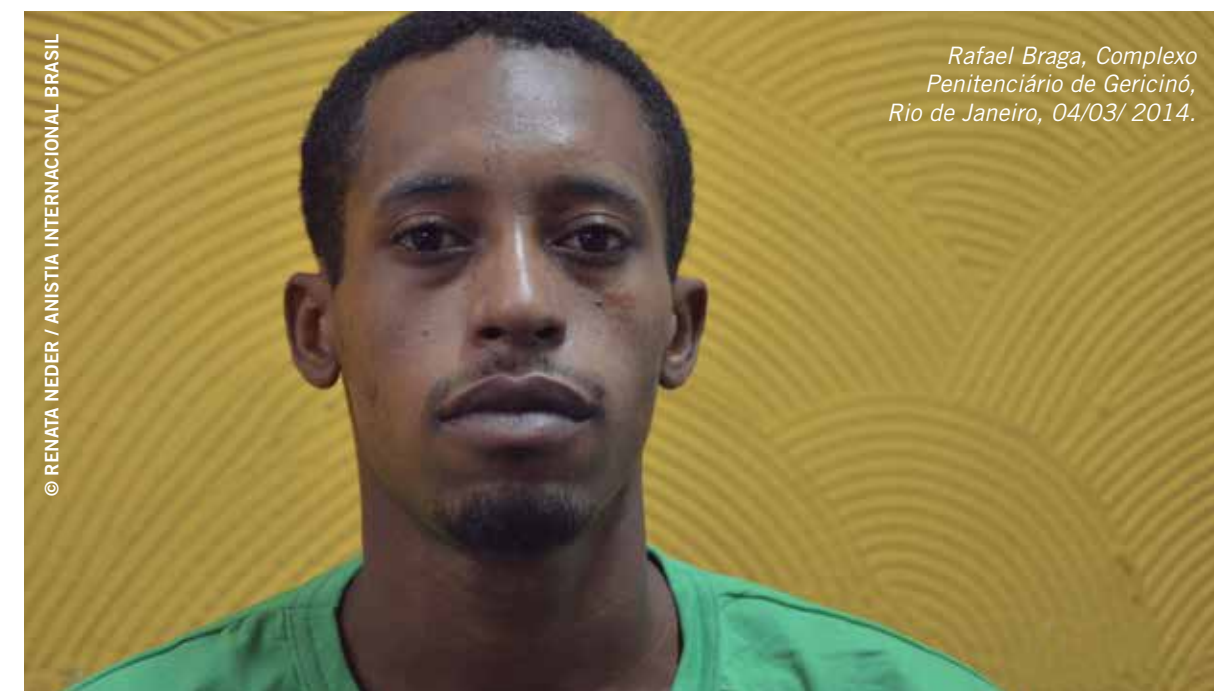


Protest at the World Cup final,
Rio de Janeiro, 13/07/2014.

4. UNDUE RESTRICTIONS AND VIOLATIONS OF THE RIGHT TO PEACEFUL PROTEST

As Brazil prepared to host the 2014 World Cup, hundreds of thousands of protesters took to the streets. Mass demonstrations started in São Paulo in June 2013 due to the discontent with increased public transport fares, the high public expenditures on the World Cup and insufficient investment in public services. The protests spread and reached an unprecedented scale in dozens of cities across the country.

The police response to the wave of protests in 2013 was, in many instances, violent and abusive. Military police units indiscriminately used tear gas against protesters, including in enclosed spaces such as metro stations and in one case inside a hospital in Rio de Janeiro. Police officers fired rubber bullets at peaceful demonstrators and beat people with hand-held batons, leaving hundreds injured. A photographer lost his eye after being shot with a rubber bullet in São Paulo. Hundreds of people were indiscriminately rounded up and arbitrarily detained, some under laws targeting organized crime, without any indication of involvement in criminal activities.²² A minority of protesters also resorted to violence on several occasions, including by harassing journalists, throwing objects at the police and vandalizing property, such as banks, stores and other public property. On 10 February 2014, 50-year-old cameraman Santiago Andrade was hit by fireworks thrown by protesters and died soon after.



