



# Instrumentos Internacionales de Derechos Humanos

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## Documento básico común que forma parte integrante de los informes de los Estados partes

### Brasil\*

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## I. General information about the State

### A. Demographic, economic, social, and cultural characteristics

#### i. Demographic characteristics

1. Brazil is divided into five major Regions (North, Northeast, Midwest, Southeast, and South) with very diverse demographic, climatic, cultural, and social characteristics.

2. According to the latest National Census, carried out in 2010, Brazil had a population of 190,755,799 people. The series of Brazilian censuses attest to consecutive increases in population, which has grown almost 20 times since the first census carried out in the country, in 1872. Compared to the results of the 2000 census, the Brazilian population grew 12.3%, an average annual growth of 1.17%, the lowest rate observed in the series under examination.

Table 1

#### Resident population and geometric average annual growth rate. Brazil, 1980 to 2010.

	1980	1991	2000	2010
<b>Total population</b>	119,002,706	146,825,475	169,799,170	190,755,799
<b>Average annual growth rate</b>	2.48*	1.93	1.64	1.17

Source: Brazilian Institute of Geography and Statistics (IBGE), 1980/2010 Demographic Census.

\* In comparison with the total population reported in 1970, which was of 93,139,037.

3. According to data of the Brazilian Institute of Geography and Statistics – IBGE, in August 2017, the Brazilian population was estimated at 207,660,929 million.

4. The 2010 Census confirmed a trend for reduction in the absolute number of births in the country. The total fertility rate has decreased from 2.38 children/women, in 2000, to 1.95, in 2010. Additionally, women giving birth have become, on average older, with a reduction from 23.5% to 19.3% of mothers who are less than 20 years old, and an increase of those who are 30 years old or more (from 22.5% to 27.9%), from 2000 to 2010.

5. The gross birth rate, on its turn, during the period from 2000 to 2015, had a descending trend, decreasing from 20.3 to 14.2.

Table 2

#### Gross Birth Rate (for each 1,000 inhabitants). Brazil, regions, and Federative Units (UF), 2000 to 2015

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>Brazil</b>	20.3	19.5	18.7	18.2	17.9	17.5	17	16.6	16.3	16	15.8
<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>							
15.5	15.1	14.8	14.5	14.2							

Source: General Coordination Office for Epidemiological Information and Analyses of the Health Surveillance Secretariat of the Ministry of Health (CGIAE/SVS/MS), *Busca Ativa* and IBGE's *Brasil em Síntese* website.

\* Numbers estimated for 2011.

6. The gross mortality rate, on its turn, showed a decrease from 2000 to 2006, maintaining its level until 2015, as shown below.

Table 3

#### Gross General Mortality Rate (for each 1,000 inhabitants). Brazil, regions, and UF, 2000 to 2015

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
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	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
<b>Brazil</b>	6.7	6.6	6.4	6.4	6.3	6.2	6.1	6.1	6.1	6.1	6.0
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>						
	6.0	6.0	6.0	6.1	6.1						

Source: IBGE, 2013 Brazilian Population Projection, and *Brasil em Síntese*.

7. With respect to the distribution of Brazilian population by domicile, over the last 60 years, the country has been through an extreme process of urbanization. As of 2000, the number of urban inhabitants increased by almost 23 million. In 2010, 84% of the Brazilian population lived in urban settlements.

Table 4

**Composition of the total population in demographic censuses. Brazil, 1980 to 2010**

	1980		1991		2000		2010	
	Total	%	Total	%	Total	%	Total	%
<b>Brazil</b>	121,150,573		146,917,459		169,590,693		190,755,799	
<b>Urban</b>	82,013,375	68%	110,875,826	75%	137,755,550	81%	160,925,792	84%
<b>Rural</b>	39,137,198	32%	36,041,633	25%	31,835,143	19%	29,830,007	16%

Source: IBGE, 2010 Demographic Census.

8. Regarding the demographic density, the following evolution was observed throughout the national censuses.

Table 5

**Demographic Density in Demographic Censuses. Brazil, 1960 to 2010**

	1960	1970	1980	1991	2000	2010
<b>Brazil</b>	8.34	11.10	14.23	17.26	19.92	22.43

Source: IBGE, 1960, 1970, 1980, 1991, 2000 and 2010 Demographic Censuses.

9. In regard to the Brazilian population ratio according to sex, the 2010 Census demonstrated that there are 96 men for every 100 women, resulting in an excess of 3,941,819 women in comparison with total number of men. This ratio was observed in all regions of the country, except for the North Region, where the male population is bigger than the female population.

Table 6

**Composition of the total resident population, by sex. Brazil, 1991 to 2010**

	1991		2000		2010	
	Total	%	Total	%	Total	%
<b>Men</b>	72,485,122	49.37 %	83,576,015	49.22 %	93,406,990	48.97 %
<b>Women</b>	74,340,353	50.63 %	86,223,155	50.78 %	97,348,809	51.03 %

Source: IBGE, 2010 Demographic Census.

10. Regarding the population structure by sex and age groups, as of 2010, the proportion of younger age groups up to the age of 25 is lower in the total population than in 2000. The percentages for other age groups increased in the last decade. Accordingly, the absolute growth of the Brazilian population, between 2000 and 2010, was mainly due to the growth in the adult population, with emphasis to the increase in the percentage of elderly population.

Table 7  
**Composition of the total resident population, by sex and age group. Brazil, 1991 to 2010**

	1991	2000	2010	1991	2000	2010
	Age group		Total	Percentage		
<b>Men</b>	10 to 19 years					10.70
	old	16,092,194	17,811,833	17,284,703	14.30	13.00
	20 to 29 years					10.60
	old	12,890,684	14,862,766	17,086,455	11.40	10.90
	30 to 39 years					9.00
	old	9,995,546	12,320,626	14,485,258	8.86	8.94
	40 to 49 years					6.81
	old	6,839,786	9,328,845	12,012,693	6.06	7.41
	50 to 59 years					4.38
	old	4,534,941	5,999,884	8,738,383	4.02	5.40
	60 to 69 years					2.77
	old	3,014,225	3,787,425	5,257,992	2.67	3.25
	70 years old					
	or more	1,879,763	2,740,205	3,892,197	1.67	2.00
<b>Women</b>	10 to 19 years		17,491,139	16,869,220	14.20	12.80
	old	15,969,905				
	20 to 24 years		8,094,476	8,613,199	6.06	5.91
	old	6,838,280				
	25 to 29 years	6,458,451	7,033,192	8,644,127	5.72	5.14
	old					
	30 to 39 years	10,526,994	12,969,295	15,147,549	9.32	9.48
	old					
	40 to 49 years	7,157,396	9,944,567	12,830,450	6.35	7.26
	old					
	50 to 59 years	4,879,560	6,514,747	9,680,371	4.33	4.76
	old					
	60 to 69 years	3,397,427	4,404,173	6,098,083	3.01	3.22
	old					
	70 years old					
	or more	2,384,426	3,607,185	5,340,618	2.12	2.63
						3.3

Source: IBGE, 2010 Demographic Census.

11. According to data from 2015, the total dependency ratio is currently 54.7. Significant growth is expected for the next decades regarding the proportion of persons aged 60 years or more. As of 2010, the Brazilian indicator begins to approach the numbers projected for developed countries. In 2015, the estimated proportion was 11.7%, with projections of increase in the indicator to 23.5% until 2039.

Table 8  
**Youth, elderly and total dependency ratio and aging rate. Brazil, 2015.**

	Dependency ratio			Proportion of persons aged 60 or over
	Youth	Elderly	Total	
Brazil	32.5	22.2	54.7	11.7

Source: IBGE, 2015 National Household Sample Survey (PNAD).

12. Regarding the distribution of the Brazilian population by color or race, most of population is composed of brown (*pardos*) and blacks. There is a great variation of this composition throughout the different regions of the country.

**Table 9**  
**Resident population by color or race. Brazil, 1991 to 2010**

Color or race	1991		2000		2010	
	Total	%	Total	%	Total	%
<b>Total</b>	<b>146,815,815</b>	<b>100</b>	<b>169,872,856</b>	<b>100</b>	<b>190,755,799</b>	<b>100</b>
White	75,704,922	51.56	91,298,042	53.74	90,621,281	47.51
Black	7,335,130	5	10,554,336	6.21	14,351,162	7.52
Yellow	630,658	0.43	761,583	0.45	2,105,353	1.1
<i>Pardos</i>	62,316,085	42.45	65,318,092	38.45	82,820,452	43.42
Indigenous	294,148	0.2	734,127	0.43	821,501	0.43
Undeclared	534,872	0.36	1,206,675	0.71	36,051	0.02

Source: IBGE, 2010 Demographic Census.

13. Regarding the indigenous population, the 2010 Census was the first to investigate the number of indigenous ethnicities, finding a total of 305 ethnicities. The *tikuna* community is the biggest in Brazil, representing 6.8% of the indigenous population in the country.

14. The 2010 Census also indicated that the Brazilian households are composed of an average of 3.3 residents, which is lower than the 2000 average, of 3.8. With respect to the composition of the family arrangements based on the reference person by sex, on its turn, there was an increase in the proportion of women heading family units from 2004 to 2014. For units formed by couples with children, the proportion of women heads of family went from 3.6% to 15.1%; for units formed by couples without children, it went from 3.4% to 10.9%. In the single-parent families, women have always been a majority.

**Table 10**  
**Percentage distribution of the family arrangements with children residing in private residences, by type of arrangement and sex of the reference person. Brazil, 2004 to 2014**

	Couples with no children		Couples with children		Single parents with children	
	Man	Woman	Man	Woman	Man	Woman
2004	48.0	3.4	67.7	3.6	3.1	25.6
2014	40.4	10.9	54.9	15.1	3.4	26.6

Source: IBGE, 2005 and 2015 National Household Sample Survey (PNAD).

## ii. Economic characteristics

15. Brazil has experienced, in the last decades, an important process of growth and consolidation of its economy. After a period characterized by high inflation rates in the '80s and in the early '90s, the country implemented the *Plano Real*, in 1994, which established a new monetary standard.

16. This process of economic growth and stabilization starts to form solid bases over the 2000s, when the country increased the volume of its international reserves and adopted measures of financial and political stability and transparency.

17. The success of the macroeconomic measures adopted enabled the country to become, over the last few years, one of the strongest economies in the world; reaching the sixth position in the worldwide ranking in 2011. In 2017, the International Monetary Fund

– IMF expected that Brazil would once again have the eighth highest Gross Domestic Product (GDP) in the world.

18. In 2016, the service sector was responsible for the 73.3% the Brazilian GDP, followed by the industrial sector, which was responsible for 21.2%, while the agricultural sector represented 5.5%. In the services sector, commerce and public administration, health, and education represented, respectively, 12.5% and 17.5%, only lower than the miscellaneous services category.

19. In the agricultural sector, the main products exported by the country are: soybeans, meat, forest products, coffee, ethanol, and sugar. The industrial sector, on its turn, is based on the manufacture of textile products, footwear, chemicals, cement, timber, iron ore, tin, steel, aircraft, vehicles and auto parts, among other machinery and equipment. The service sector is mostly focused on transportation services, information services, financial and insurance brokerage, real estate and rental services, and public administration.

### Macroeconomic indicators

20. The table below shows the evolution of the main Brazilian economic indicators from 2000 to 2015.

Table 11  
Macroeconomic Indicators. Brazil, 2000 to 2015

Year	Real Variation	Gross National Product Income (GNI)*	Exchange rate GDP (US\$)	Per capita GDP	Global GDP growth	GDP growth in Latin America
<b>Nominal at 2015 prices</b>						
	(R\$ millions)	(in R\$ millions)	Average (US\$)	US\$ thousands (at current prices)	(%)	(% at current prices)
	%		US\$			
<b>2000</b>	4.4	3,916,915	1,146,893	1.83 655,707	3.780 4.39	4.1
<b>2001</b>	1.4	3,971,356	1,256,632	2.35 559,563	3.181 1.966	0.7
<b>2002</b>	3.1	4,092,620	1,425,886	2.92 508,101	2.850 2.163	0.6
<b>2003</b>	1.1	4,139,310	1,644,806	3.07 559,465	3.097 2.881	1.9
<b>2004</b>	5.8	4,377,733	1,883,017	2.92 669,340	3.659 4.449	6.0
<b>2005</b>	3.2	4,517,914	2,085,653	2.43 892,033	4.818 3.848	4.5
<b>2006</b>	4.0	4,696,913	2,310,899	2.17 1,107,131	5.910 4.338	5.4
<b>2007</b>	6.1	4,982,009	2,606,535	1.94 1,396,797	7.373 4.26	5.7
<b>2008</b>	5.1	5,235,803	2,960,429	1.83 1,693,147	8.841 1.829	4.0
<b>2009</b>	-0.1	5,229,215	3,175,327	1.99 1,672,625	8.643 -1.704	-1.2
<b>2010</b>	7.5	5,622,882	3,822,332	1.76 2,209,751	11.304 4.327	6.3
<b>2011</b>	3.9	5,842,693	4,300,773	1.67 2,612,855	13.237 3.117	4.7
<b>2012</b>	1.9	5,954,755	4,649,425	1.95 2,459,022	12.342 2.413	2.9
<b>2013</b>	3.0	6,134,207	5,079,831	2.34 2,461,436	12.243 2.535	2.9
<b>2014</b>	0.1	6,140,597	5,434,786	2.66 2,415,916	11.914 2.727	1.1
<b>2015</b>	-3.8	5,904,331	6,001,000	3.90 1,768,770	8.651 2.717	-

Sources: IBGE and the Ministry of Economy.

\* Data from 2010 to 2015, based on preliminary data of the Brazilian Quarterly National Accounts.

21. Inflation oscillated over the last decade, as can be observed in the data for the Extended National Consumer Price Index (IPCA), which measures the variation of the cost of living for families with a monthly income between 1 and 40 monthly minimum wages.

Table 12  
**Accrued variation (%) of the IPCA Index. Brazil, 2000 to 2016**

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Real number
<b>General Index</b>	5.69	3.14	4.46	5.90	4.31	5.91	6.50	5.84	5.91	6.41	10.67	6.29	463.22

Sources: IBGE, Consumer Price Index National System.

22. The food and beverage industry was responsible for putting pressure on the IPCA, followed by housing and transportation expenses.

Table 13  
**Accrued IPCA Index in 2016 and average weight of the groups of products and services in the composition of the IPCA. Brazil, 2016**

Group	2016 Accrued IPCA	
		2016 Average IPCA
Food and beverages	8.62%	25.83
Housing	2.85%	15.37
Household goods	3.41%	4.18
Clothing	3.55%	5.96
Transportation	4.22%	17.95
Health and personal care	11.04%	11.62
Personal expenses	8.00%	10.73
Education	8.86%	4.65
Communication	1.27 %	3.70

Source: IBGE, Consumer Price Index National System.

23. External debt and government debt showed the following evolution from 2000 to 2015, according to data from the Central Bank.

Table 14  
**External debt and public sector debt. Brazil, 2000 to 2015**

Year	External debt	US\$ (million)	Net public sector debt	R\$ (million)
<b>2000</b>		236,156		563,163
<b>2001</b>		226,067		677,431
<b>2002</b>		227,689		892,292
<b>2003</b>		235,414		932,138
<b>2004</b>		220,182		982,509
<b>2005</b>		187,987		1,040,046
<b>2006</b>		199,372		1,120,053
<b>2007</b>		240,495		1,211,762
<b>2008</b>		262,910		1,168,238
<b>2009</b>		277,563		1,362,711
<b>2010</b>		351,941		1,475,820
<b>2011</b>		404,117		1,508,547
<b>2012</b>		441,667		1,550,083
<b>2013</b>		312,517		1,626,335
<b>2014</b>		352,684		1,883,147
<b>2015</b>		334,636		2,136,888

*Source:* Central Bank of Brazil.

### iii. Social characteristics

#### **The Brazilian model of social protection and promotion**

24. The Brazilian Federal Constitution of 1988 established an important legal framework. It reaffirms and extends the protection fundamental rights, providing a solid foundation for building a social welfare system supported by the principles of universal coverage and assistance, based on comprehensive welfare and citizenship, aiming at providing protection and autonomy to individuals.

25. The Brazilian social protection and promotion system encompasses an extensive network of social policies, programs, and services intended to ensure better living conditions for the population.

#### **Social Expenditure**

26. Over the last two decades, there was a significant prioritization of the Federal Social Spending (GSF). This concept includes all Federal Government expenditures with general social security, benefits for public servants, health, social assistance, food and nutrition, housing and urban planning, sanitation, work and income support, education, agricultural development, and culture.

27. The volume of resources allocated to federal social policies grew both in absolute and proportionate terms compared to GDP. For the period between 2002 and 2015, the GSF showed a 3.1 percentage point increase as a proportion of the GDP, increasing from 12.6% to 15.7%. An extensive Social Security reform was recently adopted by the National Congress to balance social expenditures.

**Table 15**  
**Federal Social Spending, GDP, GSF/GDP, IPCA. Brazil, 2002 to 2015**

Year	GSF (%)	GDP (R\$ million)*	GSF/GDP (%)
<b>2002</b>	60	1,425,886	12.6
<b>2003</b>	64	1,644,806	12.4
<b>2004</b>	64	1,883,017	12.8
<b>2005</b>	64	2,085,653	13.4
<b>2006</b>	64	2,310,899	13.6
<b>2007</b>	64	2,606,535	13.6
<b>2008</b>	62	2,960,429	13.3
<b>2009</b>	66	3,175,327	14.4
<b>2010</b>	65	3,822,332	14.0
<b>2011</b>	66	4,300,773	14.0
<b>2012</b>	68	4,649,425	14.5
<b>2013</b>	69	5,079,831	14.6
<b>2014</b>	68	5,434,786	15.2
<b>2015</b>	67	6,001,000	15.7

*Source:* Ministry of Economy and IBGE.

\* Data from 2010 to 2015, based on preliminary data of the Brazilian Quarterly National Accounts.

28. There was strong growth of GSF as a percentage of GDP from 2008 to 2009 (from 13.3% to 14.4%), followed by a period of stability from 2010 to 2011 (remaining at 14.0%), and, then, by another important growth from 2013 to 2015 (reaching 15.7%).

29. Considering the proportion of this growth by field, there was a 1.3% increase in social security, while in social assistance (income transfers) and in education and culture, it was of 1.0%, amounting to a 4.7 percentage points increase in the GSF, from 2002 to 2015.

Table 16

**Trajectory of the Federal Social Spending by field of operation in % of GDP. Brazil, 2002 to 2015**

<i>Fields of operation</i>	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Social assistance</b>	0.5	0.6	0.8	0.9	1.0	1.0	1.0	1.3	1.3	1.3	1.4	1.5	1.5	1.5
<b>Education and culture</b>	1.7	1.6	1.5	1.6	1.6	1.7	1.8	2.0	2.1	2.2	2.3	2.3	2.6	2.7
<b>Agrarian Organization</b>	0.2	0.2	0.3	0.3	0.3	0.3	0.2	0.2	0.1	0.2	0.1	0.1	0.1	0.2
<b>Work and employment</b>	0.5	0.5	0.5	0.6	0.7	0.7	0.7	0.9	0.8	0.8	0.8	0.9	1.4	1.2
<b>Social security</b>	8.0	8.2	8.3	8.9	8.9	8.6	8.3	8.9	8.5	8.4	8.7	8.7	8.9	9.3
<b>Sanitation and Housing</b>	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.3	0.4	0.4	0.5	0.5
<b>Health</b>	1.6			1.8	1.8	1.7	1.8	1.8	2.0	1.9	1.9	2.0	2.0	2.1
<b>GSF Total</b>	12.8	12.6	13.2	13.9	14.2	14.2	14.1	15.4	14.9	15.0	15.8	15.8	17.0	17.5

Source: Ministry of Economy and IBGE.

