

With Jair Bolsonaro on Trial, Brazil Braces for U.S. Sanctions

While the Supreme Court weighs the fate of the former president on charges of plotting a coup, Brazil's government is preparing for more penalties.



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Reporting from Brasília

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As Brazil's Supreme Court decides the legal fate of Jair Bolsonaro, the former president accused of plotting a coup, the nation is bracing for greater backlash from a powerful supporter of the right-wing populist: President Trump.

Brazil's top court began weighing the case this week against Mr. Bolsonaro, who is accused of overseeing a vast plot to cling onto power after losing the 2022 election. Faced with a trove of prosecutorial evidence, analysts say that Mr. Bolsonaro is likely to be convicted in a trial expected to finish next week.

Brazilian authorities are now bracing for what they believe is a realistic possibility: further sanctions by Mr. Trump targeting members of Brazil's highest court or the nation's financial institutions, according to two Brazilian government officials who spoke anonymously to discuss a sensitive issue.

Mr. Trump has called the charges against Mr. Bolsonaro, a political ally, a “witch hunt” and has been trying to bully Brazil into dropping them, imposing tariffs of 50 percent on the nation and targeting the Supreme Court justice overseeing the case with some of the harshest sanctions the United States can apply.



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As a result, Brazil is preparing for punitive measures to be expanded in response to Mr. Bolsonaro's prosecution, the government officials said. In anticipation of such an outcome, Brazil's attorney general last week hired a Washington-based law firm to "defend" the country against American sanctions and represent its interest in the United States.

The law firm, Arnold & Porter Kaye Scholer, did not immediately respond to a request for comment.

In an interview on Friday, Brazil's finance minister, Fernando Haddad, downplayed the risk of further U.S. sanctions. He said the government's focus was on protecting Brazil from the measures Mr. Trump had already imposed, which he called an "unjustifiable aggression" on the nation's sovereignty.

If Brazil faced further sanctions from the United States, he said, it was prepared to defend itself, though he declined to explain how.

So far, Brazil has not retaliated against the United States, but one of the government officials said the government had fast-tracked legislation allowing it to hit back if needed.

The other government official said Brazil was weighing a legal challenge in the United States over its use of a law known as the Global Magnitsky Act to apply sanctions against Justice Alexandre de Moraes, who is overseeing Mr. Bolsonaro's trial. Mr. Trump has accused him of persecuting the former Brazilian president and silencing conservative voices online.

The sanctions, which are typically imposed on individuals accused of grave human rights abuses, prohibit many financial institutions with operations or links to the United States from carrying out transactions with Justice Moraes.



Alexandre de Moraes, a Supreme Court justice, is overseeing Mr. Bolsonaro's trial in Brazil. President Trump has accused Justice Moraes of persecuting Mr. Bolsonaro and silencing conservative voices online.

Brazil believes the measures against Justice Moraes are unjustified.

Another Supreme Court justice ruled last month that any measures applied by other countries could not effectively be enforced in Brazil without the court's approval, a decision widely seen as seeking to shield Justice Moraes, and perhaps other justices, from severe sanctions.

But there are signs that the United States is still intent on pushing sanctions.

On Tuesday, as Mr. Bolsonaro's trial started, the U.S. Treasury Department sent letters to five major banks with operations in Brazil, asking them how they were complying with the sanctions against Justice Moraes, according to a U.S. government official who sought anonymity to talk about confidential correspondence.

A spokeswoman for the Treasury declined to comment, but said that the agency routinely "engages with financial institutions, including to clarify compliance expectations."

Natalia Gindler Corsini, the founder of Prae Venire, a corporate compliance consulting firm, said the sanctions posed a difficult problem for financial institutions in Brazil: Not complying with the U.S. sanctions could result in hefty fines, while complying could violate Brazilian law.

"It creates a kind of trap for companies," Ms. Corsini said.

One of Mr. Bolsonaro's sons, Eduardo, has been living in the United States for months and aggressively lobbying the White House to intervene in his father's case.

In an interview with The New York Times on Friday, Eduardo Bolsonaro said he had spent much of the week in Washington in meetings, including with officials from the State Department. He also said he visited the White House, but declined to say who he met with.

During the meetings, he said, he had pushed for “secondary sanctions” against judges who voted with Justice Moraes in his father’s case, but stressed it was not clear what, if any, measures the White House might take. “He’s Trump. He’s unpredictable,” he said. “So there are several possibilities on his table. Which one will he prefer to use? We don’t know.”

When asked about the possibility of sanctions against him or other colleagues, Justice Gilmar Mendes, the Brazilian Supreme Court’s longest-serving justice, said the judiciary would not be intimidated.

“If this is the price we pay for doing our job well, it’s regrettable,” he said in an interview. “But life goes on. I try not to think about it.”

Jack Nicas contributed reporting and Janaina Camelo contributed research.

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