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The Bulletin entitled RIGHTS IN THE PANDEMIC - Mapping the impact of Covid-19 on human rights is a scientific publication of Conectas Human Rights and the Center for Studies and Research on Health Law (CEPEDISA) of the University of São Paulo (USP) that will be released every two weeks for a limited time.

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In February 2020, the Ministry of Health presented the Contingency Plan for the response to Covid-19. Unlike other countries, the document did not contain any reference to ethics, human rights or fundamental freedoms, not even to those related to the emergency routine, such as the management of scarce supplies or the doctor-patient relationship, ignoring both Brazilian law (Law no. 13.979, enacted on 02/06/20) and the International Health Regulations, which is in force in Brazil, both of which expressly determine that the response to emergencies must fully respect people’s dignity, human rights and fundamental freedoms.

Throughout 2020, we collected federal and state regulations on Covid-19 in order to study them and assess their impact on human rights, attempting to contribute to the prevention or mitigation of negative effects. At a federal level, in addition to the absence of a focus on rights, which has already been confirmed, our research has revealed the existence of an institutional strategy that attempts to spread the virus, promoted by the Brazilian government and spearheaded by the Presidency of the Republic.

In the timeline we present below, three axes are exposed in chronological order:

1. federal normative acts, including the enacting of rules by federal authorities and bodies and presidential vetoes;
2. acts of obstruction to state and municipal government efforts to respond to the pandemic; and
3. propaganda against public health, herein defined as the political discourse that employs economic, ideological, and moral arguments, in addition to fake news and technical information without scientific verification, with the purpose of discrediting health authorities, weakening popular adherence to science-based recommendations, and to promote political activism against the public health measures required to contain the spread of Covid-19.

We must note that this is a non-exhaustive list. The events were selected from a collection from previous bulletins and from the database of the Direitos na Pandemia project, the case law of the Federal Supreme Court and the Federal Court of Accounts, in addition to official documents and speeches. Specifically with regard to the propaganda component, research was also carried out with descriptors on the Google platform to collect videos, posts, and news.
We hope this timeline will offer an overview of a process that we’ve been experiencing in a fragmented and often confusing fashion. The results dispel the persistent interpretation that the federal government is incompetent and negligent in terms of its management of the pandemic. On the contrary, the systematization of data, even if incomplete due to the lack of space for so many events, reveals the commitment and efficiency of the Federal Government’s work in favor of the extensive spread of the virus in Brazilian territory, with the stated goal of resuming economic activity as quickly as possible and at any cost.

As a result of the strategy that, according to the Federal Court of Accounts, represents the “political choice made by the heads of Government of prioritizing economic protection”, Brazil surpassed the figure of 200 thousand deaths in January 2021, many of which would’ve been preventable had there been a strategy to contain the disease. This constitutes an unprecedented violation of the right to life and the right to health for Brazilians without accountability for those in charge, even though institutions such as the Federal Supreme Court and the Federal Court of Accounts have pointed out, on numerous occasions, the lack of compliance with Brazilian legal order in the willful and conscious actions and omissions of federal officers.

Reiterating what has already been covered in previous editions of this bulletin, we must highlight the urgency of having an in-depth discussion regarding crimes against public health, crimes of responsibility and crimes against humanity during the Covid-19 pandemic in Brazil.

(Deisy Ventura and Rossana Reis, 01/15/2021)

Throughout the month, the Federal Government requests pulmonary ventilators in several federal units, creating intense judicialization. Among other cases, this included the attempt to seize more than 200 pulmonary ventilators purchased by the city of Recife (PE), with the Federal Regional Court of the 5th Region (TRF-5) determining that the Federal Government should refrain from requesting inputs. At the request of the State of Mato Grosso, the Supreme Federal Court (STF) established on 05/04 that respirators acquired by the States during the pandemic are public goods, which cannot be the object of administrative requests, except in the case of a state of defense or a siege.\(^1\)

Ministry of Health presents the National Contingency Plan for Human Infection by the novel Coronavirus (COVID-19) among Indigenous Peoples that does not provide concrete measures, a schedule or a definition of responsibilities, aside from not taking the participation of indigenous communities into account. In an injunction filed on 07/08, the Supreme Federal Court (STF) determines the adoption of measures such as the creation of a situation room, sanitary barriers, a plan to fight Covid-19, containment of invaders and accessibility to their own health treatment or special health for indigenous villagers and non-villagers, the latter in case there are no vacancies in the Unified Health System (SUS, Sistema Único de Saúde).\(^2\)

The President of the Republic travels to Florida (United States), considered a highly risky region. On the 10th, at an event in Miami, he states: “We obviously have a crisis right now, a small crisis. In my opinion, the coronavirus issue is mostly a fantasy, it is not all that the mainstream media is claiming throughout the world.”\(^3\)

The President calls for rallies and takes part in political demonstrations with major public gatherings, never wearing a mask, having physical contact with the protesters, disregarding quarantine orders upon his return. At least 25 people in his entourage were infected.\(^4\)

Back in Brazil, the President launched a campaign named “Brazil cannot stop” (“Brasil não pode parar”) (“Brazil cannot stop”), conveying the information that “all over the world, cases of fatal victims of the coronavirus among young people and adults are rare”, and suggesting that people disobey quarantine measures. “For us, employed workers, Brazil cannot stop. For street vendors, engineers, market salesmen, architects, bricklayers, salesmen, private teachers and service providers in general, Brazil cannot stop.”\(^4\)

This material was deleted after intense judicial litigation that reached the Supreme Court.\(^4\)

Official statement of the President of the Republic on national television: “Recent events throughout the world have shown that the population at risk (for Covid-19) is that of people over 60 and over. So, why should we close schools?”\(^5\) He also stated: “In my specific case, due to my background as an attorney, were I to be infected by the virus, I wouldn’t have to worry. I wouldn’t feel anything or, at most, I would feel like I caught a little flu or a little cold.”\(^6\)