Table 17

**Percentage share of each field of operation in the total Federal Social Spending. Brazil, 2002 to 2015**

<i>Fields of operation</i>	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Social Assistance</b>	3.7	4.4	6.0	6.4	6.9	7.2	7.4	8.6	9.0	8.7	8.9	9.3	8.9	8.8
<b>Education and culture</b>														
	13.2	12.3	11.5	11.2	11.3	12.2	13.0	13.0	13.7	14.3	14.7	14.7	15.3	15.4
<b>Agrarian Organization</b>	1.5	1.2	2.1	2.0	1.9	1.8	1.2	1.2	0.8	1.0	0.8	0.8	0.5	1.2
<b>Work and Employment</b>	4.1	4.1	3.8	4.0	4.6	4.9	5.0	5.6	5.4	5.4	5.4	5.5	8.0	6.8
<b>Social Security</b>	62.3	64.7	62.7	63.7	62.4	60.6	59.3	57.4	57.1	56.1	54.9	54.7	52.3	53.2
<b>Sanitation and Housing</b>	1.1	0.5	0.6	0.5	0.5	0.7	1.2	1.5	1.3	2.1	2.6	2.7	2.7	2.8
<b>Health</b>														
	14.0	12.8	13.4	12.2	12.4	12.6	12.8	12.7	12.6	12.3	12.7	12.3	12.2	11.8

Source: Ministry of Economy and IBGE.

30. However, the GSF does not exhaust the federal expenditure with social policies, as its methodology for calculation does not include crosscutting policies, related to gender equality, racial equality, children and teenagers, youth, and the elderly, for example. Many of the crosscutting policies are deemed to operate from a perspective of institutional integration with other thematic policies.

31. It is important to highlight that the revenues arising from states and cities directed to social policies are not included in the GSF calculation.

### Education

32. The Brazilian Constitution establishes education as a basic right that must be ensured to all persons, both by the Government and by the family, and it must be promoted and encouraged with the collaboration of society, aiming at the full development of the individual, his/her preparation to exercise social responsibility and his/her qualification to work. The Brazilian Government has been currently working to promote more involvement of parents in the education and their presence at school, including the possibility to implement house schooling.

33. Based on the federal pact, a structure of responsibilities and competences of each government level was established for the provision and funding of educational services in Brazil. Thus, the municipalities are responsible for early education and for elementary and middle school, the states are responsible for elementary, middle, and high school, and the Federal Government is responsible for higher education and for complementary and supplementary support to states and cities in their actions in primary education.

34. The Brazilian Federal Constitution also establishes that education policies should be based on a 10 year National Education Plan (PNE), aiming at integrating the national education system in a collaborative regime between municipalities, states and the Union. The PNE defines guidelines, objectives, goals, and strategies for implementation in order to promote and develop education in its several levels, stages, and categories, through integrated actions of the public authorities of the different government levels.

### Illiteracy

35. Illiteracy in Brazil has been decreasing progressively. The illiteracy rate for the population with age equal to or higher than 15 years has considerably decreased in the last decade, from 11.5% in 2004 to 8.3% in 2014. In 2015, the rate reached 8.0%, a total of 12.9 million people. Additionally, according to IBGE data, there was a drop in all regions of the country. In the Northeast, the region with the highest rate, the decrease was sharper, from 22.4% in 2004 to 16.2% in 2015. In the North, there was a 3.9 percentage point decrease, from 13.0% in 2014 to 9.1% in 2015. Illiteracy fell in the South (4.1%), Southeast (4.3%), and Midwest (5.7%) regions by 2.2, 2.3, and 3.5 percentage points, respectively.

Table 18  
Illiteracy rate per age groups. Brazil, 2004 to 2015<sup>1</sup>

Categories	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Total Rate</b>	11.5	11.1	10.5	10.1	10.0	9.7	8.6	8.7	8.5	8.3	8.0
<b>Age Group</b>	15 to 19 years old	2.4	2.3	1.8	1.8	1.8	1.5	1.2	1.2	1.0	0.9
	20 to 24 years old	4.0	3.5	3.1	2.7	2.6	2.4	1.8	1.6	1.6	1.4
	55 to 64 years old	23.5	22.6	20.8	19.8	19.0	17.9	15.2	15.7	14.8	13.8
	65 years or	34.4	33.7	32.1	31.3	30.8	30.8	28.0	27.2	27.7	26.4
											25.7

<sup>1</sup> Tables 18, 20, 21, 25, 26, 27, 28, 33, 45, 46, 47, 49, 50, 53, 54, 55, 56, 57, 60 and 77 contain information from the National Household Sample Survey (PNAD), released by the Brazilian Institute of Geography and Statistics (IBGE) annually, except in those years when the national Demographic Census takes place, including 2010.

Categories	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
more old											

Source: IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

36. Additionally, in 2015, the illiteracy rate was higher for men (8.3%) and than for women (7.7%). In the North, Northeast, and Midwest regions of Brazil, the illiteracy rate among men was higher compared to women (9.9%, 18% e 6.0%, respectively, against 8.3%, 14.5% e 5.4%). In the South and Southeast regions, women show higher rates compared to men (4.6% and 4.7%, respectively, against 3.7% and 3.9%).

37. In 2015, the rate of functional illiteracy, which shows the proportion of people with age equal to or higher than 15 years with less than 4 years of education in comparison with the total people in the same age group, decreased 0.5 percentage point compared to 2014.

Table 19

**Functional illiteracy rate of people with age equal to or higher than 15 years old per Major Region. Brazil, 2014 and 2015**

	Brazil	North	Northeast	South	Southeast	Midwest
<b>2014</b>	17.6	20.4	27.1	13.8	12.7	16.1
<b>2015</b>	17.1	20.1	26.6	13.4	12.4	14.7

Source: IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

**School attendance**

38. In the last decade, there was a substantial growth in the Brazilian educational system, especially with respect to early education, comprising children from 0 to 3 years old and from 4 to 5 years old. There was also the universalization of elementary and middle school, with 98.6% children from 6 to 14 years old attending school in 2015.

Table 20

**Gross rate of attendance to education institutions by the resident population per age group. Brazil, 2004 to 2015**

Categories	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>0 to 3 years old</b>	13.4	13.0	15.4	17.0	18.1	18.4	20.8	21.2	23.2	24.6	25.6
<b>4 to 5 years old</b>	61.5	62.8	67.5	70.0	72.7	74.8	77.4	78.1	81.4	82.7	84.3
<b>6 to 14 years old</b>	96.1	96.5	96.9	97.0	97.5	97.6	98.2	98.2	98.4	98.5	98.6
<b>15 to 17 years old</b>	81.8	81.6	82.1	82.1	84.1	85.2	83.7	84.2	84.3	84.3	85.0

Source: IBGE, 2014 and 2015 National Household Sample Survey.

39. In the same sense, the net school attendance rate has evolved very positively over the last few years, reaching a rate higher than 58% in all levels of education in 2014.

Table 21

**Net rate of attendance to education institutions by the resident population per age group and level of education. Brazil, 2007 to 2014**

Education level	2007	2008	2009	2011	2012	2013	2014
-----------------	------	------	------	------	------	------	------

<i>Education level</i>	2007	2008	2009	2011	2012	2013	2014
<b>Elementary School (6 to 10 years old)</b>	84.7	85.7	87.5	89.0	90.1	90.1	91.3
<b>Middle School (11 to 14 years old)</b>	72.5	72.7	71.8	73.7	75.8	75.9	78.3
<b>High School (15 to 17 years old)</b>	49.0	51.4	52.0	53.5	55.6	57.1	58.6

*Source:* IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

40. The school non-passing rate – the sum of failing and dropout rates – improved, following its decrease over the last years, for elementary, middle, and high school, as well as the consequent increase in the passing rate for these levels of education.

Table 22

**Non-passing rate (sum of failing and dropout rates) by grades of the elementary, middle, and high school according to school network (public/private). Brazil, 2015**

	<i>1<sup>st</sup> year</i>	<i>2<sup>nd</sup> year</i>	<i>3<sup>rd</sup> year</i>	<i>4<sup>th</sup> year</i>	<i>5<sup>th</sup> year</i>	<i>6<sup>th</sup> year</i>	<i>7<sup>th</sup> year</i>	<i>8<sup>th</sup> year</i>	<i>9<sup>th</sup> year</i>	<i>1<sup>st</sup> Year of High School</i>	<i>2<sup>nd</sup> Year of High School</i>	<i>3<sup>rd</sup> Year of High School</i>
<b>Total</b>	2.3	3.2	11.5	8.3	7.9	17.1	15.4	12.7	11.4	25.4	16.4	10.5
<b>Public</b>	2.3	3.6	13.3	9.5	9.0	19.2	17.2	14.0	12.5	27.5	18.1	11.9
<b>Private</b>	2.2	1.8	1.8	1.8	1.9	4.2	5.0	4.7	4.8	9.0	4.8	2.2

*Source:* Ministry of Education (MEC), 2016 School Census.

Table 23

**Evolution of the passing rates by level of education. Brazil, 2008 to 2015**

<i>Year</i>	<i>Elementary School</i>	<i>Middle School</i>	<i>High School</i>
<b>2008</b>	87.0	79.9	47.9
<b>2009</b>	88.5	81.3	75.9
<b>2010</b>	89.9	82.7	77.2
<b>2011</b>	91.2	83.4	77.4
<b>2012</b>	91.7	84.1	78.7
<b>2013</b>	92.7	85.1	80.1
<b>2014</b>	92.7	84.8	80.3
<b>2015</b>	93.2	85.7	81.7

*Source:* MEC, 2016 School Census.

41. Additionally the positive evolution of the passing rates over the last few years has improved the age-grade distortion rate in Brazil, as more students reach higher grades and finish levels of education on the right age. Even though there was improvement in the passing rate for students in high school, the age-grade distortion rate increased in 2016, in contrast with the decreasing trend for elementary and middle school.

Table 24

**Evolution of the age-grade distortion rates by level of education. Brazil, 2008 to 2016**

	2008	2010	2012	2014	2015	2016
<b>Elementary School</b>	17.6	18.5	16.6	14.1	13.2	12.4
<b>Middle School</b>	27.4	29.6	28.2	27.3	26.8	26.3
<b>High School</b>	33.7	34.5	31.1	28.2	27.4	28.0

*Source:* MEC, 2016 School Census.

42. Additionally, there was an important increase in the number of people who completed elementary, middle, and high school, from 2004 to 2014.

Table 25  
**Elementary, middle, and high school completion rate. Brazil, 2004 to 2014**

	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014
<b>Elementary and Middle School</b>	65.4	67.0	69.5	71.4	73.7	74.2	76.5	77.8	79.3	80.9
<b>Sex</b>										
Male	60.6	62.1	64.0	65.6	68.3	68.6	71.5	72.8	74.4	76.5
Female	70.3	72.2	75.1	77.5	79.3	79.9	81.8	83.0	84.4	85.4
<b>Domicile</b>										
Urban	71.6	72.7	74.6	76.0	77.7	77.8	79.3	80.5	81.5	83.3
Rural	37.1	42.2	45.5	50.9	54.1	56.5	61.0	63.1	67.1	68.4
<b>High School</b>	45.5	47.2	50.1	50.8	52.3	56.5	58.5	58.3	59.9	60.8
<b>Sex</b>										
Male	40.6	42.0	44.9	45.3	48.6	51.7	52.3	52.4	54.0	54.9
Female	50.4	52.5	55.1	56.3	48.6	61.2	64.6	64.2	65.7	66.9
<b>Domicile</b>										
Urban	50.9	52.6	55.5	55.6	59.1	60.9	62.1	62.0	63.4	63.9
Rural	17.7	19.6	21.1	25.3	26.3	30.8	34.0	35.2	39.0	40.6

Source: IBGE. 2014 National Household Sample Survey.

43. With respect to higher education, Brazil showed a positive progress from 2004 to 2014 in the proportion of students of ages from 18 to 24, from 32.9% to 58.5%. Accordingly, there was a positive evolution in the proportion of people between the ages of 20 and 22 who completed high school and/or subsequent levels.

Table 26  
**Proportion of students of between the ages of 18 and 24 who attend higher education, by sex and color or race. Brazil, 2004 to 2014**

	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014
<b>Brazil</b>	32.9	35.8	40.0	42.6	45.5	48.2	51.3	52.1	55.0	58.5
Male	29.2	31.8	35.4	37.8	41.1	43.4	46.0	46.8	50.0	53.2
Female	36.4	39.5	44.1	47.2	49.6	52.3	56.1	57.0	59.4	63.3
<b>Color or race</b>										
White	47.2	51.5	55.9	57.8	60.4	62.6	65.7	66.6	69.4	71.4
Black or Pardo	16.7	18.9	21.9	25.3	28.6	31.3	35.8	37.4	40.7	45.5

Source: IBGE, 2014 National Household Sample Survey (PNAD).

44. The average number of years of study for people who are 25 years old or older showed an ascendant trend over the last decade for the total population, going from 6.4 years, in 2004, to 7.8, in 2014. However, certain discrepancies still persist in this number according to the region, urban or rural residence, race or color, social class, sex, age group, and national per capita monthly household income, as shown in the table below.

Table 27  
**Average of years of study of people aged 25 years old or over, according to selected categories. Brazil, 2004 to 2014**

Categories - 25 years or more	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014
-------------------------------	------	------	------	------	------	------	------	------	------	------

Categories - 25 years or more		2004	2005	2006	2007	2008	2009	2011	2012	2013	2014
<b>Brazil</b>		6.4	6.5	6.7	6.9	7.0	7.2	7.3	7.6	7.7	7.8
<b>Sex</b>	<b>Male</b>	6.3	6.4	6.6	6.7	6.9	7.0	7.2	7.4	7.5	7.6
	<b>Female</b>	6.5	6.6	6.8	7.0	7.1	7.3	7.5	7.7	7.9	8.0
<b>Age groups</b>	<b>25 to 64 years old</b>										
		6.8	7.0	7.2	7.3	7.5	7.7	7.9	8.1	8.3	8.4
	<b>65 years old or over</b>	3.3	3.3	3.5	3.6	3.7	3.8	3.9	4.2	4.2	4.3
<b>Monthly household income</b>	<b>1<sup>st</sup> fifth</b>	3.4	3.6	3.8	4.0	4.2	4.4	4.7	5.0	5.2	5.5
	<b>2<sup>nd</sup> fifth</b>	4.4	4.6	4.9	5.1	5.3	5.5	5.6	6.0	6.1	6.3
	<b>3<sup>rd</sup> fifth</b>	5.1	5.3	5.7	5.7	5.7	5.8	6.1	6.2	6.3	6.4
	<b>4<sup>th</sup> fifth</b>	6.7	6.6	6.6	7.1	7.3	7.4	7.6	7.9	7.9	8.0
	<b>5<sup>th</sup> fifth</b>	9.9	10.0	10.2	10.2	10.3	10.4	10.5	10.7	10.8	10.8

Source: IBGE. 2014 National Household Sample Survey.

### Quality of education

45. In order to assess the quality of education, the Ministry of Education – MEC created the Index of Basic Education Development (IDEB), an indicator calculated every two years based on the student's performance in national evaluations and passing rates.

46. The country has shown progress in this respect. For elementary school (after the age of 6, including the years from first to fifth), the IDEB increased from 3.8, in 2005, to 5.5, in 2015. The expected goal is to reach 6.0 by 2021, which corresponds to the quality of education in developed countries.

47. In middle school (sixth to ninth year), on its turn, the IDEB increased from 3.5, in 2005, to 4.2, in 2015. Even though there was such positive evolution, the goal established for 2015 was not achieved. The goal is to reach the index of 5.5 by 2021.

48. With respect to high school (which lasts for three years, for students between the ages of 15 and 17), the scenario is still challenging, especially compared to data on elementary and middle school. Despite the progress when compared to 2005, the IDEB stayed at 3.7 in 2011, 2013, and 2015, 0.6 behind the goal established for the last year. The goal for 2021 is to reach 5.2.

Table 28  
IDEB, results and goals. Brazil, 2005 to 2015

IDEB Results							IDEB Goals					
Year	2005	2007	2009	2011	2013	2015	2007	2009	2011	2013	2015	2021
<b>Elementary School</b>	3.8	4.2	4.6	5.0	5.2	5.5		3.9	4.2	4.6	4.9	5.2
<b>Middle School</b>	3.5	3.8	4.0	4.1	4.2	4.5		3.5	3.7	3.9	4.4	4.7
<b>High School</b>	3.4	3.5	3.6	3.7	3.7	3.7		3.4	3.5	3.7	3.9	4.3

Source: MEC, 2015 IDEB.

49. In 2016, Brazil reached the number of 2.2 million primary education teachers, distributed among 260.3 thousand facilities across the country - 311.4 thousand in preschools, 752.3 thousand in elementary schools, 773.1 thousand in middle schools, and 519.6 thousand in high schools.

Table 29.

**Primary education teachers and representation of the education level. Brazil, 2016**

	<i>Basic education</i>	<i>Nurseries</i>	<i>Pre-School</i>	<i>Elementary</i>		
				<i>School</i>	<i>Middle School</i>	<i>High School</i>
<b>Total (teachers)</b>	2,200,000	260,300	311,400	752,300	773,100	519,600
<b>Higher Education</b>	77.5	64.2	66.9	74.8	84.7	93.3

Source: MEC, 2016 Primary Education School Census.

50. The number of students enrolled reached 48,817,479 in 2016, according to the following division: 3,233,739 enrolled in day-care facilities, 5,034,353 in pre-schools, 27,588,905 in elementary and middle schools, and 8,131,988 in high schools. Public schools managed by municipal and state governments and private schools represent, respectively, 46.8%, 34.0%, and 18.4% of the enrollments. Additionally, the country registered 3,422,127 persons enrolled in Youngsters and Adults Education (EJA) courses and 1.9 million enrollments in vocational education.<sup>2</sup>

### Health

51. The Brazilian Federal Constitution establishes that health is a right to all persons and a duty of the State, provided by social and economic policies aiming at reduction in the risk of disease and other injuries and at a universal and egalitarian access to actions and services for health promotion, protection, and recovery. Accordingly, it defined that health-related public actions and services in Brazil form part of a regional and integrated network that form a unified system. The Brazilian Government has also been seeking to strengthen the role of the family in promoting health, as recently exposed in a statement at World Health Organization (WHO) in May 2019.

52. The Unified Health System (SUS) aims at providing comprehensive and universal, preventive and curative care, through decentralized management and provision of care across the federative units, promoting participation of the community in all levels of governance.

53. At the time of implementation of the system, the number of beneficiaries went from 30 million persons to 190 million. Today, the system serves more than 200 million Brazilian citizens. In 2015, approximately 70% of the population had no private health or dental care insurance, depending exclusively on the SUS to have access to health care.

54. The SUS managed to widely increase access to basic and emergency care throughout the country, achieving a universal coverage of vaccination and pre-natal care due to great investments in expansion of human and technology resources, including initiatives and efforts to manufacture the most essential pharmaceutical products to the Country.

### Life expectancy at birth

55. Over the last few years, Brazil has experienced a significant growth life expectancy at birth, which went from 69.8 years, in 2000, to 75.4, in 2015, a 5.6-year increase. The life expectancy for women is higher compared to that for men, 79.1 years against 71.9 years respectively, in 2015. In the regional analysis, the states in the South and Southeast regions, such as Espírito Santo, São Paulo, Rio de Janeiro, and Paraná, have a higher life expectancy than the national average, while the states in the North, Northeast, and Midwest regions, such as Mato Grosso, Ceará, Bahia, Roraima, and Alagoas, showed a number below the Brazilian average; there was a 8.5-year difference between Santa Catarina, the first position, with 78.7 years, and Maranhão, the last one, with 70.3 years.

<sup>2</sup> Vocational education comprises concurrent and subsequent vocational courses, integrated to regular education, normal/teaching, integrated to EJA in the elementary, middle, and high school education levels, to the Projovem Urbano program, and to concurrent courses of initial and continuous education (FIC) in elementary, middle, and high school education levels.

