

Why are Brazilian elections at risk?



In October 2022, elections will be held for the Federal Executive Branch (President of the Republic) and the State Executive Branch (state governors), as well as for the Federal Legislative Branch (federal deputies and senators) and State Legislative Branch (state deputies). The elections will be held on October 2, and a potential second round will be held on October 30.

The risks related to the holding of national elections in Brazil this year (2022) are associated with:

- the attacks on electoral institutions promoted by the President of the Republic himself;
- the substantial increase in political violence, especially against Black women, the LGBTQIA+ population, Indigenous peoples, and the working classes;
- a substantial increase in hate speech by public authorities;
- the institutional promotion of violence and the use of weapons
- explicit threats against candidates;
- interventions from the armed forces into politics;
- the disinformation policy promoted and spread by the President of the Republic himself;
- the risks and threats against the freedom of the press.

The erosion of Brazilian democracy in a context of a worsening social crisis

The COVID-19 pandemic has found a country already weakened due to the **fiscal austerity policy** (e.g. Constitutional Amendment on the Spending Ceiling) and has even worsened this situation. Recently, Brazil returned to the Hunger Map and food insecurity almost doubled in the country (data from FAO, UN, and WHO). At this present moment, when the struggle for rights in Brazil is even more necessary, especially during the electoral process, the country is experiencing a **flagrant and profound deterioration of democracy**.

Since 2016 and more intensely from 2018/2019 onwards, Brazilian democracy has been suffering a strong process of erosion, evidenced by the following factors: an increase in authoritarianism and hate speech, an increase in violence rates, including by state agents, an increase in police lethality, the closure of spaces for social participation, restrictions on access to public information, an increase in violence against and criminalization of human rights defenders, and attacks against the press.

The Current Federal Government's Management and its Anti-Rights Policy

The erosion of democracy is associated with a strong setback in human rights. Since the beginning of the Bolsonaro administration, public policies on human rights have been converted into **anti-democratic, anti-rights, anti-Indigenous, anti-quilombola, anti-women, and anti-LGBT agendas.**

At the national level, these policies have led to an unprecedented number of impeachment requests against the current President of the Republic - more than 90 petitions, signed by more than 550 organizations and 1,550 people -, which were paralyzed by the inertia of the Legislative Branch. On the international level, Brazil has been the object of repeated denunciations, complaints, and successive manifestations from international organizations that warn about a serious situation of rights violations.

From the IACHR Report on the Situation of Human Rights in Brazil (2021), we highlight the negative impact on electoral competition in areas dominated by militias; the country's hostility to the activities of journalists and social communicators, as well as activists and human rights defenders, with a significant increase in the number of threats and assassinations (violent deaths); serious assaults suffered by social communicators (especially by women communicators); **In 2017, Brazil became the country with the highest number of killings of environmental defenders in the world and, in 2018, the 5th country with the highest number of murders of human rights defenders in the world; threats and violence against holders of legislative mandates and those active in the defense of human rights, whose most emblematic case is the murder with characteristics of execution of councilor Marielle Franco**, still not elucidated about who ordered the killing and the reasons for the crime.

In 2021, Brazil had already been included in the **list of countries with the most serious cases of human rights abuses and violations**, presented by OHCHR. The list highlights the environmental issue and the attacks against activists and journalists in the country. Bachelet stressed her concern about *"the continuous attacks on environmental activists, human rights defenders, and journalists, including murders, as well as the inappropriate use of criminal laws to silence critical voices."* In **2022**, Brazil appeared, **for the third year in a row, among the places of concern for the international community, referring to places experiencing "critical situations" that need "urgent action."**

Increase in violence

We are currently experiencing an increase in violence in all its forms: violence against human rights defenders – especially those linked to the struggle for land, territory, and the environment –, against activists and journalists, an increase in state violence and police lethality, and in political violence.

In June 2021, the OHCHR highlighted Brazil's police violence in a landmark report to the UN Human Rights Council. In December of the same year, several UN Special Rapporteurships noted the receipt of many complaints regarding **“systematic” police violence**, particularly in the favelas of Rio de Janeiro, which has resulted in *“several deaths, including the disproportionate killing of Afro-Brazilians.”* They criticized the “failure” to reduce police violence and demanded responses from the State.

This substantial increase in violence is also identified in the Brazilian countryside.

