



Home Office

# **Country Policy and Information Note**

## **Brazil: Sexual orientation, gender identity and expression (SOGIE)**

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# Executive summary

In general, persons identifying as lesbian, gay, bisexual, trans or intersex (LGBTI) are not subject to treatment by the state that is sufficiently serious, by its nature or repetition, to amount to persecution or serious harm. The onus is on the person to demonstrate otherwise.

While the Constitution does not explicitly protect LGBTI persons, anti-discrimination laws have been applied to safeguard their rights. Same-sex sexual relations, same-sex marriages, civil partnerships and adoption are all permitted. Transgender people may legally change their name and gender without surgery, and gender reassignment surgery, HIV medication and hormone therapy are available for free. Trans people face barriers in accessing formal employment, but public agencies have or intend to adopt a 2% quota for their employment. Licensed psychologists are prohibited from practising conversion therapy.

Society is generally conservative and holds to traditional family values. Opinion polls in recent years show division over LGBTI issues. However, the younger, urban population in bigger cities such as Sao Paulo and Rio de Janeiro hold more tolerant attitudes to the LGBTI community.

In absolute numbers, Brazil has had the highest number of recorded murders of LGBTI people in the world for several years, although the total number of victims has been decreasing from its peak in 2017. In 2023, LGBTI persons comprised approximately 0.64% of all violent deaths in Brazil. This equates to approximately 0.009% of the LGBTI population. Transgender persons made up the majority of victims in 2022 and 2023, with gay men the second highest group. Victims are often black or mixed race, and sex workers.

There is no information to suggest that state actors systematically target the LGBTI community. Nevertheless, they are generally mistrusting of law enforcement, and some report facing violence, discrimination and homophobia and transphobia, which has led to underreporting of crimes. The state has been criticised for its failure to provide comprehensive official data on crimes against LGBTI persons. However, since gaining power in 2023, President Lula has spoken in support of LGBTI rights and has created governmental institutions to further these. Some police forces are also investing in training to better respond to complaints from LGBTI persons.

In general, the state is willing and able to offer sufficient protection from non-state actors. This will depend on the facts of the case. In general, internal relocation is also likely to be reasonable and not unduly harsh, particularly to urban areas and large cities, such as Sao Paulo and Rio de Janeiro, where LGBTI persons have a higher degree of freedom to express their sexual orientation and/or gender identity.

The presence of dedicated NGOs in Brazil contributes positively to the advancement of LGBTI rights.

Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. Brazil is listed as a designated state.

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# Assessment

Section updated: 1 December 2024

## About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is reasonably likely to face a real risk of persecution/serious harm by state or non-state actors because of the person's actual or perceived sexual orientation and/or gender identity or expression
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

This note provides an assessment of the general situation for gay men, lesbians, bisexuals, trans and intersex (LGBTI) persons, as well as those perceived as such. They are referred to collectively as 'LGBTI persons', although the experiences of each group may differ. Where information is available, the note will refer to and consider the treatment of each group discretely.

Paragraphs 35 and 82 of the determination of the Supreme Court's ruling in [HJ \(Iran\) and HT \(Cameroon\) v Secretary of State for the Home Department \[2010\] UKSC 31, heard 10,11,12 May and promulgated 7 July 2010](#), have set out the approach to take and established the test that should be applied when assessing such a claim based on a person's sexual orientation and/or gender identity/expression.

For general guidance on considering claims made by LGBTI persons, decision makers should refer to the Asylum Instructions, [Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim: transgender](#).

Decision makers **must**, however, consider all claims on an individual basis, taking into account each case's specific facts.

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## 1. Material facts, credibility and other checks/referrals

### 1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum](#)

[Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

- 1.1.3 Decision makers must also consider making an international biometric data-sharing check (see [Biometric data-sharing process \(Migration 5 biometric data-sharing process\)](#)).
- 1.1.4 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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## 1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention, Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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## 2. Convention reason(s)

- 2.1.1 Actual or imputed membership of a particular social group (PSG).
- 2.1.2 LGBTI persons form a PSG in Brazil within the meaning of the Refugee Convention because they share an innate characteristic or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it, **and** have a distinct identity in Brazil because the group is perceived as being different by the surrounding society.
- 2.1.3 Although LGBTI persons in Brazil form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the person has a well-founded fear of persecution

on account of an actual or imputed Refugee Convention reason.

- 2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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### 3. Risk

#### 3.1 Risk from the state

- 3.1.1 In general, LGBTI persons do not face treatment from state actors which is sufficiently serious by its nature or repetition, or by an accumulation of measures, that it amounts to persecution or serious harm. The onus is on the person to demonstrate otherwise.
- 3.1.2 Consensual same-sex sexual activity is not criminalised for men or women. Same-sex marriages, civil unions and adoption have been legalised through judicial decisions and resolutions (see [Penal code](#), [Same-sex marriage, civil unions and adoption](#)).
- 3.1.3 While the Brazilian Constitution does not list sexual orientation and gender identity among the prohibited grounds for discrimination, the Constitutions of some states do (see [Constitution](#)). The National Congress has not enacted any specific laws criminalising homophobic and transphobic conduct. However, as of 2019, the Federal Supreme Court has included homophobic and transphobic acts within a law that criminalised racially-motivated acts of discrimination (see [Anti-discrimination law](#)).
- 3.1.4 Licensed psychologists are banned from conducting conversion therapy. The ban does not apply to any other professionals or any other person willing to offer conversion therapies. Sources indicate that these have been offered by persons other than psychologists, particularly those affiliated to religious organisations (see [Conversion therapy](#)).
- 3.1.5 Persons have the legal right to change their name and gender. They are not required to undergo surgery (see [Transgender rights](#)). When facing detention, transgender persons can express a preference over whether to attend a male or female prison, although sources suggest this is not always complied with (see [LGBTI persons in detention](#)). Sources are mixed regarding whether intersex children are legally protected against non-essential surgeries (see [Intersex rights](#)).
- 3.1.6 Former President Bolsonaro and other public officials made strong anti-LGBTI statements and discontinued governmental agencies which advanced LGBTI rights. During his tenure, this exacerbated marginalisation of LGBTI persons. Since gaining power in early 2023, current President Lula has vocalised his support for LGBTI rights and has begun to rebuild institutional agencies to protect these (see [Government rhetoric](#), [LGBTI policy initiatives and support](#)). Various anti-LGBTI bills continue to be proposed, and several are in force at the state and municipal levels. Some are challenged and struck down by the judiciary (see [Political debate on LGBTI issues, Education](#)).
- 3.1.7 There is no information in the sources consulted that state actors systematically target LGBTI persons. The vast majority of reports of human

rights violations against LGBTI persons relate to acts committed by non-state actors (see [Societal treatment of LGBTI persons: overview](#)). According to the most recent official data available, in 2022, only 1% of LGBTI victims of interpersonal aggression reported that the likely perpetrator was a police officer and/or law enforcement agent (see [State treatment of LGBTI persons: overview](#)).

- 3.1.8 For an assessment of the protection afforded by the state to members of the LGBTI community, see [State treatment of LGBTI persons](#).
- 3.1.9 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## 3.2 Risk from non-state actors

- 3.2.1 In general, LGBTI persons in Brazil do not face treatment that is sufficiently serious by its nature and/or repetition, or by an accumulation of various measures, to amount to persecution or serious harm. However, some individuals may be able to show differently on the facts of their case.
- 3.2.2 Within the LGBTI community, transgender persons face an elevated risk of serious harm due to increased visibility and involvement in sex work, especially if they are black or mixed race, and of lower socio-economic status. Gay men, particularly those who are black, mixed race and of lower socio-economic status, also face a heightened risk. The proportion of lesbian and bisexual victims of violence is lower, and there is limited information on societal treatment of intersex persons. Whether the treatment of LGBTI persons meets the high threshold for persecution will depend on the specifics of each case.
- 3.2.3 In general, Brazilian society has conservative views, linked to religion and traditional family values. Societal attitudes towards LGBTI persons in Brazil are divided. Research conducted in Brazil between 2021 and 2024 has found that societal perceptions of LGBTI issues have remained steady during that period, with approximately 54% supporting LGBTI persons being open about their sexual orientation or gender identity. Certain demographics like older persons, those living in non-urban areas and protestants reportedly exhibited more negative views than younger, urban, catholic demographics (see [Cultural norms](#), [Public opinion on LGBTI persons](#)).
- 3.2.4 In general, LGBTI persons showing affection in public can be met with disapproval. However, larger urban areas, including cities like Rio de Janeiro, Sao Paulo and Salvador have thriving LGBTI communities where persons are able to openly express and celebrate their sexual orientation and gender identity (see [Public opinion on LGBTI persons](#), [LGBTI communities](#), [LGBTI population](#)).
- 3.2.5 From 2019 data, official estimates indicated that approximately 1.9% of the Brazilian population (2.9 million of a total population of approximately 212.5 million) identified as gay or bisexual. However, this number is thought to be underreported and did not include the transgender population (see [LGBTI](#)



[population](#), [Freedom of movement](#)).

- 3.2.6 Sources reported that Brazil has had the highest number of (recorded) violent deaths of LGBTI persons in the world every year from 2021 to 2023. However, this is presented in absolute numbers, not as a proportion of Brazil's total LGBTI population. According to the Brazilian government, there were 40,429 violent deaths in 2023. Civil society organisations reported that approximately 257 LGBTI persons were murdered in 2023, comprising 0.64% of all violent deaths, and 0.009% of the LGBTI population. Whilst some cases were assessed by the reporting organisations to include an anti-LGBTI motive, their methodologies note that this does not apply to all. Therefore, it is plausible that some of the victims were not murdered because of their sexual orientation or gender identity (see [Deaths of LGBTI persons](#)).
- 3.2.7 Between 2021 and 2023, LGBTI victims of violent deaths included primarily gay men and transgender persons. In 2021, gay men represented the majority, followed by transgender persons, whereas in 2022 and 2023, transvestite and transgender women became the primary victims, with gay men as the second-largest group. Violence often intersects with race, with a disproportionate number of victims being black or mixed race. Most victims are murdered at home or on the street, with transgender victims often engaged in sex work. From the sources consulted, the proportion of lesbian and bisexual victims is lower, but underreporting is possible. There is a lack of information on the societal treatment of intersex persons (see [Societal treatment of LGBTI persons](#)).
- 3.2.8 From the most recent official data available, intentional bodily injuries were the most reported form of violence against LGBTI individuals in 2022, reaching 2,324 records (a 13.4% increase from 2021, averaging about 6 victims per day or 0.08% of the LGBTI population), with the highest numbers in the states of Pernambuco, Minas Gerais, and Ceará. These states also recorded the highest number of rape cases against LGBTI individuals. One study indicated that lesbian and bisexual women may be particularly at risk of violence short of murder due to the intersection of sexism and discrimination based on sexual diversity. There were also reports of LGBTI women being threatened with corrective rape and reports of LGBTI politicians generally being threatened with violence (see [Societal treatment of LGBTI persons: overview](#), [Societal treatment of lesbian and bisexual women](#), [Conversion therapy](#), [Online harassment](#)).
- 3.2.9 Official data on violence against LGBTI persons is widely seen as incomplete, as not all states report and disaggregate their data accordingly. Additionally, reported numbers of violent deaths of LGBTI persons vary by civil society organisation and numbers are considered to be higher in reality as a result of underreporting and limitations in data gathering (see [Deaths of LGBTI persons](#), [Societal treatment of LGBTI persons: overview](#), [Official data on violence against LGBTI persons](#)).
- 3.2.10 Brazilian law states that all healthcare providers must operate without prejudice. Gender reassignment surgery, hormone therapy and HIV medication are available free of charge through Brazil's health service. However, sources indicate that the amount of medical professionals and

establishments that have the knowledge and equipment to meet the requirements of the transgender population may be insufficient. Additionally, it was reported that pharmacists have been suspended from prescribing Pre- and Post-Exposure Prophylaxis for HIV/AIDS to patients in the public health service, which may hinder access to it. Sources also report that prejudices and preconceptions about bisexual and lesbian cisgender women limit the type of services they receive (see [Access to healthcare](#)).

- 3.2.11 Sources indicate that transgender persons struggle to enter the formal job market and the majority of transgender women resort to prostitution. However, some public agencies have or intend to introduce a 2% quota for the employment of transgender persons, and anti-discrimination law covers LGBTI persons in employment situations (see [Access to employment](#)).
- 3.2.12 There have been attempts across Brazil to introduce laws banning 'gender ideology' from education, with the Supreme Court striking down some of these (see [Education](#)). Anti-discrimination law covers LGBTI persons in the context of housing (see [Housing](#), [Anti-discrimination law](#)).
- 3.2.13 If a person does not openly express their sexual orientation or gender identity, consideration must be given to the reasons why. Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk on return.
- 3.2.14 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## 4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution from non-state actors, including 'rogue' state actors, decision makers must assess whether the state can provide effective protection.
- 4.1.2 For background information about the criminal justice system generally and an assessment of its effectiveness in providing protection, see the Country Policy and Information Note, [Brazil: Actors of protection](#).
- 4.1.3 In general, the state is willing and able to offer effective protection. The onus is on the person to demonstrate otherwise. A reluctance to seek protection is not an indication that it is not available.
- 4.1.4 There is a functioning police force, laws and avenues of redress in place for LGBTI persons (see [Legal context](#), [LGBTI policy initiatives and support](#)). While there is no anti-discrimination law explicitly protecting the LGBTI population, in 2019 the Supreme Court considered that victims of homophobic or transphobic conduct are protected under a law that criminalised racial discrimination (see [Anti-discrimination law](#)).
- 4.1.5 During the term of former President Bolsonaro, government institutions that furthered LGBTI policies and rights were downgraded. As of 2023, current President Lula has been rebuilding these and has vocalised his support of LGBTI rights. However, general political support for LGBTI rights remains

polarised, with several bills being proposed which would set back protections (see [Government rhetoric](#), [Political debate on LGBTI issues](#)).

- 4.1.6 Whilst official data on violence against LGBTI persons is said to be underreported (see [Official data on violence against LGBTI persons](#)), available information indicates that LGBTI persons can, and do, report incidents of violations to their human rights. Police have taken action, including in notable cases such as the murder of bisexual city councillor Marielle Franco, but the lack of data on crimes against LGBTI persons makes it difficult to ascertain trends in their responses (see [State treatment of LGBTI persons](#)).
- 4.1.7 Sources report that LGBTI persons are reluctant to report hate crime incidents due to a fear of facing violence, discrimination, or inaction from law enforcement agents. There is anecdotal evidence of law enforcement personnel being biased against the LGBTI community and there have been some reports of human rights abuses perpetrated by state agents (see [State treatment of LGBTI persons: overview](#), [State treatment of transgender persons](#), [State treatment of lesbian and bisexual women](#)). Sources from within the police also acknowledged that discriminatory attitudes are prevalent among law enforcement. However, these sources also indicated a willingness to invest in further training to improve protections for LGBTI persons (see [State treatment of LGBTI persons: overview](#)).
- 4.1.8 There is also a significant number of non-governmental organisations in Brazil who advocate for LGBTI rights and the LGBTI community. These organisations can offer support to LGBTI persons (see [LGBTI organisations](#)).
- 4.1.9 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Sexual identity issues in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## 5. Internal relocation

- 5.1.1 In general, there are parts of the country where a person would not have a well-founded fear of persecution/real risk of suffering serious harm and it will be reasonable for them to relocate there.
- 5.1.2 However, internal relocation will not be an option if it depends on the person concealing their sexual orientation and/or gender identity in the proposed new location to avoid persecution. Each case must be considered on its facts.
- 5.1.3 Brazil is a large country with a population of approximately 212,583,750. People are generally able to move around freely (see [Freedom of movement](#)).
- 5.1.4 Available data suggests that people are less open about their sexual orientation in smaller cities and rural areas. Urban areas are likely to be more accepting (see [LGBTI population](#), [LGBTI communities](#), [Cultural norms](#)).

- 5.1.5 According to available data, the South-East is the region with the highest number of violent deaths of LGBTI persons, followed by the North-East. Sao Paulo, Minas Gerais and Rio de Janeiro states generally have the highest absolute numbers of complaints of lethal violence against LGBTI persons, but are also the most populous states of Brazil (see [Deaths of LGBTI persons](#), [Freedom of movement](#)).
- 5.1.6 LGBTI persons in urban areas such as the cities of Sao Paulo, Rio de Janeiro and Salvador enjoy a higher degree of freedom in expressing their sexual orientation and gender identity. These cities are known for their Pride parades and have a reputation for being LGBTI-friendly (see [LGBTI communities](#)).
- 5.1.7 While the onus is on the person to establish a well-founded fear of persecution or real risk of serious harm, decision makers must demonstrate that internal relocation is reasonable (or not unduly harsh) having regard to the individual circumstances of the person.
- 5.1.8 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status Sexual orientation in the asylum claim](#) and [Gender identity issues in the asylum claim](#).

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## **6. Certification**

- 6.1.1 Where a claim is refused, it must be considered for certification under section 94(3) of the Nationality, Immigration and Asylum Act 2002 as Brazil is listed as a designated state.
- 6.1.2 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.3 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

## About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

The COI included was published or made publicly available on or before **28 August 2024**. Any event taking place or report published after this date will not be included.

Decision makers must use relevant COI as the evidential basis for decisions.

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## 7. Legal context

### 7.1 Constitution

7.1.1 One of the fundamental objectives of Brazil's Constitution, in force since 1988, is 'to promote the well-being of all, without prejudice as to origin, race, sex, color, age and any other forms of discrimination.'<sup>1</sup>

7.1.2 Although the Constitution does not explicitly prohibit discrimination based on sexual orientation, gender identity/expression, or sex characteristics, 8 Brazilian states (Alagoas, Ceara, Espirito Santo, Mato Grosso, Para, Piaui, Santa Catarina and Sergipe) and the Federal District do have provisions in their state constitutions which prohibit discrimination based on sexual orientation - but not on gender identity/expression or sex characteristics<sup>2</sup>.

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### 7.2 Penal code

7.2.1 The current Brazilian Penal Code can be found here: [Brazilian Penal Code](#) (in Portuguese).

7.2.2 According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), 'a leading organisation and a global voice for the rights of those who face discrimination on the grounds of sexual orientation, gender identity, gender expression and/or sex characteristics'<sup>3</sup>, the Brazilian Penal Code was incepted in 1831 and has never contained any provisions criminalising same-sex sexual relations<sup>4</sup>.

7.2.3 The same source stated: 'Despite this early decriminalisation, it has been indicated that other provisions of that Code were used to persecute persons

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<sup>1</sup> Constitute Project, '[Constitution of Brazil](#)' (Article 3), 5 October 1988

<sup>2</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>3</sup> ILGA, '[What we do](#)', no date

<sup>4</sup> ILGA, '[World Database - Brazil](#)', no date

who engaged in same-sex sexual acts.<sup>5</sup> It did not elaborate on which provisions, what form the persecution took, or the scale or extent thereof.

- 7.2.4 The United States Department of State (USSD)'s 2023 'Country Report on Human Rights Practices: Brazil' (USSD 2023 Report), covering events in 2023, noted that 'The law did not criminalize so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons.'<sup>6</sup>

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### 7.3 Same-sex marriage, civil unions and adoption

- 7.3.1 The USSD 2023 Report noted that 'The law did not explicitly recognize LGBTQI+ couples.'<sup>7</sup>

- 7.3.2 Regarding marriage and civil unions, ILGA stated that: 'Resolution No. 175 (2013) issued by the National Council of Justice states that notaries cannot refuse to register same-sex marriages...

'In 2011, the Supreme Federal Court (STF) of Brazil recognised same-sex civil unions with erga omnes effects (i.e. applicable to the whole population) in two joint decisions: Ação Direta de Inconstitucionalidade 4277 and Arguição de Descumprimento de Preceito Fundamental 132.'<sup>8</sup>

- 7.3.3 Regarding adoption, ILGA stated that:

'In April 2010, the Superior Court of Justice of Brazil (STJ) ruled in No. REsp 889,852/RS that same-sex couples could adopt children...

'In November 2023, the National Council of Justice reaffirmed... the rights of same-sex couples to adopt. The resolution mandates courts and judges to uphold equal rights and combat discrimination based on sexual orientation and gender identity. It prohibits expressions opposing applications solely due to being same-sex or transgender couples or families, ensuring fair treatment in qualification, adoption, custody, and guardianship processes... Judges must... promote adoption by including same-sex and transgender-affirming families in encouragement activities while facilitating avenues for lodging discrimination complaints.'<sup>9</sup>

- 7.3.4 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] No specific avenues for lodging discrimination complaints are set out in the relevant Resolution. However, it stated that 'the courts shall... disseminate the ombudsman's channels for complaints in case of situations of discrimination.'<sup>10</sup> On a webpage describing the National Human Rights Ombudsman, the Brazilian government stated that the main channel for lodging complaints is Dial 100<sup>11</sup>. For more information on this, see [LGBTI policy initiatives and support](#).