**THE TIMELINE OF THE FEDERAL GOVERNMENT’S STRATEGY TO SPREAD COVID-19**

**MARCH**

**Epidemiological week 10, 19-25/3**

Accumulated cases - 19

Accumulated deaths - 0

**NORMATIVE ACTS**

<table>
<thead>
<tr>
<th>Date</th>
<th>Act Description</th>
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<tbody>
<tr>
<td>03/07</td>
<td>Interministerial Ordinance No. 120 restricts only Venezuelans from entering the country by road or by land. Only on 04/29 did the government restrict the entry of foreigners of any nationality by land through Interministerial Ordinance No. 204.</td>
</tr>
<tr>
<td>03/17</td>
<td>FUNAI (National Foundation for the Indigenous) Ordinance No. 419 allows regional offices to grant exceptional authorizations for essential activities to be carried out in isolated indigenous communities. Modified by Ordinance No. 435, issued on 03/20, after the Federal Prosecution Office (MPF) pointed out that contact actions without the legal and technical capacity to make decisions regarding isolated peoples can aggravate the Covid-19-exposure of communities that already present little or no immune response to the virus.</td>
</tr>
<tr>
<td>03/20</td>
<td>Enactment of Provisional Decrease (MP) No. 926, amending Law 13.979 in order to, among other measures, grant the President of the Republic with the jurisdiction to decide on public services and essential activities through Decrees, in an attempt to redistribute health police powers in favor of the Federal Government. On 03/24, the Federal Supreme Court (STF) grants an injunction(^6) ensuring that the MP may not dismiss concurrent jurisdiction or the sanctioning of normative and administrative actions by the states, the Federal District and Municipalities.</td>
</tr>
<tr>
<td>03/22</td>
<td>Collegiate Board Resolution – RDC No. 364, of March 23, 2020, decided that patients receiving drugs based on chloroquine and hydroxychloroquine through government programs would not require a special medical prescription.</td>
</tr>
<tr>
<td>03/23</td>
<td>Decree no. 10.292 includes religious activities of any kind and lottery offices among essential activities during the pandemic. A first instance court decision suspended its effects for a few days, but it was revived by the Federal Regional Court of the 2nd Region on 3/31.</td>
</tr>
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**RESPONSE OBSTRUCTION ACTS**

<table>
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<td>03/07</td>
<td>At the request of the State of Mato Grosso, the Supreme Federal Court (STF) established on 05/04 that respirators acquired by the States during the pandemic are public goods, which cannot be the object of administrative requests, except in the case of a state of defense or a siege.</td>
</tr>
<tr>
<td>03/15</td>
<td>The President said this to supporters in front of the Presidential Palace (Palácio do Alvorada).</td>
</tr>
<tr>
<td>03/16</td>
<td>“Soon, the people will know that they were deceived by the state governors and by a large part of the media on this coronavirus issue,” says the President in an interview with TV Record.</td>
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<tr>
<td>03/23</td>
<td>“Brazilians should be studied, they don’t catch anything. They can jump into sewers, just go and dive into them, and nothing happens to them.” The President said this to supporters in front of the Presidential Palace (Palácio do Alvorada).</td>
</tr>
</tbody>
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**PROPAGANDA**

The Federal Government Communication Office launches a campaign named “Brasil não pode parar” (“Brazil cannot stop”), conveying the information that “all over the world, cases of fatal victims of the coronavirus among young people and adults are rare”, and suggesting that people disobey quarantine measures. “For us, employed workers, Brazil cannot stop. For street vendors, engineers, market salesmen, architects, bricklayers, salesmen, private teachers and service providers in general, Brazil cannot stop.”\(^4\)

Official statement of the President of the Republic on national television: “Recent events throughout the world have shown that the population at risk (for Covid-19) is that of people over 60 and over. So, why should we close schools?”\(^5\) He also stated: “In my specific case, due to my background as an attorney, were I to be infected by the virus, I wouldn’t have to worry. I wouldn’t feel anything or, at most, I would feel like I caught a little flu or a little cold.”\(^6\)

“The virus is there. We’re going to have to face it, but face it like a man, damn it. Not like a kid. Let’s face the virus with reality. That’s life. We all die one day.” … the President said during a walk in Brasilia.\(^2\)
The TIMELINE OF THE FEDERAL GOVERNMENT’S STRATEGY TO SPREAD COVID-19

The Federal Council of the Brazilian Bar Association (OAB)28 makes a request for the STF so it may grant an injunction determining that the President should comply with the WHO protocol: on the adoption of social isolation measures; the compliance to the determinations of state governors and mayors related to “economic activities and public gathering rules”; non-interference in the technical work of the Ministry of Health; under the parameters of WHO recommendations; the immediate implementation of emergency benefits for unemployed, self-employed and informal workers, and the immediate inclusion in the Bolsa-Família program of families that are on the waiting list. On 04/08, the Supreme Court grants an injunction that recognizes and ensures the exercise of competing jurisdictions by States, the Federal District and Municipalities, each in the exercise of their attributions and within the scope of their respective territories, for the adoption or maintenance of legally permitted restrictive measures during the pandemic, regardless of the occurrence of an opposing federal act, without bias towards the general jurisdiction of the Federal Government of establishing restrictive measures throughout the national territory, if deemed necessary. However, the request that the Judiciary branch should replace the discretionary judgment of the Executive branch and determine that the President should carry out specific administrative measures, even though his acts and omissions are subject to jurisdicational control, especially regarding the respect and ensuring of fundamental rights, is considered untenable.

Law No. 13,982 institutes emergency aid in the amount of BRL 600.00 for citizens over the age of 18 who are not formally employed, but work informally, individual microentrepreneurs (MEI) or Social Security taxpayers, with monthly family income below half a minimum wage per capita or three minimum wages in total, who are also not a beneficiary of other social programs or recipients of unemployment insurance. The original initiative of the Ministry of Economy determined that only BRL 200.00 would be granted; the government did not manage to forward a proposal to Congress, which ended up adopting a draft bill that has been in the process of being passed since 2017.29 The implementation of the relief is slow, with pilfering failures and delays, in addition to generating long lines and people gatherings at bank offices.30 In December, a failure in the beneficiary selection mechanism caused an error – data from the Federal Comptroller General (CGU) and the Federal Court of Accounts (TCU) indicated the undue receipt of the relief by about 1.2 million Brazilians.31

The President posts a video on social media stating that there was a shortage of food and other essential products at the supply center (CEASA) in the city of Contagem, due to restrictions imposed by the Minas Gerais state government. He later claims that the information was false.32