In the Amazon, there is an increase in invasions of forest areas and Indigenous territories, in the dismantling of environmental legislation, and in government incentives for mining and invasions. The policies for titling quilombola territories and the agrarian reform have been paralyzed. The result is an increase in violence against Indigenous people, rural workers, quilombola, and environmentalist leaderships, which affects all Brazilian biomes.

The number of **murders in the countryside in 2021 broke records and was the highest of the last four years**. In 2019, 1,903 conflicts in the countryside were computed; in 2020, there were 2,054 occurrences; in 2021, 1,768 occurrences were recorded, an average of 34 per week. These numbers are much higher than the average of previous years. These conflicts *“affected almost 900 thousand people”* and affected Indigenous people, squatters, quilombolas, landless people, settlers, and riverbank dwellers the most (see Report “Conflicts in the Countryside Brazil 2021”¹, from the Pastoral Land Commission – *“Conflitos no Campo Brasil 2021”*, *Comissão Pastoral da Terra*, in Portuguese).

The institutional flexibilization and encouragement of access to **firearms** have had a multiplying effect on abuses and violations of rights in Brazil.

It is no longer just a culture of institutional tolerance towards violence, but also an evident State encouragement of violence and impunity.

In summary, violence has been used as **a strategy to silence and repress demands for rights**, and currently has explicit institutional support and encouragement, especially from the federal executive branch.

¹ <https://www.cptnacional.org.br/publicacoes-2/destaque/6001-conflitos-no-campo-brasil-2021> And comparative tables on rural conflicts, slave labor and others are available at: <https://www.cptnacional.org.br/downlods/category/89-espaco-para-imprensa-releases-analiticos>

Political and Electoral Violence



Violence against Human Rights Defenders

In this scenario, the efforts of political minorities to dispute spaces of power and overcome the underrepresentation of these segments have been the target of intense political violence.

The 2018 electoral process was marked by violence. According to the IACHR Report (2021), *“between the months of January and October of that year, in the context of the coverage of the elections or street demonstrations, there were at least 137 such cases, with 75 virtual assaults and 62 physical assaults, which occurred especially against **women communicators.**”*

According to a report prepared by Brazilian human rights organizations:

In the last four and a half years, assassinations and attacks have played a relevant role in structuring political and electoral violence in Brazil. [...] **Far from being episodic or isolated situations, the context of Brazilian political polarization and the reality of conflicts of interest at the federal, state, and municipal levels have made violence a relatively regular occurrence. Violence has become part of the management of political conflicts, becoming part of the routine management and administration of Brazilian cities, which can be seen in the significant number of assassinations and attacks against mayors and city councilors.**

(*“Political and Electoral Violence in Brazil: overview of human rights violations from 2016 to 2020”*, Terra de Direitos and Justiça Global - *“Violência Política e Eleitoral no Brasil: panorama das violações de direitos humanos de 2016 a 2020”*, in Portuguese)

Every 13 days there was an attack against the life of a political representative between 2016 and 2020; in total, there were 125 attacks and 85 death threats. Citing the survey data, it registers that *“the peak of violence was in 2020, the year of municipal elections, when there was an attack every three days”* and warns that **current conditions indicate that the 2022 elections will surpass these figures.**

Every day there are further pieces of news that corroborate the seriousness of this scenario and the risks to holding the election process. There are cases of explicit threats to the life of the pre-candidate for the presidency Lula, which are made mostly by parliamentarians from different political segments carrying firearms. There are threats against the President of the Supreme Court; there are accusations involving shooting clubs around the country, which have used images of Lula as a target to “perfect” their training.

The murder of Marcelo Arruda

In July 2022, Marcelo Arruda, a municipal guard and treasurer of the Workers' Party in Foz do Iguaçu (state of Paraná – PR), was shot to death by the criminal police officer Jorge da Rocha Guaranho. Arruda's death allegedly occurred because of his political position, displayed in the decoration of his 50th birthday party. This episode, widely reported in Brazil and worldwide, alerts to the growing climate of intolerance and hatred that has marked the country on the eve of national elections.