Table 30  
**Life expectancy at birth (in years). Brazil, 2000 to 2015**

	2000	2001	2002	2003	2004	2005	2006	2007
	69.8	70.3	70.7	71.2	71.6	72.0	72.4	72.8
Years	2008	2009	2010	2011	2012	2013	2014	2015
	73.2	73.5	73.9	74.2	74.5	74.8	75.1	75.4

Source: IBGE, 2013 Brazilian Population Projection.

### Mortality

56. In 2010, the mortality distribution by age in Brazil showed the following pattern: 3.5% for ages under 1; 0.6% for ages from 1 to 4; 0.9% for ages from 5 to 14; 20.3% for ages from 15 to 49; and 74.4% for ages from 50 to older. These proportions were similar in both sexes until the age of 15. From this age on, the range from ages 15 to 49 represented 25.7% of the deaths in males and 13.2% in females, and the range from age 50 to older represented 68.9% in males and 81.6% in females. There have been significant changes from 2000 to 2010, with a reduction in the deaths of persons under the age of one (from about 8%, in 2000, to 3.5%, in 2010) and an increase in the deaths in the older age group.

57. Additionally, the gross mortality rate per one thousand inhabitants showed a constant positive evolution, going from 6.67, in 2000, to 6.02, in 2011. However, from 2012 to 2015, there was a slight increase, reaching 6.08, in 2015.

Table 31  
**Gross mortality rate for each 1,000 inhabitants. Brazil, 2000 to 2015**

	2000	2001	2002	2003	2004	2005	2006	2007
Gross rate	6.67	6.56	6.44	6.35	6.27	6.20	6.14	6.10
	2008	2009	2010	2011	2012	2013	2014	2015
	6.07	6.05	6.03	6.02	6.03	6.04	6.06	6.08

Source: IBGE, 2013 Brazilian Population Projection.

### Causes of death

58. In 2015, the main causes of deaths of infants (under 1 year old) were perinatal diseases, followed by the set of congenital malformations, chromosomal abnormalities and deformities, and congenital malformations of the circulatory system<sup>3</sup>. In the age groups from the ages of 1 to 44, external causes (attacks, suicides, accidents, and events of indefinite intention) were highly relevant. Beginning at the age of 25, infectious and parasitic diseases started to represent a significant number of deaths. After the age of 45, circulatory disorders and neoplasias represented most deaths.

59. With respect to the specific causes of death, recent data has shown that the ischemic heart diseases and cerebrovascular diseases were at the top of the list in 2015.

Table 32  
**Deaths by residence by age group and specific most frequent causes of death\*. Brazil, 2015**

Age group	Order	Specific case	Number	% in the age group
All			111,863	
	1	Ischemic heart diseases		8.8
			100,520	
	2	Cerebrovascular diseases		8.0
	3	Acute myocardial infarction	90,811	7.2

<sup>3</sup> In the analysis of the causes of death, the International Classification of Diseases, tenth revision, (CID-10) was used.

Age group	Order	Specific case	Number	% in the age group
<b>Up to 1 year old</b>			77,334	
	4	Pneumonias		6.1
	5	Other heart diseases	70,896	5.6
		Respiratory and cardiovascular disorders, specified in the perinatal period		
	1		8,093	21.6
		Remainder of disorders originating in the perinatal period		17.0
	2		6,354	
		Fetus and newborn affected, maternal factors and pregnancy complications		
	3		5,639	15.0
		Remainder of congenital malformations, deformations, and chromosomal anomalies		
<b>01-04 years old</b>	4		3,819	10.2
	5	Congenital malformations of the circulatory system	3,216	8.6
	1	Pneumonias	586	10.5
		Remainder of nervous system disorders	431	7.7
	2		431	
	3	Accidental drowning and submersions	354	6.3
	4	Congenital malformations of the circulatory system	342	6.1
	5	Transport accidents	332	5.9
	1	Transport accidents	996	12.2
<b>05-14 years old</b>	2	Aggressions	747	9.2
		Remainder of nervous system disorders		
	3		700	8.6
		Accidental drowning and submersions		
	4		563	6.9
	5	Leukemia	442	5.4
	1	Aggressions	21,269	44.0
	2	Transport accidents	8,074	16.6
	3	Voluntary self-harm	1,785	3.7
		Remainder of symptoms, signs, and abnormal clinical and laboratory findings		
<b>15-24 years old</b>	4		1,562	3.2
	5	Events (facts) whose intention is undetermined	1,367	2.8
	1	Aggressions	16,803	29.4
<b>25-34</b>				

Age group	Order	Specific case	Number	% in the age group
<b>years old</b>	2	Transports accidents	8,614	15.1
	3	Viral Diseases	2,884	5.0
	4	Human immunodeficiency virus (HIV) disease	2,672	4.7
	5	Voluntary self-harm	2,364	4.1
	1	Agressions	9,537	12.9
<b>35-44 years old</b>	2	Transport accidents	7,035	9.6
	3	Viral Diseases	4,189	5.7
	4	Ischemic heart diseases	3,982	5.4
	5	Human immunodeficiency virus (HIV) disease	3,812	5.2
	1	Ischemic heart diseases	11,510	9.6
<b>45-54 years old</b>	2	Acute myocardial infarction	9,999	8.3
	3	Cerebrovascular diseases	7,656	6.4
	4	Liver diseases	6,432	5.4
	5	Transport accidents	5,692	4.8
	1	Ischemic heart diseases	21,628	11.8
<b>55-64 years old</b>	2	Acute myocardial infarction	18,072	9.9
	3	Cerebrovascular diseases	13,884	7.6
	4	Diabetes mellitus	10,367	5.7
	5	Other heart diseases	9,685	5.3
	1	Ischemic heart diseases	27,463	11.9
<b>65-74 years old</b>	2	Acute myocardial infarction	22,238	9.6
	3	Cerebrovascular diseases	21,969	9.5
	4	Diabetes mellitus	15,612	6.8
	5	Other heart diseases	13,843	6.0
	1	Ischemic heart diseases	52,359	10.5
<b>75 years old and more</b>	2	Cerebrovascular diseases	48,606	9.8
	3	Pneumonia	45,526	9.2
	4	Ischemic heart diseases	35,870	7.2
	5	Other heart diseases	35,417	7.1

Source: Ministry of Health (MS), Mortality Information System (SIM).

\* Not including misdefined causes.

### Infant Mortality

60. The infant mortality rate (under 1 year old) per one thousand live births in Brazil decreased from 29.0, in 2000, to 13.8, in 2015. This rate is lower than the Millennium Development Goals (MDGs) target of 15.7 per one thousand live births.

Table 33.

**Infant mortality rate (IMR), number of notices sent to the Mortality Information System (SIM) and estimate deaths of infants under the age of 1. Brazil, 2000 to 2015**

<i>Year</i>	<i>IMR</i>	<i>Number of death notices sent to SIM</i>
<b>2000</b>	29.0	68,199
<b>2001</b>	27.5	61,943
<b>2002</b>	26.2	58,916
<b>2003</b>	24.7	57,540
<b>2004</b>	23.4	54,183
<b>2005</b>	22.2	51,544
<b>2006</b>	21.0	48,332
<b>2007</b>	20.0	45,370
<b>2008</b>	19.0	44,100
<b>2009</b>	18.1	42,642
<b>2011</b>	16.4	39,716
<b>2012</b>	15.7	39,123
<b>2013</b>	15.0	38,966
<b>2014</b>	14.4	38,432
<b>2015</b>	13.8	37,501

*Source:* MS, Mortality Information System (SIM), and IBGE, 2013 Brazilian Population Projection.

61. According to the World Health Organization (Global Health Observatory Data Repository), Brazil is among the twenty countries that showed reduction higher than a 70% in the infant mortality rate in the last decades. The positive evolution noted in the number of deaths of children under the age of 5 per 1000 live births contributed to this outcome.

Table 34

**Number of deaths of children under the age of 5 for each 1,000 live births – Brazil, 2005 to 2015**

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Brazil</b>	19.9	19.3	18.4	17.6	17.4	16.4	15.9	15.6	15.6	14.9	14.3

*Source:* MS, Information System on Live Births (SINASC), and Mortality Information System (SIM).

62. The country also experienced a substantial decrease in the ponderal deficit prevalence rate for children under the age of five.

Table 35

**Ponderal deficit prevalence for each 100 children under the age of 5. Brazil, 1989, 1996 and 2006**

<i>Year</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
1989	5.4	5.4	5.4
1996	4.5	4	4.2
2006	1.8	2	1.9

*Source:* MS, 1996 and 2006 National Demographic and Health Survey (PNDS).

Table 36  
**Prevalence of low birth weight by region, 2004 and 2011. Brazil**

	Brazil	Midwest	Northeast	North	Southeast	South
<b>2004</b>	4.4	4.0	4.3	4.4	4.6	4.2
<b>2011</b>	4.3	4.2	4.1	4.3	4.4	4.0

Source: MS, Information System on Live Births (SINASC).

#### **Maternal mortality**

63. Reduction in maternal mortality is currently one of the biggest challenges facing the Brazilian public health care system. Brazil achieved important progress, showing a 58% reduction in maternal mortality from 1990 to 2015, but it did not reach the goal of a 75% reduction in the maternal mortality rate in the period.

64. According to estimates of the Ministry of Health (MS), the adjusted maternal mortality rate (MMR) in Brazil fell from 143 per 100 thousand live births, in 1990, to 60 per 100 thousand live births in 2015. The goal was to reach 35 deaths per 100 thousand live births in 2015.

Table 37.

#### **Maternal mortality ratio (MMR). Number of maternal deaths for each 100,000 live births. Brazil, 2001 to 2011**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<i>Brazil</i>	70,9	75,9	73,0	76,1	74,5	77,2	77,0	68,7	72,0	68,2	64,8

Source: MS, SUS IT Department (Datasus).

65. The data on the cause of maternal death indicates that, in 2015, 66.5% deaths were due to direct causes, 31.0% due to indirect causes, and 2.5% due to unspecified causes. In 1990, the mortality due to direct causes was 9.4 times higher than the mortality rate due to indirect causes. This ratio dropped to 3.5 times, in 2000, and to 2.1 times, in 2015.

Table 38

#### **Maternal mortality according to causes. Brazil, 2001 to 2015**

Year	Direct maternal		
	Causes	Indirect maternal causes	Non-specified maternal causes
<b>2001</b>	76.6	19.8	3.6
<b>2002</b>	73.5	23.7	2.8
<b>2003</b>	73.2	23.2	3.6
<b>2004</b>	70.9	24.4	4.6
<b>2005</b>	73.7	22.7	3.6
<b>2006</b>	71.8	25.8	2.5
<b>2007</b>	74.1	23.3	2.6
<b>2008</b>	71.1	25.3	3.5
<b>2009</b>	63.2	34.7	2.1
<b>2010</b>	66.7	30.7	2.6
<b>2011</b>	66.5	29.9	3.7
<b>2012</b>	65.6	31.3	3.2
<b>2013</b>	68.1	28.5	3.4
<b>2014</b>	65.7	31.7	2.6
<b>2015</b>	66.5	31.0	2.5

Source: MS, Mortality Information System (SIM).

66. In this regard, the Government considers that the expansion and dissemination of knowledge on the use of contraceptive methods is an effective strategy for the promotion of maternal health in the country. Brazil is also offering information about natural methods of birth control.

Table 39

**Percentage of use of contraceptive methods referred to by women, according to age.  
Brazil, 1996 and 2006**

Age	Female Sterilization				Partner Sterilization		Partner using condoms				Other methods	
	Any method 1996	2006	Contraceptive Pill 1996	2006	1996	2006	1996	2006	1996	2006	1996	2006
15 to 19 years old	14.7	36.7	8.8	18	0.1	0	0	0.1	3.3	13.9	2.5	4.6
20 to 24 years old	43.8	66.1	26.1	36.7	5.9	2.3	0.4	0.3	5.2	17.5	6.2	9.4
25 to 29 years old	64.7	71.8	27	34.2	21.1	12.4	1.2	2.3	6.5	13.3	8.9	9.5
30 to 34 years old	75.4	78.5	21.4	22.8	37.6	26.7	3.8	5.7	4.7	13.2	7.9	10.1
35 to 39 years old	75.3	79.4	11.9	16.7	49	37.8	3.6	5.6	3.8	10.4	7	8.9
40 to 44 years old	71.2	80.1	6.7	12.7	53.4	41.3	1.6	6.7	3.6	12.5	5.9	6.8
45 to 49 years old	61.7	67.1	3.3	6.4	47.6	45.7	1	3.6	2.6	7.1	7.2	4.2
Total	55.4	67.8	15.8	22.1	27.3	21.8	1.6	3.3	4.3	12.9	6.4	7.7

Source: MS, 1996 and 2006 National Demographic and Health Survey (PNDS).

**Communicable diseases**

**HIV/AIDS**

67. The Brazilian experience in the fight against the HIV/AIDS epidemic is a global reference. Since the beginning of the epidemics, in 1980, until 2016, Brazil reported more than 840 thousand cases of AIDS. The detection rate decreased from 21.2 per 100 thousand inhabitants, in 2004, to 19.1 per 100 thousand inhabitants, in 2015. In 2015, 39,113 new cases of the disease were reported.

Table 40.

**AIDS detection rate per year of diagnosis for each 100,000 inhabitants.  
Brazil, 2004 to 2015**

Year	Incidence rate		New cases
	2004	2015	
2004	21.2	19.1	37,998

Year	Incidence rate	New cases
2005	20.5	37,848
2006	19.9	37,133
2007	20.2	38,163
2008	21.4	40,508
2009	21.1	40,368
2010	20.9	39,872
2011	21.8	41,845
2012	21.4	41,429
2013	21.0	42,266
2014	20.2	41,007
2015	19.1	39,113

Source: MS, 2016 Epidemiological Bulletin.

68. In 2015, there were 21 cases of AIDS in men to 10 cases in women, representing an increase in cases detected in men and a gradual decrease in the cases in women. Between 2003 and 2008, there were 15 cases in men to 10 cases in women. In this regard, it is important to note that the AIDS detection rate in men increased from 24.1 cases per 100 thousand inhabitants, in 2006, to 27.9 cases per 100 thousand inhabitants, in 2015.

69. Brazil registered 136,945 cases of HIV infection, between 2007 to June 2016, of which 71,396 were in the Southeast region (52.1%), 28,879 in the South region (21.1%), 18,840 in the Northeast region (13.8%), 9,152 in the Midwest region (6.7%), and 6,868 in the North region (6.3%). In 2015, Brazil recorded 32,321 new cases of HIV infection, with a sex ratio of 2.4.

70. There is an increasing trend in the detection rate of HIV in pregnant women in the last ten years. From 2000 to June 2016, 99,804 cases of infected pregnant women were reported. In 2006, the infection rate was 2.1 cases per one thousand live births, increasing by 28.6%, in 2015, to 2.7 cases per one thousand live births.

71. The standard mortality rate with respect to AIDS decreased by 5% between 2006 and 2015, with respectively, 5.9 and 5.6 deaths per 100 thousand inhabitants. There is a growing trend in the mortality rate young men and women aged 15 to 19 years and among those aged above 50 years. From 1980 to 2015, the country identified 303,353 deaths where AIDS was the underlying cause. Of this total, more than 70% occurred among men (215,212) and about 29% among women (88,016). Over the last few years, there were, on average, approximately 12 thousand deaths per year as a result of AIDS, amounting to 12,667 deaths in 2015.

#### *Malaria*

72. Brazil has been able to control the incidence of Malaria. The number of positive results for malaria per one thousand inhabitants decreased from 3.79, in 1991, to 0.84, in 2013. Malaria is more common in the Northern region of Brazil, which comprises the Amazon biome, favorable to the reproduction of the vectors that transmit the disease, accounting more than 98% of the cases in 2013.

Table 41

**Malaria incidence rate, positive results and population per year. Brazil, 2001 to 2013**

Year	Annual Parasite Index (IPA) of malaria	Positive tests for malaria	Population
2001	2.26	389,775	172,381,455
2002	2.00	349,965	174,632,960
2003	2.27	402,069	176,871,437
2004	2.50	454,843	181,586,030

Year	Annual Parasite Index (IPA) of malaria	Positive tests for malaria	Population
2005	3.25	598,462	184,184,264
2006	2.90	540,934	186,770,560
2007	2.38	449,720	189,335,191
2008	1.63	309,498	189,612,814
2009	1.58	302,179	191,481,045
2010	1.71	326,274	190,755,799
2011	1.36	261,072	192,379,287
2012	1.21	235,153	193,976,530
2013	0.84	169,668	201,062,789

Source: MS, Datasus.

#### *Tuberculosis*

73. Brazil has registered decreasing numbers of cases of tuberculosis and deaths resulting therefrom. In 2016, Brazil registered 66,796 new cases of the disease, with an incidence rate of 32.4.

Table 42

#### **Tuberculosis incidence rate, new cases, and population per year. Brazil, 2001 to 2012**

Year	Incidence rate	New cases	Population
2001	42.6	73,359	172,381,455
2002	44.2	77,187	174,632,960
2003	44.4	78,489	176,871,437
2004	42.7	77,497	181,586,030
2005	41.4	76,268	184,184,264
2006	38.7	72,339	186,770,560
2007	37.8	71,628	189,335,191
2008	38.7	73,429	189,612,814
2009	38.1	72,906	191,481,045
2010	37.5	71,568	190,755,799
2011	38.3	73,613	192,379,287
2012	37.3	72,319	193,976,530

Source: MS, Brazilian Case Registry Database (SINAN), and Datasus.

74. Thus, Brazil managed to reduce the incidence of tuberculosis in the timeframe established by the MDGs (1990 to 2015). The national rate decreased from 51.8 cases per 100 thousand people, in 1990, to 30.9 cases per 100 thousand people, in 2015. The mortality rate fell from 2.6 deaths per one thousand inhabitants, in 2006, to 2.2 deaths per one thousand inhabitants, in 2015, comprising a 15.4% decrease. Brazil achieved the MDG target related to the fight against tuberculosis three years in advance. In 2015, Brazil joined a global commitment to reduce deaths by 95% and the incidence ratio of the disease by 90% until 2035.

#### *Dengue*

75. Dengue transmission occurs continuously in Brazil since 1986. In 2013, the country experienced one of its largest outbreaks, with about 2 million probable cases. In 2016 and 2015, respectively, 1,483,623 and 1,688,688 probable cases of dengue were recorded, reaching the incidence rate of 684.2, in 2015. Today, the four serotypes of the disease are present in the country.

Table 43  
**Dengue incidence rate, new cases, and population per year. Brazil, 2001 to 2012**

Year	Incidence rate	New cases	Population
<b>2001</b>	225.97	389,523	172,381,455
<b>2002</b>	401.63	701,380	174,632,960
<b>2003</b>	156.88	277,475	176,871,437
<b>2004</b>	40.01	72,661	181,586,030
<b>2005</b>	82.28	151,550	184,184,264
<b>2006</b>	143.19	267,443	186,770,560
<b>2007</b>	264.90	501,552	189,335,191
<b>2008</b>	293.24	556,018	189,612,814
<b>2009</b>	204.20	391,001	191,481,045
<b>2010</b>	514.42	981,278	190,755,799
<b>2011</b>	356.60	686,016	192,379,287
<b>2012</b>	301.47	584,780	193,976,530

*Source:* MS, Brazilian Case Registry Database (SINAN), and Datasus.

76. In 2014, the country recorded 3,657 suspected autochthonous cases of chikungunya fever in eight cities. There was an increase in reported cases in 2015, with 17,765 suspected autochthonous cases, 6,784 of which were confirmed, with an incidence rate of 111.8. In April of the same year, Brazil started to confirm the autochthonous transmission of fever by the Zika virus. In 2016, 205,578 probable cases of the disease were recorded, with an incidence rate of 99.8 and 8 confirmed deaths. In 2016, Zika fever became part of the compulsory declaration list in official health statistics, joining dengue and chikungunya fever.

#### *Leprosy*

77. Between 2004 and 2012, Brazil recorded a 12% decrease in the leprosy prevalence rate, from 1.71 cases per 10 thousand inhabitants, in 2004, to 1.51 cases per 10 thousand inhabitants, in 2012. In order to eliminate leprosy as a public health problem, Brazil aims to reach a prevalence rate below one case per 10 thousand inhabitants, throughout the national territory.