<sup>5</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>6</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>7</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>8</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>9</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>10</sup> Brazilian National Council of Justice, '[Resolution No. 532](#)', 16 November 2023

<sup>11</sup> Government of Brazil, '[National Human Rights Ombudsman](#)', 20 January 2021

## 7.4 Anti-discrimination law

- 7.4.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2019, the Federal Supreme Court of Brazil included homophobic and transphobic acts within a law which criminalised racially-motivated acts of discrimination. The Court stated that:
- ‘...there was an unconstitutional omission by the National Congress for not enacting a law that criminalizes acts of homophobia and transphobia...’
- ‘...until the National Congress enacts a specific law, homophobic and transphobic conducts, real or supposed, fall within the crimes provided for in Law 7,716/2018 (sic, Law 7,716/1989) and, in the case of intentional homicide, constitute a circumstance that qualifies it, as it constitutes a vile motive... criminal repression of the practice of homotransphobia does not reach or restrict the exercise of religious freedom, as long as such manifestations do not constitute hate speech...the concept of racism goes beyond strictly biological or phenotypic aspects and reaches the denial of the dignity and humanity of vulnerable groups.’<sup>12</sup>
- 7.4.2 The USSD Overseas Security Advisory Council (OSAC) noted in its 2023 ‘Brazil Country Security Report’ (OSAC 2023 Report) that ‘No specific law prohibits discrimination against LGBTI+ persons in essential goods and services such as health care....’<sup>13</sup>

## 7.5 Transgender rights

### a. Name change

- 7.5.1 The USSD 2023 Report noted that:
- ‘A [2016] presidential decree standardized the use of a person’s social name (versus the name given to the person at birth) by bodies and entities of federal public administration. In federal institutions, respect for the social name was mandatory; persons had the right to be respected by the name and gender by which they identified themselves. This also applied to health-care units and hospitals. Many of these institutions reserved a field in forms and documents intended for social names.’<sup>14</sup>

### b. Gender recognition

- 7.5.2 ILGA stated that:
- ‘Changing the legal gender marker has been available in Brazil since 2009, when the Superior Court of Justice of Brazil issued its Judgment No. 2007/0273360-5 (2009)...’
- ‘...In 2018, the [Supreme Federal] Tribunal handed down ADI No. 4,275 (2018) in which all justices unanimously agreed that neither surgical procedures nor hormonal treatment or pathologising requirements were

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<sup>12</sup> Supreme Court of Brazil, ‘...Homophobia and transphobia as crimes of racism...’, 13 June 2019

<sup>13</sup> USSD OSAC, ‘[Brazil Country Security Report](#)’ (LGBTI+ Travellers), 18 July 2023

<sup>14</sup> USSD, ‘[Human Rights Report Brazil 2023](#)’ (Section 6), 2023

necessary. The majority also agreed that judicial authorization was not necessary...

'Following this decision, the National Council of Justice adopted Order No. 73 (2018), which established an administrative procedure before the Civil Registry to request amendments to the applicant's name and gender marker based on the autonomy of the applicant. Article 7 explicitly provides that it is not necessary to submit any medical or psychological information or diagnosis.

'In 2021, the Court of Justice of the State of São Paulo delivered its Judgment of 28 September 2021... allowing a non-binary applicant to be registered with a gender marker "not specified/agender"...'<sup>15</sup>

- 7.5.3 The USSD 2023 Report stated that 'Individuals were able to change their gender identity marker on legal and government identification documents to align with their gender identity. There were no options available for "nonbinary/intersex/ gender nonconforming." Individual self-identification was usually sufficient, but sometimes judges required gender-affirming surgery.'<sup>16</sup>
- 7.5.4 In its 2024 report 'Laws on Us', ILGA stated that 'In 2023, Public Defender Offices in Rio de Janeiro and Pernambuco achieved notable success in granting individuals the option of listing "non-binary" as their gender marker on birth certificates...'<sup>17</sup>

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## 7.6 Intersex rights

- 7.6.1 ILGA stated that, to the best of its knowledge, 'laws in force in Brazil do not restrict medically unnecessary interventions aimed to modify the sex characteristics of intersex minors without their free, prior and full informed consent.'<sup>18</sup>
- 7.6.2 [The remaining information in this subsection was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] Resolution 1.664/2003 of the Brazilian Federal Medical Council details standards of treatment for intersex persons, stating that persons should be assured an 'early investigation with a view to an adequate definition of the gender and timely treatment'<sup>19</sup>, and that this should be conducted by 'a multidisciplinary team' that will provide 'support and information about the problem and its implications' to family members and legal guardians of the person concerned<sup>20</sup>.
- 7.6.3 In a 2023 paper published in the 'Cadernos de Saude Publica' journal, academics from universities across Brazil opined that this resolution 'legitimizes interventions upon intersex bodies, being the only national normative instrument that address the subject.'<sup>21</sup>

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<sup>15</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>16</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>17</sup> ILGA, '[Laws on Us](#)' (page 200), June 2024

<sup>18</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>19</sup> Brazilian Federal Medical Council, '[Resolution No. 1.664/2003](#)' (article 2), 15 May 2003

<sup>20</sup> Brazilian Federal Medical Council, '[Resolution No. 1.664/2003](#)' (article 4), 15 May 2003

<sup>21</sup> Leivas and others, '[Human rights violations... intersex children](#)', 6 February 2023



- 7.6.4 The Brazilian Intersex Association (ABRAI), an NGO which works to raise awareness of and advocate for intersex issues in Brazil<sup>22</sup>, stated that ‘In early August 2021, Brazil’s National Council of Justice (CNJ) authorized intersex children, born without male or female sex defined, to be registered with “undetermined” gender on their birth certificates. The change became effective nationwide on September 12, 2021.’<sup>23</sup>
- 7.6.5 On 12 July 2023, ABRAI reported that ‘a significant achievement in the fight for intersex rights took place in the Brazilian Congress... two crucial proposals were approved, putting an end to surgeries on intersex infants.’<sup>24</sup>

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## 7.7 LGBTI persons in detention

- 7.7.1 The information in this subsection was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed.
- 7.7.2 A Joint Resolution of the National Council for Criminal and Penitentiary Policy (CNPCCP) (Joint Resolution No. 1 of 15 April 2014) stated that:
- ‘Article 2 The transvestite or transsexual person deprived of their liberty has the right to be called by their social name...
- ‘Art. 3 Transvestites and gay men deprived of their liberty in male prison units, considering their safety and special vulnerability, must be offered specific living spaces...
- ‘The transfer of the prisoner to the specific living space will be conditioned on their express expression of will.
- ‘Art. 4 Male and female transsexuals should be sent to female prison units.
- ‘Transsexual women must be guaranteed equal treatment with other women deprived of their liberty.
- ‘Art. 5 Transvestites or transsexuals deprived of their liberty will be allowed to wear female or male clothing, depending on their gender, and to keep their hair long, if they have it, guaranteeing their secondary characters in accordance with their gender identity...
- ‘Transvestites, transsexual women and men in prison, will be guaranteed maintenance of their hormone treatment...
- ‘Art. 10 The state must guarantee ongoing training for professionals in penal establishments considering the perspective of human rights and the principles of equality and non-discrimination, including in relation to sexual orientation and gender identity.’<sup>25</sup>
- 7.7.3 On 20 January 2021, a National Council of Justice Resolution amended Resolution No. 348 of 13 October 2020<sup>26</sup>. After amendment, Resolution No. 348’s Article 7 stated that:

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<sup>22</sup> ABRAI, ‘[About ABRAI](#)’, no date

<sup>23</sup> ABRAI, ‘[...First Person in World to Achieve Judicial Correction of Gender to Intersex](#)’, 7 March 2024

<sup>24</sup> ABRAI, ‘[...Importance of non-surgical approaches for intersex infants](#)’, 12 June 2023

<sup>25</sup> National Council for Criminal and Penitentiary Policy, [Joint Resolution No. 1](#), 15 April 2014

<sup>26</sup> National Council of Justice, [Resolution No. 366](#), 20 January 2021

'In the event of the arrest of a self-declared member of the LGBTI population, the place of deprivation of liberty shall be defined by the magistrate in a reasoned decision....

'The decision that determines the place of deprivation of liberty shall be issued after questioning the preference of the arrested person... and the possibility of changing the place of deprivation of liberty shall be [advised]...

'The possibility of expressing preference as to the place of deprivation of liberty and of changing it shall be expressly informed to the person...'<sup>27</sup>

7.7.4 Article 8 of Resolution No. 348 stated that the judge must:

'clarify in accessible language the structure of the prisons available in the respective locality, the location of male and female units, the existence of specific wings or cells for the LGBTI population, as well as the consequences of this choice on coexistence and the exercise of rights;

'ask... transsexual, transvestite and intersex [persons] about [their] preference for custody in a female, male or specific unit, if any, and, in the chosen unit, preference for detention in general [population] or in specific wings or cells, where available...

'ask... gay, lesbian and bisexual [persons] about [their] preference for custody in general [population] or in specific wards or cells.'<sup>28</sup>

7.7.5 Resolution No. 348 also advised that:

'Art. 10. The rights guaranteed to women should be extended to lesbian, transvestite and transsexual women and to transsexual men, where appropriate...

'Art. 11... the judge... shall ensure that material, health, legal, educational, social and religious assistance is guaranteed, without any form of discrimination on the basis of sexual orientation or gender identity... especially:

'I – Regarding health care...

'the guarantee... of the right to hormonal treatment and its maintenance... especially for people living with HIV/TB... or demands arising from the needs of the transsexualization process...

'the guarantee of psychological and psychiatric care... especially aimed at suicide prevention, as well as specialized gynecological, urological and endocrinological treatment for transsexual, transvestite and intersex people...

'IV – Regarding self-determination and dignity:

'a) the guarantee to transsexual men of the right to use socially read garments as masculine and accessories for breast compression as an instrument to maintain their gender identity;

'b) the guarantee of transsexual and transvestite women the right to wear socially feminine clothing, to keep their hair long, including fixed hair

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<sup>27</sup> National Council of Justice, [Resolution No. 348](#) (article 7), 13 October 2020

<sup>28</sup> National Council of Justice, [Resolution No. 348](#) (article 8), 13 October 2020

extension, and controlled access to tweezers for hair extraction and make-up products, guaranteeing their secondary characters according to their gender identity; and

'c) the guarantee of intersex persons the right to wear clothing and controlled access to utensils that preserve their self-recognized gender identity.'<sup>29</sup>

- 7.7.6 In March 2021, various Brazilian news agency UOL<sup>30</sup> reported that 'The Minister of the Federal Supreme Court, Roberto Barroso decided... that trans people and transvestites, who identify with the female gender, will be able to choose to serve their sentence in female or male prisons, but in a reserved area, which guarantees their safety. Prior to the ruling, transgender people were subject to serving time only in male prison systems.'<sup>31</sup>
- 7.7.7 In 2024, Global Voices, a non-profit 'community of writers, translators, and human rights activists founded in 2004'<sup>32</sup>, interviewed Caio Klein, the director of Brazilian NGO Somos<sup>33</sup>, and stated: 'With data from the complaints made, Klein maintains that there are at least two current resolutions that are not being complied with: Resolution No. 348/2020 and Joint Resolution No. 1/2014.'<sup>34</sup>
- 7.7.8 A 2024 research article written by three academics at the University of Brasilia stated that:
- 'In Brazilian prisons, transgender women often fall victim to violence, sexual abuse, discriminatory treatment, and a lack of access to adequate healthcare services. These women face a dual marginalization, both as women and as transgender, which results in increased vulnerability and difficulty in social reintegration after the period in prison...
- 'In 2020, the first penitentiary survey focused on the LGBTI + community was published, revealing that out of 1,499 establishments consulted, only 106 units (all male) reported having specific spaces for the custody of cisgender homosexual men, bisexuals, transvestites, trans women, and transgender men including a population of LGBTI population of 12,356 individuals... In 2019, the Supreme Federal Court ordered the transfer of trans women to female prisons or reserved areas in male prisons to ensure their safety... However, the implementation of these guidelines is still flawed...'<sup>35</sup>

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## 8. Societal attitudes towards LGBTI persons

### 8.1 Public opinion on LGBTI persons

- 8.1.1 In 2023, the Pew Research Center conducted a survey on attitudes to same-sex marriage. In total, 1,044 persons aged 18 and over were surveyed, across 85 Brazilian municipalities<sup>36</sup>. No detail was given on the demographic

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<sup>29</sup> National Council of Justice, [Resolution No. 348](#) (articles 10, 11), 13 October 2020

<sup>30</sup> UOL, '[Homepage](#)', no date

<sup>31</sup> UOL, '[STF: Trans inmates and transvestites can choose...](#)', 21 March 2021

<sup>32</sup> Global Voices, '[What Is Global Voices?](#)', no date

<sup>33</sup> Somos, '[Who We Are](#)', no date

<sup>34</sup> Global Voices, '[A report about... LGBTQ+ people in Brazil raises the alarm](#)', 5 February 2024

<sup>35</sup> Raquel B Miranda and others, '[Social reintegration... post-incarceration in Brazil...](#)', 11 July 2024

<sup>36</sup> Pew Research Center, '[Country-Specific Methodology](#)', 8 January 2019

breakdown of the respondents. This survey found that 40% of Brazilian respondents opposed same-sex marriage, in contrast with 52% who supported it<sup>37</sup>. These attitudes were further broken down into demographic characteristics:

- 64% of respondents aged between 18 and 34 supported same-sex marriage; 47% of respondents aged 35 and over supported it.
- 48% of surveyed men supported same-sex marriage, and 56% of surveyed women supported it.
- Political ideology also had an impact: 44% of surveyed persons who had right-wing political views supported same-sex marriage, in contrast with 59% of those with left-wing views and 62% of those with centrist views.
- 56% of Catholic respondents supported same-sex marriage versus 32% of Protestants<sup>38</sup>.

8.1.2 A 2024 survey by IPSOS asked approximately 1,000 Brazilians aged between 16 and 74 a variety of questions about their attitudes towards LGBT+ issues<sup>39</sup>. 13% of respondents identified as any of lesbian, gay, homosexual, bisexual, pansexual, omnisexual and asexual<sup>40</sup>. The methodology noted that Brazilian respondents were generally 'more urban, more educated, and/or more affluent than the general population. The survey results... should be viewed as reflecting the views of the more "connected" segment of their population.'<sup>41</sup> Among other things, the survey indicated that:

- 54% of respondents supported LGBT+ people being open about their sexual orientation or gender identity, and 13% opposed this. This response was in line with IPSOS's 2021 survey which asked the same question, with a 1% decrease in support<sup>42</sup>.
- 39% supported LGBT+ people displaying affection in public, and 26% opposed, with a 3% decrease in support from the 2021 survey<sup>43</sup>.
- 77% said that LGB persons should be protected from discrimination in employment, housing, and access to services such as restaurants and stores, and 16% said that they should not<sup>44</sup>. When asked the same question regarding transgender persons, 76% supported protection and 16% did not<sup>45</sup>.
- 58% supported laws banning discrimination against LGBT+ persons in the areas of employment and access to education, housing and social services, whereas 16% did not; a decrease in support of 7% compared

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<sup>37</sup> Pew Research Center, '[How people around the world view same-sex marriage](#)', 27 November 2023

<sup>38</sup> Pew Research Center, '[How people around the world view same-sex marriage](#)', 27 November 2023

<sup>39</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 57), June 2024

<sup>40</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 52), June 2024

<sup>41</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 57), June 2024

<sup>42</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 16), June 2024

<sup>43</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 17), June 2024

<sup>44</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 25), June 2024

<sup>45</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 29), June 2024

with the 2021 survey<sup>46</sup>.

- 56% indicated that teens should be given access to gender-affirming care (eg counselling and hormone replacement treatment). 30% said they should not<sup>47</sup>.
- 53% believed that transgender persons should be able to use single-sex facilities corresponding to the gender they identify with; 34% said they should not<sup>48</sup>.
- 54% believed that official documents should have gender options in addition to male and female; 33% did not<sup>49</sup>.
- 16% (an increase of 1% from the 2021 survey) had attended a public event in support of the LGBT+ community, such as a Pride march; 76% had not<sup>50</sup>. Likewise, 16% had attended a same-sex wedding (an increase of 5% from the 2021 survey); 78% had not<sup>51</sup>. 26% had visited an LGBT+ bar or nightclub (an increase of 5% from the 2021 survey); 66% had not<sup>52</sup>.
- 41% of respondents (a decrease of 2% from the 2021 survey) indicated that they had spoken out against someone who was expressing prejudice against LGBT+ people; 49% had not<sup>53</sup>.
- Regarding views on same-sex marriage, 51% believed that same-sex marriage should be legal; 17% believed that there should be some kind of legal recognition of same-sex unions, but not marriage; 18% were not sure; 14% believed that same-sex couples should not be permitted to marry or obtain any kind of legal recognition. These results were the same as those of the 2021 survey<sup>54</sup>.
- 68% of respondents (a decrease of 1% from the 2021 survey) believed that same-sex couples should have the same rights to adopt as heterosexual couples; 24% did not<sup>55</sup>.
- When asked how much discrimination they think that transgender persons face in society, 76% of respondents indicated 'a great deal/fair amount' and 14% indicated 'not much/at all'<sup>56</sup>.

8.1.3 The results were similar to those of a 2023 survey by IPSOS, which used the same methodology and asked the same questions<sup>57</sup>.

8.1.4 The results were also similar to those of the 2023 AmericasBarometer survey, wherein 49% of Brazilian respondents approved of same-sex

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<sup>46</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 28), June 2024

<sup>47</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 31), June 2024

<sup>48</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 33), June 2024

<sup>49</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 35), June 2024

<sup>50</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 46), June 2024

<sup>51</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 47), June 2024

<sup>52</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 48), June 2024

<sup>53</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 49), June 2024

<sup>54</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 40), June 2024

<sup>55</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 41), June 2024

<sup>56</sup> IPSOS, '[LGBT+ Pride Report 2024](#)' (page 26), June 2024

<sup>57</sup> IPSOS, '[LGBT+ Pride 2023](#)', 2023

marriage and 60% approved of equal rights for gender minorities<sup>58</sup>. This survey had an average of 1,512 respondents per country<sup>59</sup>, the demographic breakdown of which was not indicated.

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## 8.2 Cultural norms

8.2.1 In 2019, English-language Latin-American news agency The Rio Times<sup>60</sup> stated that:

‘Brazil is still a predominantly Catholic country but one also experiencing explosive growth in evangelical Christianity. Both groups constitute powerful conservative social forces ensuring the hegemony of heteronormativity and reinforcing traditional gender roles.

‘At the same time, Brazil contains a vibrant LGBTQ community and has an international reputation (albeit undoubtedly exaggerated) for sexual permissiveness...

‘Traditionally a rural machismo culture, open hostility, and discrimination towards sexual minorities is still surprisingly common in Brazil.