The President fires the Minister of Health, Luiz Henrique Mandetta. The main reason for the dismissal is the dissent over the pandemic response strategy, particularly in relation to the early use of chloroquine. According to Mandetta, at the end of March, the President started to seek advice to oppose the Ministry of Health’s data and strategy. “Bolsonaro fansatics started attending the Planalto Palace. […] He wanted to be surrounded by people who would tell him what he wanted to hear. […] He never had any qualms with proposing chloroquine as a drug. His concern was always ‘we are going to prescribe this drug because, with that little box of chloroquine pills in hand, workers are going to start working again, they will become productive again.’ […] his project to fight the pandemic is to say that the government has the drug and those who take the drug will be fine. Whoever dies would’ve died anyway.”33

At a ministerial meeting, the contents of which were released on 05/22 upon request of the Supreme Court,34 the President and several ministers express anti-democratic positions, the absence of a pandemic response plan and exclusively electoral concerns. In a rare reference to the disease, the President asks the government to misrepresent information: “So let’s hide the relevant parties, the ministry in question, [you can] write down [that the individual died from] Covid 19, but you know the information that [they had] fibrosis, a bunch of stuff, I don’t understand these things. There was a bunch of diseases there, precisely in order to avoid scaring the population. Because when we look at it, we notice an army sergeant died, for instance. You would think he was in good health, right? A federal policeman, right? Whatever it is… And that cannot happen. So we are asking for this attention towards our colleagues, alright? Whoever needs to hear this, the ministry in question, which has someone in charge of this, right? Take the proper measures in order to avoid making the population scared.”35

The Minister of Foreign Affairs publishes an article entitled “The communavirus has arrived” on his blog, attacking the WHO and equating public health measures with communism: “Now, the politically correct is incorporating the sanctimoniously correct, many times more powerful. The sanitarily correct gets you, culls you, and threatens you: ‘If you say this or that, you will put all of society at risk, if you say the word freedom, you are a subconsciously that can lead your entire population to death – so respect the rules.’ Controlling language to kill the spirit is the essence of current communism, this communism that has suddenly found a treasure of oppression in the coronavirus.”36

The President posts on twitter: “I have been talking about the use of hydroxychloroquine in the treatment of covid-19 for 40 days. The use of chloroquine is increasingly found to be effective.”37

“I am not a groveligger”, he replies to journalists at Palácio do Alvorada when asked about the deaths caused by the pandemic.38

In an interview, the President comments on the fact that the death toll in Brazil has exceeded that of China “So what? Sorry about that, what do you want me to do? My last name may be Messias [Messiah], but I work no miracles.”39

“The virus issue is starting to fade away”, he states in a videoconference with religious leaders celebrating Easter.40

Accumulated deaths - 699

Epidemiological week 15, S-10/4
Accumulated cases - 20,818
Accumulated deaths - 699

04/01
The President posts a video on social media stating that there was a shortage of food and other essential products at the supply center (CEASA) in the city of Contagem, due to restrictions imposed by the Minas Gerais state government. He later claims that the information was false.

04/02
Law No. 13,982 institutes emergency aid in the amount of BRL 600.00 for citizens over the age of 18 who are not formally employed, but work informally, individual microentrepreneurs (MEI) or Social Security taxpayers, with monthly family income below half a minimum wage per capita or three minimum wages in total, who are also not a beneficiary of other social programs or recipients of unemployment insurance. The original initiative of the Ministry of Economy determined that only BRL 200.00 would be granted; the government did not manage to forward a proposal to Congress, which ended up adopting a draft bill that has been in the process of being passed since 2017. The implementation of the relief is slow, with pilfering failures and delays, in addition to generating long lines and people gatherings at bank offices. In December, a failure in the beneficiary selection mechanism caused an error – data from the Federal Comptroller General (CGU) and the Federal Court of Accounts (TCU) indicated the undue receipt of the relief by about 1.2 million Brazilians.

04/04
At a ministerial meeting, the contents of which were released on 05/22 upon request of the Supreme Court, the President and several ministers express anti-democratic positions, the absence of a pandemic response plan and exclusively electoral concerns. In a rare reference to the disease, the President asks the government to misrepresent information: “So let’s hide the relevant parties, the ministry in question, [you can] write down [that the individual died from] Covid 19, but you know the information that [they had] fibrosis, a bunch of stuff, I don’t understand these things. There was a bunch of diseases there, precisely in order to avoid scaring the population. Because when we look at it, we notice an army sergeant died, for instance. You would think he was in good health, right? A federal policeman, right? Whatever it is… And that cannot happen. So we are asking for this attention towards our colleagues, alright? Whoever needs to hear this, the ministry in question, which has someone in charge of this, right? Take the proper measures in order to avoid making the population scared.”

04/07
The President fires the Minister of Health, Luiz Henrique Mandetta. The main reason for the dismissal is the dissent over the pandemic response strategy, particularly in relation to the early use of chloroquine. According to Mandetta, at the end of March, the President started to seek advice to oppose the Ministry of Health’s data and strategy. “Bolsonaro fansatics started attending the Planalto Palace. […] He wanted to be surrounded by people who would tell him what he wanted to hear. […] He never had any qualms with proposing chloroquine as a drug. His concern was always ‘we are going to prescribe this drug because, with that little box of chloroquine pills in hand, workers are going to start working again, they will become productive again.’ […] his project to fight the pandemic is to say that the government has the drug and those who take the drug will be fine. Whoever dies would’ve died anyway.”

04/08
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04/10
“I am not a groveligger”, he replies to journalists at Palácio do Alvorada when asked about the deaths caused by the pandemic.

04/12
In an interview, the President comments on the fact that the death toll in Brazil has exceeded that of China “So what? Sorry about that, what do you want me to do? My last name may be Messias [Messiah], but I work no miracles.”