Table 44.  
**Leprosy incidence rate, new cases, and population per year.**  
*Brazil, 2004 to 2012*

Year	Incidence rate	New cases	Population
<b>2004</b>	27.50	49,943	181,586,030
<b>2005</b>	26.48	48,773	184,184,264
<b>2006</b>	23.78	44,419	186,770,560
<b>2007</b>	21.78	41,234	189,335,191
<b>2008</b>	21.49	40,757	189,612,814
<b>2009</b>	19.94	38,176	191,481,045
<b>2010</b>	18.77	35,807	190,755,799
<b>2011</b>	18.06	34,740	192,379,287
<b>2012</b>	17.39	33,741	193,976,530

*Source:* MS, Brazilian Case Registry Database, and Datasus.

#### **Job market**

78. The labor participation rate in Brazil fluctuated over the last decade. In 2001, it was 68.1%. Until 2005, there was an increasing trend, when it reached 70.4%. In the three

subsequent years, labor participation fell, increasing once again in 2009. In 2011, 2012, and 2013 there were additional decreases. In 2014 and 2015, the labor participation rates were 67.5% and 65.9%, respectively. This behavior follows quite distinct paths among the different population sub-groups.

**Table 45**  
**Activity rate, according to selected categories. Brazil, 2004 to 2015**

Categories	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Total</b>	69.6	70.4	70.1	69.6	69.6	69.7	67.3	67.0	66.6	67.5	65.9
<b>Gender</b>											
Male	82.5	82.7	82.2	81.6	81.8	81.6	79.7	79.1	78.6	79.2	.
Female	57.9	59.1	59.0	58.6	58.5	58.8	56.0	55.8	55.6	57.0	.
<b>Age group</b>											
16 to 24 years old	67.9	69.3	68.0	67.8	67.6	67.3	63.9	63.7	61.8	63.6	61.4
25 to 39 years old	82.9	83.7	83.4	83.3	83.7	84.3	82.7	82.5	82.7	83.5	82.9
40 to 49 years old	80.2	80.5	81.0	81.0	80.7	81.8	79.9	80.5	80.5	81.2	80.6
50 years old or over	47.3	48.2	48.9	47.8	48.5	47.9	45.8	45.5	46.0	47.6	45.5
<b>Education level</b>											
No education or Incomplete Elementary/Middle School	63.5	63.7	62.9	61.7	61.3	60.5	56.7	55.8	55.3	56.0	53.3
Complete Elementary/Middle School or Incomplete High School	69.0	69.3	68.9	68.8	67.7	68.1	65.3	64.5	63.8	65.2	63.1
Complete High School or Incomplete University Degree	79.2	80.4	79.8	79.6	79.7	79.9	77.6	77.4	76.4	77.2	76.0
Complete University Degree	84.8	85.8	85.6	85.3	85.4	85.4	84.0	84.2	83.6	83.9	82.7

*Source:* IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

79. From 2001 until 2011, the unemployment rate fell by 28%, reaching its lowest level in 2012, at 6.1%. However, the unemployment rate started to record a continuous increase beginning in 2013, reaching 6.7% in 2014 and 9.5% in 2015. Like the labor participation rate, the unemployment rate varies according to different population sub-groups.

**Table 46**  
**Unemployment rate, according to selected categories. Brazil, 2004 to 2015**

Categories	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Brazil</b>	8.7	9.1	8.3	8.0	7.0	8.1	6.6	6.1	6.4	6.7	9.4
<b>Gender</b>											
Male	6.6	6.9	6.2	5.9	5.0	6.0	4.7	4.5	4.8	5.2	7.7
Female	11.5	12.0	10.9	10.6	9.4	10.9	9.0	8.1	8.4	8.7	11.6
<b>Age group</b>											
16 to 24 years old	17.9	19.1	17.7	16.6	15.3	17.6	15.0	14.4	14.8	16.6	22.8
25 to 39 years old	7.6	7.8	7.4	7.4	6.5	7.7	6.2	5.7	6.2	6.3	9.0
40 to 49 years old	5.0	5.0	4.5	4.6	3.8	4.5	3.7	3.3	3.7	3.7	5.6
50 years old or over	3.2	3.4	3.0	2.9	2.5	3.1	2.4	2.2	2.3	2.4	3.7
<b>Education level</b>											
No education or Incomplete Elementary/	6.9	7.1	6.4	5.9	5.0	6.3	5.1	4.5	5.0	5.0	7.0

Categories	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
Middle School											
Complete											
Elementary/Middle											
School or Incomplete											
High School	13.3	14.3	12.9	12.0	10.5	12.0	9.4	9.3	9.0	9.7	13.5
Complete High School											
or Incomplete University											
Degree	10.4	10.7	9.8	9.7	8.5	9.8	7.7	6.9	7.5	7.9	11.2
Complete University											
Degree	3.5	3.8	3.5	3.7	3.6	3.7	3.4	3.2	3.2	3.7	49

Source: IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

80. Regarding the composition of the economic activity in Brazil, it is possible to observe a 3.7 percentage points decrease in the proportion of workers in non-officially recognized jobs, between 2004 and 2014. In the same period, there was an 8.4 percentage points increase in the number of workers in officially recognized jobs. The data indicate that there was a significant increase in the number of formal jobs in the Brazilian labor market.

Table 47.

**Composition of occupation, according to position. Brazil, 2004 to 2014 (%)**

Position	2004	2005	2006	2007	2008	2009	2011	2012	2013	2014
Officially Recognized job	31.2	31.9	32.5	34.0	35.2	35.7	39.4	39.8	40.3	39.6
Non-officially Recognized job	18.1	17.6	17.6	17.1	16.9	16.2	14.7	14.9	14.5	14.4
Officially recognized domestic worker	2.0	2.1	2.1	2.1	2.0	2.2	2.2	2.0	2.2	2.1
Non-officially recognized domestic worker	5.6	5.6	5.5	5.3	5.2	5.5	4.9	4.7	4.5	4.4
Military or statutory civil servant	6.8	6.5	6.8	7.0	7.1	7.3	7.3	7.5	7.5	7.3
Self-employed	22.5	22.1	21.6	21.6	20.6	20.8	21.3	20.8	20.8	21.5
Employer	4.2	4.4	4.6	3.8	4.6	4.4	3.5	3.8	3.8	3.8
Work in production for own consumption and in construction for own use	3.9	4.3	4.3	4.1	4.2	3.9	3.8	3.7	4.2	4.3
Unpaid work	5.6	5.4	4.9	4.8	4.1	3.9	2.8	2.6	2.1	2.4

Source: IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

81. Regarding the composition of employment by activity sector, between 2004 and 2015, the country registered increment in the trade, other services, and construction sectors, accompanied by a significant drop in the agricultural sector.

Table 48  
**Employed population by sectors of activity (total in millions). Brazil, 2004, 2005, 2014, and 2015**

<i>Fields of Activity</i>	2004	2005	2014	2015
Agricultural	16.6	16.6	13.9	13.0
Industry	12.3	12.8	12.9	11.9
Construction	5.3	5.6	9.0	8.5
Commerce and repair	14.3	15.1	17.8	17.1
Lodging and food	2.9	3.1	4.6	4.6
Transportation, storage, and communication	3.9	3.9	5.4	5.3
Public Administration	4.2	4.3	5.1	5.0
Education, health, and social services	7.4	7.6	10.2	10.3
Other services	15.5	15.7	19.1	18.5
Undefined Activities	0.2	0.2	0.1	0.1

Source: IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

82. Finally, considering the terms of the 1988 Brazilian Federal Constitution, which protects the right of association in trade unions, there were 7,569,865 workers associated in trade unions, registered with in the National Register of Trade Unions (CNES), about 10,047 unions in total. Recent legislative changes regarding union dues have been leading to a decrease in this number.

### **Social security**

83. The Brazilian Federal Constitution provides that social security be organized as a general system based on contributions and with mandatory affiliation. The social security benefits are: (i) age retirement; (ii) disability retirement; (iii) retirement based on time of contribution; (iv) special retirement; (v) sick pay; (vi) accident pay; (vii) benefit to the families of prisoners; (viii) surviving spouse pension; (ix) special pension; (x) maternity pay; (xi) family allowance; and (xii) social assistance through the Continuous Cash Benefit (BPC). The taxpayers are, among others, employers, salaried employees, domestic workers, independent workers, individual taxpayers, and rural workers.

84. The general rule is that all workers who are engaged in a paid activity and are not affiliated to a specific retirement system are bound by the general system. The social security system has benefit plans with installments intended to ensure that beneficiaries have essential means to support themselves in case of loss of ability to work.

### *Coverage*

85. The Brazilian social-security system benefitted from a 12.7 percentage points increase, over the last decade, in the proportion of taxpayers in the Brazilian economically active population, especially significant among women.

Table 49  
**Proportion of taxpayers in the economically active population, target population of the Brazilian National Social Security Institute (INSS), and regimes typical of civil and military service, by sex. Brazil, 2001 to 2011**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2011
<b>Both sexes</b>	46.0	45.4	46.6	46.7	47.5	48.9	50.8	52.3	53.8	58.7
<b>Men</b>	46.7	46.1	47.3	47.6	48.4	49.9	51.8	53.4	54.6	58.6
<b>Women</b>	45.1	44.5	45.7	45.5	46.3	47.6	49.3	50.9	52.7	58.9

Source: IBGE, 2001 and 2011 National Household Sample Survey (PNAD).

86. At the same time, there was a 6.3 percentage points increase in the basic public social security direct and indirect coverage for the population in working age between 2001 and 2011.

Table 50

**Proportion of basic public social security direct and indirect coverage for the population in working age, by sex. Brazil, 2001 to 2011**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2011
<b>Both sexes</b>	51.1	50.5	50.9	51.0	51.7	52.6	53.5	54.5	55.1	57.4
<b>Men</b>	49.9	49.2	49.6	49.6	50.3	51.1	52.0	53.1	53.6	55.8
<b>Women</b>	52.3	51.8	52.2	52.2	53.1	54.1	54.9	55.9	56.6	59.0

*Source:* IBGE, 2001 and 2011 National Household Sample Survey (PNAD).

\* Covegare includes direct taxpayers with at least one contribution over the last 12 months and their spouses; persons insured by the rural social security and their spouses; persons insured by the civil and military service social security and their spouses; and dependents up to the age of 21.

**Social assistance**

87. The Brazilian Federal Constitution sets forth that social assistance is a right ensured by the Government to all citizens and social groups under social risk and vulnerability situation, regardless of contribution to social security.

88. The Unified Social Assistance System (SUAS) is based on the guidelines provided by the Federal Constitution and the legal framework provided by the Organic Law of Social Assistance (LOAS). It is a public system that organizes the social assistance services in Brazil.

89. Under SUAS, the social assistance services are organized and structured based on territory, establishing two levels of actions for protection. The first is the Basic Social Welfare, destined to social and personal risk prevention, by providing programs, projects, services, and benefits to individuals and families in social vulnerability situation. The second is the Special Social Welfare, with high and medium level complexity, directed to families and individuals who are already in risk situation and had their rights violated due to abandonment, ill-treatment, sexual assault, drug use, and other aspects.

90. For each level of protection, the SUAS provides a set of tools to provide services and to grant benefits. Regarding basic protection, the social assistance services to families and individuals in social vulnerability situation are offered by the Reference Center for Social Assistance (CRAS). These services aim at strengthening family and community bonds, seeking to give priority to promotion of autonomy, potentialities, and to strengthening families and individuals.

91. The Specialized Reference Centers for Social Assistance (CREAS) are reference hubs that coordinate and integrate special social welfare services. They are responsible for providing specialized and continuous guidance and support to individuals and families who have their rights violated, focusing on actions directed to the family.

*Social assistance network*

92. Over the last few years, there was significant expansion of the social assistance network with the establishment of CRAS and CREAS facilities throughout the national territory. Between 2007 and 2016, the number of CRAS grew by about 96%. The expansion of CREAS in the same period was of more than 180%.

Table 51

**Number of CRAS and CREAS facilities. Brazil, 2007 to 2016**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
<b>CRAS</b>	4,195	5,074	5,798	6,801	7,475	7,725	7,883	8,088	8,155	8,240

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
<b>CREAS</b>	897	1,019	1,200	1,590	2,109	2,167	2,249	2,372	2,435	2,521

Source: IBGE and Ministry of Citizenship, SUAS Census. 2013 to 2016.

93. The Continuous Cash Benefit (BPC) is also an integral part of the SUAS. It is a monetary benefit ensured by that ensures a basic income to elderly and persons with physical disabilities in social vulnerability situation.

Table 52

**Amount of active benefits of social assistance support. Brazil, 2010 to 2016**

	2010	2011	2012	2013	2014	2015	2016*
<b>Social Assistance Support</b>	3.413.084	3.600.473	3.777.778	3.975.413	4.137.995	4.251.726	4.274.943
<b>People with Disabilities</b>	1.785.185	1.911.134	2.024.666	2.148.091	2.257.967	2.326.506	2.349.905
<b>Elderly People</b>	1.627.899	1.689.339	1.753.112	1.827.322	1.880.028	1.925.220	1.925.038

Source: Ministry of Citizenship, 2015 and 2012 Social Security Statistical Yearbook.

\* Data of February 2016, published in the 2015 BPC Bulletin.

**Income**

94. The accumulated economic growth in the last decades impacted directly on the general expansion of the average income of the Brazilian citizen. It had a more significant impact on the lower income population, contributing to reducing the historical inequality in Brazil.

95. From 2005 to 2015, there was a 2.6 percentage points growth in the proportion of total income of the 40% of the population who has the lowest income, while the proportion of income to accrued to people with the highest income – the richest 10% – showed a 4.8 percentage points reduction. Different methodologies confirm evidence of a decrease in the inequality in the country, such as the Palma Index, which compares the evolution of the richest 10% and the poorest 40% (10/40 ratio).

Table 53

**Percentage distribution of the income from all sources of people in the age of 10 or more with income, by income groups. Brazil, 2005 to 2015**

Income Distribution (%)				
Year	Up to 40%	More than 40% up to 90%	More than 90%	Palma Index
<b>2005</b>	11.0	43.6	45.3	4.1
<b>2006</b>	11.3	43.7	44.9	4.0
<b>2007</b>	12.0	44.2	43.9	3.7
<b>2008</b>	12.0	44.6	43.4	3.6
<b>2009</b>	12.4	44.6	43.0	3.5
<b>2011</b>	13.1	45.1	41.9	3.2
<b>2012</b>	13.1	45.0	41.9	3.2
<b>2013</b>	13.2	45.4	41.4	3.1
<b>2014</b>	13.3	45.6	41.0	3.1
<b>2015</b>	13.6	45.9	40.5	3.0

Source: IBGE, 2015 National Household Sample Survey (PNAD).

96. With respect to the per capita monthly household income, both the average income and the median income showed a constant growth from 2005 to 2014. After 2015, the decrease in employment rates and the weakening of the economy, household income was negatively affected.

Table 54

**Average and median monthly household income per capita in arrangements in private households. Brazil, 2005 to 2015**

	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Average</b>	965	965	1,065	1,116	1,139	1,206	1,300	1,337	1,368	1,270
<b>Median</b>	530	601	623	636	682	712	770	794	805	788

*Source:* IBGE, 2015 National Household Sample Survey (PNAD).

97. There was also a decrease in social inequality ratios in relation to sex, skin color, or race between 2005 and 2015.

Table 55

**Real average monthly income of persons with age equal to or higher than 15 years old with income, with the respective sex, color, or race ratios. Brazil, 2005 to 2015**

	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Sex ratio (men/women)</b>	1.51	1.50	1.48	1.49	1.48	1.49	1.47	1.45	1.42	1.50
<b>Color and race ratio (white/black or pardos)</b>	1.89	1.84	1.79	1.74	1.67	1.74	1.72	1.69	1.70	1.89

*Source:* IBGE, 2015 National Household Sample Survey (PNAD).

*Poverty and hunger*

98. The poverty indices in Brazil have been decreasing since the 2000s, leading to an important improvement in the population's living conditions. Both the poverty and the extreme poverty indices decreased significantly over the last few years. The proportion of the population with per capita household income up to one fourth of the minimum wage and between one fourth and one half of the minimum wage decreased 2.8 and 2.6 percentage points, respectively, between 2005 and 2015. In this regard, Brazil has already reached the MDG target of decreasing halving hunger and extreme poverty compared to 1990 levels.

Table 56

**Percentage distribution of persons residing in private households per household income groups per capita. Brazil, 2005 to 2015**

<b>Groups</b>	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Up to 1/4</b>	12.0	11.8	11.2	10.1	10.6	8.6	8.6	8.5	8.0	9.2
<b>More than 1/4 up to 1/2</b>	20.4	20.3	19.4	18.7	18.6	16.6	18.1	17.3	17.0	17.8
<b>More than 1/2 up to 1</b>	27.0	27.9	27.5	27.6	28.4	26.8	28.6	28.2	28.9	30.3
<b>More than 1 up to 2</b>	21.1	21.0	22.0	22.8	22.6	25.7	23.8	23.9	25.2	24.7
<b>More than 2</b>	16.9	16.3	16.2	16.8	15.7	15.9	15.6	15.3	16.6	15.0
<b>No income, undisclosed</b>	2.6	2.9	3.9	4.0	4.1	6.5	5.3	6.6	4.3	2.8

*Source:* IBGE, 2015 National Household Sample Survey (PNAD).

99. Particularly regarding children and teenagers, maintaining and implementing new strategies to decrease poverty contributed to significant progress in 0 to 29 years age group. Between 2005 and 2015, the percentage distribution of the population residing in households with monthly income up to one fourth of the minimum wage decreased by 4.8 percentage points in the age group from 0 to 4 years, which was the greatest positive evolution of the groups.

Table 57

**Percentage distribution of population residing in domiciles with monthly per capita income of up to one fourth of the minimum wage, by age groups. Brazil, 2005 to 2015**

Groups	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Total</b>	11.9	12.4	11.1	10.1	10.6	8.5	8.6	8.5	7.9	9.2
0 to 4 years old	22.4	22.5	20.5	19.0	20.0	15.7	16.5	16.1	15.2	17.6
5 to 14 years old	20.7	20.5	20.2	18.7	19.9	16.6	16.4	16.7	15.9	18.0
15 to 29 years old	10.9	10.8	10.2	9.3	9.9	8.3	8.5	8.5	8.1	9.9
30 to 59 years old	8.6	8.5	8.1	7.1	7.8	6.4	6.5	6.5	6.0	7.1
60 years old or over	2.1	2.0	1.9	1.6	1.7	1.2	1.3	1.3	1.2	1.4

Source: IBGE, 2015 National Household Sample Survey (PNAD).

100. Children and teenagers are the most affected age groups by the situation of food insecurity in Brazilian households. In 2013, private households with at least one member under 18 years old had higher food insecurity compared to households composed only by adults. Additionally, the percentage of persons from 0 to 4 years old and from 5 to 14 years old residing in households in situations of food insecurity was 34.1% and 33.7%, respectively, compared to 25.8% of the population in general. Between 2004 and 2013, such age groups had positive progress, with decrease in food insecurity and significant increase in food security.

Table 58

**Percentage distribution of the population per household food security situation per age group. Brazil, 2004 and 2013**

	0 to 4 years old		5 to 14 years old		15 to 29 years old		30 to 59 years old		60 years old or over	
	Total		old	old	years old	years old	years old	years old	years old	or over
<b>2004</b>	7.7	3.6	10.4	4.8	10.6	5.0	7.7	3.8	6.2	3.1
<b>2013</b>	2.6									
<b>Severe food insecurity</b>	7.7	3.6	10.4	4.8	10.6	5.0	7.7	3.8	6.2	3.1
<b>Moderate food insecurity</b>	14.1	5.1	18.5	6.5	17.6	6.4	14.2	5.5	12.1	4.5
<b>Slight food insecurity</b>	18.0	17.1	21.7	22.8	21.1	22.3	18.6	18.4	16.4	15.1
<b>Food security</b>	60.1	74.2	49.4	65.8	50.7	66.3	59.4	72.3	65.3	77.3
	2004	2013	2004	2013	2004	2013	2004	2013	2004	2013

Source: IBGE, 2004 and 2013 National Household Sample Survey (PNAD).