‘Worse, its cities are not safe environments for the public expression of sexual orientations or gender identities that differ from traditional norms.’<sup>61</sup>

8.2.2 In its 2021 Report, ‘Situation of Human Rights in Brazil’ (IACHR 2021 Report), the Inter-American Commission on Human Rights (IACHR) stated that ‘Brazil’s social make-up, rooted in rigid hetero-cis-normative roles, has meant that LGBTI persons have always been exposed to patterns of violence, discrimination, and dehumanization in the country...’<sup>62</sup>

8.2.3 The Australian Institute of International Affairs (AIIA) noted in a 2023 article that ‘Brazil is a country where traditional views on gender and family are still aligned with strong cultural values, often consolidated through Catholicism.’<sup>63</sup>

8.2.4 In a 2023 article, international news agency El Pais<sup>64</sup> reported that:

‘Brazil has always been a conservative country. However, in recent decades, the achievements of progressives — such as the right to same-sex marriage and the right for same-sex couples to adopt — have coincided with the push made by the Evangelical churches, which continue to gain followers and power. If the estimates are true, by 2030, Evangelicals will surpass Catholics. In the Evangelical universe, “the discourse that homosexuality is a sin is hegemonic. Some churches — though not all of them — try to think of ‘cures’ [for homosexuality]”... there are some progressive denominations that welcome the LGBTQ+ faithful.’<sup>65</sup>

8.2.5 The USSD’s ‘2023 Report on International Religious Freedom: Brazil’,

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<sup>58</sup> Vanderbilt University and others, ‘[AmericasBarometer Pulse of Democracy...](#)’ (pages 65, 69), 2023

<sup>59</sup> Vanderbilt University and others, ‘[AmericasBarometer Pulse of Democracy...](#)’ (page 114), 2023

<sup>60</sup> The Rio Times, ‘[About Us](#)’, no date

<sup>61</sup> The Rio Times, ‘[Brazil’s LGBTQ Challenge...](#)’, 28 May 2019

<sup>62</sup> IACHR, ‘[Situation of Human Rights in Brazil](#)’ (pages 186), 12 February 2021

<sup>63</sup> AIIA, ‘[...Greatest Political Chimera of Our Time](#)’, 9 March 2023

<sup>64</sup> El Pais, ‘[Homepage](#)’, no date

<sup>65</sup> El Pais, ‘[Conversion therapy is still thriving in Brazil](#)’, 5 November 2023

published in 2024, stated that ‘According to Datafolha, a private polling institute, the 2022 electoral polls showed that 49 percent of respondents are Catholic, 26 percent evangelical Christians, 14 percent adhere to no religion, and the remaining 11 percent do not specify a religion.’<sup>66</sup>

- 8.2.6 Bertelsmann Stiftung’s Transformation Index 2024 (BTI 2024) covers the period from February 1, 2021 to January 31, 2023. The BTI assesses movements toward democracy and market economy around the world<sup>67</sup>. This report noted that noted that ‘The evangelical caucus articulates positions against issues such as... same-sex marriage. It also opposes the imposition of criminal penalties for violence and discrimination against homosexuals, bisexuals and transsexuals...’<sup>68</sup>
- 8.2.7 The UK Foreign, Commonwealth and Development Office (FCDO) travel advice for British Citizens visiting Brazil noted that ‘Brazil is generally tolerant. However, Brazilian society is quite conservative, particularly outside the larger towns and cities. There are reports of discrimination, violence and harassment against the LGBT+ community. Urban areas are usually more accepting.’<sup>69</sup>

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## 9. Societal treatment of LGBTI persons

### 9.1 Societal treatment of LGBTI persons: overview

- 9.1.1 Open Democracy, an ‘independent international media platform’<sup>70</sup>, noted in a 2020 article that:

‘Discrimination and violence against Brazil’s LGBTQ communities are widespread, yet often underreported... The full dimensions of violence against LGBTQ people is still unclear. This is because official and non-governmental data on physical and digital violence targeting gay, lesbian, bisexual, queer and trans people is patchy and uneven. Where threats, attacks, injuries and killings are recorded at all by Brazilian authorities, they rarely register the underlying motive. To date, most available data involving violence against LGBTQ people is produced by non-government advocacy and research groups such as Transgender Europe, Grupo Gay da Bahia, Instituto Brasileiro Trans de Educação and others.’<sup>71</sup>

- 9.1.2 The IACHR 2021 Report stated that ‘Brazil has one of the highest incidences of violence against persons whose sexual orientation, gender identity and/or expression, and sexual characteristics differ from the pattern accepted by society with respect to all endemic discrimination and violence found in the country...’<sup>72</sup>
- 9.1.3 Amnesty International reported in 2021 that ‘physical attacks, threats, discrimination and social marginalization fuelled a cycle of violence that

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<sup>66</sup> USSD, ‘[2023 Report on International Religious Freedom: Brazil](#)’ (Section 1), 26 June 2024

<sup>67</sup> BTI, ‘[Who we are](#)’, no date

<sup>68</sup> BTI, ‘[Brazil Country Report 2024](#)’ (Stateness), 2024

<sup>69</sup> UK FCDO, ‘[Brazil Travel Advice](#)’ (Safety and Security), 15 November 2024

<sup>70</sup> Open Democracy, ‘[About us](#)’, no date

<sup>71</sup> Open Democracy, ‘[Brazil’s LGBTQ community faces surging violence...](#)’, 9 December 2020

<sup>72</sup> IACHR, ‘[Situation of Human Rights in Brazil](#)’ (page 94), 12 February 2021

prevented LGBTI people from enjoying their rights in safety.<sup>73</sup>

9.1.4 [All information from the following source was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, Nádia Machado de Vasconcelos and 4 other scholars from the Universidade Federal de Minas Gerais, School of Medicine, alongside professionals from the Brazilian Institute of Geography and Statistics (IBGE) and Brazilian Ministry of Health, published a paper in the Revista Brasileira de Epidemiologia. This paper analysed data provided by respondents to the 2019 National Health Survey (see [LGBTI population](#)), aiming to understand the prevalence of violence among the LGB+ community in Brazil<sup>74</sup>. The authors explained the methodology:

‘Total violence and its subtypes (psychological, physical, and sexual) were analyzed in the previous 12 months...

‘Violence was considered present when the interviewee answered “yes” to any option of questions concerning psychological, physical, and sexual violence...

‘A total of 88,531 individuals aged 18 years or older who answered the Violence and Sexual Activity modules of [the National Health Survey] were analyzed. Most of the interviewees self-identified as heterosexuals (94.75%...) and 1.89%... as LGB+...’<sup>75</sup>

9.1.5 The authors summarised the results:

‘... About half of the LGB+ individuals reported having experienced some kind of violence in the previous 12 months, and they had around twice the chances of experiencing any type of violence compared to people who self-identified as heterosexuals... The odds ratio is higher for sexual violence — LGB+ people were almost five times more likely to be victims of this violence subtype...

‘Among many issues... is... “corrective rape”...’<sup>76</sup>

9.1.6 [All information from the following source was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH, the Brazilian government’s repository for human rights data, stated that:

‘More than 4 thousand reports of human rights violations against LGBTQIA+ people were registered by the... National Human Rights Ombudsman in 2022. This number is equivalent to 11 reports per day...

‘The complaints were registered in 777 municipalities (which corresponds to 14% of the country’s municipalities). The low proportion... may suggest underreporting of these complaints in Brazil.

‘The states with the highest number of registered complaints were: São Paulo (25.2%), Rio de Janeiro (14%), Minas Gerais (8.8%), Bahia (5.5%) and Pernambuco (4.9% ). Together they account for 58.5% of the country’s

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<sup>73</sup> Amnesty International, ‘[The State of the World’s Human Rights](#)’, 29 March 2022

<sup>74</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

<sup>75</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

<sup>76</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023



complaints.

‘According to the National Human Rights Ombudsman Data Panel, Dial 100 registered 2,536 reports from January to May of this year [2024], compared to only 565 in the same period in 2022 - indicating a 303% increase...

‘Psychological violence was the most frequent, particularly psychological torture and embarrassment, suffered by approximately half of the victims.

‘1,081 violations were motivated by sexual orientation and 487 violations were motivated by sexual orientation and/or gender identity.’<sup>77</sup>

9.1.7 Of the 4,000 reports in 2022, ObservaDH stated that the aggressors (where known) were:

- A neighbour (402 cases, 10% of the total)
- A stranger (387 cases, 9.6% of the total)
- The victim’s mother (386 cases, 9.6% of the total)
- Partner or ex-partner (279 cases, 6.9% of the total)
- The victim’s brother (243 cases, 6% of the total)
- The victim’s father (225 cases, 5.6% of the total)
- A service provider (162 cases, 4% of the total)
- The victim’s aunt/uncle (140 cases, 3.5% of the total)
- The victim’s son/daughter (103 cases, 2.5% of the total)<sup>78</sup>.

9.1.8 ObservaDH did not further specify which form the 4,000 human rights violations took.

9.1.9 Regarding police records of crimes against LGBTI persons in 2022, ObservaDH stated that:

‘...intentional bodily injuries were the most reported violence against LGBTQIA+ individuals, reaching 2,324 records in 2022 (a 13.4% increase from 2021, averaging about 6 victims per day), with the highest numbers in the states of Pernambuco, Minas Gerais, and Ceará. These states also recorded the highest number of rape cases against LGBTQIA+ individuals. In the case of intentional homicides, there was also a significant number in the state of Alagoas. In the states of Acre, Bahia, Maranhão, Rio de Janeiro, Rio Grande do Sul, and São Paulo, this information was not available...

‘Despite underreporting, Brazil registered approximately one intentional homicide against LGBTQIA+ individuals every 3 days (163 cases in 2022, a reduction of 7.4% compared to 2021) and one rape involving a LGBTQIA+ victim every two days (199 cases in 2022, the same absolute number recorded in 2021).’<sup>79</sup>

9.1.10 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy

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<sup>77</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

<sup>78</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

<sup>79</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

cannot be guaranteed] In 2023, Instituto Matizes, ‘an independent organization focused on the production of data and dissemination of knowledge... from an LGBTI+ perspective’<sup>80</sup>, published its ‘Technical Note: Highlights on the Dismantling of LGBTI+ Policies’ (Instituto Matizes Technical Note). It stated therein that ‘Threats to the physical integrity and lives of LGBTI+ parliamentarians and political leaders have increased worryingly in recent years... Cases involving threats of death and physical integrity of parliamentarians and family members of LGBTI+ parliamentarians, like Erika Hilton, Duda Salambert, Erica Malunginho, Benny Briolli, among others, reinforces the need for adequate protection measures for LGBTI+ political representatives.’<sup>81</sup>

- 9.1.11 Freedom House, in its 2024 ‘Freedom in the World’ report (Freedom House 2024 Report), covering events throughout 2023, stated that ‘Criminal groups have carried out attacks against political candidates... especially... LGBT+ politicians...

‘Violent homophobic rhetoric contributes to a sense of fear among many that open discussion of LGBT+ rights and issues could be met with harassment or attack...’<sup>82</sup>

- 9.1.12 In 2024, a group of Brazilian governmental and non-governmental organisations submitted a contribution to a forthcoming thematic report of the United Nations Independent Expert on Sexual Orientation and Gender Identity and Expression (IE SOGIE 2024 submission). This stated that:

‘It is estimated that LGBTI+ persons are 2.52 times more likely to suffer physical violence than others [this is based on 2019 data analysed in the Machado de Vasconcelos study referred to above<sup>83</sup>] - in 2022, 2,324 LGBTI+ persons were victims of physical assault. And, even though the country’s legal and normative frame[work] adamantly condemn discrimination, 65% percent of LGBTI+ persons declare to be afraid of holding hands in public...

‘The threat of violence operates as a form of coercion because it makes LGBTI+ persons scared and insecure in publicly expressing their sexual orientation and gender identity, particularly in small urban areas and the countryside where religious traditional values are pervasive.’<sup>84</sup>

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## 9.2 Deaths of LGBTI persons

- 9.2.1 The NGO Grupo Gay da Bahia (GGB) aims to promote the human rights of the LGBT+ community in Brazil<sup>85</sup>. In so doing, it collects yearly data on violence against members of that community<sup>86</sup>. In 2021, GGB reported that:

‘300 LGBT+ people suffered violent death in Brazil in 2021, 8% more than the previous year: 276 homicides (92%) and 24 suicides (8%). Brazil continues to be the country in the world where most LGBT people are

<sup>80</sup> Instituto Matizes, ‘[About](#)’, no date

<sup>81</sup> Instituto Matizes, ‘[...Highlights on the Dismantling of LGBTI+ Policies...](#)’ (page 5), January 2023

<sup>82</sup> Freedom House, ‘[Brazil: Freedom in the World 2024](#)’ (B3, D4), 2024

<sup>83</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 1 April 2023

<sup>84</sup> ANTRA and others, ‘[Contribution to IE SOGI on LGBT+ violence](#)’ (pages 2-3), 31 January 2024

<sup>85</sup> Grupo Gay da Bahia (GGB), ‘[What is GGB](#)’, no date

<sup>86</sup> GGB, ‘[Observatory of Violent Deaths of LGBT+ in Brazil](#)’, no date

murdered: one death every 29 hours...

'The Northeast was the region where most LGBT people were violently killed, 35% of the cases, followed by the Southeast (33%). It is the first time that the Southeast concentrates so many deaths: more than the total sum of the other regions... There is no sociological regularity that explains this... São Paulo is the state where the highest number of deaths occurred, 42 (14%), followed by Bahia with 32, Minas Gerais with 27, and Rio de Janeiro, 26...

'As for the color of the victims of violent deaths, 28% were white, 25% were brown, 16% were black, and only one was indigenous...

'In all, 44 professions were cited, including virtually every economic sector, demonstrating the presence of LGBT individuals in all social classes and income levels, from self-employed professionals to recyclers... As for the place of the murders, 36% occurred at the residence of the LGBT person, 32% in public places, but also in commercial establishments, in isolated places, on the seashore and in the woods... In these bloody and cowardly executions, 28% were perpetrated with bladed weapons... then 24% with firearms, 21% by beating and strangulation, including asphyxiation, torture, and felonious hit-and-run.'<sup>87</sup>

9.2.2 The same report noted that '...absence of official monitoring... [makes] the GGB hostage to news published in the media or information provided by collaborators and even then, suffers with the difficulties to prove, in some cases, the nature of the fact and its direct relationship to homotransphobia. This is one of the great challenges of this research, when some critics suggest that it is not possible to identify immediately obvious homotransphobia aspects in all the deaths.'<sup>88</sup>

9.2.3 [All information from the following source was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, the Observatory of LGBT+ Deaths and Violence in Brazil, a civil society body aiming to 'guarantee the right to life of the LGBTI+ community'<sup>89</sup>, reported that:

'Between January and December of 2022, 273 LGBTI+ people died violently, keeping Brazil as the country that kills the most LGBTI+ people in the world...

'Considering the age range... the main victims are young people between 20 and 29 years old (33.33% of the cases). In the sequence are people between 30 and 39 years old (19.05% of the victims); and it's followed by: between 40 and 49 years old (11.36%), 10 to 19 years old (8.06%); 50 to 59 years old (4.76%); 60 to 69 years old (no cases), and 70 to 79 years old (0.37%). In 23.08% of the occurrences, it was not possible to identify the age of the victims.

'Among the states with the highest number of victims, Ceará appears at the top of the survey, with 34 deaths; followed by São Paulo, with 28 deaths;

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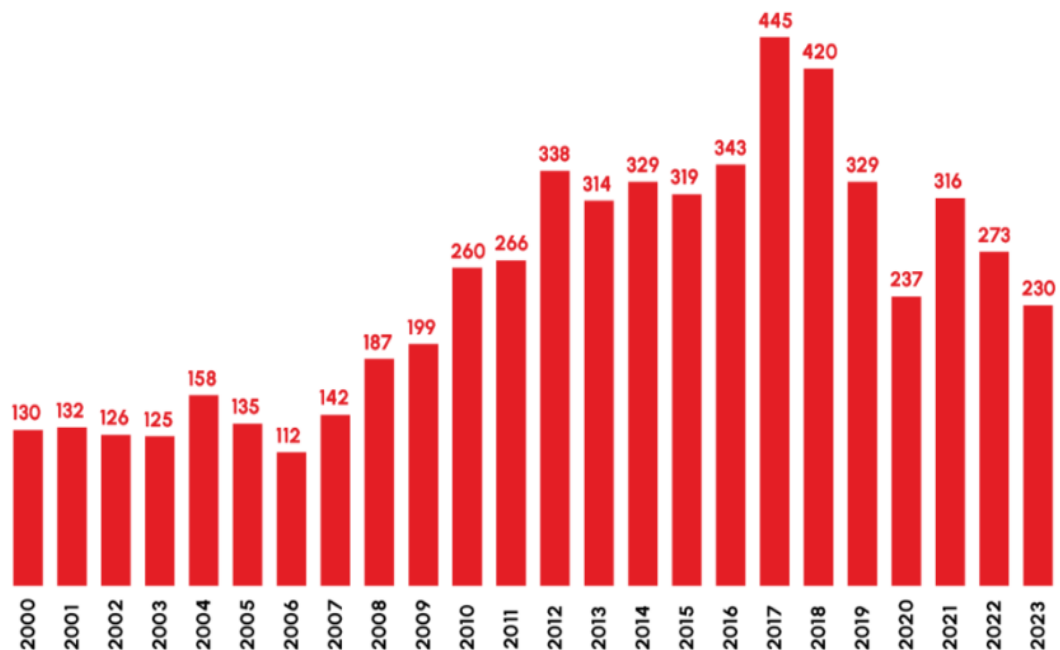
<sup>87</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (pages 1-5), 2021

<sup>88</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (page 24), 2021

<sup>89</sup> Observatory of LGBT+ Deaths and Violence in Brazil, '[Observatory of Deaths...](#)', 13 May 2016

and Pernambuco, with 19 deaths. However, when considering the number of victims per million inhabitants, the ranking of LGBTIphobic violence is led by Ceará, with 3.80 deaths; Alagoas, with 3.52 deaths and Amazonas, with 3.29 deaths...<sup>90</sup>

9.2.4 The same source reported that ‘between 2000 and 2023, 5865 [LGBTI+]... people died as a result of prejudice...’<sup>91</sup> and provided the following bar chart showing the yearly number of LGBTI+ violent deaths in Brazil between 2000 and 2023<sup>92</sup>:



9.2.5 [The following report was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In its 2023 ‘Violence Observatory’ report (GGB 2023 Report), GGB stated regarding its methodology that its:

‘...conclusions are based on information collected from the media, Internet search sites, and correspondence sent to the GGB, as there are no government statistics on these hate crimes against the LGBT population... It is imperative to highlight that this research, conducted without resources from government agencies, was carried out by volunteers, with data collected from websites, blogs, social networks and journalistic notes. We recognize that such statistics are underreported, as sexual orientation or identity is often omitted in such funeral publications.’<sup>93</sup>

9.2.6 The GGB 2023 report commented regarding LGBT+ victims of violent deaths throughout 2023 that ‘Brazil continued to be the world champion in LGBT+ homicides and suicides in 2023: 257 violent deaths documented, one more case than recorded in 2022. One death every 34 hours!’<sup>94</sup>

<sup>90</sup> Observatory of LGBT+ Deaths and Violence in Brazil, [‘Brazil murders... in 2022’](#), 11 May 2023

<sup>91</sup> Observatory of LGBT+ Deaths and Violence in Brazil, [‘...230 deaths... in 2023’](#), 13 May 2024

<sup>92</sup> Observatory of LGBT+ Deaths and Violence in Brazil, [‘...230 deaths... in 2023’](#), 13 May 2024

<sup>93</sup> GGB, [‘Violence Observatory 2023’](#) (page 1), 2023

<sup>94</sup> GGB, [‘Violence Observatory 2023’](#) (page 1), 2023

9.2.7 The following tables, based on data from the GGB 2023 report, were created by CPIT and describe certain demographic characteristics of the 257 LGBT+ victims of violent death recorded by the GGB in 2023<sup>95</sup>.

9.2.8 Table 1: the age range of the victims<sup>96</sup>

Age (years)	Number of victims
13-18	8
19-25	63
26-35	63
36-45	47
46-55	25
56-65	14
66+	1
Age not indicated	36

9.2.9 Table 2: the race of the victims<sup>97</sup>

Race	Number of victims
White	37
Mixed race	27
Black	28
Race not mentioned	165

9.2.10 Table 3: victims per region of Brazil<sup>98</sup>

Region	Number of victims
Central-West	22
North	17
North East	94
South	24
South East	100

9.2.11 Table 4: victims per state of Brazil<sup>99</sup>

State	Number of victims
Sao Paulo	34
Minas Gerais	30
Rio de Janeiro	28
Bahia	22
Ceara	21
Parana	17
Alagoas	13
Amazonas	12
Para	9

<sup>95</sup> GGB, '[Violence Observatory 2023](#)' (page 2), 2023

<sup>96</sup> GGB, '[Violence Observatory 2023](#)' (page 3), 2023

<sup>97</sup> GGB, '[Violence Observatory 2023](#)' (page 5), 2023

<sup>98</sup> GGB, '[Violence Observatory 2023](#)' (page 6), 2023

<sup>99</sup> GGB, '[Violence Observatory 2023](#)' (page 8), 2023

Pernambuco	9
Mato Grosso	8
Paraiba	8
Espirito Santo	7
Mato Grosso do Sul	7
Goiias	5
Maranhao	5
Piaui	5
Rio Grande do Sul	4
Rondonia	3
Santa Catarina	3
Amapa	2
Acre	1
Federal District	1
Tocantins	1

9.2.12 Table 5: cause of death<sup>100</sup>

Cause of death	Number of victims
Homicide	204
Suicide	20
Robbery	17
Other causes	16

9.2.13 Table 6: method of killing<sup>101</sup>

Method of killing	Number of victims
Firearm	81
Melee weapon	63
Beating	19
Asphyxiation	14
Stones	8
Paddles	8
Quartering	2
Other	62

9.2.14 Table 7: location of deaths (where recorded)<sup>102</sup>

Location of deaths	Number of victims
Own home	76
On the street	59
In woodland	17
On the road	13
In a river	11
On an abandoned property	11
In a bar or club	9

<sup>100</sup> GGB, '[Violence Observatory 2023](#)' (page 10), 2023

<sup>101</sup> GGB, '[Violence Observatory 2023](#)' (page 11), 2023

<sup>102</sup> GGB, '[Violence Observatory 2023](#)' (page 13), 2023

In hospital	7
On the beach	3
In beauty salons	3
In prison	3

9.2.15 In January 2024, Brazilian news agency Agencia Brasil<sup>103</sup> reported, in an article discussing the 257 violent deaths of LGBTI persons in 2023, that:

‘In 2023... on average, an LGBTQIA+ person lost their life to violence every 34 hours. This turns Brazil into the most homotransphobic country in the world. These statistics were released by the Bahia Gay Group (GGB), the oldest LGBT non-governmental organization in Latin America...

‘However, the actual number of deaths could be even higher. According to the NGO [GGB], there are still 20 deaths under investigation, which could bring the total to 277 cases...