Rafael Braga, Complexo
Penitenciário de Gericinó,
Rio de Janeiro, 04/03/ 2014.

RAFAEL BRAGA, SENT TO PRISON FOR CARRYING CLEANING PRODUCTS

Rafael Braga Vieira, a 27-year-old man, who was homeless at the time, was detained after one of the biggest protests in Rio de Janeiro on 20 June 2013. He was carrying two bottles of cleaning products and was arrested – and later prosecuted – for the offence of “carrying explosives without authorization”. In December 2013, Rafael Braga was convicted and sentenced to five years’ imprisonment. The forensic report drawn up for the case concluded that the chemicals in his possession could not have been used for explosives, but the court disregarded this finding in reaching its verdict.²³ In September 2015, Rafael Braga was authorized to work out of prison and to serve the sentence at home. But in January 2016, he was again detained on trumped-up charges for drug trafficking. The only evidence presented in court against him is the statement by a military police officer. Rafael Braga is currently in prison, his trial is pending.

²² Amnesty International, *They use a strategy of fear* (Index: AMR 19/005/2014) www.amnesty.org/en/documents/AMR19/005/2014/en/

²³ Amnesty International, *They use a strategy of fear* (Index: AMR 19/005/2014), p. 15, www.amnesty.org/en/documents/AMR19/005/2014/en/



*Military police at a protest,
Rio de Janeiro, 2013.*

In the days prior to the 2014 football tournament as well as during the Cup, police repression of peaceful protests was documented: Police officers used tear gas, stun grenades and rubber bullets to disperse peaceful protests, journalists were injured by “less lethal” weapons and dozens of people were arbitrarily detained for protesting peacefully.²⁴

In this context, the Brazilian authorities used legislation that was originally designed to fight organized crime and “national security” threats. In the run-up to the World Cup, Congress members proposed several new laws that – if approved – would restrict and violate the rights to freedom of expression and peaceful assembly. None of them were approved in time for the World Cup, but in March 2016, the Antiterrorism Law was approved and sanctioned as part of the preparations for the Olympics. The Brazilian Antiterrorism Law (Law number 13.260/2016) has been widely criticized by lawyers, academics, human rights organizations and international human rights mechanisms for its overbroad vague language and for leaving a margin for its arbitrary application towards social, protests and peaceful assemblies.

On 10 May 2016, the President signed the so-called “General Law of the Olympics” (Law number 13.284/2016). The law imposes new restrictions to the rights to freedom of expression and peaceful assembly in many areas of the host city which might be contrary to international law and standards.

Demonstrations continue to take place throughout the country, and on most occasions, the police has repeated the documented pattern of abuses. Such has been the case at the teachers’ protests in April 2015 in Paraná²⁵ and during the students’ protests in the first months of 2016 in São Paulo. Impunity remains the rule as human rights violations have not been effectively investigated, “less lethal” weapons have not been regulated, police forces have not received adequate training and mechanisms for accountability are still weak. Few steps have been taken by the Brazilian authorities to address violations committed by the police during protests since 2013. This sends the message that such abuses can be committed with impunity and are tolerated by the authorities.

²⁴ Amnesty International, *Brazil: Protests during the World Cup 2014, final overview* (Index: AMR 19/008/2014) www.amnesty.org/en/documents/AMR19/008/2014/en/

²⁵ Amnesty International, Urgent Action, ‘Military police attack protesting teachers’, 7 May 2015, UA: 104/15 (Index: AMR 19/1611/2015)

5. CONCLUSIONS

As Brazil finalizes the preparations for Rio de Janeiro to host the 2016 Olympic Games in August, the risk of increased human rights violations in the context of public security operations rises.