101. In parallel to the accumulated growth in the Brazilian economy over the last few years, the Federal Government's strategies to directly combat poverty and extreme poverty contributed to the overall positive result. The core social policy in the country is the *Bolsa Família* Program, which was created in October 2003, based on three main axes: a) income supplement; b) access to rights; and c) coordination with other areas. The first two axes directly address poverty through income transfer as a supplement for families enrolled in the Sole Registration for Social Programs of the Federal Government (CadÚnico) and through improvement in health care and education conditions (school attendance of children in school age and regular standing of the vaccination schedule, as well as prenatal monitoring for the members of those families benefited from the Program). The Program aims to break the cycle of poverty by providing families with access to basic health care,

education, and social assistance services. The income transfer serves as supplement or sometimes as the only source of income for families in extreme poverty situation.

**Table 59**  
**Bolsa Família Program, Number of Families Benefited and Amounts Transferred**

Year	Number of Families Benefited	Amounts Transferred (R\$)
<b>2005</b>	8,700,445	5,691,667,041.00
<b>2006</b>	10,965,810	7,524,661,322.00
<b>2007</b>	11,043,076	8,965,499,608.00
<b>2008</b>	10,557,996	10,606,500,193.00
<b>2009</b>	12,370,915	12,454,702,501.00
<b>2010</b>	12,778,220	14,372,702,865.00
<b>2011</b>	13,361,495	17,364,277,909.00
<b>2012</b>	13,902,155	21,156,744,695.00
<b>2013</b>	14,086,199	24,890,107,091.00
<b>2014</b>	14,003,441	27,187,295,233.00
<b>2015</b>	13,936,791	27,650,301,339.00
<b>2016</b>	13,569,576	28,506,185,141.00
<b>2017</b>	13,828,609	29,046,112,934.00

*Source:* Ministry of Citizenship, Social Information Matrix, 2005 to 2017.

#### *Social inequality*

102. Brazil is a country with a historical high level of social inequality, which, over the last years, has been presenting an important reduction. During the 2000s, the combination of favorable economic growth rates with active initiatives for social inclusion, such as income transfer policies and real increases of the minimum wage, allowed a consistent decrease in social inequality over the last few years. This trend may be verified by using the Gini Coefficient, which went from 0.548 in 2005 to 0.491 in 2015.

**Table 60**  
**Gini Coefficient of the distribution of monthly income of persons aged 15 or above, with income, by Major Regions. Brazil, 2005 to 2015**

	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Brazil</b>	0.548	0.544	0.531	0.526	0.521	0.506	0.505	0.501	0.497	0.491
<b>North</b>	0.501	0.504	0.501	0.490	0.496	0.503	0.486	0.484	0.480	0.473
<b>Northeast</b>	0.546	0.553	0.534	0.534	0.532	0.510	0.510	0.509	0.490	0.484
<b>Southeast</b>	0.531	0.526	0.507	0.502	0.497	0.484	0.485	0.483	0.485	0.477
<b>South</b>	0.516	0.507	0.501	0.492	0.486	0.468	0.465	0.458	0.453	0.450
<b>Midwest</b>	0.561	0.554	0.559	0.562	0.550	0.532	0.523	0.519	0.507	0.498

*Source:* IBGE, 2015 National Household Sample Survey (PNAD).

#### **Delinquency and administration of Justice**

103. The violent crime death rate in Brazil per 100 thousand inhabitants is measured by the indicator “Intentional lethal violent crimes”, which encompasses incidents of voluntary manslaughter, murder with intent to rob, and bodily injury followed by death. From 2007 until 2015, it increased from 23.6 to 27.2.

Table 61.

**Rate of violent deaths for each 100 thousand inhabitants. Brazil, 2007 to 2015**

	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Intentional Lethal Violent Crimes (CVLI)</b>	23.6	24.2	23.2	22.7	24	25.8	27.1	28.2	27.2

*Source:* Brazilian Forum of Public Security, 2013 and 2016 Brazilian Annual Reports on Public Security.

104. The racial profile of the violent deaths in Brazil, especially with respect to those caused by firearms, in the 2016, is presented in the publication Violence Map. From 2003 to 2014, we can observe a 26.1% the number of homicides by firearms in the white population decreased by 26.1% while homicides of the Afro-Brazilian increased by 46.9%, as noted in the tale below.

Table 62

**Number and Rates of Homicides by Firearms (for each 100 thousand people) according to color. Brazil, 2003/2014**

<i>Homicides by Firearms</i>				<i>Rates (for each 100 thousand)</i>			
<b>White</b>		<b>People of African descent</b>		<b>White</b>		<b>People of African descent</b>	
<b>2003</b>	<b>2014</b>	<b>2003</b>	<b>2014</b>	<b>2003</b>	<b>2014</b>	<b>2003</b>	<b>2014</b>
13,224	9,766	20,291	29,813	14.5	10.6	24.9	27.4

*Source:* Violence Map, 2016.

105. With respect to sex based crimes, rape and attempted rape cases registered by the police went respectively, from 22.8 and 2.2, in 2011, to 22.2 and 3.4, in 2015, per one hundred thousand people.

Table 63

**Rates of sexual crimes for each 100,000 inhabitants and by type. Brazil, 2011 to 2015**

<i>Rape</i>					<i>Rape attempt</i>				
<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
22.8	25.9	25.4	24.9	22.2	2.2	3.0	2.4	3.9	3.4

*Source:* Brazilian Forum of Public Security, 2013 to 2016 Brazilian Annual Reports on Public Security.

106. Brazil (the Federal Government and the States of the Federation) allocates an average of 1.3% of its GDP for public security. The total expenditure is shown in the table below.

Table 64

**Total expenses incurred with Public Security Services in current Reais (R\$). Federal Government and Federative Units. Brazil, 2006 to 2014**

<b>Year</b>	<b>Federal Government</b>	<b>Total - Federative Units</b>
<b>2006</b>	4,438,869,383.16	35,224,631,863.76
<b>2007</b>	5,904,096,238.99	37,392,585,037.67
<b>2008</b>	7,023,318,467.41	39,417,481,233.10
<b>2009</b>	8,161,732,945.45	42,946,410,795.42
<b>2010</b>	7,779,444,615.76	40,418,313,510.12
<b>2011</b>	5,744,128,534.30	45,657,770,444.81
<b>2012</b>	7,878,515,352.99	44,906,552,377.41

Year	Federal Government	Total - Federative Units
2013	8,270,903,209.92	49,266,559,130.29
2014	8,945,185,000.00	59,305,236,705.05
2015	9,035,951,000.00	67,156,232,540.29

Source: Ministry of Economy and Brazilian Forum of Public Security, Brazilian Annual Reports on Public Security.

107. Public security expenditure on a per capita basis increased from R\$184.19 to R\$332.21 from 2007 until 2014, pursuant to the table below.

Table 65

**Expense per capita with Public Security Services. Federal Government and Federative Units, 2007 to 2014**

	2007	2008	2009	2010	2011	2012	2013	2014
<b>Total Federal Government and states</b>	184.19	208.47	238.29	236.94	274.22	272.12	286.17	332.21

Source: Ministry of Economy and Brazilian Forum of Public Security, Brazilian Public Security Yearbook.

108. According to the publication Profile of Brazilian states and cities of 2014, the country had over 540,000 active police officers, considering the sum of state police officers and civil police officers. The state police ratio per inhabitant is 1:47, and the civil police ratio is 1:1709.

Table 66

**Effective contingent of the Military Police and of the Civil Police, by sex, in each of the Major Regions and Federative Units. Brazil, 2014**

	Military Police Contingent					Civil Police Contingent		
	Sex			Police / Womeninhabitants *	Total	Sex		
	Total	Men	Women			Police / Womeninhabitants *	Total	Men
<b>Brazil</b>	425,248	383,410	41,838	1:473	117,642	86,637	31,005	1:1709
<b>North</b>	42,129	36,914	5,215	1:403	12,182	8,323	3,859	1:1394
<b>Northeast</b>	109,341	99,591	9,750	1:510	25,038	19,524	5,514	1:2228
<b>Southeast</b>	186,219	167,784	18,435	1:454	55,094	41,034	14,060	1:1533
<b>South</b>	49,430	44,120	5,310	1:583	13,380	9,282	4,098	1:2152
<b>Midwest</b>	38,129	35,001	3,128	1:393	11,948	8,474	3,474	1:1255

Source: IBGE, 2014 Profile of Brazilian states and cities. \* Ratio calculated by reference to the estimated population on July 1, 2013, submitted to the Brazilian Federal Court of Auditors (TCU) on October 31, 2013.

109. According to data from the National Justice Council (CNJ), in 2015, the Judiciary Branch had 17,338 judges, which corresponds to 7.91 judges per one hundred thousand inhabitants.

110. In 2015, about 74 million legal cases were being processed by the Brazilian Judiciary Branch. Compared to 2014, the number increased by 1.9 million (3%) legal cases, despite the high productivity of the Judiciary Branch, which processed 104% of all cases, meaning that 1.2 million cases were closed in addition to the amount filed. On the other hand, in 2015, the amount of new legal cases decreased (-5.5%) for the first time in the historical series, with minus 1.6 million proceedings when compared to 2014. In 2015, there were 73.9 million legal cases pending trial, 28.5 million proceedings closed, and 27.3 million new cases filed.

111. In 2015, the work load per judge increased by 6.5%, reaching 6,577 cases, including proceedings pending trial or closed in the year. The productivity index for judges reached 1,760 cases per year, a 3.7% increase.

112. The total amount expenditure by the Judiciary Branch in 2015 reached R\$79.2 billion, which corresponds to a 4.7% increase in comparison with 2014. The budget for the Judiciary Branch is equivalent to 1.3% of the national GDP, amounting to R\$387.56 per inhabitant.

113. Over the last few years, there has been an increase both in the number of public defenders in each federative unit and in the average annual budget. The State Public Defender's Offices had an increase in budget, from R\$68 million in 2009 to R\$137 million in 2014. The annual budget of the Federal Public Defender's Office increased from R\$96 million in 2008 to R\$365 million in 2014. The average number of public defenders per federative unit increased from 190 professionals in 2008 to 227 in 2014.

114. Whilst there was a significant increase in numbers of public defenders compared to the 2008, there are major differences between states.

**Table 67  
Ratio of state Public Defenders and target population per state. Brazil, 2008 and 2014**

Federative Units	2008		2014	
	Active Public Defenders	Active Public Defenders	Target population	Ratio (Pop./Def.)
<b>Acre</b>	60	53	270,867	5,111
<b>Alagoas</b>	30	72	1,255,235	17,434
<b>Amazonas</b>	57	109	1,232,907	11,311
<b>Amapa</b>	-	-	234,812	-
<b>Bahia</b>	201	267	6,279,654	23,519
<b>Ceara</b>	252	284	3,850,129	13,557
<b>Federal District</b>	160	191	904,741	4,737
<b>Espirito Santo</b>	127	186	1,637,105	8,802
<b>Goias</b>	-	18	2,861,175	158,954
<b>Maranhao</b>	46	142	2,622,931	18,471
<b>Minas Gerais</b>	474	581	9,559,377	16,453
<b>Mato Grosso do Sul</b>	148	173	1,129,880	6,531
<b>Mato Grosso</b>	117	182	1,341,821	7,373
<b>Para</b>	212	269	2,924,239	10,871
<b>Paraiba</b>	327	245	1,718,460	7,014
<b>Pernambuco</b>	-	246	3,849,256	15,647
<b>Piaui</b>	62	105	1,387,325	13,213
<b>Parana</b>	-	76	4,995,861	65,735
<b>Rio de Janeiro</b>	720	771	6,929,053	8,987
<b>Rio Grande do Norte</b>	-	38	1,425,164	37,504
<b>Rondonia</b>	25	64	680,909	10,639
<b>Roraima</b>	38	39	158,303	4,509
<b>Rio Grande do Sul</b>	345	379	5,424,244	14,312
<b>Santa Catarina</b>	-	101	3,140,015	31,089
<b>Sergipe</b>	95	92	897,336	9,754
<b>Sao Paulo</b>	397	719	17,932,005	24,940
<b>Tocantins</b>	85	110	604,171	5,492

*Source:* Ministry of Justice and Public Security (MJSP), IV Diagnosis of the Public Defender's Office in Brazil, 2015.

115. In 2016, the Federal Public Defender's Office had 614 federal public defenders, an increase of 59 compared to 2014 and of 138 compared to 2010.

116. In view of Constitutional Amendment No. 80/2014, it is necessary to make further progress so that the goal of full coverage of the judiciary sections and subsections, for 2022, is duly achieved. Currently, the Public Defender's Office covers 78 of the 276 judiciary sections and subsections in the country.

117. In 2016, the Federal Public Defender's Office provided legal assistance to 631,671 persons and registered 1,611,252 services rendered. In 2014, the State Public Defender's Offices registered 10,380,167 services and filed or replied to 2,078,606 suits.

Table 68

**Requests for Legal Assistance by Persons being Prosecuted or Arrested**

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013*
<b>Total</b>	74	435	3,964	6,109	6,641	10,071	23,636	45,657	46,255	20,641

*Source:* Federal Public Defender's Office, 2013 Electronic Legal Assistance Procedure.

118. The prison population in Brazil, in December 2014, comprised 622,202 persons.

Table 69

**Distribution of arrested persons in the Prison System, by prison status (%). Brazil, 2013 and 2014**

<i>Convicted</i>		<i>Safety Measure</i>		<i>Temporary</i>	
<b>2013</b>	<b>2014</b>	<b>2013</b>	<b>2014</b>	<b>2013</b>	<b>2014</b>
59.2	61.2	0.7	0.5	40.1	38.3

*Source:* MJSP, National Prison Department (DEPEN) and Brazilian Forum on Public Security.

119. More than 40% of the total persons deprived of their liberty in Brazil are pre-trial detainees, amounting to more than 240 thousand persons. This situation derives from a number of factors, such as the long time taken by judicial cases and deficiency in legal aid.

120. The recently adopted Custody Hearings Program is a relevant action for address the high number of temporary detentions, as it determines the realization of hearings in all Brazilian states aiming at ensuring that all citizens accused of crimes may promptly appear before a judge. According to data by CNJ, after the start of the Program, until December 2016, it was possible to reduce the number of pre-trial detentions in almost 50%.

121. Finally, Brazil does not impose death penalty, according to article 5, XLVII, of its Federal Constitution of 1988.

#### **4. Cultural characteristics**

122. While the official language of Brazil is Portuguese, many other languages are spoken in the country. The 2010 Census indicated that there are 274 indigenous languages, of which *tikúna* is the most spoken (34.1 thousand speakers). Out of the 786.7 thousand indigenous persons aged of 5 or above, 37.4% speak an indigenous language and 76.9% speak Portuguese. Recently, the Federal Government has implemented public policies to recover and preserve these languages. In education, the implementation of bilingual indigenous schools has supported the preservation of indigenous languages.

123. In addition, there are a number of languages and dialects spoken by descendants of immigrants, creole languages, differentiated linguistic practices spoken in the quilombos, and two sign languages, which together makes Brazil a multilingual country.

124. Regarding religion, the Brazilian State is secular, so it does not have an official religion, as provided for in the Brazilian Federal Constitution. The Constitution prohibits federal entities from establishing religious cults or churches, from funding them, hindering their operation, or maintaining dependence or alliance relationships with them or with their representatives, with the exception, as provided by law, of collaborations in the interest of the general public.

125. According to 2010 Census, 64.6% of Brazilians considered themselves to be Catholic, compared to over 93% in the 1960s. At the same time, the Evangelical population increased from 15.4% in 2000 to 22.2% in 2010. It was also possible to observe an increase in the number of Spiritists, from 1.3% of the population (2.3 million) in 2000 to 2.0% in 2010 (3.8 million), as well as in the number of persons declaring that they do not have any religion, from almost 12.5 million (7.3%) in 2000 to more than 15 million (8.0%) in 2010. Additionally, Brazilians that follow a religion of traditional African origin – such as *Umbanda* and *Candomblé* – remained around 0.3% of the population in 2010.

## B. Constitutional, political, and legal structure of the State

### i. Form of government

126. Brazil is a federal republic, resulting from the interrelation between the Federal Union, the States, Municipalities, and the Federal District. Brazil follows a democratic system of government, based on elected representatives for temporary terms of office, through direct and periodic elections. The country has a Presidential system where the President of the Republic is the head of the Government and of the State.

127. The Brazilian Federal Constitution of 1988 resulted from the re-democratization process that occurred in the country in the 1980s. It sets forth the fundamental rules governing the federation, the separation of powers, and the rights and guarantees. Among the fundamental principles that underpin the Constitution are: (i) sovereignty; (ii) citizenship; (iii) dignity of the human being; (iv) social values of work and free enterprise, and (v) political pluralism.

### ii. Popular will, political parties, and electoral system

128. In Brazil, popular will is exercised by universal suffrage and by direct and secret voting, as provided by law, by means of plebiscites, referenda, and popular initiatives. Voting is mandatory for people over eighteen years of age and optional for the illiterate, those over seventy years of age, and those over sixteen and under eighteen years of age. Foreign residents do not enjoy the right to vote, with the exception of those naturalized as Brazilian citizens.

129. Since the enactment of the Brazilian Constitution, all national and sub-national elections took place within the terms established therein.

130. In the elections held in 2016, 146,470,948 people were eligible to vote, which corresponds to 71% of the total population.

Table 70  
**Eligible voting population. Brazil, 2010, 2012, 2014, and 2016**

Election year	Total population in Brazil	Eligible voting population – total	Eligible voting population in % of total population
2010	190,732,694	135,804,433	71%
2012	193,946,886	140,646,446	73%
2014	201,032,714	142,822,046	71%
2016	206,081,432	146,470,948	71%

Source: Superior Electoral Court (TSE).

131. The number of voters who attended the general elections held in 2010 and 2014 was, respectively, 135,804,433 and 142,822,046.

Table 71  
**Number of voters. Brazil, 2010 and 2014**

<i>Election year</i>	<i>Brazil</i>	<i>Abroad</i>	<i>Voting constituency</i>
<b>2010</b>	135,604,041	200,392	135,805,433
<b>2014</b>	142,467,862	354,184	142,822,046

Source: TSE.

132. Citizens and political parties may lodge appeals and complaints related to the electoral process. In the general elections held in 2010, 5,526 proceedings were filed with the Superior Electoral Court (TSE). Out of this total, by the end of July 2013, 4,610 proceedings had already been judged, which represents 83% of the total appeals received.

Table 72  
**Number of appeals, by type of illegal activity, processed in the Superior Electoral Court related to the 2010 general elections. Brazil, 2010**

<i>Type of illegal activity</i>	<i>Total number</i>
Public Officials Prohibited Conducts	169
Suffrage Fraud (purchase of votes)	172
Abuse of Economic, Political, or Authority Power	184
Nonconformities in Campaign Advertising	2,034
Nonconformities in Fundraising and Financing activities of the Election Campaigns	917
Requests for registration of candidacy in the 2010 elections	2,050

Source: TSE.

133. The Brazilian Constitution establishes free organization of political parties, consolidation, merger, and cancellation; thus assuring that national sovereignty, the democratic system, the multiparty system, and the fundamental rights of the human being are protected. In August 2017, there were 35 political parties in Brazil.