04/16
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04/20
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04/22
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04/28
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**THE TIMELINE OF THE FEDERAL GOVERNMENT’S STRATEGY TO SPREAD COVID-19**

**Epidemiological week 19, 3-9/5
Accumulated cases - 155,939
Accumulated deaths - 3,877**

- President issues Provisional Decree (MP) No. 956, exempting public officials from civil and administrative liability in cases of acts and omissions relevant to the pandemic; with this decree, only servants who act or omit themselves “with intent or gross error” can be held accountable. On 5/22, the Supreme Court²⁰ decided that the actions of public officials in relation to the Covid-19 pandemic must comply with technical and scientific criteria of medical and health entities; these actions should also observe the principle of self-containment in case of doubt regarding the effectiveness or benefit of the measures to be implemented. Congress does not approve the decree and its effective term ends on September 10, 2020.²²

- The National Health Council (CNS) publishes a manifesto entitled “Basta! Já!” demanding that the Ministry of Health makes an immediate transfer of funds destined to tackle the pandemic to States and Municipalities, demonstrating that the Ministry of Health had BRL 8.489 billion that had not yet been committed, from Provisional Decrees (MP) pertaining to extraordinary credit for pandemic response expenses, of which BRL 1.875 billion were meant to be transferred to the States, BRL 707 million to the municipalities and BRL 5.911 billion to be spent by the Ministry of Health itself. Such direct expenses (acquisition of inputs, respirators, ICU beds) had been extremely slow, and 70% of these funds were allegedly still available.²⁴

- Ministry of Health protocol recommends the use of chloroquine in all cases of Covid-19, including patients presenting mild symptoms, and patients are required to sign a Term of Awareness and Consent in which they take responsibility for the treatment.²⁵ On the same day, in an official note, the National Council of Health Secretaries indicates that the document had no technical participation and was not agreed upon by the federal entities (states), that it was not based on scientific evidence, and presented the following questions: "Why are we discussing Chloroquine and not the logistics of social distancing? Why are we debating Chloroquine instead of thinking of an integrated plan to expand the Ministry of Health’s capacity to respond and aid states that face emergency scenarios?"²⁶

- In an interview, the President states: "I’m sorry for the deaths, but that’s reality. We all are going to die here. There will be nobody left here. (...) And whoever dies in the middle of the field will be eaten by vultures. (...) Why should we bring terror to the people? Everybody is going to die. Those who are old and weak will have a hard time if they contract the virus. Those who have prior diseases and comorbidities will also have a hard time. These people should be isolated by their families, the State cannot watch over everyone", claims the President in a speech at the exit of the Palácio do Planalto²⁷.

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- In a live transmission on Labor Day, the President stated: “I will go to São Paulo if you want me to, you have to fight the state governor”. Bolsonaro also asked businessmen to advertise in media outlets that support him – repeating a request he had already made on other occasions²³. “With all due respect, you must put the governor to task and play hard. Play hard, because this isn’t a game. This isn’t a war²⁵.”

- In an interview with Blog do Mano, the President states: “Those that are right wing will drink Tubaína²⁹ [Tubaína is a traditional Brazilian soda]. Those that are left-wing will drink SUS [the Unified Health System] was²⁹.”

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- In an interview, the President states: “We can’t go on like this. We know that we should be concerned with the virus, especially for the elderly, for those who have diseases, for those who are weak, but (without) this talk of closing the economy. The economy has been shut down for 30 days now. How long will this last?²⁷”

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In a meeting with supporters, the President questions the data on the number of COVID-19 deaths: “This is happening everywhere, if you die of anything, they say it’s COVID.”

Asked about the delay in releasing the coronavirus death toll, the President replies: “There’s no more material for Jornal Nacional.” He also states: “Either the WHO will truly cease to be a political organization, or even partisan, one could say; or we will start to think about leaving it.”

On the same day, Carlos Wizard, appointed to be the new secretary of Science, Technology, and Strategic Inputs for the federal government, says that the number of COVID-19 deaths will be recounted “because the number we have today is either unrealistic or manipulated. (...) Many people were dying of other causes and public officials, purely out of interest in having a larger budget for their municipalities, in their states, marked all of the deaths as COVID deaths. We are revising these deaths.”

“The Supreme Court has decided that governors and mayors are responsible for this policy, which includes isolation measures. Now there is this huge wave of unemployment coming up. Both for informal labor and for the formally employed. Don’t try to pin this on me. The governors are going to have to solve this problem that is happening throughout Brazil,” states the President in front of the Palácio da Alvorada.

“The President addresses a supporter in front of the Palácio da Alvorada who asks about COVID-19 deaths. ‘Ask your governor about that. Get out of here’. (...) ‘Deaths are happening all over the world, it’s not just COVID. Now, to try and blame me... There is a lot of people dying of hunger, depression, suicide, this is a one-sided policy’.”

In a live broadcast on Facebook, the President encourages the invasion of field hospitals: “I might be wrong, but in all cases, or most cases, no one died because of a lack of respirators or ICU beds. There might have been a case or two. It would be good if you people at the end of the line, if there is a field hospital close to you, a public hospital, if you could find a way to get inside and film it. Many people are doing this, but more people have to do it to show whether the beds are filled or not, if the expenses are compatible with reality or not.” "There is a political gain, that’s the only explanation, [they are] taking advantage of the people who die to have a political gain and to blame the federal government.”

“The President addresses a supporter in front of the Palácio da Alvorada who asks about COVID-19 deaths. ‘Ask your governor about that. Get out of here’. (...) ‘Deaths are happening all over the world, it’s not just COVID. Now, to try and blame me... There is a lot of people dying of hunger, depression, suicide, this is a one-sided policy’.”

In a tweet by the President: “I remind our Nation that, by decision of the Supreme Court, actions to fight the pandemic (closing businesses and establishing quarantines, for instance) were under the full responsibility of the Governors and the Mayors.”

The TCU notifies the Office of the Presidential Staff (Casa Civil) about the absence of a clear and strategic guideline to fight COVID-19, with the respective risk management, as well as the absence of a coordinated and comprehensive communication plan, which could compromise the costs and results of efforts against the pandemic and prevent effective political coordination and articulation between federal and subnational bodies and entities. The TCU then provides multiple recommendations.
The Timeline of the Federal Government’s Strategy to Spread COVID-19

JULY

Epidemiological week 28, 5-11/7
Accumulated cases - 1.839.850
Accumulated deaths - 71.469

1. Through Message No. 374, the President vetoes 25 provisions of Law 14.019 of 07/02/2020 that establish the mandatory use of masks in business and industrial establishments, religious temples, schools, and other indoor spaces where people gather, under the justification that the provisions would result in a possible “home violation”. He also vetoed the imposition of a fine by the federated entities (states) in case the obligation to wear masks was not complied with, and to establishments authorized to operate during the Covid-19 pandemic to provide their employees with free personal protective masks, even handcrafted versions, without bias towards other personal protective equipment established by the occupational health and safety rules; they also suppress the obligation to post informative posters on how to correctly use masks and the maximum number of people allowed to remain within the establishment at any given time. It also vetoed the mandatory use of personal protection masks in prisons and socio-educational establishments for indigenous communities during the Covid-19 pandemic; among them: urgent access to six free and periodic services (drinking water, hygiene and cleaning materials, hospital and ICU beds, ventilators and blood oxygenation machines, information materials, hospital and ICU beds, ventilators and blood oxygenation machines, information materials about covid-19, and Internet in the villages); the Federal Government’s obligation to distribute food during the pandemic, in the form of food staples, seeds and agricultural tools; the extension of these measures provided in the emergency plan to quilombolas, artisanal fishermen and other traditional peoples; the specific emergency budget allocation to ensure health for indigenous peoples; the creation of a specific financing mechanism for state and municipal governments. On 08/19/2020, Congress overthrew the presidential veto, maintaining the provisions in the law.