“What is striking is the unexplained increase in violent mortality among LGBT+ individuals in the Southeast, which surged from 63 cases in 2022 to 100 in 2023, claiming the top spot nationally—a trend unprecedented since 1980, marking a 59 percent rise. Unfortunately, this data indicates that, contrary to expectations and aspirations, improved education and higher regional quality of life... have not acted as deterrents to homotransphobic lethal violence,” stated Alberto Schmitz, coordinator of the Luiz Mott Documentation Center of the Dignity Group in Curitiba...<sup>104</sup>

9.2.16 [The following report was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The Observatory of LGBT+ Deaths and Violence in Brazil, however, reported that in 2023 there were 230 violent deaths of LGBTI persons in Brazil. In a May 2024 article, it stated that:

‘In 2023 there were 230 deaths associated with LGBTIphobia.

‘Although this number already represents the great loss of people, mainly due to their gender identity and/or sexual orientation, we have evidence to assume that these data are still underreported in Brazil.

‘After all, the absence of government data and the use of information available in the media point to a methodological limitation of our research.

‘As we depend on the recognition of the gender identity and sexual orientation of the victims by the media that report the deaths, it is possible that many cases of violence against LGBTI+ people will be omitted.’<sup>105</sup>

9.2.17 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In its methodology, The Observatory of LGBT+ Deaths and Violence in Brazil stated that:

‘...each article was quickly reviewed to determine whether it reported a death and/or violence against LGBTI+ individuals... Cases that did not meet this criterion were discarded...

<sup>103</sup> Agencia Brasil, ‘[Homepage](#)’, no date

<sup>104</sup> Agencia Brasil, ‘[Violent deaths of LGBTQIA+ individuals reach 257 in 2023](#)’, 27 January 2024

<sup>105</sup> Observatory of LGBT+ Deaths and Violence in Brazil, ‘[...230 deaths... in 2023](#)’, 13 May 2024

‘...Cases with unresolved questions regarding LGBT-phobia as a motive were categorized as "doubtful" and remain under investigation.

‘All trans individuals' murders, regardless of motive, were recorded...’<sup>106</sup>

9.2.18 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] Agencia Brasil published an article in May 2024 which stated that ‘In 2023, 230 LGBTI people died violently in the country, shows a dossier published this week by the Observatory of LGBTI+ Deaths and Violence in Brazil. The number is equivalent to one death every 38 hours.’<sup>107</sup>

9.2.19 The Government of Brazil reported in February 2024 that ‘In 2023, 40,429 ILVCs [intentional lethal violent crimes] were recorded. Compared to 2022, which recorded 42,190 ILVCs, the decrease is 4.17%...

‘ILVCs are considered to be intentional homicide, robbery resulting in death, femicide and bodily injury followed by death. The data was entered into SINESP, the national public security data system, and sent to the Ministry of Justice and Public Security by the 26 states and the Federal District.’<sup>108</sup>

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### 9.3 Societal treatment of gay men

9.3.1 In its 2021 report on violent deaths of LGBT+ individuals, GGB stated that ‘In 2021, male homosexuals again took the first place in the ranking of LGBTI+ deaths: 153 gay men’<sup>109</sup>, which equated to 51% of victims (of which there was a total of 300)<sup>110</sup>. The report also noted one heterosexual victim, who was ‘mistaken for a gay man.’<sup>111</sup> Regarding the age of the victims, the oldest was a 76-year-old gay man<sup>112</sup>. Regarding their professions, the report stated that ‘gay men teachers, students, and hairdressers’ were predominant among the victims<sup>113</sup>. The report also stated that ‘As a rule, gays... are killed in the home’<sup>114</sup>.

9.3.2 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, the Observatory of LGBT+ Deaths and Violence in Brazil reported that ‘Between January and December of 2022... gay men represented 35.16% of the cases (96 [violent deaths of LGBT+ individuals])...’<sup>115</sup>

9.3.3 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The GGB 2023 Report discussed how many

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<sup>106</sup> Observatory of LGBT+ Deaths and Violence in Brazil, ‘[2023 Dossier](#)’ (page 16), May 2024

<sup>107</sup> Agencia Brasil, ‘[Brazil had 230 deaths of LGBT+ people in 2023](#)’, 15 May 2024

<sup>108</sup> Brazilian Government, ‘[Brazil has the lowest number of murders in 14 years](#)’, 2 February 2024

<sup>109</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (page 3), 2021

<sup>110</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (pages 2-3), 2021

<sup>111</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (page 3), 2021

<sup>112</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (page 3), 2021

<sup>113</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (page 4), 2021

<sup>114</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (page 4), 2021

<sup>115</sup> Observatory of LGBT+ Deaths and Violence in Brazil, ‘[Brazil murders... in 2022](#)’, 11 May 2023



members of the LGBT+ community had been killed in 2023. It stated that the GGB ‘documented the violent deaths of... 118 gay people...’<sup>116</sup>. With a total of 257 victims, gay people made up 45.9% of the total number of victims that year<sup>117</sup>.

- 9.3.4 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The 2023 study by Machado de Vasconcelos and others stated that:

‘...LGB+ men were approximately eight times more likely to experience such [sexual] violence than heterosexual men... It should be noted that heterosexual men are the ones who least experienced this type of violence and, due to the low prevalence of this violence and the small sample, these percentages might not be accurate. However, the fact that men may commit violent acts against their partners due to internalized homophobia and the social creation of conflict resolution through violence should also be considered...’<sup>118</sup>

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## 9.4 Societal treatment of transgender persons

- 9.4.1 The IACHR, in its 2021 Report, stated that it:

‘...notes with special concern... acts of violence committed against transgender and diverse gender persons. According to civil society data, 164 such persons were murdered in 2018 and 124 in 2019, mostly in the north-eastern part of the country. According to the 2019 survey, 80% of those crimes were especially cruel, as in the case of Quelly da Silva, a trans women whose heart was ripped out after she died in the city of Campinas, in the state of São Paulo, and replaced with a religious image. Apart from that, the Commission observes a tendency for those victims to be, for the most part, persons of African descent, who encounter that violence on the street, due to the extreme vulnerability to which they are exposed.’<sup>119</sup>

- 9.4.2 Brazilian news agency Brasil de Fato<sup>120</sup> reported, in a 2022 article discussing murders of transgender people (Brasil de Fato 2022 article), that:

‘In Brazil, data from Antra [the National Association of Transvestites and Transsexuals] show that every 48 hours, one trans person dies. It is worth mentioning that 82% of trans victims are black people.

‘There were cruel practices, such as carbonization [‘killings and cremations involving carbonization inside a pile of tires... involves two actions: placing the victim in a tire stack and then setting the structure on fire using gasoline or other flammable substances’<sup>121</sup>], stoning, and decapitation in 80% of the cases. Based on data collected in 2020, the report shows a systematic picture of dehumanization, as well as transfemicide in the country. They

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<sup>116</sup> GGB, ‘[Violence Observatory 2023](#)’ (page 2), 2023

<sup>117</sup> GGB, ‘[Violence Observatory 2023](#)’ (page 2), 2023

<sup>118</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 21 April 2023

<sup>119</sup> IACHR, ‘[Situation of Human Rights in Brazil](#)’ (page 97), 12 February 2021

<sup>120</sup> Brasil de Fato, ‘[Homepage](#)’, no date

<sup>121</sup> Yara Vieira Lemos and others, ‘[The "microwave oven" practice in Brazil](#)’, 12 February 2023

must be analyzed through class and race lens...

'Trans black woman Gilmara Cunha, raised in a favela, is a psychologist and LGBTQIA+ activist in poor communities. She says that, in favelas, trans-black women are not seen as women at all. The vulnerability there, she says, is even worse.

"Favelas are places where sexism, transphobia, and prejudice are repeated. If the number of trans women murdered isn't accurately quantified, in drug-controlled favelas, it's even worse", she points out.<sup>122</sup>

9.4.3 In its 2021 report on violent deaths of LGBT+ individuals, GGB reported that, in 2021, transvestites and transsexuals comprised 110 victims, or 36.67% of the total number of victims of violent deaths in the LGBT+ community<sup>123</sup>. The report also noted that the youngest victim was a 13-year old transvestite<sup>124</sup>, and that transvestite sex workers were predominant among the victims<sup>125</sup>. The report stated that 'as a rule... transvestites and transsexuals are killed on the street.'<sup>126</sup>

9.4.4 [The following report was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In a research article published in 2023, academics from the Federal University of the Jequitinhonha and Mucuri Valleys stated that:

'Brazil is in the ranking of countries that kills the most trans people in the world, more than half of the murders happen here... The violence against this population is so severe that... the life expectancy of these people does not surpass 35 years...

'...94.8% of the trans population suffer some form of violence... due to their gender identity... Of the trans women murder cases registered in 74 countries, about 40% occurred in Brazil [referring to 2020 data].<sup>127</sup>

9.4.5 The NGO Transgender Europe (TGEU), which aims to strengthen the rights and wellbeing of trans people in Europe and Central Asia<sup>128</sup>, publishes yearly statistics on murders of transgender persons globally. According to data from TGEU, there were in total '375 registered murders between 1 October 2020 and 30 September 2021. This represents a 7% increase from the 2020 update.'<sup>129</sup> Data covered 31 countries, of which Brazil had the highest reported number of murders, at 125<sup>130</sup>, or 33% of the total. TGEU stated that:

'96% of those murdered globally were trans women or transfeminine people; 58% of murdered trans people whose occupation is known were sex workers... 36% of the murders took place on the street and 24% in their own residence; The average age of those murdered is 30 years old; the youngest

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<sup>122</sup> Brasil de Fato, '[...The country with the largest number of trans people killed](#)', 23 January 2022

<sup>123</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (page 3), 2021

<sup>124</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (page 3), 2021

<sup>125</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (page 4), 2021

<sup>126</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (page 4), 2021

<sup>127</sup> Andrea Kelmer de Barros and others, '[LGBT+ and violence...](#)' (pages 7, 11), June 2023

<sup>128</sup> TGEU, '[About](#)', no date

<sup>129</sup> TGEU, '[TVT TMM UPDATE Trans Day of Remembrance 2021](#)', 11 November 2021

<sup>130</sup> TGEU, '[Summary table](#)' (page 1), 11 November 2021

being 13 years old and the oldest 68 years old.

'Data indicate a worrying trend when it comes to the intersections of misogyny, racism, xenophobia, and hate towards sex workers, with the majority of victims being Black and migrant trans women of colour, and trans sex workers. These numbers are just a small glimpse of the reality on the ground. The majority of the data was collected from countries with an established network of trans and LGBTIQ organisations that conduct the monitoring. In most countries, data is not systematically collected. Most cases continue to go unreported and, when reported, receive very little attention.'<sup>131</sup>

- 9.4.6 According to the comparative 2021-2022 data from TGEU, there were '327 reported murders of trans and gender-diverse people between 1 October 2021 and 30 September 2022.'<sup>132</sup> Data covered 34 countries, of which Brazil had the highest reported number of murders, at 96<sup>133</sup>, or 29% of the total. Of the 327 victims whose profession was known, 64 were sex workers<sup>134</sup>, and more than half of the total number of victims were between 19 and 40 years old<sup>135</sup>. The majority were murdered by shooting (124) or stabbing (75)<sup>136</sup>, and the location of the majority of murders was at the victim's home (73) or in the street (96)<sup>137</sup>. TGEU also noted that '95% of those murdered globally were trans women or trans feminine people... Of the cases with data on race and ethnicity, racialised trans people make up 65% of the reported murders...'<sup>138</sup> This additional information was not broken down by country.
- 9.4.7 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, the Observatory of LGBT+ Deaths and Violence in Brazil reported on violent deaths of LGBT+ individuals. It stated that 'Between January and December of 2022... the population of transvestites and trans women represented 58.24% of the total of deaths (159)... trans men and transmasculine people 2.93% of the cases (eight deaths)...'<sup>139</sup>
- 9.4.8 According to TGEU's most recent data, there were '321 reported murders between 1 October 2022 and 30 September 2023.'<sup>140</sup> Data covered 35 countries, of which Brazil had the highest reported number of murders, at 100<sup>141</sup>, or 31% of the total. Of the total number of victims whose profession was known, 78 were sex workers<sup>142</sup>, and more than half of the total victims were between 19 and 40 years old<sup>143</sup>. Over half (164) were murdered by

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<sup>131</sup> TGEU, '[TVT TMM UPDATE Trans Day of Remembrance 2021](#)', 11 November 2021

<sup>132</sup> TGEU, '[TMM Update Trans Day of Remembrance 2022](#)', 8 November 2022

<sup>133</sup> TGEU, '[Table](#)' (page 1), 8 November 2022

<sup>134</sup> TGEU, '[Table](#)' (page 2), 8 November 2022

<sup>135</sup> TGEU, '[Table](#)' (page 3), 8 November 2022

<sup>136</sup> TGEU, '[Table](#)' (page 3), 8 November 2022

<sup>137</sup> TGEU, '[Table](#)' (page 4), 8 November 2022

<sup>138</sup> TGEU, '[TMM Update Trans Day of Remembrance 2022](#)', 8 November 2022

<sup>139</sup> Observatory of LGBT+ Deaths and Violence in Brazil, '[Brazil murders... in 2022](#)', 11 May 2023

<sup>140</sup> TGEU, '[Table](#)' (page 1), 13 November 2023

<sup>141</sup> TGEU, '[Table](#)' (page 2), 13 November 2023

<sup>142</sup> TGEU, '[Table](#)' (page 3), 13 November 2023

<sup>143</sup> TGEU, '[Table](#)' (page 3), 13 November 2023

shooting<sup>144</sup>, and the location of over half of the murders was the victim's home (78) or in the street (84)<sup>145</sup>. TGEU also noted that '94% of victims were trans women or trans feminine people... Trans people affected by racism make up 80% of the reported murders, a 15% increase from last year.'<sup>146</sup> This additional information was not broken down by country.

9.4.9 TGEU also provided [a world map illustrating absolute numbers of trans murders](#) since 2008. This was last updated in November 2024, with data up to September 2024<sup>147</sup>. At time of writing, the map showed that Brazil is the country with the largest number of (reported and recorded) murders of transgender persons, with 1,947 murders since 2008<sup>148</sup>.

9.4.10 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The GGB 2023 Report stated that, in 2023, the GGB 'documented the violent deaths of 127 transvestites and transgender persons [of a total of 257 LGBT+ victims of violent deaths<sup>149</sup>, transvestites and transgender persons made up 49.4% of the total]...

'According to the founder of GGB, Prof. Luiz Mott, "in 44 years of carrying out this research, this is only the second time that transvestites and transsexuals have surpassed gays in the number of violent deaths, therefore reflecting the fact that lethal violence against this category was... more frequent and deadly than in the previous four decades... the risk of a transsexual being murdered is 19% higher than gays, lesbians and bisexuals."<sup>150</sup>

9.4.11 The USSD's 2023 'Trafficking in Persons' report, covering 1 April 2022 to 31 March 2023<sup>151</sup>, noted that:

'Traffickers have exploited Brazilian... transgender women in sex trafficking in Spain and Italy. Most identified trafficking victims are people of color, and many are Afro-Brazilian or otherwise of African descent... Many identified trafficking victims are from northeast Brazil, especially Maranhao.

'...Transgender women are one of the most vulnerable populations in Brazil. According to a 2019 study, 90 percent of transgender women in Brazil engage in commercial sex and, of those in Rio de Janeiro, more than half are in a situation at high risk for human trafficking. Demand for transgender women in commercial sex in Brazil is elevated relative to other countries, as are rates of violence against transgender women. Traffickers often require transgender victims to pay them for protection and daily housing fees. When they are unable to pay, traffickers beat them, starve them, and force them into commercial sex. Traffickers deceive transgender Brazilian women with offers of gender-affirming procedures and exploit them in sex trafficking

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<sup>144</sup> TGEU, 'Table' (page 4), 13 November 2023

<sup>145</sup> TGEU, 'Table' (page 5), 13 November 2023

<sup>146</sup> TGEU, 'Trans Murder Monitoring 2023 Global Update', 13 November 2023

<sup>147</sup> TGEU, 'Map', November 2024

<sup>148</sup> TGEU, 'Map', November 2024

<sup>149</sup> GGB, 'Violence Observatory 2023' (page 2), 2023

<sup>150</sup> GGB, 'Violence Observatory 2023' (page 2), 2023

<sup>151</sup> USSD, '2023 Trafficking in Persons Report', 2023

when they are unable to repay the cost.<sup>152</sup>

9.4.12 The USSD 2023 Report stated that ‘violence against LGBTQI+ individuals was a concern. While such violence generally had declined since 2017, violence specifically targeting transgender individuals increased.’<sup>153</sup>

9.4.13 Brasil de Fato stated, in a 2024 article discussing the rising murder rate of transgender individuals (Brasil de Fato 2024 article), that:

‘The state that recorded the highest number of transgender murders in 2023 was São Paulo, with 19 cases. However, Rio de Janeiro and Paraná stand out among those with the biggest increase in killings since 2022. In both states, the number of murders doubled from one year to the next.

‘In Rio... there were 16 homicides in 2023, compared to eight in 2022...

‘In Paraná state, trans people homicides rose from six to 12 from 2022 to 2023...

‘The states of Piauí and Rondônia also had twice as many deaths from one year to the next, but both recorded a single case in 2022.

‘In Brazil as a whole, Antra recorded 36 homicides of trans people under 18 in the last seven years. Almost 80% of the victims were under 35 years old.

‘In addition, most victims are transgender women, and the average number of Black trans people murdered is 78.7% of the total...

‘The rise in homicides targeting trans people in Brazil, as shown by Antra, contrasts with the general forecast of homicides in the country for 2023. According to the Ministry of Public Security, the number of murders in Brazil decreased by 6% compared to 2022.’<sup>154</sup>

9.4.14 Amnesty International’s 2024 report ‘The State of the World’s Human Rights’, covering events throughout 2023, noted that ‘Transgender people continued to face extreme violence and human rights violations. For the 14th consecutive year, more transgender people were killed in Brazil than anywhere else in the world. By October, the National Ombudsperson of Human Rights’ Office had registered 3,873 human rights violations affecting transgender people, such as physical violence, discrimination and racism, compared with 3,309 cases in 2022.’<sup>155</sup>

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## 9.5 Societal treatment of lesbian and bisexual women

9.5.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2022, Brazilian news agency O Globo reported that ‘six female parliamentarians who identify themselves as part of the LGBTQIA+ community denounced receiving emails with death threats and threats of “corrective rape”.’<sup>156</sup> The article detailed that the women received

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<sup>152</sup> USSD, ‘[2023 Trafficking in Persons Report: Brazil](#)’, 2023

<sup>153</sup> USSD, ‘[Human Rights Report Brazil 2023](#)’ (Section 6), 2023

<sup>154</sup> Brasil de Fato, ‘[Every three days, a trans person is murdered in Brazil...](#)’, 5 February 2024

<sup>155</sup> Amnesty International, ‘[The State of the World’s Human Rights](#)’ (page 108), April 2024

<sup>156</sup> O Globo, ‘[...Six lawmakers from four states denounce threats of ‘corrective rape’](#)’, 23 August 2023

emails containing such statements as:

“We will be brief: you are a lesbian and therefore your presence will no longer be tolerated.”

‘...the second threat... cited “corrective rape” as a “cognitive therapy to cure lesbianity”. The author stated that he would go to the homes of the [women] to test the “practice”...

‘the author said he “has a PhD in Psychology from Harvard University” and stated: “This is not violence, it is what we call Therapeutic Corrective Rape, a therapy of proven efficacy that cures female homosexuality (sic) because to be a lesbian is to be an aberration”....

‘After the public denunciation, between last Friday and this Monday, Iza Lourença received new threats. This time with personal information.

“There was a specific email about my daughter, describing the crime of rape and murder. It’s a group that has researched our lives, knows our personal information...”.<sup>157</sup>

9.5.2 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The 2023 study by Machado de Vasconcelos and others stated that:

‘Our study revealed that women who self-identified as LGB+ had the highest prevalence rates of violence in all subtypes... This finding shows that the experience of violence increases with the accumulation of social vulnerabilities of these people. Lesbian and bisexual women face double discrimination: sexism and prejudice against sexual diversity...

‘... This finding is compatible with another study that analyzed the reports of violence between 2015 and 2017 and found that, among adults, the main subtype reported is physical violence, with lesbians as the main victims. Once again, this information reinforces the intersectionality of vulnerabilities.’<sup>158</sup>

9.5.3 The same source stated that LGB women were approximately 4 times more likely than heterosexual women to experience sexual violence<sup>159</sup>.

9.5.4 In its 2021 report on violent deaths of LGBT+ individuals, GGB reported that, in 2021, there were 12 lesbian victims of violent deaths, making up 4% of the total number of violent deaths in the LGBT+ community that year<sup>160</sup>.