Table 73  
**Political parties. Brazil, 2017**

<i>Name</i>	<i>Acronym</i>	<i>Date of Approval</i>
BRAZILIAN DEMOCRATIC MOVEMENT PARTY	PMDB	1981
BRAZILIAN LABOUR PARTY	PTB	1981
DEMOCRATIC LABOUR PARTY	PDT	1981
WORKERS' PARTY	PT	1982
DEMOCRATS	DEM	1986
COMMUNIST PARTY OF BRAZIL	PCdoB	1988
BRAZILIAN SOCIALIST PARTY	PSB	1988
BRAZILIAN SOCIAL DEMOCRACY PARTY	PSDB	1989
CHRISTIAN LABOUR PARTY	PTC	1990
SOCIAL CHRISTIAN PARTY	PSC	1990
PARTY OF NATIONAL MOBILIZATION	PMN	1990

<i>Name</i>	<i>Acronym</i>	<i>Date of Approval</i>
PROGRESSIVE REPUBLICAN PARTY	PRP	1991
POPULAR SOCIALIST PARTY	PPS	1992
GREEN PARTY	PV	1993
LABOUR PARTY OF BRAZIL	PTdoB	1994
PROGRESSIVE PARTY	PP	1995
UNIFIED WORKERS' SOCIALIST PARTY	PSTU	1995
BRAZILIAN COMMUNIST PARTY	PCB	1996
BRAZILIAN LABOUR RENEWAL PARTY	PRTB	1995
HUMANIST PARTY OF SOLIDARITY	PHS	1997
CHRISTIAN SOCIAL DEMOCRATIC PARTY	PSDC	1997
LABOUR CAUSE'S PARTY	PCO	1997
PODEMOS	PODE	1997
SOCIAL LIBERAL PARTY	PSL	1998
BRAZILIAN REPUBLICAN PARTY	PRB	2005
SOCIALISM AND LIBERTY PARTY	PSOL	2005
PARTY OF THE REPUBLIC	PR	2006
SOCIAL DEMOCRATIC PARTY	PSD	2011
FREE FATHERLAND PARTY	PPL	2011
NATIONAL ECOLOGICAL PARTY	PEN	2012
REPUBLICAN PARTY OF THE SOCIAL ORDER	PROS	2013
SOLIDARIEDADE	SD	2013
NEW PARTY	NOVO	2015
SUSTAINABILITY NETWORK	REDE	2015
PARTY OF THE BRAZILIAN WOMAN	PMB	2015

*Source:* TSE.

134. Following the 2018 legislative elections, both Houses of Congress, the House of Representatives and the Federal Senate, elected representatives, as described in the tables below.

**Table 74**  
**Groups of legislators by political party. House of Representatives. Brazil, 2019**

<i>Party/Block</i>	<i>Number of members</i>
No Party	1
Block PP, MDB, PTB	85
PT	54
PSL	54
PL	38

<i>Party/Block</i>	<i>Number of members</i>
PSD	36
PSB	32
PRB	31
PSDB	30
DEM	28
PDT	27
SOLIDARIEDADE	14
PODE	11
PSOL	10
PROS	10
PCdoB	8
PSC	8
CIDADANIA	8
NOVO	8
AVANTE	7
PATRIOTA	5
PV	4
PMN	2
PHS	1
REDE	1
TOTAL:	513

Table 75  
**Groups of legislators by political party. Federal Senate. Brazil, 2019**

<i>Party/Block</i>	<i>Number of members</i>
PDT	4
CIDADANIA	3
PODEMOS	8
PSD	9
PSDB	8
DEM	6
PP	6
MDB	13
REDE	3
PSL	4

<i>Party/Block</i>	<i>Number of members</i>
PT	6
PSB	3
PL	2
PRB	1
No Party	1
PROS	3
PSC	1
Total	81

*Source:* Federal Senate.

135. Regarding female share in the Brazilian Congress, in 1995, Law No. 9,100 was enacted, establishing that at least 20% of the candidates presented by each party or coalition should be women. In 1997, this proportion was changed to a minimum of 30%, which was confirmed by Superior Electoral Court in 2010.

136. In 2014, there was a significant growth in the number of women running for offices in the House of Representatives, reaching 1,765, in comparison to 935 in 2010, representing an 88.8% increase. Additionally, the number of women in the House increased by 13.3% compared to 2010, with 51 federal representatives elected. Women also obtained a record representation in the Federal Senate in 2014 elections, with a higher percentage of women elected, compared to 2010 and 2006. Of the total of 27 elected senators 5 were women, representing 18.5%.

**Table 76**  
**Distribution of women elected for the Federal Senate and the Chamber of Deputies.**  
**Brazil 2002, 2006, 2010 and 2014 (in %)**

	2002	2006	2010	2014
Federal Senate	14.8	14.8	14.8	16.0
Chamber of Deputies	8.2	8.8	8.8	9.9

*Source:* TSE.

### iii. Social participation

137. The Brazilian Constitution provides for, in different articles, the principle of social participation, reaffirming and deepening the participative democracy in the country. The creation of spaces capable of incorporating the agendas and the interests of the various sectors of the society during the preparation and implementation of the public policies is deemed essential for the establishment of a relationship of co-responsibility between the Government and the society, and, equally, for ensuring a greater legitimacy to the decisions and actions of the government.

138. The Constitution provides for and ensures freedom of association. The recognition of entities depends only on the organization of their legal personalities, which, depending on their nature, require specific administrative proceedings, such as, for example, the registration of bylaws.

139. The coordination and organization of the relationships between the Government and civil society, within the scope of the Federal Executive Branch, are under the responsibility of the Government Secretariat of the Presidency of the Republic. The Secretariat is responsible for assisting directly the President of the Republic and other agencies of the federal public administration in the relationship and coordination with social movements, employers' and workers' associations, which includes the creation and implementation of

channels that ensure consultation and popular participation in the discussion and the definition of the priority agenda of the country.

140. The types of dialogue that the Government has maintained with the civil society over the last few years include councils, present in all levels of the Federation, and national conferences about different subjects of interest to civil society.

141. The councils are collegiate bodies with the participation of representatives of the Executive Branch and of civil society, which are active in the preparation, implementation, and monitoring of public policies, thus ensuring that the rights provided for in the Brazilian Constitution are duly respected. The councils are not restricted to federal sphere, but are also present at the state and municipal levels.

142. The national conferences are an essential instrument of dialogue, debate, and collective construction of guidelines, having a key role in the conception, implementation, and monitoring of public policies. From 1941 to 2013, 138 national conferences took place, of which 97 occurred between 2003 and 2013, encompassing more than 43 sectorial areas in the municipal, regional, state, and national spheres. More than nine million persons participated in the debate on proposals for public policies related to different topics.

143. In addition to these spaces of participation, the country has other channels and actions enabling a more fluid interaction between the government and the civil society, such as dialogue meetings, ombudsmen, public hearings, social mobilization and participation plans, activities for monitoring social demands, social participation in the budget process, and participative audits, always keeping a dialogue with the organizations of the civil society and other entities, as partners.

#### iv. Means of communication

144. Based on data for 2015 regarding access to communication, television is still the most accessible means of communication in the residences, amounting to 97.1%. From 2005 until 2015 access to computers with Internet access and mobile and fixed line telephones, expanded respectively, 26.9% and a 21.9%.

**Table 77  
Proportion of permanent private residences with durable goods, by certain selected items. Brazil, 2005 to 2015**

	2005	2006	2007	2008	2009	2011	2012	2013	2014	2015
<b>Telephone (landline or mobile)</b>	71.4	74.3	76.7	81.9	84.2	89.9	91.2	92.5	93.5	93.3
<b>Television</b>	91.2	92.9	94.3	95.0	95.6	96.9	97.2	97.2	97.1	97.1
<b>Microcomputers with Internet access</b>	13.6	16.8	20.0	23.8	27.4	36.6	40.3	42.4	42.1	40.5

*Source:* IBGE, 2014 and 2015 National Household Sample Survey (PNAD).

145. In 2015, 50% of the Brazilian households had access to a computer, and 51% had Internet access, amounting to approximately 34.1 million households. The growth in access to the Internet is significant, considering that only 18% of households had Internet access, in 2008. Compared to the previous year, the proportion of people accessing the Internet in 2015 through a mobile phone increased from 76% to 89%, while Internet access through computers decreased from 80% to 76%. Additionally, Wi-Fi connections registered a 13 percentage points growth, being present in 79% of the Brazilian residences.

146. The communications sector is regulated by Decree-Law No. 236/1967. Article 12 thereof defines the concentration limits related to the communications sector entities, which establish a maximum number of concessions or permits for radio and television broadcasting stations.

**v. Political and administrative organization**

**The federal pact**

147. The Brazilian federal system is composed of the Federal Government or Union, the 26 States, the 5,570 Municipalities, and the Federal District, with Brasília as the Federal Capital City. The three federative units have autonomy with respect to self-organization and laws and regulations, but are conditioned to the constitutional law.

148. The States are organized and governed by the constitutions and laws they themselves adopted, with due regard to the principles set forth in the Federal Constitution. They are responsible for the competences not prohibited by the Constitution. The States' Executive Branch is represented by the Governor, elected every four years through universal, direct, and secret suffrage. The Governor is responsible for representing the Federative Unit before the Federal Government and the other states, coordinating the legal, political, and administrative relationships, and defending its autonomy. Each State has a Legislative Assembly, which is the body representing the Legislative Branch in the state sphere. The Assemblies are composed of state representatives elected every four years, through direct and secret vote, and the number of representatives is defined by the amount of inhabitants of each state, with the possibility of unlimited re-election.

149. Municipalities, on their turn, are organized and governed by an Organic Law, enjoying autonomy pursuant to the Federal Constitution and state constitutions. The Municipal Executive Branch is represented by the Mayor, elected for a four-year term of office, through direct and elections. The Mayor has political and administrative duties consolidated through legal and administrative acts and expressed through planning and implementation of municipal activities, public works and services. The Legislative Branch is represented by the City Council, elected for four-year terms of office, through direct and secret vote, respecting the composition of the number of inhabitants in the cities, with the possibility of unlimited re-election.

150. The Federal Constitution established a general rule for the Federal Government not to intervene in the internal affairs of the States and in the Federal District, except in the cases expressly authorized therein. In this regard, it is essential to point out that one of the possibilities of federal intervention is, precisely, the need for the Federal Government to ensure the respect of human rights.

151. As a rule, the investigation and punishment of most human rights violations are. Nevertheless, the Federal Constitution stipulates that cases of serious violations can be elevated to the federal level. Thus, in cases of serious violations of human rights, the Prosecutor General of the Republic may evoke, before the Superior Court of Justice (STJ) a motion to change the jurisdiction of proceedings to the Federal Courts, in order to ensure the respect for international human rights treaties to Brazil is a party.

**The branches of the Republic**

152. The Brazilian Government is organized in three Branches: the Legislative Branch, the Executive Branch, and the Judiciary Branch. They are independent and harmonious with each other, pursuant to the Federal Constitution.

*Executive Branch*

153. At the federal level, the power of the Executive Branch is exercised by the President of the Republic, with support from the Ministers. The election of the President and the Vice-President of the Republic is held, simultaneously, ninety days before the end of the term of office of the current President, for a four-year term of office, with the possibility of running for re-election for an additional term. The candidate receiving the absolute majority of votes, disregarding blank and null votes, shall be elected President.

154. The Executive Branch is composed of direct managerial bodies, such as the federal ministries, and indirect management agencies, such as governmental entities and other independent agencies. The formulation, implementation, and monitoring of federal public policies are a responsibility of the ministries, special offices, independent agencies, regulatory agencies, and councils.

155. The Executive Branch also has a role, together with the Legislative Branch, in the drafting of bills, approval and vetoing of laws. In case of importance and urgency, it may propose provisional measures and amendments to the Constitution, complementary and ordinary bills, and delegated laws.

#### *Legislative Branch*

156. The federal Legislative Branch is composed of the Federal Senate and the House of Representatives, which, together, form the National Congress. The Federal Audit Court (TCU) is part of the Legislative Branch, tasked with the role of control and inspection of the public administration.

157. The House of Representatives represents the people, based on a system of proportional representation, with a minimum of eight and a maximum of seventy representatives by each Federative Unit, amounting to 513 representatives, serving for a four-year term, with the possibility of unlimited re-election.

158. In 1995, the House of Representatives established a Human Rights and Minorities Commission, responsible for, among other duties, receiving, evaluating and investigating human rights violation reports and inspecting and monitoring the implementation of governmental programs in this sector.

159. The Federal Senate represents the 26 States and the Federal District. Each one of the federative units elects three senators, amounting to 81 senators. Every four years, the States and the Federal District alternately elect one and two Senators to serve for an eight-year term, with possibility of unlimited re-election.

160. In 2005, the Federal Senate established the Human Rights and Participative Legislative Commission, which is responsible for discussing bills, monitoring public policies, and coordination with the civil society aiming at promoting human rights.

#### *Judiciary Branch*

161. The Judiciary Branch is responsible for administering the law and punishing perpetrators. By the Constitution, it is ensured administrative and financial autonomy. Among its bodies are the Brazilian Supreme Court (STF), the National Justice Council, the Superior Court of Justice, the Federal Regional Courts and Federal Judges, the Labor Courts and Judges, the Electoral Courts and Judges, the Military Courts and Judges, and the Courts and Judges of the States and Federal District and Territories. Thus, the Brazilian Judiciary Branch is divided into common courts (federal and state) and specialized courts (military, electoral, and labor).

162. In 2004, through a constitutional amendment, the National Justice Council was created, with a view to controlling the administrative and financial actions of the Judiciary Branch and the discharge of the duties of judges. The Council is composed of 15 members who serve for a two-year term, with the participation of judges, public prosecutors and public defenders, attorneys and citizens appointed by the House of Representatives and Federal Senate.

#### **Essential duties of the Courts**

163. In discharging its legal duties, the Courts are assisted by the Office of the Attorney General, by private law firms, by the Prosecution Service, and by the Public Defender's Office, which are institutions essential for ensuring the respect of human rights.

164. The public legal practice is exercised by the Office of the Attorney General of the Union (AGU), which is responsible for assisting and guiding the President of the Republic and the Ministers, its independent agencies, and public foundations, in matters of legal nature and in the internal control of the legality of the administrative acts. Additionally, AGU is in charge of suggesting measures of a legal nature for the public interest and of representing the Federal Government in Court in cases where it is the claimant, defendant, or interested third-party.

165. Private legal practice is organized under the Brazilian Bar Association (OAB), an independent body without functional or hierarchical relation with Public Administration

agencies. It is tasked to defend the Constitution, the democratic rule of law, human rights, social justice, as well as promote, exclusively, representation, defense, selection, and discipline of attorneys throughout the country. The Federal Constitution establishes that legal practice is essential to the administration of justice. Lawyers are inviolable for their acts and opinions in the exercise of their occupation, within the limits of the law.

166. The Prosecution Service, created by the Brazilian Federal Constitution of 1988, is an independent government agency with functional, administrative, and financial autonomy. It is not part of any of the three Branches. It is responsible for defending the legal order, the democratic system and unalienable social and individual rights. The agency is headed by the Prosecutor General of the Republic and governed by the institutional principles of functional unity, indivisibility and independence. It may not be extinguished nor have its duties passed on to another institution.

167. The Prosecution Service of the Federal Government (MPU) is composed by the Federal Prosecution Service (MPF), the Labor Prosecution Service (MPT), the Military Prosecution Service (MPM), the Federal District and Territory Prosecution Service (MPDFT), and the State Prosecution Services (MPEs).

168. In addition to the traditional role of monitoring the implementation of the law and public prosecutor, the Prosecution Service is responsible for receiving the complaints and filing suits as the lead plaintiff representing the interested parties by virtue of violation of economic, social, and cultural rights.

169. The Public Defender's Office is a permanent institution, integrating the Executive Branch. It is mainly responsible for providing legal services, promoting human rights and defending, at all levels, judicially and extrajudicially, all individual and collective rights, fully and freely, to those that cannot afford private legal representation.

170. The Federal Public Defender's Office (DPU) exercises this role at the federal level, while the State Public Defender's Offices operate in the States of the Federation. Constitutional Amendment No. 45/2004 granted financial and budgetary autonomy to the Defender's Offices, contributing to a higher independence of the defenders and to structural improvements in the institution, as well as to an expansion of access to the Courts throughout the country.

## **II. General framework for protection and promotion of human rights**

### **A. Acceptance of the international human rights rules**

171. Most of the international human rights treaties were ratified by Brazil after its re-democratization process, which began in 1985. As noted in the tables below, Brazil is a party to the main instruments related to human rights, international humanitarian law, international criminal law, rights of refugees, and international labor law.

172. Additionally, the Brazilian Government maintains a standing invitation to human rights special procedures of the United Nations System. Altogether, the country has already received more than 20 visits of special rapporteurs and independent experts in various areas of expertise, in addition to the special representative of the Secretary-General for Human Rights Defenders, which brought positive contributions, with useful diagnoses and recommendations with respect to some of the main challenges that Brazil faces.

173. In 1998, Brazil ratified the Statute of the Hague Conference on Private International Law, and resumed its participation in the Conference in 2000. The country is also a party to a series of private international law treaties under the Organization of American States. Accordingly, many of the topics at the international level are addressed in inter-American conventions of private international law. Thus, Brazil recognizes the relevance of treaties regarding letters rogatory and arbitration for access to the courts.

174. The Brazilian Government is a party to the main human rights instruments. In 1998, Brazil accepted the mandatory jurisdiction of the Inter-American Court of Human Rights.

The breadth and scope of the treaties ratified by Brazil are a testament to the commitment of the country regarding the importance of the international and regional systems of protection of human rights.

175. Finally, it is worth highlighting that, in 2017, after presenting its national human rights report, Brazil accepted all but 4 of the 246 recommendations made to the country for the third cycle of the Universal Periodic Review of the Human Rights Council. Together with the other international commitments made by Brazil, the UPR recommendations will guide Brazilian public policies and actions for human rights in the next four years. The Brazilian Government has paid special attention with respect to the promotion and projection of the human beings, their integrity, and their dignity.

1. *Main International Human Rights Instruments<sup>4</sup>*

<i>Treaty</i>	<i>Ratification/ Accession</i>	<i>Declarations/Reservations</i>
<b>International Covenant on Economic, Social and Cultural Rights</b>	1992	
<b>International Covenant on Civil and Political Rights</b>	1992	
<b>International Convention on the Elimination of All Forms of Racial Discrimination</b>	1968	Yes (declaration of recognition of the competence of the Committee on the Elimination of Racial Discrimination )
<b>Convention on the Elimination of all Forms of Discrimination Against Women</b>	1984	Yes (reservation to article 29, paragraph 1)
<b>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</b>	1989	Yes (declaration of recognition of the competence of the Committee against Torture)
<b>Convention on the Rights of the Child</b>	1990	
<b>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict</b>	2004	Yes (declaration regarding article 143 of the Brazilian Federal Constitution)
<b>Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography</b>	2004	
<b>Optional Protocol to the International Covenant on Civil and Political Rights</b>	2009	
<b>Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty</b>	2009	Yes (reservation to article 2)
<b>Optional Protocol to the Convention on the</b>	2002	

<sup>4</sup> Out of the instruments listed in this section, Brazil only did not ratify the Convention on the Protection of the Rights of Migrant Workers and Members of their Families.