2. Through Message No. 379, the President vetoes 14 provisions of Law no. 14.021 issued on 07/07/2020 that determines protection measures for indigenous communities during the Covid-19 pandemic; among them: urgent access to six free and periodic services (drinking water, hygiene and cleaning materials, hospital and ICU beds, ventilators and blood oxygenation machines, information materials about covid-19, and Internet in the villages); the Federal Government’s obligation to distribute food during the pandemic, in the form of food staples, seeds and agricultural tools; the extension of these measures provided in the emergency plan to quilombolas, artisanal fishermen and other traditional peoples; the specific emergency budget allocation to ensure health for indigenous peoples; the creation of a specific financing mechanism for state and municipal governments. On 08/19/2020, Congress overthrew the presidential veto, maintaining the provisions in the law.

3. When criticizing the militarization of the Ministry of Health in a live broadcast, Supreme Court Justice Gilmar Mendes defines the federal government’s response to the pandemic as genocide: “We can no longer tolerate this situation that is happening at the Ministry of Health... We must say this very clearly: the Army is associating itself with this genocide, it is not reasonable. We must put an end to this”. Until 08/05, there were already 25 military individuals appointed by the President, justified by the intention of establishing a ministry that follows the instructions of the President. In a press release, Gilmar added: “In a context like this, replacing technical experts with military personnel is no longer just an exceptional measure and exceeds institutional mission of the Armed Forces... once again challenge the decision of recruiting military personnel to design and execute a health policy that has not been shown to be effective in preventing the death of thousands of Brazilians.”

4. According to specialists, the need to ‘produce hope for afflicted hearts’ and a supposedly growing international demand were pointed out as justifications by the Army to pay 17% more for the main chloroquine input, according to a letter sent to the Federal Court of Accounts (TCU), which investigates a suspicion of overpricing in said negotiation. The letter was obtained via the Lei de Acesso à Informação (Information Transparency Act) and was disclosed in December. On the same date of the letter, Brazil had received a donation of 2 million doses from the United States.

5. When criticizing the militarization of the Ministry of Health in a live broadcast, Supreme Court Justice Gilmar Mendes defines the federal government’s response to the pandemic as genocide: “We can no longer tolerate this situation that is happening at the Ministry of Health... We must say this very clearly: the Army is associating itself with this genocide, it is not reasonable. We must put an end to this”. Until 08/05, there were already 25 military individuals appointed by the President, justified by the intention of establishing a ministry that follows the instructions of the President. In a press release, Gilmar added: “In a context like this, replacing technical experts with military personnel is no longer just an exceptional measure and exceeds institutional mission of the Armed Forces... once again challenge the decision of recruiting military personnel to design and execute a health policy that has not been shown to be effective in preventing the death of thousands of Brazilians.”

6. Gilmar defines the federal government’s response to the pandemic as genocide: “You’ll all catch it someday. What are you afraid of? Face it. I’m sorry about the deaths. People die every day for many reasons. That’s life.” The President publishes an Order in the Federal Official Gazette (DOU) that modifies Message no. 374 to make new vetoes to Law no. 14.019, which had already been enacted and published, despite the expiration of the period of 15 working days for his exercise of the right to veto on 07/02. The new vetoes remove the obligation of establishments operating during the pandemic to provide their employees with free personal protection masks, even handcrafted versions, without bias towards other personal protective equipment established by the occupational health and safety rules; they also suppress the obligation to post informative posters on how to correctly use masks and the maximum number of people allowed to remain within the establishment at any given time. It also vetoed the mandatory use of personal protection masks in prisons and in socio-educational establishments authorized to operate during the Covid-19 pandemic; among them: urgent access to six free and periodic services (drinking water, hygiene and cleaning materials, hospital and ICU beds, ventilators and blood oxygenation machines, information materials about covid-19, and Internet in the villages); the Federal Government’s obligation to distribute food during the pandemic, in the form of food staples, seeds and agricultural tools; the extension of these measures provided in the emergency plan to quilombolas, artisanal fishermen and other traditional peoples; the specific emergency budget allocation to ensure health for indigenous peoples; the creation of a specific financing mechanism for state and municipal governments. On 08/19/2020, Congress overthrew the presidential veto, maintaining the provisions in the law.

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Minister Pazzuelo states in an interview: “Someone comes up with the idea that you need to test someone in order to say it’s coronavirus. You don’t need to be tested, you need a medical diagnosis in order to say it’s coronavirus. And, if the doctorattaches it, treatment should begin immediately.”
At the Palácio do Planalto, in a ceremony broadcast on public access television, the President says: “Along with the means at our disposal, we can really say that we have done what was possible and what was impossible to save lives, unlike those who have insisted on remaining in the opposition, since 2018”.73

“In my understanding, all things considered, I did not see anyone in the world who faced this issue better than our government. This makes us proud. It shows that there are people trained and especially concerned with those most poor, the humble people”, declared the President.77

Federal government organizes an event named “Brasil Vencendo a Covid-19” (Brazil Beating Covid-19), and the President states in his speech: “If it [chloroquine] had not been turned into a political matter, many more lives could have been saved out of the 115 thousand the country has lost so far. (...) Some people change doctors, I changed ministers. [Nelson] Teich came in and stayed for 30 days, and then, in order to avoid further changes, I nominated an interim minister, Eduardo Pazuello. (...) Pazuello decided to change the orientation and included [the instruction] ‘in any situation, prescribe chloroquine’, so that doctors could have their freedom”. He stated that over ten ministers were treated with the drug and “none of them were hospitalized. So, it’s working”. He told reporters: “when one of you suckers get [covid-19], your chance of survival is much lower than mine”.78

Through Message No. 431, the President fully vetoes Draft Bill No. 1,826 which established the financial compensation to be paid by the Federal Government to health professionals and workers who, during the national public health emergency resulting from the spread of the new coronavirus, offered direct care to patients affected by Covid-19, or made home visits within a certain period of time, in the case of community health agents or endemic disease control workers, who became permanently incapacitated for work, or to be paid to their spouse or partner, dependents and legal heirs, in the event of death.

