

ANNEX

OBSERVATIONS FROM THE GOVERNMENT OF BRAZIL REGARDING LETTER ARDS/YB/SH/kk (04/25/2022)

With reference to the April 25 communication ARDS/YB/SH/kk, in which the Office of the High Commissioner for Human Rights requested updated information on the cases of João Pedro Mattos Pinto and Luana Barbosa Reis dos Santos, the Brazilian government has the honor to convey the following elements.

Case of João Pedro Mattos Pinto

After the investigations into the case, the Public Ministry of the State of Rio de Janeiro (MPRJ), through the 1st Specialized Criminal Investigation Justice Prosecutor's Office of the Niterói and São Gonçalo Nucleus, denounced, on December 16, 2021, the civil police officers Mauro José Gonçalves, Maxwell Gomes Pereira and Fernando de Brito Meister, for their involvement in the death of teenager João Pedro de Mattos Pinto.

The Justice of the State of Rio de Janeiro, through the 4th Criminal Court of São Gonçalo, accepted, on February 11, 2022, the complaint against civil police officers Mauro José Gonçalves, Maxwell Gomes Pereira and Fernando de Brito Meister, investigated for the death teenager João Pedro Matos Pinto, 14 years old. (Annex - TJRJ complaint Rec.)

The magistrate ordered the suspension of the accused from the exercise of their public functions while the criminal action is being processed, in addition to the prohibition of contact with witnesses and their families and of access to any unit of the Civil Police of Rio de Janeiro. If the precautionary measures are not complied with, preventive detention will be decreed.

The movement of the process is attached (Annex - TJRJ Progress).

Luana Barbosa dos Reis Santos case

Within the scope of the Common Justice, the appeal in the strict sense brought by the defendants was judged, on September 28, 2021, by the 4th Chamber of Criminal Law of the Court of Justice of São Paulo, which rendered the following decision: "They rejected the preliminary and gave partial granting of the appeals, in order to remove the qualifiers, giving the defendants as

pronounced in article 121, caput, of the Penal Code. V. U.", in accordance with the vote of the Rapporteur, which is part of the judgment. (Annex - RESE judgment).

In addition, the motion for clarification filed by the defendants was rejected, on November 9, 2021, by the 4th Criminal Law Chamber of the São Paulo Court of Justice, which rendered the following decision:

"The embargoes were rejected. V. U.", in accordance with the vote of the Rapporteur, which is part of the judgment. (Annex - Judgment ED).

Subsequently, exceptional appeals were filed with the Superior Court of Justice (STJ) and the Federal Supreme Court (STF), which are currently being processed. (Annex - TJSP Progress).

Additional information

The Brazilian government, through the Ministry of Justice and Public Security, has implemented measures to combat all forms of violence against vulnerable groups. The National Public Security Plan aims, among other objectives, to reduce homicides and other violent crimes and to increase effectiveness and integration in preventing and combating violence.

In 2020, the National Secretary of Public Security instituted, by Ordinance 41/2020, the Project for the Prevention of Domestic and Family Violence against Women (ProMulher). Through the Project, actions in the scope of public security have been implemented together with society and professionals of the Unified Public Security System, at the levels of primary, secondary and tertiary prevention, to contribute to the reduction of the rates of domestic and family violence against the woman. The National Public Security Strategy for the Protection and Defense of Children, Adolescents and the Elderly is being prepared, with a forecast of launching a public consultation to society in May 2022, for collaborations.

On March 8, 2022, a public call notice was launched, with a forecast of application of R\$ 10 million to finance projects aimed at preventing violence against women, children, adolescents and the elderly. The objective is to select state and municipal projects aimed at preventing violence and crime against these vulnerable groups. Good practice works should be developed and presented by the Military Police, Civil Police, Military Firefighters and Municipal Guards across the country. Funding will be through the National Public Security Fund.

The Brazilian government, through the Ministry of Justice and Public Security, has invested budgetary resources in combating violence against women, children, adolescents and the elderly at the state level, providing support in terms of equipment, vehicles, dissemination activities and integration of good practices.