<i>Treaty</i>	<i>Ratification/ Accession</i>	<i>Declarations/Reservations</i>
<b>Elimination of all Forms of Discrimination Against Women</b>		
<b>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</b>	2007	
<b>Convention on the Rights of Persons with Disabilities</b>	2008	
<b>Optional Protocol to the Convention on the Rights of Persons with Disabilities</b>	2008	
<b>International Convention for the Protection of All Persons from Enforced Disappearance</b>	2010	

2. *Other Human Rights Conventions*

<i>Treaty</i>	<i>Ratification/ Accession</i>	<i>Declarations/Reservations</i>
Convention on the Prevention and Punishment of the Crime of Genocide	1952	Yes (declaration on the reservations made to the Convention by some countries)
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	1958	
Convention relating to the Status of Refugees	1960	
Convention relating to the Status of Stateless Persons	1996	
Convention on the Reduction of Statelessness	2007	Yes (declaration regarding article 8, paragraph 3, a, ii)
Statute of the International Criminal Court	2002	
United Nations Convention against Transnational Organized Crime	2004	
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United	2004	

<i>Treaty</i>	<i>Ratification/ Accession</i>	<i>Declarations/Reservations</i>
Nations Convention against Transnational Organized Crime		
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	2004	

3. *International Labor Organization – ILO Covenants<sup>5</sup>*

<i>Convention</i>	<i>Title</i>	<i>Ratification</i>
14	Weekly Rest (Industry) Convention	1957
29	Forced Labor Convention	1957
81	Labor Inspection Convention	1989
97	Migration for Employment Convention (Revised)	1965
98	Right to Organize and Collective Bargaining Convention	1952
100	Equal Remuneration Convention	1957
102	Social Security (Minimum Standards) Convention	2009
105	Abolition of Forced Labor Convention	1965
106	Weekly Rest (Commerce and Offices) Convention	1965
111	Discrimination (Employment and Occupation) Convention	1965
118	Equality of Treatment (Social Security) Convention	1969
122	Employment Policy Convention	1969
131	Minimum Wage Fixing Convention	1983
132	Holidays with Pay Convention (Revised)	1998
138	Minimum Age Convention	2001
151	Labor Relations (Public Service) Convention	2010
155	Occupational Safety and Health Convention	1992
169	Indigenous and Tribal Peoples Convention	2002
182	Worst Forms of Child Labor Convention	2000

<sup>5</sup> Of the instruments listed in this section, Conventions 86, 87, 129, 143, 156 and 183 were not ratified by Brazil.

4. *United Nations Educational, Scientific and Cultural Organization – UNESCO Conventions*

<i>Treaty</i>	<i>Ratification/Accession</i>
Convention against Discrimination in Education	1968

5. *Hague Conference on Private International Law Conventions*

<i>Treaty</i>	<i>Ratification/Accession</i>	<i>Declarations/Reservations</i>
Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption	1999	Yes (declaration regarding art. 22, item 4)
Convention on the Civil Aspects of International Child Abduction	1999	Yes (reservation to art. 24)
Convention on International Access to Justice	2011	Yes (declaration regarding art. 7, paragraph 2; art. 24; art. 28, paragraph 2; and art. 29)

6. *Geneva Conventions and other Conventions on International Humanitarian Law*

<i>Treaty</i>	<i>Ratification/Accession</i>
Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field	1957
Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea	1957
Geneva Convention (III) relative to the Treatment of Prisoners of War	1957
Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War	1957
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)	1992
Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)	1992
Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	1999

7. *Organization of American States (OAS) Conventions*

<i>Treaties</i>	<i>Ratification/Adherence</i>	<i>Declarations/Reservations</i>
Inter-American Convention on the Granting of Political Rights to Women	1950	
Inter-American Convention on the Granting of Civil Rights to Women	1952	

<i>Treaties</i>	<i>Ratification/Adherence</i>	<i>Declarations/Reservations</i>
Charter of the Organization of American States	1950	
Convention on Diplomatic Asylum	1957	
Convention on Territorial Asylum	1964	
Protocol of Amendment to the Charter of the Organization of American States (“Protocol of Buenos Aires”)	1968	
American Convention on Human Rights (Pact of San Jose, Costa Rica)	1992	Yes (interpretative declaration regarding articles 43 and 48, D, and recognition of the mandatory jurisdiction of the Inter-American Court of Human Rights)
Convention to Prevent and Punish the Acts of Terrorism Taking the Forms of Crimes Against Persons and Related Extortion that are of International Significance	1999	
Inter-American Convention on Conflict of Laws Concerning the Adoption of Minors	1997	
Inter-American Convention on Personality and Capacity of Juridical Persons in Private International Law	1997	
Inter-American Convention to Prevent and Punish Torture	1989	
Protocol of Amendment to the Charter of the Organization of American States (Protocol of Cartagena)	1988	
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (“Protocol of San Salvador”)	1996	
Inter-American Convention on Support Obligations	1997	
Inter-American Convention on the International Return of Children	1994	
Protocol to the American Convention on Human Rights to Abolish the Death Penalty	1996	Yes (reservation under art. 2)
Protocol of Amendments to the Charter of the Organization of American States	1994	
Protocol of Amendment to the Charter of the Organization of American States (“Protocol of Managua”)	1995	
Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against	1995	

<i>Treaties</i>	<i>Ratification/Adherence</i>	<i>Declarations/Reservations</i>
Women (“Convention of Belém do Pará”))		
Inter-American Convention on International Traffic in Minors	1997	
Inter-American Convention Against Corruption	2002	Yes (reservation to art. XI, paragraph 1, item c)
Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials	1999	
Inter-American Convention on Transparency in Conventional Weapons Acquisitions	2006	
Inter-American Convention on the Elimination of all Forms of Discrimination Against Persons with Disabilities	2001	
Inter-American Convention Against Terrorism	2005	
Inter-American Convention on the Forced Disappearance of Persons	2013	

## B. Legal framework for protection of human rights nationwide

176. The recognition and incorporation of human rights in the Brazilian social, political, and legal system is the result of a historical process, primarily materialized in the Brazilian Federal Constitution of 1988. It was a response to demands of the Brazilian society after years of a military regime in Brazil (1964-1985). The Brazilian Constitution thus sets forth the principles established in the Universal Declaration of Human Rights, integrating in its disciplines a system of human rights protection in the country.

177. Accordingly, there has been significant progress in the construction and consolidation of the institutional framework in Brazil aiming at implementing structural policies and actions intended for promotion and protection of human rights as a permanent State policy. In the current administrative structure, the Ministry of Women, Family, and Human Rights brought together in one government body a number of different agencies, in order to implement the constitutional mandate on human rights.

### i. Brazilian Federal Constitution

178. The Brazilian Federal Constitution establishes the principle that the Brazilian State is built upon the foundations of citizenship and dignity of the human being. It aims to foster the construction of a free, fair, and solidary society, national development, eradication of poverty, reduction in social and regional inequalities, as well as the promotion of wellbeing for all people, with no prejudice or discrimination of any kind.

179. In its initial articles, the Constitution sets forth fundamental rights and guarantees, providing for the individual and collective rights and duties, social rights, labor rights, nationality rights, and political rights, thus establishing the fundamental core of the democratic system and the rule of law.

180. Article 5 establishes that all persons are equal before the law, without any distinction whatsoever, ensuring to Brazilians and foreigners residing in the country the inviolability of the right to life, liberty, equality, security, and property. Through an extensive list of items, it specifies the terms according to which individual and collective rights and duties are ensured by the State.

181. The norms defining the fundamental rights and guarantees are directly applicable. Specific rights not listed in the Constitution are not excluded from Brazilian legislation. As amended in 2004, international treaties and conventions on human rights are considered to be constitutional texts, if adopted by the National Congress, pursuant to the legislative procedures directed to the amendment to the Constitution. Unlike what occurs with regular international treaties, which are equivalent to federal laws, the Constitution (art. 5, paragraph 2) grants elevated legal treatment to the treaties on human rights, granting them special nature before the Brazilian laws and regulations. International treaties on human rights passed by a simple majority in the National Congress also benefit from hierarchical privilege of supra-legal and infra-constitutionality, prevailing over ordinary statute.

182. The procedures for the incorporation of international covenants and treaties into the national legal system is set out in the Federal Constitution. After the act of signature or adhesion of an international treaty or convention by the Federal Executive Branch, both Houses of Congress must vote to approve the document. After publication of the corresponding legislative decree, the President undertakes to deposit the instrument of ratification with the depositary, as well as to issue a decree granting internal effectiveness and giving publicity to its content. After all phases of the process are concluded, the provisions of the international covenants and treaties may be invoked before domestic courts and administrative bodies.

183. The Brazilian Constitution also establishes detailed legislative procedures for amendment of its articles. Nevertheless, core clauses are deemed permanent and cannot be amended, such as the federative form of State, the direct, secret, universal, and periodic vote, the separation of powers in three branches, and the individual rights and guarantees.

## **ii. Guarantees for the safeguarding and reestablishment of the fundamental rights in case of infringement**

184. The Brazilian constitutional order recognizes a set of guarantees directed to safeguarding and reestablishing fundamental rights in case of infringement. In this regard, in addition to the constitutional actions and remedies for the protection and promotion of rights, the Brazilian Federal Constitution stipulates that the access to justice is a fundamental right – the courts cannot refrain from judging infringement or threatened infringement of rights, the reasonable duration of proceedings, due process of law, and the prohibition of limited or special jurisdiction.

185. The Brazilian Constitution provides for the following remedies: (i) right to complaint; (ii) right to certificate; (iii) *habeas corpus*; (iv) *habeas data*; (v) security, collective, and individual warrant; (vi) injunction warrant; (vii) citizen suit; and (viii) public civil action.

186. Additionally, to ensure respect of the Constitution and of the rights and guarantees provided therein, direct legal action can be taken to assess the constitutionality of the jurisdiction of the Brazilian Supreme Court. The Constitution specifies that certain individuals or entities – the President of the Republic, the Prosecutor General, the State Governors and the Governor of the Federal District, the members of the House of Representatives and the Federal Senate, of the Legislative Chamber of the Federal District, and of the States Legislative Assembly, the political parties represented in the National Congress, the Federal Council of the Brazilian Bar Association, the national professional associations, and the union confederations – may file: (i) direct legal suits on constitutionality of federal and state laws and measures; (ii) direct legal suits on constitutionality by omission; (iii) declaratory suits on the constitutionality of law and federal normative acts; and (iv) claims of breach of fundamental constitutional principles.

## **iii. Competent authorities on human rights**

187. In Brazil, within the scope of the Federal Executive Branch, the Ministry of Women, Family, and Human Rights (MMFDH) acts as the central authority to formulate, coordinate, and implement policies and guidelines aiming at the promotion of human rights, including political and civil rights, rights of the child and adolescent, rights of elderly, rights of the person with disabilities, rights of the Afro-Brazilian population, rights of

minorities. In its present structure, it has special focus on the rights of women and the welfare of the family.

188. Accordingly, MMFDH is responsible for the interministerial and intersectoral coordination of the policies for promotion and protection of human rights in Brazil. It proposes policies and guidelines aiming at coordinating the promotion and defense of such rights at the federal, state, and municipal levels, as well as other branches of government, the civil society, and international organizations.

189. The Ministry is composed, among others, of the National Office of Global Protection, the National Office for the Rights of Persons with Disabilities, the National Office for Racial Equality Promotion Policies, the National Office for Promotion and Defense of the Rights of Elderly Persons, the National Office for the Rights of Children and Adolescents, the National Office for the Family, the National Office for Policies for Women, and the National Youth Office.

190. The Ministry also houses the National Ombudsman for Human Rights, responsible for receiving, analyzing, and forwarding reports and complaints related to violation of human rights, especially those that affect vulnerable populations, such as children and teenagers, elderly people, people with disabilities, LGBT people, people in street situation, indigenous and traditional peoples and communities, and people deprived of liberty.

191. The main communication channel of the Ombudsman is the *Disque Direitos Humanos* (*Disque 100*), a free of charge telephone assistance service or hotline, operational 24 hours a day, 7 days a week. The assistants are trained to receive and properly refer the complaints received according to their nature. Additionally, *Disque 100* is also an important instrument for systematizing statistics on violations of human rights, providing guidance for policy adjustments and corrections, as well as other actions directed to protection and promotion of human rights. The program is currently under review, in order to increase its effectiveness and coverage.

192. Additionally, the National Human Rights Council (CNDH) is formally under the structure of the Ministry, having replaced in 2014 the Human Rights Defense Council (CDDPH). The Council is a collegiate body with representatives from public agencies and the civil society, mandated to promote and defend human rights through actions to prevent, protect, correct, and punish conducts and situations that threaten or violate human rights. It is responsible for receiving accusations or complaints of misconduct or situations contrary to human rights and for assessing the relevant liabilities.

193. Within the scope of the Federal Legislative Branch, as already pointed out, the National Congress has commissions responsible for human rights within its permanent structure. In the House of Representatives, human rights are under the responsibility of the Commission of Human Rights and Minorities, while in the Federal Senate, such issues are addressed by the Commission of Human Rights and Participatory Legislation.

194. Within the scope of the Federal Judiciary Branch, the National Justice Council, has an important role in promoting and protecting human rights in Brazil, such as the rights of persons deprived of their liberty. It is essential in ensuring respect for legal obligations established by Brazilian and international instruments.

195. Within the scope of the Federal Prosecution Service (MPF), the Office of the National Ombudsman (PFDC) promotes dialogue and suggest courses of action with relation to public and civil-society institutions, with a view to overcoming challenges to the full implementation of human rights in Brazil. It is particularly relevant to protect and defend unalienable individual, collective, and diffuse rights.

196. Finally, the Federal and State Public Defender's Offices are of utmost importance for the protection and preservation of human rights in the country. Together, they ensure access to Justice particularly for persons situation of vulnerability without financial means to afford legal services.

#### **iv. Brazil in the Inter-American Human Rights System**

197. Brazil highly values the Inter-American Human Rights System, composed of the Inter-American Human Rights Commission (CIDH) and the Inter-American Court of

Human Rights (CorteIDH). After ratification of the American Convention on Human Rights in 1992, Brazil accepted the jurisdiction of the Inter-American Court of Human Rights in 1998.

198. The Brazilian Supreme Court has determined that the provisions of the American Convention on Human Rights supersede national ordinary laws and regulations. It thus confirmed the understanding that, even if international human rights treaties are not adopted by the qualified majority needed to approve constitutional amendments in the National Congress, they have supra-legal hierarchy over ordinary law. High visibility cases in the inter-American system involving Brazil are often cited as parameters for legal rulings by domestic courts, as well as for the elaboration of public policies aiming at non-repetition of violations of human rights, such as the cases of Maria da Penha, regarding domestic violence, and José Pereira, regarding slavery.

*Inter-American Human Rights Commission*

199. At time of writing, Brazil had 188 cases pending before the Inter-American Human Rights Commission, 84 of which are complaints in admissibility stage, 9 have resulted in friendly settlements, 12 cases are in admissibility and merits stage, 45 cases are in the merits stage, 16 cases are in compliance with recommendations, and 22 are preliminary injunctions.

*Inter-American Court of Human Rights*

200. Additionally, there are 11 cases involving Brazil currently under procedural progress before the Inter-American Court of Human Rights (IACtHR): 4 provisional measures (Criminal Institute of Plácido de Sá Carvalho in 2017, Penitentiary Complex of Curado in 2014, Penitentiary Complex of Pedrinhas in 2014, and Socio-Educational Internment Facility in 2011), 6 cases of verification of service of sentence (Ximenes Lopes in 2006, Sétimo Garibaldi in 2009, Gomes Lund and others – Araguaia Guerrilla War in 2010, Fazenda Brasil Verde Workers in 2016, Cosme Rosa Genoveva and others – Favela Nova Brasilia in 2017, and Xucuru Indigenous Peoples and its members in 2018). One case is currently in the answer stage (Vladimir Herzog and more). Due to the acceptance of the jurisdiction of the IACtHR by Brazil, the sentences granted by this institution have binding effect to the Brazilian legal system.

## C. Law framework in which human rights are promoted nationally

### i. National strategy for development and human rights

201. Over the last few decades, Brazil has increasingly adopted a human rights based approach in the implementation of public programs and policies. The progress achieved in social inequality and poverty reduction, as well as education, health, labor and social, attests to the importance of integrating a human rights framework to state policies.

202. In this regard, government policies to promote and protect human rights are founded on intersectoral and cross-sectorial approaches. Different public agencies of the Executive, Judiciary, and Legislative Branches, as well as the federative units, implement initiatives to promote and protect human rights, with a view to reaching all members of the public and all citizens in the country.

203. In 1996, Brazil adopted the first National Human Rights Program (I PNDH), establishing guidelines for actions to be taken by the Federal Government regarding promotion and protection of human rights, strengthening the cross-sectorial perspective of public policies, as reported in the previous Common Core Document (CCD). In 2002, the Program was reviewed, updated and expanded with the inclusion of economic, social, and cultural rights, resulting in the publication of the second National Human Rights Program (II PNDH).

204. In 2009, following wide ranging debate between public agencies at the federal, state and municipal, including society, the third National Human Rights Program (III PNDH) was adopted by the Federal Government. Reaffirming the indivisible and interdependent

nature of human rights and recognizing the different roles played by all entities in federal system, the III PNDH established 25 guidelines, 82 strategic objectives, and 521 program actions. The Plan defined the implementing agencies the Federal Executive Branch and made recommendations to the federative units and to the other branches of government.

205. The III PNDH establishes public policy guidelines, according to six cross-sectional axes (i) the democratic interaction between Government and civil society; (ii) development and human rights; (iii) the universalization of rights in a context of inequalities; (iv) public security, access to justice, and fight against violence; (v) human rights education and culture; and (vi) right to memory and truth.

206. In 2010, the Interministerial Committee to Follow-up on and Monitoring of the Program was created to coordinate and monitor the implementation of the III PNDH. The goals established in the Program have been incorporated to the Federal Government's planning and budget instruments pursuant to its Multi-Year budgeting Plan.

207. The Brazilian Government also relies on the Reference Centers for Human Rights (CRDH) to mainstream and integrate at the local level human rights policies across the country. The Reference Centers aim at mobilizing governmental, non-governmental, and private institutions to support local institutions, incorporating inputs and proposals for public policies and actions directed to the implementation of the III PNDH.

208. In order to ensure the continuous monitoring of and follow-up on governmental actions for the implementation of human rights policies, Brazil launched, in 2014, the National System of Human Rights Indicators (SNIDH). It seeks to coordinate actions taken by public agencies, international agencies, and civil society and enables assessing the progressive implementation of human rights through an integrated matrix of social indicators. The Brazilian Government also relies on a structured set of indicators developed by different federal agencies, such as the DATASUS, the Ministry of Health, the Sole Registration for Social Programs, the Ministry of Citizenship, the School Census, the Ministry of Education, National Prison Information Survey (INFOOPEN), the Ministry of Justice and Public Security (MJSP), and the national and regional surveys of the Brazilian Institute of Geography and Statistics and the Institute of Applied Economic Research (IPEA).

209. The preparatory studies for the elaboration of a new PNDH will be delivered soon to society.

## **ii. National institutions on human rights and the participation of the civil society**

210. The Brazilian Government recognizes the importance of coordination with the civil society organizations to ensure the effectiveness and efficacy of human rights policies. This has been one of the main recommendations of the United Nations to its members, pursuant to the provisions in the Paris Principles. In this regard, Brazil has a number of thematic councils on human rights issues related to the defense of rights of several natures is an essential action that has been implemented by the Brazilian Government to reinforce actions to promote and protect human rights.

211. In this regard, the Ministry of Human Rights has different thematic collegiate bodies, including: (i) the National Human Rights Council; (ii) the National Committee for Human Rights Education (CNEDH); (iii) the National Council to Fight Discrimination (CNCD); (iv) the National Commission for Eradication of Slavery (CONATRAE); (v) the Special Committee on Political Deaths and Disappearances (CEMDP); (vi) the National Committee for Respect to Religious Diversity (CNRDR); (vii) the National Committee for Prevention and Fight against Torture (CNPCT); (viii) the National Council for Promotion of Racial Equality (CNPPIR); (ix) the National Council for the Rights of Children and Adolescents (CONANDA); (xi) the National Council for the Rights of the Elderly (CNDI); and (xii) the National Council for the Rights of the Person with Disability (CONADE).

212. Under the Federal Executive Branch, it is also important to highlight (i) the National Council for the Rights of Women (CNDM), the Women Policies Office (SPM); (ii) the National Council for Criminal and Correctional Policies (CNPCP), the National Council for Public Security (CONASP), the National Committee for Refugees (CONARE), the

Nacional Council for Indigenous-related Policies (CNPI); and (iii) the National Immigration Council (CNIG) in the Ministry of Economy.