9.5.5 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, the Observatory of LGBT+ Deaths and Violence in Brazil reported that ‘Between January and December of 2022... lesbian women corresponded to 2.93% of the deaths (eight cases)...’<sup>161</sup>

9.5.6 [The following information was published in Portuguese and has been

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<sup>157</sup> O Globo, ‘[...Six lawmakers from four states denounce threats of ‘corrective rape’](#)’, 23 August 2023

<sup>158</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 21 April 2023

<sup>159</sup> Machado de Vasconcelos and others, ‘[Violence Against LGB+ people in Brazil...](#)’, 21 April 2023

<sup>160</sup> GGB, ‘[Annual Report on Deaths 2021 - English](#)’ (page 3), 2021

<sup>161</sup> Observatory of LGBT+ Deaths and Violence in Brazil, ‘[Brazil murders... in 2022](#)’, 11 May 2023

translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The GGB 2023 Report discussed how many members of the LGBT+ community had been killed in 2023. It stated that the GGB 'documented the violent deaths of... 9 lesbians...'162. With a total of 257 victims, lesbians made up 3.5% of victims that year163.

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## 9.6 Societal treatment of bisexual persons

- 9.6.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH stated that: 'The 2019 National Health Survey has a specific module on violence. Lesbian and gay individuals, especially bisexual individuals, were proportionally more likely to be victims of violence than heterosexual individuals. The most frequent forms of violence were psychological, such as shouting and/or insults, offenses, humiliation and/or ridicule in front of others, and threats to harm someone important to the interviewed person.'164
- 9.6.2 In its 2021 report on violent deaths of LGBT+ individuals, GGB reported that, in 2021, there were 4 bisexual victims of violent deaths, making up 1.33% of the total165.
- 9.6.3 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, the Observatory of LGBT+ Deaths and Violence in Brazil reported that 'Between January and December of 2022... bisexual people represented 0.37% [of deaths] (one death)...'166
- 9.6.4 However, a GGB report which discussed how many members of the LGBT+ community had been killed in the first six months of 2022 documented three bisexual victims out of a total of 135 violent deaths in that community, making bisexual individuals 2.22% of the victims during that period167.
- 9.6.5 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The GGB 2023 Report discussed how many members of the LGBT+ community had been killed in 2023. It stated that the GGB 'documented the violent deaths of...3 bisexuals...'168. With a total of 257 victims, bisexuals made up 1.17% of victims that year169.

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## 9.7 Societal treatment of intersex persons

- 9.7.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy

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162 GGB, '[Violence Observatory 2023](#)' (page 2), 2023

163 GGB, '[Violence Observatory 2023](#)' (page 2), 2023

164 ObservaDH, '[LGBTQIA+: Violence](#)', 14 May 2024

165 GGB, '[Annual Report on Deaths 2021 - English](#)' (page 3), 2021

166 Observatory of LGBT+ Deaths and Violence in Brazil, '[Brazil murders... in 2022](#)', 11 May 2023

167 GGB, '[Annual Report on deaths 2022](#)' (page 2), 2022

168 GGB, '[Violence Observatory 2023](#)' (page 2), 2023

169 GGB, '[Violence Observatory 2023](#)' (page 2), 2023

cannot be guaranteed] ObservaDH stated, regarding 'reports of human rights violations against LGBTQIA+ individuals [that] were registered by the National Human Rights Ombudsman... in 2022' that 0.7% of victims were intersex individuals<sup>170</sup>. It did not specify what form these violations took.

- 9.7.2 In the sources consulted, CPIT was unable to find further data on societal treatment of intersex persons (see [Bibliography](#)).

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## 9.8 Online harassment

- 9.8.1 Open Democracy, in its report of 9 December 2020, noted:

'There is even less publicly available information about how Brazil's LGBTQ community is targeted online [than in person]. The Genero e Numero survey found that 36% of LGBTQ respondents - and 53% of black LGBTQ people - suffered from digital aggression. Roughly 30% of all respondents claimed to have experienced some form of online aggression on Facebook (which is also by far the most widely used app in Brazil). At least 19% reported an incident on WhatsApp compared to Instagram (16%), Twitter (3%), dating apps (2%) and others (0.5%).'<sup>171</sup>

- 9.8.2 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH stated that, in 2022, '487 [human rights violations against LGBTI persons] occurred in a virtual environment (internet).'<sup>172</sup>

- 9.8.3 Freedom House's 2023 'Freedom on the Net' Report, 'an annual survey and analysis of internet freedom around the world'<sup>173</sup>, noted that:

'An escalation in online harassment has also caused journalists, especially... LGBT+ communicators, to self-censor or adjust their behavior online. According to a survey of these journalists conducted by Reporters Without Borders (RSF) between August 9 and September 6, 2021, 25 percent had closed their personal social media accounts, including temporarily, because of online attacks against them, while 8 out of 10 had changed their behavior on social media to protect themselves from such attacks.'<sup>174</sup>

- 9.8.4 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] A 2023 article on the website of the The National Union of Teachers of Higher Education Institutions (ANDES-SN) reported:

'Among the violence to which LGBTQIA+ people are exposed, Brazil leads the ranking of the country with the most hateful interactions against this portion of the population on social networks. According to a survey released by Deep Digital LLYC, Brazil has 37.67% of the volume of hate messages against the LGBTQIA+ community...

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<sup>170</sup> ObservaDH, '[LGBTQIA+: Violence](#)', 14 May 2024

<sup>171</sup> Open Democracy, '[Brazil's LGBTQ community faces surging violence...](#)', 9 December 2020

<sup>172</sup> ObservaDH, '[LGBTQIA+: Violence](#)', 14 May 2024

<sup>173</sup> Freedom House, '[Freedom on the Net](#)', 2023

<sup>174</sup> Freedom House, '[Brazil: Freedom on the Net 2023 Country Report](#)', 2023



‘The survey monitored, over four years, messages of support and hate against the LGBTQIA+ community on social networks. In Brazil, “there was a decrease of 46.24% in the promoting community. At the same time, the opposition experienced an increase of 13.16%...”<sup>175</sup>

9.8.5 The Centre for International Governance Innovation (CIGI), is ‘an independent, non-partisan think tank’ which conducts peer-reviewed research and analysis<sup>176</sup>. In a 2023 paper entitled ‘Online Gender-Based Violence in Brazil: New Data Insights’, CIGI discussed the results of an IPSOS survey which was ‘carried out between June 25 and September 2, 2021 and is representative of the general population aged 16–74 years old’.<sup>177</sup> The survey ‘asked 1,000 respondents, both male and female... about first-person experiences of online harms... It... separates results referring to individuals who self-identify as lesbian, gay, bisexual, transgender, queer or questioning and other sexualities (LGBTQ+)’.<sup>178</sup> The exact number of respondents who identified as LGBTQ+ was not specified, but it was noted that ‘sample sizes for LGBTQ+ per country are small and must be interpreted cautiously.’<sup>179</sup> The paper noted that 80.4% of LGBTQ+ persons surveyed in Brazil reported having experienced online violence during an unspecified time-period, in contrast to 54.2% of Brazilian respondents in total<sup>180</sup>.

9.8.6 The same source stated that ‘43 percent of LGBTQ+ people report harassment because of gender, race, disability or sexual orientation.’<sup>181</sup>

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## 10. Conversion therapy

10.1.1 ILGA stated that:

‘Brazil was the first UN Member State to enact a nationwide legal restriction on “conversion therapy”... Resolution No. 1/99 (1999), issued by the Federal Council of Psychology, prohibits the “pathologisation of homoerotic behaviours and practices” and orders all licenced psychologists to “refrain from coercive or unsolicited treatment to homosexuals”. It also prohibits their participation in events or services offering a “gay cure”...

‘The Resolution issued in 1999 referred only to “sexual orientation”, without including “gender identity or expression”. However, this gap was filled in 2018 with the issuance of Resolution No. 1/18... [which] bars psychologists from performing any action that favours the pathologisation of transsexual and travesti [transvestite, a ‘reclaimed’ derogatory term that members of the transfeminine community are connecting to ‘the struggle, the resistance, dignity, and happiness’<sup>182</sup>] people... from proposing, carrying out or collaborating with... events or services aimed at conversion, reversal, readjustment or reorientation therapy of gender identity of transgender and

<sup>175</sup> ANDES, ‘[Brazil leads hate speech on social media against LGBTQIAP+ population](#)’, 28 June 2023

<sup>176</sup> CIGI, ‘[Homepage](#)’, no date

<sup>177</sup> CIGI, ‘[Online Gender-Based Violence in Brazil](#)’ (page 2), 28 June 2023

<sup>178</sup> CIGI, ‘[Online Gender-Based Violence in Brazil](#)’ (page 1), 28 June 2023

<sup>179</sup> CIGI, ‘[Online Gender-Based Violence in Brazil](#)’ (page 2), 28 June 2023

<sup>180</sup> CIGI, ‘[Online Gender-Based Violence in Brazil](#)’ (page 7), 28 June 2023

<sup>181</sup> CIGI, ‘[Online Gender-Based Violence in Brazil](#)’ (page 9), 28 June 2023

<sup>182</sup> IACHR, ‘[Report on Trans and Gender-Diverse Persons...](#)’ (pages 35-36), 7 August 2020

travestis...

‘Both resolutions are only applicable to licenced psychologists, so it does not apply to any other professionals or any other person willing to offer “conversion therapies”.’<sup>183</sup>

#### 10.1.2 The USSD 2023 Report stated that:

‘The Federal Council of Psychology in Brazil prohibited any professional from applying so-called conversion therapy practices to LGBTQI+ persons. Nevertheless, there were many reports of conversion attempts conducted or recommended by evangelical and Catholic churches.

‘A 2022 report by All Out and Instituto Matizes identified 26 types of “gay cures” in the country, divided into four categories: religious, medical/psychological, familial, and academic. Of the 365 persons interviewed, 193 had been subjected to an attempted “gay cure.”

‘During the June Pride month, an evangelical pastor, André Valadão, from a church in the state of Minas Gerais, promoted “gay cure” practices through his cult entitled “God Hates Pride.” This practice and speech were common in evangelical churches.’<sup>184</sup>

#### 10.1.3 An ‘approximate translation’ of the original 2022 publication by All Out (an NGO supporting the LGBTI movement around the world<sup>185</sup>) and Instituto Matizes referred to in the source above, noted that:

‘During the investigation, at least 26 efforts to correct the sexualities and gender identities of LGBTI+ people have been identified in the country...

‘Of the 365 people who responded to the call, 52.8% underwent efforts to correct their sexuality and gender identity when they were between 6 and 17 years old...

‘Subjecting the survivor to different types of rituals and prayers, such as applying anointed oil to the body, using animal blood on the body, spiritual discharge sessions, inner ‘cure’ sessions, prayers on the mountain, early morning prayers, prayer circles...

‘Coercing or forcing the survivor to perform punishment or submit themselves to punishment in dynamics involving attempts to ‘cure’ sexuality or gender identity. The punishments reported by the survivors consisted of carrying weight, rubbing pepper on the fingers, using wristbands, having hands and arms tied, using silicon straps and performing penances...

‘Parents and guardians, relatives, or family friends encouraged participation in ‘cure’ groups for LGBTI+ people led by ex-gay pastors...

‘Prescribing drugs during pediatric consultations aiming to cause changes in the body capable of correcting their sexuality or gender identity; suggesting that the family of the LGBTI+ person should perform surgery on the survivor’s testicles as a way to correct their sexuality...

‘...for most of the survivors, perceiving themselves as ‘a mistake’ was a

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<sup>183</sup> ILGA, [‘World Database - Brazil’](#), no date

<sup>184</sup> USSD, [‘Human Rights Report Brazil 2023’](#) (Section 6), 2023

<sup>185</sup> All Out, [‘What is All Out’](#), no date

process that began in childhood, when family members or members of the church attended by the family assigned them labels such as the child with 'different mannerisms,' a boy who 'moved his wrists in a limp way,' a girl 'who looked like a boy.'<sup>186</sup>

10.1.4 In a 2023 article, El Pais reported that:

'Four Brazilian therapists have lost their license to practice in the last five years for offering supposed "gay cures," according to the newspaper *O Globo*...

'The recent suicide of a lesbian influencer and supporter of far-right former president Jair Bolsonaro has put the spotlight on conversion therapy. Weeks before her death, Karol Eller, 36, publicly announced that she was renouncing homosexuality after a religious retreat...

'With the tragedy, these fake conversion therapies — advertised as being able to "correct" sexuality — returned to the headlines and talk shows in Brazil. If anyone believed that this practice was a thing of the past, they've been deceived, according to a forceful warning by Pedro Paulo Bicalho — president of the Federal Council of Psychology — made during an interview with Agência Brasil...

"It's not only the Evangelical and Catholic churches that carry out conversion therapy programs. There are many health professionals and education professionals [engaged in this]. Some families... seek out these procedures and force their children to undergo them."

'Brazilian fundamentalists haven't given up on fighting against the official ban on conversion therapy.'<sup>187</sup>

10.1.5 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In a 2024 article, Brazilian news agency Agencia Publica<sup>188</sup> reported that:

'Religious fundamentalism... is the main fuel of the groups and organizations that promote the so-called "therapies" of sexual conversion in Brazil. A report by the Global Against Hate and Extremism (GPAHE) project... shows that these organizations are active and articulate in a large network that distributes their content on the internet, almost without interference from the platforms...

"Brazil has a large and very active network of social media conversion therapy that, by our estimation, receives almost no moderation. We hope to be able to work with social media companies to remedy some of this situation, as the content is obviously violating," says GPAHE co-founder Wendy Via, who led the study. She notes that over the course of her research, she noticed a significant lack of resources geared toward supporting those seeking help. "For example, when I searched for the various terms related to conversion therapy, we didn't come up with reliable

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<sup>186</sup> All Out and Instituto Matizes, '[Between cures and therapies: effort to...](#)', June 2022

<sup>187</sup> El Pais, '[Conversion therapy is still thriving in Brazil](#)', 5 November 2023

<sup>188</sup> Agencia Publica, '[Homepage](#)', no date

results for resources for suicide prevention, homelessness, counseling”...

‘The GPAHE study shows that organizations that promote sexual conversion “therapies” in Brazil are usually linked to a church and connect to promote events and content. They produce courses, classes, and counseling — some of them paid for — that address homosexuality as a sin that needs to be “cured,” and repress gender identities, such as the online seminar of the international evangelical missionary organization YWAM (Youth With A Mission) called SOS Sexuality. The classes... address trans and transvestite identities as a sexual dysfunction.’<sup>189</sup>

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## 11. State attitudes towards LGBTI persons

### 11.1 Government rhetoric

#### a. Former President Bolsonaro

##### 11.1.1 A 2022 post on the University of Alabama (UAB)’s Institute for Human Rights blog summarised the rhetoric of former President Jair Bolsonaro:

‘Bolsonaro is seen as a polarizing figure both within Brazil and by the international community for his disparaging comments against... LGBTQ+ individuals. A far-right figure, Bolsonaro claimed in a 2011 interview with Play Boy that he would rather have a dead son than a gay one...

‘After the election of Jair Bolsonaro, Brazil’s second openly gay congress member Jean Wyllys left their position and fled the country due to the increased level of violence against LGBTQ+ people and the number of death threats received. “It was not Bolsonaro’s election itself. It was the level of violence that has increased since he was elected,” Wyllys told local newspapers...

‘On his inauguration day, Bolsonaro said, “We will... value the family... combat gender ideology and rescue our values.”...

‘Bolsonaro’s Minister of Women, Family, and Human Rights, Damares Alves... said on her first day, “Girls will be princesses, and boys will be princes. There will be no more ideological indoctrination of children and teenagers in Brazil.”’<sup>190</sup>

##### 11.1.2 Open Democracy, in its report of 9 December 2020, noted: ‘Virtually all survey respondents - over 98% - believe that hate speech promoted by politicians and candidates against LGBTQ rights contributes to increased violence on social networks. A prominent example of this occurred after a video of soccer fans singing homophobic chants calling on Bolsonaro to kill LGBTQ people was spread on Facebook and WhatsApp.’<sup>191</sup>

##### 11.1.3 Referring to Bolsonaro’s time in power, stakeholder submissions to the United Nations Human Rights Council (UNHRC) as part of its 2022 Universal Periodic Review of Brazil (UNHRC UPR 2022) noted ‘that there was a significant setback on the protection of the rights of LGBTI persons and governmental agencies in charge of LGBTI policies had been downgraded

<sup>189</sup> Agencia Publica, ‘[...organizations that promote sexual conversion "therapies"...](#)’, 26 January 2024

<sup>190</sup> UAB Institute for Human Rights, ‘[LGBTQ+ Rights in Brazil](#)’, 30 September 2022

<sup>191</sup> Open Democracy, ‘[Brazil's LGBTQ community faces surging violence...](#)’, 9 December 2020

and even extinguished.<sup>192</sup>

- 11.1.4 Similarly, the IACHR's 2022 Annual Report (IACHR 2022 Report) noted 'the closure of the LGBTI Policy Coordination Office at the Ministry of Women, the Family, and Human Rights, and... the elimination of a number of public policy councils linked to various departments of the federal government, including the Council to Combat Discrimination against LGBT Persons.'<sup>193</sup>
- 11.1.5 BTI 2024 noted that 'Bolsonaro and his supporters continuously disseminated hate speech against... the LGBTQ+ community... Emboldened by the president's... homophobic... rhetoric, the number of attacks against these groups has increased in recent years...'<sup>194</sup>
- 11.1.6 The Brasil de Fato 2024 article stated that:

'Gab Van... is... the director of the Trans and Transvestite March of Rio de Janeiro. According to him, the lack of public policies and the conservatism encouraged by the government of former president Jair Bolsonaro... have contributed to an increase in the number of transvestites and transgender people killed in the state, as a consequence of inciting hate speech.

"There's no way of saying that these killings [of trans and transvestite people] haven't increased due to the hatred that the last government left behind," said the director, about what might explain the rise in murders in the state. "Most of these crimes happened in Baixada [Fluminense], in places far from the city center and where society wasn't taught [about gender identity]," Gab added...

'In Paraná state, trans people homicides rose from six to 12 from 2022 to 2023.

"The committee of the LGBT population of Paraná state has made demands to improve the identification of violence, so perhaps the result reflects this improvement. However, Paraná has a very long history of conservatism. The governor supports former president Bolsonaro. So it's not difficult to imagine a relationship between this number and a conservative and violent discourse," criticizes the national coordinator of the Brazilian Institute of Transmasculinities (Ibrat in Portuguese)...<sup>195</sup>

#### b. Current President Lula da Silva

- 11.1.7 In October 2022, Pink News, an LGBTI news agency<sup>196</sup>, reported that 'Although Lula has not been outspoken about LGBTQ+ issues, he has previously attended queer events and spoken in support of LGBTQ+ rights.'<sup>197</sup>
- 11.1.8 Amnesty International stated in 2022 that 'trans people who ran in the parliamentary elections faced intimidation and threats during the campaign. Nevertheless, for the first time in the country's history, two trans women

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<sup>192</sup> UNHRC, '[Summary of stakeholders' information](#)' (page 9), 31 August 2022

<sup>193</sup> IACHR, '[Annual Report 2022](#)' (page 836), 1 April 2023

<sup>194</sup> BTI, '[Brazil Country Report 2024](#)' (Rule of Law), 2024

<sup>195</sup> Brasil de Fato, '[Every three days, a trans person is murdered in Brazil...](#)', 5 February 2024

<sup>196</sup> Pink News, '[About Us](#)', no date

<sup>197</sup> Pink News, '[Brazil election: Leftist Lula beats anti-LGBTQ+ tyrant Jair Bolsonaro](#)', 30 October 2022

were elected to the House of Representatives.<sup>198</sup>

- 11.1.9 The Washington Blade, a US newspaper focussing on LGBT news<sup>199</sup>, reported on 11 February 2023, after President's Lula's inauguration, that:
- 'President Joe Biden and Brazilian President Luiz Inácio Lula da Silva... in a joint statement issued after they met at the White House reiterated their support of LGBTQ and intersex rights...
- "They discussed common objectives of advancing the human rights agenda through cooperation and coordination on such issues as... the rights of LGBTQI+ persons."...
- 'Congresswoman Erika Hilton, a Black travesti and former sex worker who is one of two openly transgender women in the Brazilian Congress, last October after her election told the Blade during an interview in São Paulo that Da Silva's victory over Bolsonaro is "an important step for democracy."<sup>200</sup>
- 11.1.10 Speaking to the United Nations General Assembly in September 2023, Lula stated that 'Brazil will act vigorously to... defend LGBTQI+ people... "We will be rigorous in defending the rights of LGBTQI+ groups..."<sup>201</sup>

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## 11.2 Political debate on LGBTI issues

- 11.2.1 Considering transgender rights, the IE SOGIE 2024 submission detailed that 'In 2023, trans journalist Dani Avelar identified how transphobic bill propositions were on a rise, up to a new one every day, and could potentially worsen due to the proliferation of transphobic political discourse. There are at least 77 municipal and state anti-trans laws currently in force, with more than two-thirds of them coming into force last year, and 293 anti-trans bills proposed in 2023 alone.'<sup>202</sup>
- 11.2.2 ILGA stated that 'In March 2023, Bill No. 192 (2023) was proposed to amend the Child and Adolescent Statute (Law No. 8,069) (1990), in order to criminalise individuals who "instigate, encourage, influence, or allow a child or adolescent to change their gender..."<sup>203</sup>
- 11.2.3 Regarding same-sex marriage, the IE SOGIE 2024 submission stated that 'In September 2023, the Lower House of Representatives has initiated debating Bill no. 580/2007 that aims to prohibit same-gender marriages... Before voting, the Bill must be approved by the House's minor commissions... In October [2023], the House's welfare and social aid commission voted favourably and passed the Bill. Religious and conservative politicians keep on pressuring and advancing Bill no. 580...'<sup>204</sup>
- 11.2.4 Considering children and pride, ILGA noted in its 2024 Report 'Laws on Us',