Analyzing the federal government’s spending profile in the fight against the pandemic, the Federal Court of Accounts (TCU) finds that out of the BRL 286.5 billion already paid up to 07/31/2020, only BRL 22.06 billion (7.67%), directly refer to efforts to tackle the disease. In turn, expenses related to economic protection measures, excluding aid to States, the Federal District, and Municipalities, correspond to 78.35% of the total, representing the ‘political option of the heads of Government to prioritize economic protection’. The TCU also determines that the Office of the Presidential Staff (Casa Civil) must present, within 15 days, the actions planned to allow for the immunization of the Brazilian population, or, in the event that there is no plan, that it must elaborate such plan within 60 days, in addition to formulating several recommendations.74

The Ministry of Health rejects a donation of at least 20,000 Covid-19 PCR test kits from LG International, two months after the offer.80

Pfizer presents a proposal to sell vaccines, with the possibility of initial delivery in 12/20. Such offer was ignored by the federal government”.76

The President states: “Regarding the vaccine, no one can force anyone to get a vaccine”.79

The President goes on multiple trips to different states, gathering crowds, often without wearing a mask and having physical contact with people, including children. At the opening of a public construction work in Pará, he declares: “I am a living proof that [chloroquine] worked. Many doctors advocate this treatment. We know that over 100 thousand people died in Brazil. If they had been treated back then with this drug, these lives [sic] could have been avoided”.75

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While the pandemic raged across Brazil, so did President Jair Bolsonaro’s controversial approach to fighting it, and his relentless promotion of unproven treatments like chloroquine. Bolsonaro, a staunch supporter of the drug, repeatedly claimed it was an effective treatment for COVID-19 despite numerous studies showing it was not. His government promoted chloroquine as a cure for the virus and even included it in the national vaccination plan. Despite the lack of evidence, Bolsonaro continued to insist on the drug’s efficacy, and his administration continued to promote it as a treatment for COVID-19. This led to widespread public confusion and concern, as well as criticism from health officials and experts. Bolsonaro’s dismissal of established medical guidelines and his promotion of unproven treatments was a major factor in the ongoing pandemic crisis in Brazil.
**SEPTEMBER**

Epidemiological week 37, 6-12/9

- Accumulated cases - 4,315,687
- Accumulated deaths - 131,210

- ANVISA Collegiate Board Resolution No. 420 further facilitates the prescription of ivermectin and nitazoxanide, eliminating the need for prescriptions to be retained at pharmacies upon purchase.

In a public gathering in Bahia, the President states: “We are pretty much ready to deal with the pandemic. The government did everything it could to minimize its negative effects, helping mayors and governors with their health-related needs. (...) [Brazil] was one of the countries that suffered the least with the pandemic”.

In his inauguration speech as Minister of Health, Pazuello states: “What we learned throughout the pandemic has shown that the sooner we treat patients, the better their chance of recovery. Early treatment saves lives. This is why we have been saying, day after day, ‘Don’t stay at home’, get a doctor’s clinical diagnosis. Get the early treatment”.

At the same event, the President advocates: “Today, studies have already shown that around 30% of deaths would have been prevented had hydroxychloroquine been administered early. This wasn’t something I decided on my own, I chose to do it if I were a player. With Ernesto Araújo, we spoke with ambassadors from around the world. Because in Africa, when the death toll was small, at that time, the American version of Anvisa, the FDA, studied this. If there weren’t minimal evidence, they wouldn’t study it. I believe we were bold”.

**OCTOBER**

Epidemiological week 41, 4-10/10

- Accumulated cases - 5,082,637
- Accumulated deaths - 150,198

The Ministry of Science and Technology and Innovations (MCTI) announced at an event that studies with the vermifuge nitazoxanide, known by the trade name Annita, managed to reduce the viral load in cases of Covid-19. Questioned as to whether there was no evidence or data were presented, the minister claimed secrecy because an article would have been sent to an international scientific journal that required novelty. Government presented an animation with a graphic purchased from the Shutterstock image bank, which had no connection with the study. In an interview with the radio program A Voz do Brasil, the minister stressed that a 95% inhibition of viral load was perceived.

The Ministry of Health states that the Covid-19 vaccine will be mandatory, even for those who do not want it. The President states that Covid-19 may be the result of bacteriological war between countries. “This exists, countries prepare for war, even with bombs. Then there’s nuclear bacteriological war. People mess with viruses in the laboratory, and that [the Covid-19 virus] might have escaped there”.

The President questions the need to race for a vaccine against Covid-19: “Everyone says that the vaccine that took the least time to work took four years to make. I don’t know why we should rush over this (...). Isn’t it cheaper, or easier, to invest in a cure than even in a vaccine or to choose something that’s already available?”

The President states that vaccines will not be anybody’s Guinea Pig. The Brazilian people will NOT BE ANYBODY’S GUINEA PIG. There is no justification for a billion-dollar financial investment on a drug that has not even passed its testing phase. In view of the above, my decision is to not purchase such vaccines”, he declared. Days later, the Minister of Health stated “one person orderings, the other obviates”.

The President refrains from authorizing the purchase of 46 million doses of Coronavac by the Ministry of Health, and posted an explanation on twitter: “João Doria’s Chinese vaccine. To my knowledge, any vaccine, before being made available to the population, must be SCIENTIFICALLY PROVEN BY THE MINISTRY OF HEALTH and CERTIFIED BY ANVISA. The Brazilian people will NOT BE ANYBODY’S GUINEA PIG. There is no justification for a billion-dollar financial investment on a drug that has not even passed its testing phase. In view of the above, my decision is to not purchase such vaccine”, he declared. Days later, the Minister of Health stated “one person orderings, the other obviates”.