213. In addition to the collegiate bodies, Brazil holds thematic National Conferences on human rights, considered essential instruments for ensuring the collective construction of the legal and political institutional framework for protection and promotion of human rights with civil society. In 2016, the Government organized the 12<sup>th</sup> National Conference on Human Rights, aiming at reviewing human rights policies in the country and reaffirming the commitments of the III PNDH. It assembled more than two thousand persons from the whole country to elaborate guidelines for public human rights policies, under the theme *Human Rights for All: Democracy, Justice, and Equality*. In May 2018, the 4<sup>th</sup> National Conference for Promotion of Racial Equality (CONAPIR) was held under the theme “Brazil in the decade of Afro-Brazilians: acknowledgement, justice, development, and equality of rights”. It provided an important venue for civil society leaders and representatives of municipal, state, federal governments to exchange views about public policies to fight racism in Brazil. The previous editions of Conference were held in 2005, 2009, and 2013.

### **iii. Human rights education**

214. Considering education as an essential instrument for promotion of rights, the Brazilian Government has different instruments to promote and disseminate knowledge on human rights on thematic issues at the regional and national levels.

215. In 2006, after a wide-ranging discussion with experts, representatives of the civil society, public and private institutions, and international organizations, the National Plan for Human Rights Education (PNEDH) was adopted to, among other objectives, encourage initiatives on human rights education by the Government and the civil society through joint actions, based on cross-sectional approaches on human rights education in the public policies. It further seeks to encourage the creation and strengthening of national, state, and municipal institutions and organizations on human rights education. The objectives and guidelines of the Plan are organized around five major axes of operation: (i) primary education; (ii) higher education; (iii) informal education; (iv) education of professionals of the justice system and public security agents; and (v) education and media.

216. After its adoption, the Plan contributed to the creation of 14 State Committees for Human Rights Education. It also fostered a number of initiatives in the field, including those directed to primary and higher education and related to informal education. The MMFDH, through the National Office of Citizenship, coordinates the implementation of the Plan and supports the operation and creation of Committees for Human Rights Education in the states and municipalities.

217. In 2016, the Ministry of Human Rights together with the Ministry of Education launched the National University Covenant for Promotion of Respect for Diversity and Culture of Peace and Human Rights, which aims at promoting human rights education in institutions of higher learning within the scope of education, research, continuing education, management, and university community programs. In August 2017, the Covenant already had more than 300 institutions registered, including educational institutions and supporting entities.

### **iv. Brazilian cooperation for international development**

218. Over the last decade, Brazil intensified its actions aiming at promoting cooperation for international development. The Government presented relevant initiatives on international technical cooperation, especially with respect to human rights. In essence, Brazil transfers and shares knowledge and national technologies with potential to be adapted and absorbed and to generate positive impacts in the independent development of other countries.

219. The Brazilian Cooperation Agency (ABC) is responsible for coordinating Brazilian programs and projects on technical cooperation. In its 30 years of existence, it has been carrying out cooperation initiatives through about 4,000 activities amounting to more than US\$6 billion in national financing together with US\$1.5 billion in foreign cofinancing.

Between 2000 and 2014, the agency's financial operations, representing the sum of its budget, the transfers to international organizations, and the transfer of funds for technical cooperation actions, had a positive evolution, especially from 2009 to 2013.

Table 78  
**Evolution of ABC's financial operations. Brazil, 2000 to 2014**

	2000	2001	2002	2003	2004	2005	2006	2007
	2,022,256	3,242,264	3,342,588	1,974,424	722,017	905,668	5,308,508	3,660,637
	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	
<i>Brazil</i>	7,001,556	19,383,814	37,819,613	27,003,724	19,812,763	13,942,230	7,099,064	

*Source:* ABC.

#### **D. Reporting process nationwide**

220. The MMFDH is currently responsible, through the Office for Coordination of International Reports of the Division for International Matters, for the preparation of reports and communications in compliance with the commitments arising from the ratification of international treaties by the Brazilian Government. This work is carried out together with the thematic Offices of the Ministries with specific mandates on the matters referred to in the instruments.

221. The reports and statements are prepared based on information from different public agencies of the Brazilian Government that coordinate actions and policies related to the topics addressed in each instrument. Accordingly, information on the topic is made available, processed and presented in reports, and subsequently forwarded to the Ministry of Foreign Affairs (MRE), responsible for coordination between the agencies of the Federal Government. The reports are prepared taking into account the guidelines defined by the international treaty bodies.

222. Civil society participates in the process of document drafting through public consultations and hearings, as well as through discussions with the different collegiate bodies, which enable the presentation of suggestions, corrections, and new information.

223. Finally, it is necessary to inform that the Brazilian Government monitors and follows up on the international recommendations and commitments, contributing to the reinforce human rights policies. In this regard, in 2014, the Government completed the first stage of the Observatory of International Recommendations on Human Rights (ObservaDH) – an online platform that contains the recommendations directed to Brazil within the scope of the United Nations and the Inter-American Human Rights System. The platform is currently under review.

224. Changes in the administrative structure of the agencies related to human rights in Brazil, over the last few years, have affected the continuity of report drafting. In order to overcome such obstacles, the current administration established dedicated structures, provided training and set up long term workflows and routines to meet the reporting deadlines determined by the international human rights instruments and present overdue reports.

#### **III. Information on the lack of discrimination, equality, and effective resources**

##### **The Brazilian legal framework against discrimination**

225. The Brazilian legal and normative framework has experienced constant enhancement, providing extensive protection to the victims of all types of discrimination. The Brazilian Federal Constitution of 1988 is the major legal framework for the enforcement of human rights in Brazil and a primary guide of the country's laws,

regulations and public policies. The constitutional text provides for comprehensive civil, political, social, economic, and cultural rights that guide the actions of the Government, its three Branches, and its federative units, establishing the legal standards of the entire Brazilian legal system.

#### *Discrimination and Racial Equality*

226. Over the last two decades, Brazil has built a significant legal and institutional framework for fighting racism, promoting racial equality and protecting victims of racial discrimination.

227. In 1989, the Brazilian Government adopted Law No. 7,716, which criminalized racial discrimination, providing for punishment for crimes resulting from discrimination or prejudice related to race, color, ethnicity, religion, or national origin.

228. At the institutional level, the National Office for Policies for Promotion of Racial Equality (SEPPIR) was created in 2003. It is considered a significant milestone to institutionalize and strengthen actions to combat racial discrimination in the country. This agency, currently an integral part of the Ministry of Women, Family and Human Rights, has a cross sectoral mandate for the promotion of affirmative policies and for the protection of the rights of persons and racial and ethnic groups affected by racial discrimination and other forms of intolerance.

229. In 2010, Law No. 12,288 adopted the Statute of Racial Equality, directed to ensure effective equal opportunities to the Afro-Brazilian population, as well as to strengthening Brazilian national identity. It provided instruments and mandates for the Government to take concrete action in defense of individual, collective, and diffuse ethnic rights, as well as in the fight against discrimination and other forms of ethnic intolerance.

230. The Statute was also responsible for consolidating the National System for Promotion of Racial Equality (SINAPIR), regulated by Decree No. 8,136/2013. The National Ombudsman for Racial Equality, within the structure of SEPPIR structure, is responsible for receiving complaints about racism and racial discrimination and for referring them to the competent governmental entities.

231. Additionally, the Statute promoted the adoption of affirmative actions by the Brazilian Government. Law No. 12,990/2014 reserved 20% of the vacancies for positions offered by the federal public administration to Afro-Brazilians. Law No. 12,711/2012, ensured that 50% of the student placements at all federal institutes and universities for students would be filled by graduates from public schools, with distribution of vacancies to Afro-Brazilians and indigenous persons in a proportion equivalent to the local population.

232. The 2013-2015 National Plan for Sustainable Development of Traditional Communities and Peoples of African Origin congregated actions directed at the promotion of productive inclusion, guarantee of rights, and protection of cultural heritage and African traditions in Brazil. In 2013, the Monitoring System for Policies for Promotion of Racial Equality was launched, with free online access offering information on diagnosis and monitoring of the Plan for Prevention of Violence against Afro-Brazilian Youth (*Juventude Viva* Program) and the *Brasil Quilombola* Program.

233. Finally, the socio-economic indicators reveal an improvement in the living conditions of the Afro-Brazilian population, as well as in the access to public services and rights, as a reflection of the initiatives for promotion of racial equality over the last two decades. Based on national social indicators, it is possible to affirm that, in many cases, the economic and social situation of the Afro-Brazilian population improved more than the average for the overall population. Nonetheless, Afro-Brazilians still suffer disadvantages in comparison with white Brazilians, according to all indicators analyzed. For the *quilombola* communities, there is also a challenge to defend their right to traditional lands.

#### *Gender Equality and Discrimination*

234. In 2002, the Women Policies Office (SPM) was created, as an independent body, with the mandate to coordinate and implement public policies directed to promote equality between men and women. In order to perform its functions, it undertook a

multidimensional diagnosis of gender inequalities, based on the National Plans for Policies for Women (PNPM). The National Plan addresses, among other topics, equality in the labor market, comprehensive health care, fight against all forms of violence against women, and strengthening and participation of women in decision-making positions, including in politics.

235. Regarding domestic violence, Law No. 11,340/2006, known as *Maria da Penha* Law, contributed to put in place mechanisms to punish domestic and family violence against women, establishing measures for prevention, assistance and protection for women in situations of violence. Other important legislation enacted in the last few years, include Law No. 12,845/2013, which provides for mandatory and comprehensive assistance to persons in situations of sexual violence, and Law No. 13,104/2015, which classifies femicide as a heinous crime.

236. In 2013, the Federal Government created the *Mulher – Viver sem Violência* Program, consisting of six strategic actions to fight violence against women: (i) creation of the *Casa da Mulher Brasileira*; (ii) creation of the Centers for Assistance to Women in regions of dry borders; (iii) mobile facilities for assistance to women in violence situations in rural and forest areas; (iv) expansion of the assistance centers for women; (v) specialized assistance to victims of sexual violence; and (vi) continuous awareness campaigns. The actions taken by the Office, together with the implementation of laws and regulations, are essential to overcome the current challenges of violence against women in Brazil.

237. Additional measures directed to women include: (i) enactment of Constitutional Amendment No. 72/2013, which provided domestic workers with the same labor rights as other workers; (ii) expansion of the Gender and Race Pro-Equity Program; and (iii) extension of social-security benefits (age retirement, disability retirement, sick pay, and maternity pay) to low-income housewives.

238. Regarding political decision-making positions, Law No. 12,034/2009 established the requirement that all parties and coalitions reserve at least 30% of the positions for candidates to women. Despite the record number of women elected in Brazil in the last general elections, women still remain sub-represented in political affairs.

#### *Persons with disabilities*

239. In 1989, Congress adopted Law No. 7,853 providing general rules for the full exercise of individual and social rights by persons with disabilities, prohibiting discrimination or prejudice on grounds of disability and promoting their effective social integration into all levels of society. In 1991, Law No. 8,213, known as the Quotas Law, was enacted, setting forth a requirement for companies with one hundred employees or more, to fill 2% to 5% of their posting with rehabilitated workers or persons with disabilities. Regarding the right to accessibility, Law No. 10,098, adopted in 2000, sets forth general rules and basic criteria to promote rights for persons with disabilities or reduced mobility.

240. Significant progress was further achieved with the enactment of Law No. 13,146/2015 passed, known as the Statute of the Person with Disabilities or the Brazilian Inclusion Law (LBI). Based on the Convention on the Rights of the Person with Disabilities, it introduced: (i) the creation of *Auxílio Inclusão*; (ii) the amendment to the Brazilian Civil Code as to recognize the legal capacity of the person with disabilities; and (iii) the expansion of the rules for accessibility in architecture and communication. Another notable result is the implementation of the Nation Plan for the Rights of Persons with Disabilities (*Viver sem Limite* Plan), launched in 2011.

241. The Accessibility Program of the Electoral Court, approved in 2012, addressed political rights for disabled persons. Law No. 13,409/2016 provided for reserved placement for persons with disabilities in vocational courses in high school or higher education levels at federal teaching institutions.

242. Moreover, in 2010, the Federal Government established the National Office for the Rights of Persons with Disabilities, as part of the MMFDH. It is responsible, among other competences, for coordinating actions aiming at preventing and eliminating all forms of

discrimination against persons with disabilities and promoting their full inclusion in the society.

243. Despite the progress achieved, Brazil considers it is essential to implement regular monitoring measures of all laws and regulations related to persons with disabilities. The *Disque 100* hotline still registers recurring violations of the human rights of persons with disabilities. In 2015, for example, the National Ombudsman for Human Rights received more than nine thousand complaints related to infringement of the rights of this population.

#### *LGBT Persons*

244. In 2011, the Brazilian Supreme Court (STF) recognized same-sex families, granting homosexual couples the right to domestic partnership. Based on Resolution No. 175/2013 of the National Justice Council, notary offices throughout Brazil may not refuse to hold civil same-sex weddings or refuse to convert domestic partnerships into marriages.

245. There is still concern regarding respect for the LGBT community, which has been the object of comprehensive public policies.

#### *Elderly persons*

246. In 1994, Law No. 8,842 established the National Policy for the Elderly (PNI) to ensure social rights to elderly persons, create conditions to promote their autonomy, integration, and effective participation in the society. This Law also created the National Council for the Rights of the Elderly, as well as councils at state and municipal levels and in the Federal District.

247. Regarding the right to health for elderly, the Unified Health System (SUS) implements the National Policy for the Health of the Elderly Person (PNSPI), since 1999.

248. The Statute of the Elderly, on its turn, was adopted in 2003 through Law No. 10,741. It provides a relevant legal framework for comprehensive protection of elderly persons, aiming at safeguarding their right to life, health, food, education, culture, leisure, work, citizenship, freedom, and dignity, promoting, at the same time, their autonomy.

249. In 2013, the National Commitment to Active Aging was created by Decree No. 8,114, aiming at coordinating efforts from the federative units to appreciate, promote, and defend the rights of elderly persons.

250. With respect to institutional progress, the National Office for Promotion and Defense of the Rights of the Elderly Person was created in 2016. As part of the MMFDH, it is responsible for coordinating and monitoring actions and measures aiming at promoting, ensuring, and defending the elderly person, based on the National Policy for the Elderly and on the Statute of the Elderly.

#### *Migrants and refugees*

251. The Statute of the Refugees together with Law No. 9,474/1997 provides rules applicable to refugees and persons requesting refuge in Brazil. The National Committee for Refugees is responsible for reviewing the requests and granting recognition of refugee status, as well as guiding and coordinating the actions required for protection, assistance, and legal support for refugees.

252. Brazilian legislation expands the classic concept of refugee, determining that a refugee is any and all individuals that: (i) as a result of reasonable fear of persecution due to race, religion, nationality, social group, or political opinions, are out of their country of origin and may not or do not want to seize protection of such country; (ii) due to statelessness status or being out of the country where they usually reside, may not or do not want to return to such country, due to circumstances described in the previous item; and (iii) due to serious and general violation of human rights, are forced to leave their country of origin to seek refuge in another country.

253. Law No. 13,445/2017, also known as Migration Law, provides for the rights and duties of migrants and visitors, regulates their entrance and their stay in Brazil, and establishes the principles and guidelines for public policies related to migrants. As provided

by law, the Brazilian migration law is governed, among others, by the principle of universality, indivisibility, and interdependence of human rights, repudiation and prevention of xenophobia, racism, and any other form of discrimination, and non-criminalization of migration.

*Indigenous peoples and ethnic minorities*

254. Regarding actions to promote and protect rights of indigenous peoples and other ethnic minorities, Brazil has an important legal and institutional framework, which aims at ensuring their rights to self-determination, protection of their cultural heritage and customs. The Brazilian Federal Constitution of 1988 is a determinant factor in safeguarding the rights of indigenous peoples, traditional peoples and communities in Brazil.

255. At the institutional level, the National Indigenous Foundation (FUNAI) was established in 1967, followed by the Palmares Cultural Foundation, in 1988, and the National Office for Racial Equality Promotion Policies, in 2003.

256. FUNAI is the federal agency responsible for formulating and implementing the Brazilian indigenous policies, for providing effective mechanisms of social accountability and participative management, in compliance with the Brazilian Federal Constitution. The Palmares Cultural Foundation is under the structure of the Secretariat of Culture, with the mandate to promote and preserve the Afro-Brazilian culture, formulating and implementing public policies strengthening the participation of the Afro-Brazilian population in the development process of the country.

257. The 1996 Guidelines and Basis for National Education and the 2001 National Education Plan establish the foundation for educational initiatives provided to indigenous peoples, aiming at promoting the right of indigenous peoples to an educational process based on recognition and appreciation of their social, cultural, and linguistic diversity, autonomy, and prominence.

258. Law No. 10,639/2003 and Law No. 11,645/2008 included in the official curriculum of the public and private education systems the theme “Afro-Brazilian and Indigenous History and Culture”. The 2014 National Education Plan establishes guidelines for the inclusion of Afro-Brazilian and Indigenous history and culture within the scope of the school curriculum.

259. The *Bolsa Permanência* Program (PBP), established in 2013, grants financial aid to students in socio-economic vulnerability situations and to indigenous and *quilombola* students enrolled in federal higher education institutions in order to reduce social inequalities and promote permanence and completion of studies for these students.

260. In 2007, Decree No. 6,040 established the National Policy for Sustainable Development of Traditional Peoples and Communities (PNPCT), aiming at ensuring recognition, strengthening, and guarantee of land, social, environmental, economic, and cultural rights.

261. The National Policy for Environmental and Indigenous Land Management (PNGATI) was created through Decree No. 7,747/2012, based on a process of consultation and collective construction with indigenous peoples. This policy is focused on the protection and preservation of indigenous lands and territories, ensuring integrity of the indigenous heritage, improvement of the quality of life, and full physical and cultural development of indigenous peoples.

262. Despite the normative progress provided by the Brazilian Federal Constitution and international treaties to which Brazil is a party, indigenous and traditional peoples and communities are still among the most vulnerable segments of Brazilian population, considering social indicators such as child mortality, malnutrition, health, education, among others. The Brazilian Government is taking measures and implementing initiatives to address food and nutrition insecurity, emission of basic documents, including birth certificates, and access to social-security benefits, assistance, and social welfare.

263. Although civil registry is not a pre-condition to the enjoyment of the rights ensured by the Constitution to indigenous peoples, it is an important instrument to access government programs for social inclusion, social-security and labor rights, voter

registration and general services, such as opening bank accounts. The National Commitment to Eradicate Under-Registration of Live Births and Expand Access Basic Documents, established by Decree No. 6,289/2007, instructs the MMFDH, through the National Office for Citizenship, to address the situation of populations in vulnerable situations, such as indigenous and traditional peoples and communities.

264. Initiatives for the promotion of the social and citizenship rights for indigenous peoples have been developed through inter-institutional coordination, as well as through social participation and dialogues. In this regard, Decree No. 8,593/2015 established the National Council for Indigenous Policies (CNPI), as a collegiate body of consultative status, responsible for the preparation, monitoring, and implementation of public policies directed to indigenous peoples.

*Populations in Street Situation*

265. The National Policy for Populations in Street Situation and its Intersectoral Monitoring and Surveillance Committee were created in 2009 through Decree No. 7,053. The Policy is implemented in a decentralized and coordinated manner by the federative units and the Federal Government, aiming at, among others, ensuring comprehensive, simplified, and safe access to services and programs, integrating public policies for health, education, social security, social assistance, housing, security, culture, sports, leisure, work, and income. Furthermore, it proposes permanent educational actions, contributing to consolidate a culture of respect, ethics, and solidarity among the populations in street situation and other social groups. The Committee prepares periodic action plans, detailing strategies for implementation of the Policy, monitoring and surveilling its development.

266. Law No. 11,258/2015 expanded the scope of the Organic Law of Social Assistance (LOAS), to include the possibility of social assistance services and programs directed to persons in street situation. Based on this understanding, the National Policy on Social Assistance (PNAS) included populations in street situation within the scope of the Unified Social Assistance System.

267. In 2013, the Ministry of Health adopted the Operating Plan of Action to Promote Health Care for the Population in Street Situation, which establishes guidelines and strategies to address the disparities and inequalities of access to health of populations in street situation, within the scope of the Unified Health System. The Ministry of Economy, through its Labor Office, is focusing especially on providing jobs and, consequently, housing to this segment of the population.