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<sup>198</sup> Amnesty International, '[The state of the world's human rights](#)', 27 March 2023

<sup>199</sup> Washington Blade, '[About](#)', no date

<sup>200</sup> Washington Blade, '[Biden, Lula reiterate support of LGBTQ, intersex rights](#)', 11 February 2023

<sup>201</sup> Government of Brazil, '[At the UN, Lula... defends humanitarian causes](#)', 19 September 2023

<sup>202</sup> ANTRA and others, '[Contribution to IE SOGI on LGBT+ violence](#)' (page 12), 31 January 2024

<sup>203</sup> ILGA, '[World Database - Brazil](#)', no date

<sup>204</sup> ANTRA and others, '[Contribution to IE SOGI on LGBT+ violence](#)' (pages 10-11), 31 January 2024

that, throughout 2023:

‘Bills aimed at prohibiting children from attending LGBTQ Pride parades were introduced in various jurisdictions, including the state of Goiás and cities such as João Pessoa (Paraíba), Betim (Minas Gerais), and Ribeirão Preto (São Paulo). Notably, such legislation was successfully passed in the state of Amazonas, where event organisers, sponsors, parents, or guardians would face fines of 10,000 Brazilian Reals (approximately USD 2,050) [approximately £1,310.67<sup>205</sup>] for each hour a minor participated in such events. In January 2024, this bill was challenged before the Federal Supreme Court.’<sup>206</sup>

#### 11.2.5 Regarding LGBTI in the media, ILGA stated that:

‘On 21 June 2023, the Social Affairs Committee of the Legislative Chamber of the Federal District (CLDF) approved Bill No. 2737 (2022). This bill aims to prohibit advertising that refers to sexual orientation, gender, or movements related to sexual diversity concerning children and adolescents in the media. Additionally, it seeks to ban the use of gender-neutral or non-binary language in any communication directed to children. Establishments involved in such advertising would face closure until they comply with the requirements set forth in the law.’<sup>207</sup>

#### 11.2.6 Regarding education policy, the IE SOGIE 2024 submission stated that:

‘Education was the first target of the anti-gender crusade...In their 2022 report, Human Rights Watch (HRW) mapped out 217 legislative and political attempts to suppress and ban gender and sexuality education in primary and secondary public schools in Brazil. The research revealed teachers became hesitant and fearful and were harassed by elected officials and community members as a result of attempting to promote gender and sexuality education in schools. Fear, harassment, and pressure also lead LGBTI+ students to feel unsafe and eventually drop out of schools. The anti-gender atmospheres “nefariously impact the school environment”, affecting “the relationship between teachers and students or between schools and families”. In 2023, out of the 293 anti-trans bills proposed throughout the country, 57 were related to education...’<sup>208</sup>

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## 12. State treatment of LGBTI persons

### 12.1 State treatment of LGBTI persons: overview

#### 12.1.1 Open Democracy noted in December 2020 that:

‘The low level of official reporting [of harassment] by LGBTQ people is often a result of the prejudices they face in the policing and criminal justice system. A survey released by the Brazilian Public Security Forum on the online behaviour of police found that 24% of them publish anti-LGBTQ content on their personal and professional social networks. There is considerable anecdotal evidence of how many police, prosecutors and

<sup>205</sup> Xe.com, ‘[10,000 BRL to GBP](#)’, 1 December 2024

<sup>206</sup> ILGA, ‘[Laws on Us](#)’ (page 94), June 2024

<sup>207</sup> ILGA, ‘[World Database - Brazil](#)’, no date

<sup>208</sup> ANTRA and others, ‘[Contribution to IE SOGI on LGBT+ violence](#)’ (pages 4-7), 31 January 2024

judicial authorities are biased against the LGBTQ community. There is even less support provided to the LGBTQ community to defend themselves from online attacks.’<sup>209</sup>

- 12.1.2 During the UNHRC UPR 2022, stakeholders submitted that ‘lesbian, gay, bisexual, transgender and intersex individuals, especially black, indigenous and favela residents, were systematically treated as second-class citizens and faced violations of their right to access justice.’<sup>210</sup>
- 12.1.3 Stakeholders also noted during the UPR that ‘security agents were responsible for the violence against LGBTIA+ persons... According to Conexao G, a large majority of LGBTI people [were] approached by police in the favelas who extorted them so they would not be taken to the police station where transgender women alleged they were raped by police officers and did not report such abuses for fear of retaliation...’<sup>211</sup>
- 12.1.4 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH stated that:
- ‘In 2022, some human rights violations against LGBTQIA+ people occurred in public services and/or places that should promote and guarantee rights:
- ‘91 in public agencies
  - ‘89 in health establishments
  - ‘83 in educational institutions
  - ‘43 in prisons
  - ‘16 in shelters
  - ‘14 in police stations
  - ‘8 in elderly homes
  - ‘7 in mental health services...’<sup>212</sup>
- It was not specified whether the perpetrators were state agents or what the violations were. However, it was stated that there were approximately 4,000 human rights violations against LGBTI persons reported that year in total<sup>213</sup>.
- 12.1.5 ObservaDH also noted that, regarding reports of violence against LGBTI persons received in 2022 (a different statistic to that of human rights violations referred to in above), ‘107 victims (1%) reported that the likely perpetrator of the interpersonal aggression was police officers and/or law enforcement agents.’<sup>214</sup>
- 12.1.6 The OSAC 2023 Report noted that ‘According to... civil society... underreporting of crimes is rampant, because many LGBTI+ persons are afraid they might experience discrimination or violence while seeking

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<sup>209</sup> Open Democracy, [‘Brazil's LGBTQ community faces surging violence...’](#), 9 December 2020

<sup>210</sup> UNHRC, [‘Summary of stakeholders’ information’](#) (page 9), 31 August 2022

<sup>211</sup> UNHRC, [‘Summary of stakeholders’ information’](#) (page 10), 31 August 2022

<sup>212</sup> ObservaDH, [‘LGBTQIA+: Violence’](#), 14 May 2024

<sup>213</sup> ObservaDH, [‘LGBTQIA+: Violence’](#), 14 May 2024

<sup>214</sup> ObservaDH, [‘LGBTQIA+: Violence’](#), 14 May 2024



services from law enforcement...'<sup>215</sup>

12.1.7 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In May 2024, Agencia Brasil reported that:

'Research carried out with an LGBTQIA+ group in the city of Rio de Janeiro shows that, although most have suffered some type of violence, many are afraid to go to a police station and report the crime. The study also shows that when they are registered, many of these occurrences end up being archived when forwarded to the Public Prosecutor's Office...

'... When asked about the likelihood of going to the police in case of LGBTphobia, the majority, 29.3%, said it was very unlikely that this would be done. Only 25% said they were very likely to report it.

'When asked if the police force would be prepared to serve the LGBTQIA+ population, the majority, 65%, marked the option "very poorly prepared", while 22.3% marked the option "poorly prepared" and 9.1% marked "reasonably prepared". Only 3.5% said they were "well prepared" or "very well prepared." As for the treatment of the LGBTQIA+ population, 61.7% of respondents believe that police officers do not take complaints seriously.

'The survey was done with 515 lesbian, gay, bisexual, trans, queer, intersex, asexual, pansexual and others...

'Among those who actually went to a police station, 186 people out of the 515 interviewed, 28% said that the specification of LGBTphobia crime was refused by the police station and 14% said that they were able to register, but only after insisting...

'The group also carried out a survey with the Public Prosecutor's Office of the State of Rio de Janeiro to monitor the cases of LGBTphobia that reached the agency. After the complaint is investigated by the Civil Police, the cases are forwarded to the Public Prosecutor's Office so that a complaint can be formalized to be analyzed by the Justice. Data collected in the last four years show that less than half, 48.6%, of the cases became complaints. One in four, 25.7%, was filed.

"In the last four years, we have had few reported cases of LGBTphobia," says Aguiar. "The person has their complaint frustrated, so they lose confidence that going to the police station to report it will lead to something."<sup>216</sup>

12.1.8 The same article also noted that:

'The survey will be formally presented this Friday to the Civil Police, as part of an action to sensitize police officers, improve treatment at police stations and encourage the population to report more of this type of crime.

'According to the special advisor of the Civil Police Secretariat, Cláudia Otília, the police are looking for ways to improve the performance of police officers... Among the measures being taken by the Civil Police, Cláudia Otília mentioned the creation of a working group focused on LGBTQIA+ issues,

<sup>215</sup> USSD OSAC, '[Brazil Country Security Report](#)' (LGBTI+ Travellers), 18 July 2023

<sup>216</sup> Agencia Brasil, '[Police Officers Are Poorly Prepared to Deal with LGBTphobia...](#)', 16 May 2024

with the objective of reviewing police procedures and protocols, and the restructuring of the discipline taken by police officers during training...

'Today, the discipline that is taught at Acadepol [the Police Academy in Rio de Janeiro] is being completely reviewed by the working group. So, we have opened the possibility that a training proposal written by both civil society and the government will be presented to us so that we can deliver it to the police academy," she said...

"...Of course, this is not enough, but we are starting a process," she added.<sup>217</sup>

12.1.9 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2024, Deutsche Welle reported that:

'[Gay man and delegate of the Civil Police of the Federal District, Anderson Cavichioli, stated that] last year, for example, the government of the state of Amapá asked us to take a training course with the state's public security forces... It is very important that we invest in the training of the police to serve historically vulnerable groups...

'Another point is that this change in the profile of police officers needs to be coordinated nationally. Many initiatives are still the responsibility of state administrations, and not all governors have the political will to implement some changes.'<sup>218</sup>

12.1.10 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH observed that 'It is possible to state that care for victims and investigations into incidents of violence are precarious. However, the federal government... is working to make the transformation of this scenario through public policies possible.'<sup>219</sup>

12.1.11 In the sources consulted (see [Bibliography](#)) CPIT was unable to find data on convictions and prosecutions of crimes against LGBTI persons (see [Official data on violence against LGBTI persons](#)).

12.1.12 However, regarding the 2021 killings of LGBTI individuals (see [Societal treatment of LGBTI persons](#)), GGB stated that 'only 95 out of 300 criminals were identified in the news and other sources, that is, only 31.67% of the cases were solved in the same year of the occurrence, which represents three out of every ten episodes of violent deaths of LGBTI+ people...'<sup>220</sup>

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## 12.2 LGBTI policy initiatives and support

12.2.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In December 2019, the Government of Brazil adopted the Dial 100 service. The Government described this as:

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<sup>217</sup> Agencia Brasil, '[Police Officers Are Poorly Prepared to Deal with LGBTphobia...](#)', 16 May 2024

<sup>218</sup> Deutsche Welle, '["Police are not trained to deal with sexual diversity"](#)', 10 April 2024

<sup>219</sup> ObservaDH, '[LGBTQIA+: Violence](#)', 14 May 2024

<sup>220</sup> GGB, '[Annual Report on Deaths 2021 - English](#)' (page 69), 2021

‘...a public utility service of the Ministry of Human Rights and Citizenship... intended to receive demands related to Human Rights violations, especially those that affect populations in situations of social vulnerability.

‘The service is also responsible for disseminating information and guidance on actions, programs, campaigns, rights, and services for assistance, protection, defense, and accountability in Human Rights available at the Federal, State, Municipal and Federal District levels.

‘The service can be considered as a “first aid” for human rights and responds to serious situations of violations that have just occurred or that are still in progress...

‘Anyone can report any news related to human rights violations, of which they are a victim or have knowledge.

‘Through this service, the Ministry of Human Rights and Citizenship receives, analyzes and forwards to protection and accountability agencies complaints of violations of the rights of... the LGBTQIA+ population... among others.

‘The service operates daily, 24 hours a day, including Saturdays, Sundays and holidays. Calls can be made from all over Brazil through direct and free dialing, from any fixed or mobile telephone terminal, just by dialing 100.’<sup>221</sup>

12.2.2 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The Observatory of LGBTI+ Deaths and Violence in Brazil described dial 100 as ‘Brazil’s official channel for complaints against Human Rights.’<sup>222</sup>

12.2.3 In its 2023 Annual Report, discussing changes that the State had enacted to protect LGBTI persons since its last Annual Report, the IACHR observed that:

‘In 2023, the State informed the IACHR of its creation of the National Secretariat for the Rights of LGBTQIA+ Persons... The State explained that the Office for Promoting and Defending the Rights of LGBTIA+ Persons was established within this Secretariat, as the body responsible for coordinating actions on anti-violence policies, investigations, and evidence on public policies for LGBTI persons...

‘The State emphasized that it is developing the Multiyear Plan 2024-2027... for the following aims... (ii) addressing violence against LGBTIA+ persons, to include training for and education of public security agents on how to properly handle and register incidents of LGBTQIA-phobic violence; (iii) campaigns to raise awareness of LGBTQIA-phobic discrimination; (iv) strengthening social participation through the Councils on the Rights of LGBTIA+ Persons; (v) strengthening the health promotion and social assistance services for LGBTIA+ persons who are vulnerable or whose families have abandoned or broken ties with them; (vi) preparing reports on incidents of violence and human rights violations against LGBTIA+ persons.

‘The State also informed the Commission of its creation of the National

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<sup>221</sup> Government of Brazil, ‘[Reporting human rights violations \(Dial 100\)](#)’, 12 April 2023

<sup>222</sup> Observatory of LGBTI+ Deaths and Violence in Brazil, ‘[Reporting LGBTphobia...](#)’, 23 May 2022

Council for the Rights of Lesbian, Gay, Bisexual, Travesti, Transsexual, Queer, Intersexual, Asexual, and Other Persons on April 6, 2023, which as the title reveals, is an important agency for social participation that (i) drafts criteria and parameters for government actions; (ii) proposes strategies for evaluating and supporting these actions; and (iii) provides support for the preparation and execution of the Union's proposed budget, with the potential to submit recommendations on the allocation of funds, with a view to promoting and defending the rights of LGBTIA+ persons.<sup>223</sup>

#### 12.2.4 The Brasil de Fato 2024 article stated that:

'Asked about what public policies are aimed at the transvestite, transgender and non-binary population, the Rio de Janeiro Public Security Institute (ISP, in Portuguese) replied that it works to promote and guarantee the rights of the LGBTQIAP+ population through social programs. "Currently, Rio Sem LGBTIfobia [Rio without LGBTIphobia] has 20 LGBTI Citizenship Centers, which offer all the necessary support [to this group] with social and psychological care, as well as legal accompaniment for the cases that need it," said the agency...

'Pública reached out to [Paraná state's] Public Security Secretariat (SSP)... for a response on what public policies exist to reduce the deaths of transgender, transvestites and non-binary people, but there was no reply by the time this report was published...'<sup>224</sup>

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### 12.3 Official data on violence against LGBTI persons

12.3.1 The IACHR 2021 Report noted that information on violence against LGBTI persons in Brazil is 'often hard to detect due to official data collection policies.'<sup>225</sup> It therefore recommended that the Brazilian state 'Make – and properly fund – efforts to systematically compile and analyze official data on the prevalence and nature of violence and discrimination based on sexual orientation or where sexual characteristics vary in accordance with the binary masculine and feminine roles.'<sup>226</sup>

#### 12.3.2 The Brasil de Fato 2022 article stated that:

'In October 2021, the TV news program Jornal Hoje investigated cases of homophobia and transphobia recorded in police stations. They required the data from all Brazilian federal units through Brazil's Law on Access to Information...

'Only 15 states and the country's Federal District informed their numbers. Ten states said their systems do not allow to calculate statistics on crimes against this population ...

'...journalists also asked the state public security departments for the total number of other crimes against the LGBT+ population.

'Nine states did not answer the journalists' requests. Among them are

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<sup>223</sup> IACHR, '[Annual Report 2023](#)' (page 878-879), 31 December 2023

<sup>224</sup> Brasil de Fato, '[Every three days, a trans person is murdered in Brazil...](#)', 5 February 2024

<sup>225</sup> IACHR, '[Situation of Human Rights in Brazil](#)' (page 95), 12 February 2021

<sup>226</sup> IACHR, '[Situation of Human Rights in Brazil](#)' (page 198), 12 February 2021

Amazonas, Rio de Janeiro, and Minas Gerais...'<sup>227</sup>

12.3.3 In 2023, Agencia Brasil quoted the coordinator of an NGO as stating that: “Unfortunately... neither... police stations nor public security departments at the national level been able to record all cases of harassment, bullying, assault, and deaths of LGBT individuals,”...

‘The NGO asserts that the absence of official data, which could enable more effective public policies, reflects deep-rooted homophobia and transphobia within Brazil's structures, institutions, and government.’<sup>228</sup>

12.3.4 The IACHR 2023 Report stated that, in 2023:

‘...the State mentioned the establishment of the National Human Rights Observatory (ObservaDH)... The State indicated that this project, managed by the Executive Secretariat and its Department for Coordinating Indicators and Evidence, seeks to disseminate and analyze strategic information to monitor the situation of human rights in Brazil. The State explained that this measure will use an online platform to plan, monitor, and evaluate federal, state, and municipal public policies...

‘The State also notes that ObservaDH will focus on... mapping existing data and promoting interagency collaboration to fill in potential holes...’<sup>229</sup>

12.3.5 The ObservaDH platform went live in December 2023, and gathers its information ‘from federal administrative records and national census surveys.’<sup>230</sup> It can be accessed [here](#) (in Portuguese only) and provides a range of information on Brazil’s LGBTI population, including its demographics and some statistics relating to violence. At time of writing, the statistics on violence appear to go up to the year 2022.

12.3.6 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] On ObservaDH, it is stated that: ‘Six states still do not report... data [on the crime of “racism due to homophobia or transphobia”]: Acre, Bahia, Maranhão, Rio de Janeiro, Rio Grande do Sul and São Paulo. Together, these states represent 45.8% of the country's population. In an estimate considering the population size of each state, the numbers presented would be proportional to approximately half of the country, even if there was no underreporting...’<sup>231</sup>

12.3.7 The Brasil de Fato 2024 article, quoting a report by ANTRA (National Association of Transvestites and Travestis), stated that “‘Data on this kind of violence is still non-existent or insufficient compared to what is reported by news channels...’”<sup>232</sup>

12.3.8 For statistics and information on violence against LGBTI persons reported on ObservaDH, see [Overview](#) and [Online harassment](#).

12.3.9 For statistics and information on violence against LGBTI persons collected

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<sup>227</sup> Brasil de Fato, ‘[...The country with the largest number of trans people killed](#)’, 23 January 2022

<sup>228</sup> Agencia Brasil, ‘[Violent deaths of LGBTQIA+ individuals reach 257 in 2023](#)’, 27 January 2024

<sup>229</sup> IACHR, ‘[Annual Report 2023](#)’ (page 830-831), 31 December 2023

<sup>230</sup> Government of Brazil, ‘[National Observatory for Human Rights is on the air...](#)’, 11 December 2023

<sup>231</sup> ObservaDH, ‘[LGBTQIA+: Violence](#)’, 14 May 2024

<sup>232</sup> Brasil de Fato, ‘[Every three days, a trans person is murdered in Brazil...](#)’, 5 February 2024

by non-governmental sources, see [Societal treatment of LGBTI persons](#).

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## 12.4 Criminal justice system

- 12.4.1 For background information about the criminal justice system generally and an assessment of its effectiveness in providing protection, see the [Country Policy and Information Note, Brazil: Actors of protection](#).

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## 12.5 State treatment of gay men

- 12.5.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In February 2024, UOL reported that:

‘The Civil Police of São Paulo opened an investigation to investigate a case of homophobia practiced by a woman against a couple inside a bakery...

‘In a statement to the police, the couple said that they began to be attacked by the woman when she tried to stop the[ir] car in the parking lot of the bakery. According to the report, there were three people standing at the scene, standing in the space. When they approached to park, two people got out, but one woman would have remained stationary, with her arms crossed, until she was removed by the man who was with her...

‘The woman... returned to where the car was parked, pushed the vehicle's rearview mirror and started yelling at the couple using homophobic terms... She also allegedly threw a cone in their direction. One of the victims was hit...

‘On social networks, one of the victims... explained that he and his boyfriend were physically and verbally assaulted...’<sup>233</sup>

- 12.5.2 The next day, UOL reported that ‘The woman... was identified by the Civil Police...

‘The case was registered as prejudice of race or color and bodily injury...’<sup>234</sup>

- 12.5.3 In August 2024, LGBT editorial Them<sup>235</sup> reported that:

‘Since March 2024, at least five gay men in Brazil have been killed after planning meetings on dating apps... Dozens of others have reported being victims of armed robberies after being lured into encounters through dating apps.