In a public gathering in Bahia, the President states: “We entered 2020, and we had the pandemic problem, which, in my understanding, was exaggerated”.

“Today, studies have already shown that around 30% of deaths would have been prevented had hydroxychloroquine been administered early. This wasn’t something I decided on my own, I chose to do it if I were a player. With Ernesto Araújo, we spoke with ambassadors from around the world. Because in Africa, when the death toll was small, at that time, the American version of Anvisa, the FDA, studied this. If there weren’t minimal evidence, they wouldn’t study it. I believe we were bold.”

The President writes with a dog, on twitter, the President writes: “The only mandatory vaccine will be for Faísca right here”.

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To French visitors, in front of the Palácio da Alvorada, the President says: “I’m here, if you take chloroquine at the onset of symptoms, you have 100% cure”. Next to a photo posted with a dog, on twitter, the President writes: “The only mandatory vaccine will be for Faísca right here”.

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In an official ceremony, the President states: “Everything right now is pandemic this, pandemic that. Come on, this has to stop. I am sorry for the dead, I am. We’ll all die one day. There’s no use trying to escape it, to escape reality. We can no longer be a country of sissies, come on”.

On Facebook, the President celebrates suspension of tests for the Coronavac vaccine: “Death, disability, anomaly. This is the vaccine that Doria wanted to force all Paulistanos to take. The President has said the vaccine could never be mandatory. Another win for Jair Bolsonaro”.

On a Youtube video, the President claimed: “This second wave thing, is it true or not? Or is it supposed to sink the economy for good? (...) I take the opportunity... municipal elections… people don’t care so much about mayors and city councillors, but it’s important to worry and vote well. The mayor has shut everything down, if you think he did it right, reelect him. Otherwise, change your vote. (...) The tourism branch has failed, right? Who said to shut it all down and stay home? It wasn’t me, right? To make it clear, the destruction of employment in Brazil, who did that?”

In an event with rural workers who continued to work throughout the pandemic, he says: “Congratulations to those of you who didn’t soften in the hour of anguish, as the biblical passage says”.

Through the message No. 654, the President nominates the lieutenant-colonel Jorge Luiz Kormann, currently the Ministry of Health’s deputy executive secretary, for the job of Director of the Brazilian Health Regulatory Agency - ANVISA. Devoid of the technical know-how that was required for the position, considered an advocate for the “early treatment” for Covid-19, and also critical of the Coronavac, he has been kept hospitalized due to contracting Covid-19 up until the moment this bulletin was finalized.

The Estadão newspaper report informs that a total of 6.86 million tests for the diagnosis of the novel coronavirus purchased by Ministry of Health would expire between December 2020 and January 2021. The RT-PCR tests were stored in a federal government warehouse. The Unified Health System (SUS) had applied five million tests so far. Altogether, the Ministry of Health invested BRL 764.5 million in tests and the equipment that would expire cost BRL 290 million. Contrary to its consolidated practice, ANVISA authorized an exceptional extension of the tests’ validity.

“The issue with masks [is that] one day there will still be a serious study on the effectiveness of masks... that is the last taboo left to be broken”, declares the President in a live broadcast.

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Accumulated cases - 6,880,127
Accumulated deaths - 181,123

The TCU concludes that the orientation campaign, carried out in March 2020, broadcast on radio and TV networks, entertainment websites and applications, cost BRL 800,000.00 spent only on the preparation of the material, paid to the chosen advertising agency. The dissemination of this material occurred on a voluntary basis by media outlets that were interested in the content and joined the cause of facing the Covid-19 pandemic. In turn, the other five campaigns to advertise government actions to fight the pandemic and mitigate the social and economic impacts caused by social isolation cost a hundred times more: BRL 82,800,000.00.

Eleven former Ministers of Health from different political parties published an article denouncing the “daft and inefficient conduct of the Ministry of Health in relation to the Brazilian strategy of vaccinating the population against Covid-19”.

Ordinance of the Ministry of Education No. 1,030 determines the return to classes to 03/01/2021. On 12/07, this was altered by Ordinance no. 1,038, which transfers the resumption of in-person classes to 03/02/2021.

The Ministry of Health presents the National Vaccination Operationalization Plan. On 12/17, a Supreme Court injunction ensures that (i) in the event of non-compliance with the Federal Government plan, or in the event that they do not provide timely and sufficient immunological coverage against the disease, the States, Federal District and Municipalities will be able to dispense to their respective populations the vaccines that have been previously approved by Anvisa, or (ii) if this government agency does not issue the competent authorization, within 72 hours, they may import and distribute vaccines registered by at least one of the foreign health authorities, or any others that may be approved for emergency use.

In an interview, the President states: “In the middle of this package deal, it says the company is not responsible for any side effects. This makes a yellow light turn on. We start asking people: are you going to get this vaccine?”

On the same day, the Minister of Health says about vaccination: “Why all the anxiety and angst?”

“...We are living through the tail end of the pandemic. (...) We haven’t heard of our brothers in Africa, south of the Sahara Desert, facing a large number of Covid deaths, and they weren’t? Unfortunately, they are often treated for malaria over there. So a person would arrive with malaria and Covid-19, be treated with hydroxychloroquine and get better. Does it take that much intelligence to understand that hydroxychloroquine works for both things? That’s just obvious”, the President claims in Porto Alegre at the inauguration of yet another public construction work.

“We are not responsible for any side effects...". Pfizer is very clear in its contract: ‘We are not responsible for any side effects’..." The President declares: “The Pfizer contract states very clearly that ‘we (Pfizer) are not responsible for any side effects’... They will inoculate you with a knife, they will inoculate you with a sword, you won’t be able to get a passport, a driver’s license, you can be put under house arrest, think about how great that would be”, says the PR on a live broadcast.

In a new stage of litigation that took place over the year. Justice Luís Roberto Barroso (STF) denied the approval of the third version of the General Plan to Combat Covid-19 for Indigenous Peoples presented by the government and determined that a new document should be presented by 01/08/2021. According to the Supreme Court Justice, the new version of the plan presented by the federal government is still generic, which prevents an assessment on its sufficiency and feasibility or the monitoring of its implementation: “I am impressed that in nearly 10 months into the pandemic, the Federal Government has not done the bare minimum: offering a plan with its essential elements, which is a situation that continues to put the lives and health of indigenous peoples at risk.”