The Olympic values of friendship, respect and solidarity are not in tandem with the prevailing use of unnecessary and excessive force often employed by security forces, which disproportionately affects young black men in favelas and other marginalized areas.

Brazilian authorities are not only failing to deliver the promised Olympic legacy of a safe place for all, but are also failing to ensure that law enforcement agents, especially the police, meet international law and standards regarding the use of force and firearms.

With two months to go until the Olympics 2016, there is still time to put in place measures to mitigate the risk of human rights violations and establish accountability mechanisms for those responsible for committing human rights violations.

6. RECOMMENDATIONS

Amnesty International calls upon the Brazilian Federal Ministry of Justice, the Public Security National Secretary (SENASP), Security Commission and Organizing Committee for Rio 2016, and the Government of the State of Rio de Janeiro to:

- Ensure that all security forces, including the armed forces, that take part in public security operations ahead of and during the Rio 2016 Olympic Games receive adequate training in line with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Code of Conduct for Law Enforcement Officials;
- Take all appropriate measures to prevent the use of unnecessary and excessive force by law enforcement officials, especially the use of firearms and the so-called “less lethal” weapons;
- Ensure that laws and policies do not impose undue restrictions on the rights to freedom of expression and peaceful assembly ahead of and during the Rio 2016 Olympic Games;
- Ensure that the rights to freedom of expression and peaceful assembly are fully respected and protected by law enforcement officials and that security forces policing assemblies do not use unnecessary or excessive force, including so-called “less lethal” weapons, and that protesters are not arbitrarily detained;
- Ensure that public security operations in the favelas and other marginalized areas, including the temporary deployment of the military, do not result in human rights violations;
- Put in place specific accountability mechanisms for both police and the military involved in

public security operations ahead of and during the Olympic Games, including accessible and safe mechanisms for people to denounce any abuses without fear of reprisals;

- Guarantee a timely, thorough, impartial and independent investigation of all human rights violations, especially unlawful killings by law enforcement officials, and that those suspected of criminal responsibility are brought to justice in ordinary tribunals;
- Provide full psychological and social assistance for victims of human rights violations and their families, and ensure adequate reparations including compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Recommendations to the Government of the State of Rio de Janeiro:

- Strengthen and widen the implementation of the Programme on the Control of the Use of Force in the Military Police, including by ensuring human and financial resources to the programme;
- Take all appropriate measures to effectively protect human rights defenders, especially those working in favelas and other marginalized areas, that denounce police abuses and to investigate reports of threats, harassment, intimidation and attacks against them.

Recommendations to the Federal Government:

- Urgently implement a national programme aimed at reducing homicide rates, which includes national and state targets to reduce the number of deaths resulting from police intervention;
- Promote the necessary measures to make available public information and statistical data about killings resulting from police intervention in a standardized manner at the national level and for all states to provide periodic information about the number of people killed during police operations;
- Put in place regulations for the use of “less lethal” weapons that are consistent with international law and standards.

Recommendations to the Public Prosecution Service of Rio de Janeiro State:

- Set up a task force in the Public Prosecution Service that gives priority to investigating and prosecuting killings resulting from police intervention, in order to promptly complete investigations that are still underway and bring the perpetrators to justice;
- Fulfil its constitutional role of exercising external control of police activity, promoting effective actions to monitor the use of force, firearms and “less lethal” weapons by the police, especially ahead of and during the 2016 Olympic Games.

**VIOLENCE HAS
NO PLACE IN
THESE GAMES.**



BLACK



YOUTH



ALIVE

Since Rio de Janeiro was appointed to host the 2016 Olympic Games,
more than 2,500 people have been killed by the police in the city.
This violence targets especially the black youth.

Together, we can turn this game around.

JOIN THE CAMPAIGN AT [AMNESTY.ORG](https://www.amnesty.org)

**#BLACKYOUTHALIVE
#RIO2016**

**AMNESTY
INTERNATIONAL**





AMNESTY.ORG