After visiting Brazil between March and April 2022, Mr. Clément Nyaletsossi Voule, UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association (2022), issued a press release in which he summarized the reality he encountered: **political violence is killing democracy in Brazil**. According to him *“political violence against social leaders, candidates, and elected political leaders, in particular Afro-descendants and trans women, also represents a serious threat to political participation and democracy.”*

Specifically, regarding the general elections scheduled for October 2022, he said, *“the State must ensure that all electoral processes are free from discrimination, misinformation, fake news and hate speech”* and **urged the State to “protect all candidates from any threats or attacks, both online and offline.”**

He was shocked by the ***“levels of violence against human rights defenders, traditional communities, including quilombolas and Indigenous peoples, as well as community leaders in the favelas.”*** He emphasized that they ***“face a violent environment marked by stigmatization, threats, harassment, physical attacks, and assassinations.”***

Clément Voule called attention to the approximately 20 draft bills under consideration by the National Congress, particularly Draft Bills No. 1595/19, No. 272/16, and No. 732/2022 which, *“if adopted, would effectively criminalize the activities of social movements under the pretext of national security and the fight against terrorism,”* in flagrant disregard of international standards and norms.

Policies of restriction to social and political participation and the narrowing of spaces for consultation on public policies and decision-making, and notably the closing of 650 participatory councils, which had already been the target of previous Communications from other UN System Experts, were reiterated by the Rapporteur.

Associated to this, the *“frequent excessive use of force by police officers and human rights violations during demonstrations”* and *“the lack of a clear and unified protocol for the use of force during protests and of an effective and independent mechanism for the oversight of police officers' conduct”* continue to give cause to great concern.

Also as a result of his visit to Brazil, the UN Rapporteur on Freedom of Association stated in a recent interview that: *“in Brazil, there is a **disinformation movement** and orchestrated attack linked to the increased use of social media” and “disinformation is something that destroys democracy.”*

Coup threats in front of dozens of ambassadors

In July 2022, Jair Bolsonaro held an event at the president’s official residence where he spoke to dozens of ambassadors. On that occasion, he conveyed false information about the electronic voting system and about alleged fraud in previous elections; he promoted the discrediting of the Brazilian electoral system, attacked Supreme Court Justices, and made coup threats (saying that he would not respect the election results).

On August 24, 2022, the Superior Electoral Court (*Tribunal Superior Eleitoral – TSE*, in Portuguese) ordered the removal of videos reproducing the president’s appearance before the ambassadors, which were published on Bolsonaro’s Facebook and Instagram accounts. The court ruling stressed that most of the statements have already been vehemently refuted by the Superior Electoral Court and that no one is allowed to convey “unfounded attacks on the electronic voting system and on democracy itself, instilling a false idea of fraud in the electorate.”

According to Mr. Clément Voule, **“democracy in Brazil is in crisis”**, the **political environment has deteriorated** and **political violence strongly contributes to this**, as it discourages, if not prevents, *“people from participating in the process and from exercising their fundamental freedoms”*. Regarding this subject, he pointed out that **“the lack of a conclusion to the Marielle case, four years after the execution of an elected representative, creates an environment of impunity, of fear.”**

Specifically, regarding the 2022 elections, he states that: *“the law that facilitated the purchase of weapons and ammunition collaborates to this environment around the elections.”* Regarding the suspicions raised by the Brazilian president about the country’s electoral system, the Rapporteur points out that **“there is no evidence of any failure or weakness”**, however, *“if the system loses people’s trust, they may not vote or may not recognize the elections”*, while **“discrediting the system is opening the way for people not to accept the results”** and, ultimately, for violent actions. In summary, he asserts that: *“weakening the power of voting, undermining democracy itself, puts the country in a very dangerous situation.”*

Threats against the Brazilian Supreme Court and the Electoral Justice, mainly made by the current president himself, were the object of a recent statement from the Office of the UN High Commissioner for Human Rights.

This is the scenario in which the national elections will be held in October 2022. According to a wide articulation of social movements and Brazilian signatory organizations, **“the federal and state elections are expected to be the most violent in history.”**

Organized civil society strongly believes that the elections *“will be contaminated by the Bolsonaroist strategy of **violence, to disrupt and delegitimize the process and the result, in case of defeat.**”* In this sense, it is necessary to remember that President Jair Bolsonaro *“has an armed structure, both from police departments and militia, as well as part of the armed forces and members of shooting clubs,”* in addition to other weapons that he could make use of during the elections, such as the practice of *“hate speech and disinformation, from his digital militancy and robots.”*

Due to this whole scenario, there are concrete risks to Brazilian democratic institutions, to the holding of free, non-violent elections, and even risks of a rupture with Brazil’s constitutional order.

What does Brazilian society expect from the International Community?

It expects that the member states of the United Nations turn their attention to Brazil to monitor the elections in the country and mobilize international bodies for the protection of human rights in order to guarantee that all electoral processes are free of violence, discrimination, misinformation, fake news, and hate speech.

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