Through the Information Transparency Act (LAI), it is discovered that the Ministry of Health donated thousands of masks and other personal protective equipment to the Federal District that were considered unsuitable for use by health professionals. According to data from the Department of Health of the Federal District, 344,000 NIV45 masks, 108,700 PFF2 masks, 5,700 long sleeve aprons and 1,400 aprons of other types were considered inappropriate.

“...The pandemic is truly coming to an end. We have a small upward bump now, which is a small spike that can happen, but the rush for the vaccine must be now, which is a small spike that can happen, but the rush for the vaccine is not justified... They will inoculate you with a knife, they will inoculate you with a sword, you won’t be able to get a passport, a driver’s license, you can be put under house arrest, think about how great that would be”, says the PR on a live broadcast.

What did the Supreme Court decide? If you do not want to be vaccinated, U, the President of the Republic, the governors or mayors can impose restrictive measures on you. You won’t be able to get a passport, a driver’s license, you can be put under house arrest, think about how great that would be”, says the PR on a live broadcast.
The Ministry of Health releases an app named TeteCV to "assist health professionals in recording symptoms and signs from patients in order to improve and expedite Covid-19 diagnoses" and chooses Manaus for its "premise." After doctors meet the patient’s symptoms and comorbidities, the platform suggests the prescription of drugs such as hydroxychloroquine, chloroquine, ivermectin, azithromycin, and doxycycline.

In a letter sent to the Manaus City Hall, the Ministry of Health insists on the use of drugs such as chloroquine and ivermectin: "We take the opportunity to highlight that the scientific evidence on the role of antiviral medications supported by the Ministry of Health, which makes it so that the lack of adherence to said guidance, in view of the severity of the health situation in Manaus, is unacceptable." Through the message No. 6, the President vetoed part of the Complementary Law No. 177 (12/20), which had been approved by vast majority in the Senate (71 x 1 votes) and in the Chamber of Deputies (385 x 18 votes). According to the FAESP Agency, presidential vetoes subtracted BRL 5.1 billions in science investments, technology investments, and innovations this year, preventing Brazil from developing, among other things, a vaccine for the Covid-19, despite having sufficient infrastructure and human resources to do so. The academic and corporate communities mobilized in order to overturn the veto.

The Supreme Court grants an injunction ordering the Federal Government to "immediately promote all actions within its power to end the very serious health crisis in Manaus, capital of Amazonas, in particular supplying local health establishments with oxygen and other medical and hospital supplies so that they may provide prompt and adequate care to their patients, without bias towards the performance of state and municipal authorities within the scope of their respective jurisdiction." Present to the Supreme Court, within 48 hours, a comprehensive and detailed plan about the strategies it is putting into practice or intends to develop to deal with the emergency situation, describing the corresponding actions, programs, projects, and partnerships, with the identification of the respective schedules and financial resources; and update the plan in question a every 48 hours for as long as the exceptional situation continues.

In a live broadcast, alongside the Minister of Health, the President states: "Until a few months ago, Brazil was first in the ranking of millions of inhabitants. Now it’s at the twentieth place. Why? Because we have early treatment. There is no other explanation." The Minister of Health, on the same occasion, declared: "Manaus did not act effectively in providing early treatment with clinical diagnosis in primary care. This greatly impacted the severity of the disease." After failing to acquire syringes and needles for vaccination, the Ministry of Health makes an administrative request for the stocks of national manufacturers. At least seven states had already purchased inputs and would be passed over. Two days later, the government approved the import tax on syringes and needles, and the President announced on social media he had suspended the purchase of syringes until prices "went back to normal." On the 8th, the Supreme Court granted an injunction to prevent the Federal Government from requesting supplies purchased by the State of São Paulo, especially needles and syringes, if the payments had already been made, for the execution of the state immunization plan against Covid-19.

In a letter sent to the Minister of Health at an event in Manaus: "When I came home yesterday, my sister-in-law was there. The brother had no oxygen even for the day. Oh, I think it will arrive tomorrow. What are you going to do about it? Nothing. You and everyone else will wait for the oxygen to arrive and be distributed." Prime Minister Arsesia Neves, deputy of the Latin American Left party, sent a letter to the Prime Minister of India requesting urgency in sending in bags of oxygen, but India would have canceled the commitment due to Brazil’s - and the impact of the news it would make to send vaccines to another country as it had not started the main immunization of its own population.

On the 8th, the Ministry of Health announces that the FDA has given emergency use authorization to the Oxford-AstraZeneca vaccine in Brazil. Many countries have already purchased this vaccine, some of which have not been delivered yet. The government of the United States has purchased 300 million doses of this vaccine, and the United Kingdom has purchased 90 million doses. The US government has already paid $1.1 billion for these doses. Brazil, for its part, purchased 50 million doses of the vaccine for $1.5 billion. In a live broadcast, the Minister of Health announces that the government, in view of the severity of the health situation in Manaus, is putting into practice or intends to develop to deal with the emergency situation, describing the corresponding actions, programs, projects, and partnerships, with the identification of the respective schedules and financial resources; and update the plan in question a every 48 hours for as long as the exceptional situation continues.

On the 8th, the President talks about hydroxychloroquine and ivermectin: "If a doctor does not prescribe early treatment, go see another doctor. There are no side effects. If you wait until you feel short of breath and go to the hospital to be intubated, about 70% of people in this situation die. Let’s be careful now." On the same day, the Prime Minister explains the new collapse in Manaus: "Our people do not have the imposed discipline. Brazilians don’t respond to that so much. So, you have to know how to deal with these characteristics and try to inform the population so that they may protect themselves. (…) That’s a problem for the state government, city hall… They are the ones on the ground and should have taken the necessary measures at the right time. (…) It is not a matter of lockdown. It is a matter of communicating to the population that they have to maintain certain rules so as not to be contaminated at a such a speed that the health system cannot contain it."
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In actions filed by the parties Rede Substantalidade (ADIS 6421), Cidadania (ADIS 6422); Partido Socialismo e Liberdade (ADIS 6424), Partido Comunista do Brasil (ADIS 6425), the Brazilian Peasants Association (ADIS 6427), by Partido Democratico Trabalhista (ADIS 6430) and Partido Verde (ADIS 6434).


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