‘One of the recent victims of fatal violence was 24-year-old Leo Nunes... São Paulo police did not confirm whether there had been an arrest, only stating that they were investigating the shooting as a robbery resulting in a homicide.

‘The Brazilian outlet Metrôpoles also reported on the death of Heleno Veggi Dumba, a gay doctor, in April... São Paulo police told Reuters that they had

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<sup>233</sup> UOL, ‘[Woman attacks couple and mocks homophobia...](#)’, 6 February 2024

<sup>234</sup> UOL, ‘[Woman who attacked couple and mocked homophobia is identified...](#)’, 7 February 2024

<sup>235</sup> Them, ‘[About](#)’, no date

arrested three suspects in Dumba's death, but declined to elaborate...

'Police declined to comment to Reuters on whether they had identified a pattern of murders linked to gay dating apps.'<sup>236</sup>

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## 12.6 State treatment of transgender persons

### 12.6.1 A January 2019 article in HuffPost reported on the murder of Quelly da Silva:

'A man in Brazil was arrested Monday in connection with the killing of a trans woman who was found with injuries to her face and a gaping chest wound covered up with the image of a saint, according to a police report.

'Caio Santos de Oliveira, 20, confessed to tearing out the heart of Quelly da Silva, 35... after meeting and having sex with her the previous night...

'Oliveira will face robbery and felony homicide charges for the crime, which took place... in the state of Sao Paulo. He remains in police custody...

'Evidence suggests Silva's killing was motivated by transphobia...

'Since Brazil's criminal code makes no mention of transphobia, these types of crimes are often treated as ordinary murders rather than hate crimes...

'The inability of prosecutors to charge people with transphobic or homophobic crimes, Simpson [president of the National Association of Trans People and Transsexuals] said, contributes to a sense of impunity.'<sup>237</sup>

### 12.6.2 ILGA reported that:

'...on 26 November [2021], the Court of Justice of the State of São Paulo and the Public Defender's Office implemented the Itinerant Justice Programme to immediately rectify the name and gender marker of 49 transgender persons and 47 non-binary individuals in their birth certificates. Furthermore, in July 2022 the Court of Justice of the Federal District also guaranteed the recognition of their gender identity to a non-binary person, setting a precedent for future cases in the Federal District.'<sup>238</sup>

### 12.6.3 The Brasil de Fato 2022 article stated that:

'[According] To trans man Kaio de Souza Lemos, coordinator of the Trans Studies Magazine and Transmaculinités Brazilian Institute (IBRAT, in Portuguese), the lack of police reports makes transphobia an invisible crime, making it difficult to map public policies.

'He says that the increase in violence against trans people has been... "marked by a fundamentalism of heteronormativity that makes itself present in the lack of data about violence against the queer population"...

'On July 2021, black-queer woman Paloma Amaral was tied and beaten inside a trunk in front of city guards at Teresina, Piauí's capital city.

'...trans men also suffer aggressions and from transphobia, especially in the public sphere, with the abuse of power by security agents.

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<sup>236</sup> Them, '[...Targeted for Robbery and Murder Via Dating Apps](#)', 28 August 2024

<sup>237</sup> HuffPost, '[A Grisly Killing Shows The Rampant Transphobia In Brazil](#)', 25 January 2019

<sup>238</sup> ILGA, '[World Database - Brazil](#)', no date

‘According to [a] 2021 report by the Brazilian Institute of Transmasculinities... 85.9% of respondents said that the public security system had transphobic attitudes towards them...’<sup>239</sup>

12.6.4 Stakeholders noted during the UNHRC UPR 2022 that ‘transgender women alleged they were raped by police officers and did to [sic, not] report such abuses for fear of retaliation.’<sup>240</sup>

12.6.5 In a 2023 report on ‘Women Deprived of Liberty in the Americas’, the IACHR noted, citing as its source ‘information provided to the IACHR by trans women who were released in Brazil... during a technical meeting on October 13, 2021’<sup>241</sup>, that:

‘Trans women who are deprived of liberty face a greater risk of being subject to acts of violence, including sexual violence, as a form of reprisal for their sexual orientation or gender identity or expression. In particular, the data show a higher prevalence of acts of violence against trans women due to the absence of spaces exclusively assigned for this population and their inability to choose where they will stay. In this regard, despite standards providing special areas for their housing or recognizing their right to choose, obstacles persist in relation to their participation in decision-making. In this context, the most prevalent forms of violence against incarcerated trans women consist of: i) physical and sexual violence; ii) psychological abuse, which includes practices such as cutting their hair to cancel their gender expression; iii) excessive use of force by agents; iv) vexatious searches; and v) sexual exploitation after being forced into sex work by prison staff who run prostitution rings in prisons. According to information provided to the IACHR, although violence committed by men is prevalent, some of these acts occur in female sections and are committed by other women motivated by feelings of discrimination.’<sup>242</sup>

12.6.6 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2023, Extra, a branch of Brazilian news agency Globo<sup>243</sup> reported on the murder of trans woman Valentina Reis Rodrigues. It stated that:

‘Nail designer Valentina Reis Rodrigues, known as Fabinha, 37, died on Monday, a day after being beaten by two men — one of them would be a military police officer, according to witnesses — who went to her home, in the Xavantes neighborhood, in Belford Roxo, in the Baixada Fluminense. The killers are, according to relatives, linked to security guards at a market in the region where the victim, a trans woman, stole a bar of soap on the 11th.

‘...[According to a witness] The two men reportedly said that “the boss” had ordered them to go to the place and one of them said: “We really came to kill.”

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<sup>239</sup> Brasil de Fato, ‘[...The country with the largest number of trans people killed](#)’, 23 January 2022

<sup>240</sup> UNHRC, ‘[Summary of stakeholders’ information](#)’ (page 10), 31 August 2022

<sup>241</sup> IACHR, ‘[Women deprived of liberty in the Americas](#)’ (pages 76-77), 8 March 2023

<sup>242</sup> IACHR, ‘[Women deprived of liberty in the Americas](#)’ (pages 76-77), 8 March 2023

<sup>243</sup> Globo, ‘[Homepage](#)’, no date



“It happened in front of everyone. There were children there...”<sup>244</sup>

12.6.7 In 2024, Brasil de Fato reported on the murder of trans woman Julia Nicolý Moreira da Silva. It stated that:

‘Baixada Fluminense Homicide Police Station investigated the crime as a femicide case. The suspect, a 19-year-old man, was arrested a month after the murder, which was carried out with the help of a teenager who was 17 at the time. In the complaint, the Public Prosecutor's Office of the State of Rio de Janeiro (MPRJ, in Portuguese) emphasized that "the crime was committed for a futile reason since the suspect was driven by hatred for the victim because she was transgender.”

‘When contacted by Pública, the Rio de Janeiro Civil Police said "there are ongoing investigations to arrest another criminal involved.”’<sup>245</sup>

12.6.8 For information on the legal rights of transgender persons in Brazil, see [Transgender rights](#).

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## 12.7 State treatment of lesbian and bisexual women

12.7.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In April 2024, Deutsche Welle reported that:

‘...images of Tauane de Mello Queiroz, 26, being assaulted by a military police officer, last Saturday... in the São Paulo subway, sparked a debate about the way security forces in the country deal with LGBTQIA+ people. ‘The victim, who is a lesbian and wore shorts in the colors of the community, claims to have heard from the officer that she “was going to be beaten like a man.”...’

‘A gay man and chief of the Civil Police of the Federal District, Anderson Cavichioli believes that the incident reflects a culture of discrimination...’

“The police in general are not prepared to deal with the sexual diversity of Brazilian society,” he said in an interview with DW...’

‘...the relationship between public security and LGBTQIA+ people... is historically troubled and with several cases of persecution.

‘Police environments in Brazil are still marked by machismo, transphobia, homophobia, among other forms of discrimination, and the criminalization for this type of act only happened in 2019 in the STF [Supreme Federal Court]. In other words, there is a lack of understanding not only among the police, but also in the Judiciary and the Public Prosecutor's Office. In this way, there is still a sense of impunity among police officers, especially because they feel supported by each other in acts of prejudice... this is a culture that will take time to change...’<sup>246</sup>

12.7.2 The same article noted that ‘The case [of Tauane de Mello Queiroz] was registered in the 2nd Police District of Bom Retiro. The police officer involved

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<sup>244</sup> Globo, ‘[Trans woman dies after being beaten in Rio de Janeiro...](#)’, 17 October 2023

<sup>245</sup> Brasil de Fato, ‘[Every three days, a trans person is murdered in Brazil...](#)’, 5 February 2024

<sup>246</sup> Deutsche Welle, ‘["Police are not trained to deal with sexual diversity"](#)’, 10 April 2024

in the case has been removed and the governor of São Paulo, Tarcisio de Freitas, said he will be “severely punished.”<sup>247</sup>

12.7.3 In March 2024, The Guardian reported that:

‘Two powerful politicians and Rio de Janeiro’s former chief of police have been arrested as part of a federal police operation targeting the suspected masterminds of the 2018 assassination of Rio councillor Marielle Franco...

‘Franco, a 38-year-old lawmaker... was gunned down on the night of 14 March 2018... During her short career in politics, the black, gay favela-born activist had earned a reputation as a courageous defender of Brazil’s minorities...

‘Six years after the assassination, the hitman who has confessed to pulling the trigger, a former police officer called Ronnie Lessa, is behind bars awaiting trial...

‘The 2022 election of the leftist president, Luiz Inácio Lula da Silva, breathed new life into the apparently stalled quest to catch Franco’s killers. Lula vowed to fight “tirelessly” to bring the masterminds to justice and, in a highly symbolic move, made Franco’s younger sister, Anielle Franco, his minister for racial equality...

‘... local reports claimed Lessa had accused Barbosa [the then-chief of police] of green-lighting the murder and assuring the masterminds that they would never be caught.’<sup>248</sup>

12.7.4 The IACHR opined regarding the murder of Marielle Franco that the case ‘illustrate[s] the multiple vulnerability of defenders of the human rights of Afro-descendant LGBTI persons who, due to the overlapping perceptions of their sexual orientation and gender identity, their ethnic/racial origins, and the agendas they supported, are much more likely to be victims of acts of violence.’<sup>249</sup>

12.7.5 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In 2024, Brazilian news agency G1<sup>250</sup> reported on the murder of lesbian woman Ana Caroline Sousa Campêlo. It stated that:

‘Ana Caroline was found dead on December 10, 2023... in Maranhãozinho, a city 232 km from São Luís. What also drew attention is that, according to the Military Police, the young woman had the skin of her face, scalp, eyes and ears removed...

‘...entities that support the LGBTQIA+ cause and the Minister of Women, Cida Gonçalves, have pointed out that this may be a case of lesbophobia, since Ana had recently moved to Maranhãozinho, in order to live with her girlfriend...

‘So far, the Civil Police says they have heard several testimonies to find out who would have killed the young woman and the motivation for the crime.

<sup>247</sup> Deutsche Welle, “[Police are not trained to deal with sexual diversity](#)”, 10 April 2024

<sup>248</sup> The Guardian, “[Marielle Franco: two politicians and ex-police chief arrested...](#)”, 24 March 2024

<sup>249</sup> IACHR, ‘[Situation of Human Rights in Brazil](#)’ (page 176), 12 February 2021

<sup>250</sup> G1, ‘[Homepage](#)’, no date

'However, the Civil Police still does not guarantee that this is a case of lesbophobia and says it is investigating several hypotheses...'<sup>251</sup>

- 12.7.6 The same article stated that 'The Civil Police... says that it maintains teams in the region of Maranhãozinho, where the homicide took place, and that it has reinforced the investigations.'<sup>252</sup>

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## 12.8 State treatment of bisexual persons

- 12.8.1 In the sources consulted, CPIT was unable to find data on state treatment of bisexual persons (see [Bibliography](#)).

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## 12.9 State treatment of intersex persons

- 12.9.1 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] In March 2024, news agency Diariio de Pernambuco<sup>253</sup> reported that an 'activist from Recife is the first person in Brazil to gain official recognition as an intersex... With the change... the gender field was changed from female to intersex on her birth certificate...'<sup>254</sup>

- 12.9.2 For information on the legal rights of intersex persons, see [Intersex rights](#).

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## 13. Public services

### 13.1 Access to healthcare

#### a. Overview

- 13.1.1 ILGA reported that 'Even if Federal Law No. 8.080 (1990) establishes that health services, public or private, operate under the "principle of equality of healthcare, without prejudice or privileges of any kind", there is still no fede[r]al law explicitly offering protection based on "sexual orientation" in healthcare. Since 1989, some subnational jurisdictions have enacted state laws or amended state constitutions to offer such protection...'<sup>255</sup>
- 13.1.2 ILGA also stated that the law extending protection from discrimination to LGBTI persons also applied to healthcare (see [Anti-discrimination law](#))<sup>256</sup>.
- 13.1.3 An academic study on 'Health challenges in the LGBTI+ population in Brazil', published in 2022, written by several academics from universities across Brazil (2022 health challenges study), stated:

'In a [2018] study conducted in São Paulo, ... healthcare workers revealed barriers in the access of LGBTI+ people to health services, related, among other things, to the lack of proper training of the staff responsible for

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<sup>251</sup> G1, '[Ana Caroline case: Brutal death of young woman in Maranhão...](#)', 11 January 2024

<sup>252</sup> G1, '[Ana Caroline case: Brutal death of young woman in Maranhão...](#)', 11 January 2024

<sup>253</sup> Diariio de Pernambuco, '[Homepage](#)', no date

<sup>254</sup> Diariio de Pernambuco, '[...first person in Brazil to obtain an intersex registration](#)', 10 March 2024

<sup>255</sup> ILGA, '[World database - Brazil](#)', no date

<sup>256</sup> ILGA, '[World database - Brazil](#)', no date

embracement at the BHUs [Brazilian Basic Health Units], the lack of professional development courses on LGBTI+ health, and, above all, of a plan that integrates this type of action in a strategic and interconnected view within basic health care, which is the entry way for people to SUS [Brazilian Unified Health System].<sup>257</sup>

#### b. Transgender persons

13.1.4 In 2007, NBC News reported that ‘Brazil’s public health system will begin providing free sex-change operations in compliance with a court order...’<sup>258</sup>

13.1.5 In 2020, Reuters reported that:

‘Brazil’s independent medical regulator announced new rules for treating transgender patients... including lowering the age when trans people can have gender reassignment surgery to 18... years old.

‘The Brazilian Federal Council of Medicine also... dropped the age requirement for hormone therapy to 16... years old.

“Comprehensive care for transgender people must take into account all their needs, guaranteeing access free of any kind of discrimination,” said the resolution...<sup>259</sup>

13.1.6 The IACHR 2022 Report stated that ‘Research by the University of São Paulo revealed that... health care systems still maintain exclusionary structures that hamper access for vulnerable groups, including trans persons. Another structural problem is the widespread lack of health care professionals who have the specialized knowledge needed to understand and treat the specific health problems of the trans and transvestite populations.’<sup>260</sup>

13.1.7 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] According to ObservaDH:

‘Only 7 states have hospital services authorized by the Ministry of Health to carry out procedures related to the transsexualization process [Sao Paulo, Rio de Janeiro, Goiás, Pernambuco, Minas Gerais, Para, Rio Grande do Sul]. In total, Brazil has 10 establishments qualified for hospital care...

‘The establishments qualified in the outpatient modality are concentrated in the Southeast (8), South (3), part of the Northeast (4) and in the state of Goiás in the Center-West (3), totaling 18 in the country, in 12 [Federal Units]. ‘The North Region is the only one that does not have any outpatient services enabled...’<sup>261</sup>

#### c. HIV medication

13.1.8 In 2007, NBC News reported that ‘Brazil’s public health system offers free care to all Brazilians, including... free AIDS medication.’<sup>262</sup>

<sup>257</sup> Richard Miskolci and others, ‘[Health challenges in the LGBTI+ population...](#)’, October 2022

<sup>258</sup> NBC News, ‘[Brazil to provide free sex-change operations](#)’, 17 August 2007

<sup>259</sup> Reuters, ‘[Brazil issues new rules, lowers age for gender reassignment surgery](#)’, 9 January 2020

<sup>260</sup> IACHR, ‘[Annual Report 2022](#)’ (page 834), 1 April 2023

<sup>261</sup> ObservaDH, ‘[LGBTQIA+ Access to public policies](#)’, 14 May 2024

<sup>262</sup> NBC News, ‘[Brazil to provide free sex-change operations](#)’, 17 August 2007

- 13.1.9 In a summary of stakeholders' submissions to the UNHRC UPR 2022, it was noted that 'JS1 [Brazilian Association of Lesbians, Gays, Bisexuals, Transvestites, Transsexuals and Intersexuals (ABGLT), and the National Association of Transvestites and Transsexuals Curitiba] indicated that LGBTQIA+ people in the prison system faced a lack of access to health care, in particular mental and sexual health, and people living with HIV/AIDS also faced discontinued use of antiretroviral drugs.'<sup>263</sup>
- 13.1.10 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] The Instituto Matizes Technical Note stated that an 'Official Letter from the Ministry of Health [in July 2022]... suspended the authorization for pharmacists to prescribe Pre- and Post-Exposure Prophylaxis for HIV/AIDS (PrEP and PEP) to patients in... the Unified Health System (SUS), throughout Brazil. The decision to exclude pharmacists from dispensing PrEP and PEP tends to hinder access to prophylaxis in the SUS.'<sup>264</sup>

#### d. LGBTI women

- 13.1.11 The IACHR 2022 Report noted '...serious deficiencies in LGBTI persons' access to health care. For example, according to public information, prejudices and preconceptions about bisexual and lesbian cisgender women limit the type of services they receive. In addition, fear of being stigmatized continues to make it more difficult for bisexual and lesbian women to seek sexual and reproductive health care.'<sup>265</sup>
- 13.1.12 The 2022 health challenges study stated: 'The literature on lesbian and bisexual women indicates a lower frequency of doing gynecological exams and breast cancer check-up exams; they search too late for care, only after the disease has worsened; less requests for exams by the healthcare professionals who attend to the patients; and limited care provided to reproductive dimensions.'<sup>266</sup>

#### e. Intersex persons

- 13.1.13 The 2022 health challenges study stated: 'when an intersex person decides to go to a healthcare service, the person must go through many different services that question the person as to the sexual designation that was attributed to them upon birth. In this journey, the intersex person comes into contact with distinct professionals, in routes marked by difficulties and violence. The interventions are almost always surgical and drug-based...'<sup>267</sup>
- 13.1.14 In the sources consulted, CPIT was unable to find further data on access to healthcare for intersex persons (see [Bibliography](#)).

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## 13.2 Education

- 13.2.1 In its 2022 report "'I Became Scared, This was Their Goal'", Human Rights

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<sup>263</sup> UNHRC, '[Summary of stakeholders' information](#)' (page 6), 31 August 2022

<sup>264</sup> Instituto Matizes, '[...Highlights on the Dismantling of LGBTI+ Policies...](#)' (page 3), January 2023

<sup>265</sup> IACHR, '[Annual Report 2022](#)' (page 834), 1 April 2023

<sup>266</sup> Richard Miskolci and others, '[Health challenges in the LGBTI+ population...](#)', October 2022

<sup>267</sup> Richard Miskolci and others, '[Health challenges in the LGBTI+ population...](#)', October 2022

Watch discussed how ‘Since around 2014, lawmakers at the federal, state, and municipal levels in Brazil have introduced over 200 legislative proposals to ban “indoctrination” or “gender ideology” in Brazilian schools.’<sup>268</sup> The report was based on ‘a review... of 217 of these bills and laws, and on 56 interviews with teachers and education experts, including representatives of state departments of education, unions, and civil society organizations’<sup>269</sup>, and research was carried out between January 2020 and October 2021<sup>270</sup>.

### 13.2.2 This report stated that:

‘These proposals, which target gender and sexuality education, have been the subject of intense political and social debate in Brazilian society, with some bills ultimately passing, many still pending, and others withdrawn...

‘While Brazilian law and policy, both at the federal and state levels, require CSE [comprehensive sexuality education] instruction, most of the efforts... described in this report aim to specifically ban the key concepts of “gender” and “sexual orientation” in all areas of school, including as they relate to the rights of girls, women, and lesbian, gay, bisexual, and transgender (LGBT) people...

‘...at least 21 laws directly or indirectly banning gender and sexuality education remain in force in Brazil (1 state, 20 municipal). Related bills are also pending in the federal, state, and municipal legislatures, with at least some legislatures continuing to propose such bills, although there have been some crucial judicial victories.

‘In 2020, the Supreme Court issued landmark rulings striking down eight of these laws: seven municipal laws... and one state law from Alagoas. The court found the bans violated the rights to equality, non-discrimination, and education, among others...

‘The teachers with whom Human Rights Watch spoke all voiced apprehension about addressing gender and sexuality in the classroom due to political efforts to discredit such material. Twenty of the teachers suffered harassment for addressing gender and sexuality between 2016 and 2020, including from elected officials and members of their community on social media and in person...’<sup>271</sup>

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## 13.3 Housing

13.3.1 ILGA reported that ‘In 2021, Bill PL No. 1947 (2021) was introduced in the National Congress to expressly include same-sex couples among the priority groups in a housing programme at the national level.’<sup>272</sup>

13.3.2 ILGA also stated that the law extending protection from discrimination to LGBTI persons also applied to housing (see [Anti-discrimination law](#))<sup>273</sup>.

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<sup>268</sup> Human Rights Watch, [“I Became Scared, This Was Their Goal”](#), 12 May 2022

<sup>269</sup> Human Rights Watch, [“I Became Scared, This Was Their Goal”](#), 12 May 2022

<sup>270</sup> Human Rights Watch, [“I Became Scared, This Was Their Goal”](#), 12 May 2022

<sup>271</sup> Human Rights Watch, [“I Became Scared, This Was Their Goal”](#), 12 May 2022

<sup>272</sup> ILGA, [‘World database - Brazil’](#), no date

<sup>273</sup> ILGA, [‘World database - Brazil’](#), no date

## 13.4 Access to employment

### 13.4.1 ILGA reported that:

‘At the federal level, there is no legislation expressly prohibiting employment discrimination on the basis of "sexual orientation". Only Article 8 of the Regulation (Portaria) No. 41-03-07 (2007) issued by the Ministry of Labour and Employment prohibits employers from requesting documents or information related to the employee’s sexuality...

‘Further, around 70% of the population of Brazil resides in jurisdictions where local laws provide such specific discrimination protection on the basis of "sexual orientation"...

‘No law or regulation at the federal level explicitly prohibits employment discrimination on the basis of "gender identity"...

‘In July 2021, a federal judge ruled in a case brought to the 11th Labour Court in Brasília that the dismissal of a trans man by his employer on account of his plans to undergo gender-affirming surgery constituted unfair discrimination.’<sup>274</sup>

### 13.4.2 ILGA also stated that the law extending protection from discrimination to LGBTI persons also applied to employment (see [Anti-discrimination law](#))<sup>275</sup>.

### 13.4.3 The Brasil de Fato 2022 article stated that:

‘There are specific public and social policies that can be adopted to improve the lives of trans people in Brazil. According to Belo Horizonte’s councilor Duda Salabert, the first urgent area to look at is the job market.

“‘We must ensure that trans and queer people get jobs in the formal job market, because to us, prostitution is almost a compulsory activity. We need quotas in public services as well as campaigns to raise people’s awareness and tax breaks in the private sector to hire transgender people”...

‘...even before the pandemic [trans people] did not have access to formal jobs, and society avoided them, keeping a certain distance from this population...

‘According to data recorded by Antra in 2020, only 4% of the trans population have formal jobs with the possibility of promotion and career progression. A total of 90% of the trans and queer population have prostitution as their main source of income.’<sup>276</sup>

### 13.4.4 The USSD 2023 Report stated that:

‘According to Grupo Gay da Bahia, 33 percent of companies avoided hiring LGBTIQ+ employees, and 90 percent of transgender women engaged in commercial sex because they could find no employment alternative. Transgender women often paid human traffickers for protection and daily housing fees. When unable to pay, they were beaten and starved. Traffickers targeted transgender women, luring them with offers of gender

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<sup>274</sup> ILGA, ‘[LGBTI discrimination in employment](#)’, no date

<sup>275</sup> ILGA, ‘[LGBTI discrimination in employment](#)’, no date

<sup>276</sup> Brasil de Fato, ‘[...The country with the largest number of trans people killed](#)’, 23 January 2022

reassignment surgery and later exploiting them in sex trafficking when they were unable to repay the cost of the procedure.’<sup>277</sup>

13.4.5 In 2023, the Rio Times reported that:

‘The government led by Lula da Silva plans to introduce a 2% quota for transgender individuals in the upcoming public examination for labor inspectors.

‘This would result in 18 out of 900 vacancies reserved for transgender professionals...

‘...some public agencies, like the São Paulo Public Defender’s Office, have already adopted a 2% quota for transgender individuals...’<sup>278</sup>

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## 14. LGBTI individuals, communities and groups

### 14.1 LGBTI population

14.1.1 In 2022, the Brazilian Institute of Geography and Statistics (IBGE), the government’s statistical agency, published the results of their 2019 National Health Survey<sup>279</sup>. For the first time, this survey included data on the sexual orientation of respondents<sup>280</sup>. Respondents were not asked about their gender identity, but the IBGE ‘has been studying a methodology to include this topic in its surveys.’<sup>281</sup>

14.1.2 The IBGE summarised the results of their survey as follows:

- ‘Among persons aged 18 and over, 94.8% reported being heterosexual; 1.2% homosexual; 0.7% bisexual; 1.1% did not know their sexual orientation; 2.3% did not answer; and 0.1% reported having another sexual orientation.
- ‘3.6 million persons did not answer the survey, more than the total number of persons who reported being homosexual and bisexual (2.9 million).
- ‘The homosexual or bisexual population is bigger among those that have a higher education degree and higher income.
- ‘Considering age groups, among youngsters aged 18 to 29 (4.8%) there was a bigger percentage of persons who reported being homosexual or bisexual. There was also a bigger group that did not know their sexual orientation (2.1%) or did not want to answer (3.2%).
- ‘2.1% reported being homosexual or bisexual in the Southeast, and 1.5% in the Northeast.’<sup>282</sup>

14.1.3 The IBGE also noted that:

‘There were no statistically significant differences between whites (1.8%) and

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<sup>277</sup> USSD, ‘[Human Rights Report Brazil 2023](#)’ (Section 6), 2023

<sup>278</sup> The Rio Times, ‘[Quotas for transgender... people in public office](#)’, 29 June 2023

<sup>279</sup> IBGE, ‘[National Health Survey 2019](#)’, 2022

<sup>280</sup> IBGE, ‘[...2.9 million adults reported being homosexual or bisexual in 2019](#)’, 31 May 2022

<sup>281</sup> IBGE, ‘[...2.9 million adults reported being homosexual or bisexual in 2019](#)’, 31 May 2022

<sup>282</sup> IBGE, ‘[...2.9 million adults reported being homosexual or bisexual in 2019](#)’, 31 May 2022



blacks or browns (1.9%) who reported being homosexual or bisexual. Among persons who live in urban areas (2.0%) this percentage was more than twice as those living in the rural area (0.8%) of municipalities...

“The number of persons who did not want to answer maybe related to the interv[is]ee’s fear of revealing their identity as homosexual [or] bisexual and telling other people about their sexual orientation. Many factors can interfere with the verbalization of sexual orientation, such as the cultural context, living in small cities, one’s family context, feeling insecure to approach the topic with a stranger, being uncertain about how information will be used, not having defined one’s own sexual orientation, not understanding the terms homosexual and bisexual, among others,” says the survey coordinator, Maria Lucia Vieira...

‘Considering persons with a higher [education] degree, 3.2% reported being homosexual or bisexual, a significantl[y] higher percentage than those [with] no schooling or who had incomplete primary education (0.5%).

‘The highest percentages of homosexuals or bisexuals were also observed in the two highest classes of income...

“That suggests persons with a higher level of schooling and income have fewer barriers to speak about their sexual orientation or even have better understanding of the terms used,” Maria Lucia explains. “The proportion of persons who said they did not know or who refused to answer was higher among persons with lower level of schooling,” she adds...

‘In the Southeast, 2.1% of the adult persons reported being homosexual and bisexual, 1.9% in the North and in the South, 1.7% in the Central West, and 1.5% in in the Northeast...

“...we know there is a stigmatized view on lesbians, gays and bisexuals, and also the feat of discrimination and violence. That makes the informant afraid of speaking to another person about their sexual orientation, especially in small cities,” Ms. Vieira observes.<sup>283</sup>

- 14.1.4 Agencia Brasil discussed the 2019 National Health Survey in an article dated 25 May 2022. It stated that ‘In all, 108,525 households were visited and 94,114 interviews were conducted. The data represent 159.2 million Brazilians...’<sup>284</sup>
- 14.1.5 [The following information was published in Portuguese and has been translated using a free online translation tool. As such 100% accuracy cannot be guaranteed] ObservaDH stated that ‘The results were released on an experimental basis and were considered underreported due to the high number of individuals who chose not to disclose their sexual orientation.’<sup>285</sup>
- 14.1.6 For more information on the cultural context of LGBTI issues in Brazil, see [Public opinion on LGBTI persons](#), [Cultural norms](#).
- 14.1.7 For information on the general population of Brazil, see [Freedom of movement](#).

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<sup>283</sup> IBGE, ‘[...2.9 million adults reported being homosexual or bisexual in 2019](#)’, 31 May 2022

<sup>284</sup> Agencia Brasil, ‘[First survey on homosexual and bisexual people in Brazil released](#)’, 25 May 2022

<sup>285</sup> ObservaDH, ‘[LGBTQIA+ Persons](#)’, 14 May 2024

## 14.2 LGBTI communities

14.2.1 The UK FCDO travel advice for British Citizens visiting Brazil noted that ‘São Paulo, Rio de Janeiro and other cities hold Pride events, which attract large numbers. These events are usually very peaceful.’<sup>286</sup>

14.2.2 Outright International, a global NGO working to strengthen the LGBTI human rights movement<sup>287</sup>, quoted Bob Luiz Botelho, a gay evangelical pastor and activist who works with the LGBTIQ community in Brazil, in a 2023 article: ‘The people like to say, “Oh, Brazil is amazing. We are for LGBT. We have 4 million in the Pride Parade.” But actually, we have Pride Parade in São Paulo, not in Brazil. São Paulo is not a reflection of all Brazil.’<sup>288</sup>

14.2.3 Gaytravel.com, a website aiming to document gay-friendly destinations around the world<sup>289</sup>, stated that ‘Sao Paulo is one of the most gay-friendly cities in Brazil. You can find parties and events year-round...’<sup>290</sup>

14.2.4 Regarding Rio de Janeiro, the same source stated that it ‘...was recently selected as the most popular gay destination in the world...’<sup>291</sup>

14.2.5 In an undated article, tourism website Rio.com<sup>292</sup> stated that:

‘Rio de Janeiro is a wonderful city for gays to visit. The locals are very open and accepting of all walks of life. Gays, lesbians and transgenders are all welcome to celebrate the Rio experience openly without fear of reprisal.

‘The beaches of Rio are typical meeting point for all groups. Despite being well received in all the beaches, there are preferred areas for the gay community. In Ipanema, where Rua Farme de Amoedo finds the beach is the favorite. Copacabana also has a gay section, and it is located near the Copacabana Palace Hotel. Reserva Beach in Barra da Tijuca is a good area that is well known for the rainbow flag set up in the beach for alternative visitors.

‘The gay district of Rio runs along the Rua Teixeira de Melo...

‘Gay Dance clubs are quite popular in Rio...

‘Gay Pride is celebrated yearly in Rio de Janeiro... After the parade there are gay parties all over town.’<sup>293</sup>

14.2.6 In an undated article, gay tourism website Travelgay<sup>294</sup> stated that:

‘Being Brazil’s most liberal city, Rio de Janeiro also has a thriving and well-established gay scene that boasts a selection of great gay bars, clubs, and cafes. The country is one of the world’s most popular gay travel destinations and you’ll be well catered for in this sun-soaked city.

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<sup>286</sup> UK FCDO, ‘[Brazil Travel Advice](#)’ (Safety and Security), 15 November 2024

<sup>287</sup> Outright International, ‘[Our Story](#)’, no date

<sup>288</sup> Outright International, ‘[An Openly Gay Pastor Leading with Faith and Love](#)’, 8 September 2023

<sup>289</sup> GayTravel, ‘[About](#)’, no date

<sup>290</sup> GayTravel, ‘[The Gay Scene in Sao Paulo](#)’, no date

<sup>291</sup> GayTravel, ‘[Gay Rio De Janeiro Travel Guide](#)’, no date

<sup>292</sup> Rio.com, ‘[About us](#)’, no date

<sup>293</sup> Rio.com, ‘[Gay Life in Rio](#)’, no date

<sup>294</sup> Travelgay, ‘[Who we are](#)’, no date

‘Whilst gay-friendly and gay-focused venues can be found with ease throughout the city, the most prominent gay district in Rio De Janeiro is Ipanema, well-known for its buzzing gay nightlife and popular beaches...

‘As of 2019, there have been growing concerns over the safety and rights afforded to LGBT+ people in Brazil ... However, Brazil remains one of the world’s most advanced countries in terms of LGBT+ rights and protections despite an increasingly challenging landscape for LGBT+ people...

‘Rio De Janeiro is an international capital of gay community and culture, hosting some of the world’s largest and best-attended pride celebrations every year...

‘Rio de Janeiro is home to Brazil’s largest and most iconic gay village- Ipanema. The area is a bustling and lively part of the city that features a dense concentration of gay bars, clubs, and cafes. The gay nightlife in the district is varied and inclusive...

‘Copacabana, Ipanema, and Leblon are all popular areas of Rio de Janeiro amongst gay travelers.’<sup>295</sup>

14.2.7 Daily Xtra Travel, a global LGBT tourism website<sup>296</sup>, stated that:

‘Although it’s still unknown to many travelers, Salvador is considered Brazil’s most gay-friendly city. It doesn’t have the glitter of Rio de Janeiro or the size of São Paulo, but for years this northern city has burnished a reputation for having an easygoing attitude about gay people. Salvador is home to the country’s oldest gay rights and human rights organization in Brazil, the Grupo Gay da Bahia. Salvador’s Gay Pride Parade, one of the largest in Brazil with around 800,000 participants, takes place in September.

‘It’s said that gay people feel comfortable to be open about their sexuality in this city, so activities take place all around town. One of the more active gay quarters is the Barra neighborhood, with a number of gay bars and clubs.’<sup>297</sup>

14.2.8 The International LGBTQ+ Travel Association (IGLTA) aims to ‘provide free travel resources and information while continuously working to promote equality and safety within LGBTQ+ tourism worldwide.’<sup>298</sup> In their travel guide to Brazil, they stated that: ‘Overall, LGBTQ+ people are well protected in Brazil, however, in some places, cultural acceptance is far behind, especially for transgender people. Inland and in small towns, visitors must be aware and careful and should avoid public displays of affection.’<sup>299</sup>

14.2.9 Travel company Frommers advised that:

‘Outside of the big cities such as São Paulo, Rio de Janeiro, and Salvador, openly gay men or women will certainly draw attention and perhaps be subjected to comments or jokes. Brazil is still a macho culture and any open sign of affection between people of the same sex will meet with disapproval.

‘Gay and lesbian travelers will find small but vibrant gay communities in São

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<sup>295</sup> Travelgay, ‘[Gay Rio de Janeiro City Guide](#)’, no date

<sup>296</sup> Daily Xtra Travel, ‘[About us](#)’, no date

<sup>297</sup> Daily Xtra Travel, ‘[Gay Salvador](#)’, no date

<sup>298</sup> IGLTA, ‘[About IGLTA](#)’, no date

<sup>299</sup> IGLTA, ‘[Brazil](#)’, no date

Paulo, Rio de Janeiro, Salvador, and some of the other big cities, more often geared toward men than women. There are now gay pride parades in many of Brazil's big cities -- Rio, São Paulo, Belo Horizonte, even Manaus in the Amazon. There are gay beach areas in Rio, and gay bars and clubs in most larger Brazilian cities. However, public displays of affection are not common among gays and lesbians even in the cities, and in small towns and communities the level of acceptance is significantly lower -- rude remarks and jokes are almost guaranteed, though physical violence is thankfully rare.<sup>300</sup>

14.2.10 A 2021 Vice article discussed the Contemporary Christian Church (or ICC), which was created:

‘15 years ago to embrace the LGBTQ+ Christians who have always faced discrimination from conventional evangelical churches.

‘When he founded ICC, Gladstone thought it might attract a dozen people. Today, the denomination has spread to 11 churches across four Brazilian states (São Paulo, Bahia, Minas Gerais, and Rio de Janeiro) and has 1,800 regular members.

‘That growth, Gladstone said, is a consequence of rising homophobia in Brazil.’<sup>301</sup>

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### 14.3 LGBTI organisations

14.3.1 The USSD 2023 Report stated that ‘There were no restrictions of freedom of expression, association, or peaceful assembly regarding LGBTQI+ matters.’<sup>302</sup>

14.3.2 ILGA stated that, to the best of its knowledge, ‘there are no laws or regulations that specifically restrict the registration or operation of civil society organisations working on issues of sexual, gender or bodily diversity in Brazil. This does not necessarily mean that local communities can freely and effectively register and operate organisations, as various other factors may restrict this right in practice.’<sup>303</sup>

14.3.3 Below are some examples of LGBTI-supporting groups in Brazil:

- [ABGLT](#) (The Brazilian Lesbian, Gay, Bisexual, Travesti, Transgender, and Intersex Association)
- [ABIA](#) (Brazilian Interdisciplinary AIDS Association)
- [ABRAI](#) (Brazilian Intersex Association)
- [Ação Educativa](#)
- [ANTRA](#) (National Association of Transvestites and Travestis)
- [Cladem](#)

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<sup>300</sup> Frommer's, '[Tips for Gay and Lesbian Travelers in Brazil](#)', no date

<sup>301</sup> Vice, '[LGBTQ Christians Are Making This Evangelical Megachurch Boom in Brazil](#)', 8 June 2021

<sup>302</sup> USSD, '[Human Rights Report Brazil 2023](#)' (Section 6), 2023

<sup>303</sup> ILGA, '[World Database - Brazil](#)', no date

- [Grupo Gay da Bahia](#)
- [IBTE](#) (Brazilian Trans Institute of Education)
- [ILGA](#) (International Lesbian and Gay Association)
- [Rede Afro LGBT](#) (Afro LGBT Network)
- [Sexuality Policy Watch](#)
- [Rede Trans Brasil](#) (Brazil Trans Network)

14.3.4 For more groups, ILGA maintains a [list](#) on its website.

14.3.5 For information on shelters, see [All Out](#). All Out stated that ‘LGBT+ shelters work independently and face many struggles – and there is still a lack of financial and regulatory support for LGBT+ shelters by the Brazilian government.’<sup>304</sup>

14.3.6 The same source stated: ‘The Brazilian National Social Assistance Policy (PNAS) does not include LGBT+ people as a target audience for shelters. So not only is there a lack of public policy, there is a lack of efficient training of the entire human rights network to ensure social assistance for LGBT+ people.’<sup>305</sup>

14.3.7 There are also shelters specifically for transgender individuals, such as [Casa Florescer](#).

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## 15. Freedom of movement

15.1.1 In 2024, the IBGE estimated Brazil’s population to be 212,583,750<sup>306</sup>. Worldometer lists Brazil as the 7<sup>th</sup> most highly populated country in the world<sup>307</sup>.

15.1.2 The most populous state is Sao Paulo, with an estimated population of approximately 46 million as of 2024<sup>308</sup>, followed by Minas Gerais (approximately 21 million)<sup>309</sup>, and Rio de Janeiro (approximately 17 million)<sup>310</sup>. The most populous cities are Sao Paulo (with a population of approximately 12 million)<sup>311</sup>, Rio de Janeiro (approximately 7 million)<sup>312</sup> and Brasilia (approximately 3 million)<sup>313</sup>.

15.1.3 There was no specific information on the freedom of movement of LGBTI persons in the sources consulted (see [Bibliography](#)).

15.1.4 However, the USSD 2023 Report stated that ‘The constitution provided for freedom of internal movement, foreign travel, emigration, and repatriation,

<sup>304</sup> All Out, ‘[Brazil: Support LGBT+ Shelters](#)’, no date

<sup>305</sup> All Out, ‘[Brazil: Support LGBT+ Shelters](#)’, no date

<sup>306</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

<sup>307</sup> Worldometer, ‘[Countries in the world by population \(2024\)](#)’, 3 November 2024

<sup>308</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

<sup>309</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

<sup>310</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

<sup>311</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

<sup>312</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

<sup>313</sup> Government of Brazil, ‘[ORDINANCE IBGE-1,041, of August 28, 2024](#)’, 28 August 2024

and the government generally respected these rights.<sup>314</sup>

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<sup>314</sup> USSD, [‘Human Rights Report Brazil 2023’](#) (Section 2), 2023

# Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Political context
- Demography
- Legal rights and policy measures
  - Same-sex sexual relations
  - Civil and political rights
  - LGBTI anti-discrimination law
  - Gender recognition
  - Conversion therapy
  - National policy initiatives
- State attitudes and treatment
  - Government rhetoric
  - State discrimination and violence
  - Criminal justice system response
- Societal attitudes and treatment
  - Societal norms and discrimination
  - Violence against LGBTI persons
  - Online harassment
- Public services
  - Access to healthcare
  - Education
  - Access to employment
- LGBTI groups
- Freedom of movement

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# Version control and feedback

## Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **11 December 2024**

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### **Official – sensitive: Not for disclosure – Start of section**

The information in this section has been removed as it is restricted for internal Home Office use.

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### **Official – sensitive: Not for disclosure – End of section**

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## Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

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## Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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