



# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Report submitted by Brazil under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, due in 2006\*

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\* The present document is being issued without formal editing.



## I. Initial considerations

1. The Brazilian Government incorporated into its legal system the UN Convention on the Rights of the Child (CRC), through Decree No. 99,710, dated November 21, 1990. The optional protocols to the CRC on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography were internalized by Decrees No. 5,006 and 5,007 of March 8, 2004, respectively. Likewise, the following treaties have also been internalized: Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Decree No. 3,087 of June 21, 1999), Convention 182 and Recommendation 190 of the International Labor Organization (ILO) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor (Decree No. 3,597 of September 12, 2000), and the Additional Protocol to the United Nations Convention against Transnational Organized Crime to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children (Decree No. 5,017 of March 12, 2004).

2. Since 1996, the Brazilian Government has promoted local plans to fight child sexual exploitation, based on the National Plan to Fight Child Sexual Violence adopted in Natal, in 2000 (Attachment 1). Throughout the country, at the state, district and municipal levels, competent authorities prepared plans to deal with sexual violence against children and adolescents organized on six fundamental axes: a) Situation Analysis, b) Mobilization and Integrated Action, c) Defense and Accountability, d) Assistance, e) Prevention, and f) Child and Youth Prominence. Municipal, state, district, and national Committees (representing society, public authorities, and international cooperation) were also created to oversee the implementation of the plans.

3. In 2003, Brazil received a visit from the United Nations Special Rapporteur on the sale of children, child prostitution, and child pornography. The rapporteur commended the decision to prioritize the fight against child sexual exploitation, highlighting the challenge of implementing legislation and public policies aimed at addressing social inequalities, gender discrimination, violence, and impunity. The rapporteur also recommended structural improvements in the Justice System to address impunity, improvement of social policies and coordination efforts, and gender mainstreaming (Attachment 4). The following year (2004), the Brazilian Government provided information to the United Nations independent expert, Paulo Sérgio Pinheiro, to contribute to the world Report on Violence against Children.

4. This document, which refers to the period from 2004 to 2018, complies with item 1 of article 12 of the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography, pursuant to the obligation of the Brazilian Government to submit periodic reports on the implementation of the CRC and its protocols to the United Nations Committee on the Rights of the Child.

5. The preparation of the report, which was coordinated by the Ministry of Women, Family and Human Rights of the Federal Government (MMFDH), counted on the important contributions of the Intersectoral Commission to Fight Sexual Violence against Children and Adolescents (CIEVSCA) and the National Council for the Rights of Children and Adolescents (CONANDA), which bring together the following bodies: Ministry of Family, Women and Human Rights, Ministry of Justice and Public Security, Ministry of Education, Ministry of Health, Ministry of Citizenship, Ministry of Economy, Ministry of Tourism, Ministry of Foreign Affairs, Ministry of Infrastructure, Ministry of Civil Affairs of the Presidency of the Republic.

6. The CIEVSCA is a Federal Government strategy established in 2003 and regulated by the Decree of October 11, 2007 for the creation of an integrated policy to fight sexual violence against children and adolescents. It is composed, in addition to the Ministries, of organizations representing the Brazilian civil society and international cooperation agencies, having as its fundamental objective to articulate, inform, suggest, and support actions to fight sexual violence against children and adolescents. The CIEVSCA supported the preparation of the report from its various governmental areas, especially regarding the provision of official statistics, budget data, and the indication of policies, programs, actions, and services being implemented.

7. The CONANDA is the deliberative and controlling body of actions at all levels involving children and adolescents, under federal law. The primary function of CONANDA is the preparation of the general rules for the national policy on the rights of children and adolescents, which serve as a reference for the creation of state, municipal, and district policies. It establishes axes and principles that are in line with the rules protecting the rights of children and adolescents, which must be followed by the enforcement agencies. The CONANDA, which has equal composition between the Federal Government and the Non-Governmental Organizations, monitored the preparation of the report and has made contributions.

8. In the process of preparing this report, the MMFDH made use of public consultation with the civil society to obtain an objective evaluation on the relevance of the information available in this report. The consolidation of public and democratic spaces for dialogue with the civil society respected the highest standards of human rights. Thus, after the draft report was prepared, the text was made available for public consultation on the MMFDH's website for two weeks (from December 7 to 21, 2018). Consultation was made through an electronic form to allow assessment of the report, as well general considerations. To broaden the scope of the public consultation, the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Brazil and the National Human Rights Council (CNDH) circulated the draft in their networks of contacts with civil society organizations.

9. In the report, the term sale of children and adolescents is included in the more complex concept of trafficking in persons, which means the recruitment, transport, transfer, accommodation, or reception of persons by using threat, force, or other forms of coercion, kidnapping, fraud, deception, abuse of authority or situation of vulnerability, or delivery or acceptance of payments or benefits to obtain the consent of a person having authority over another for exploitation purposes. Exploitation shall at least include exploitation of prostitution of others or other forms of sexual exploitation, forced labor or services, modern day slavery or practices similar to slavery, servitude, or removal of organs (article 3, "a", Additional Protocol to the United Nations Convention against Transnational Organized Crime on the Prevention, Suppression, and Punishment of Trafficking in Persons, Especially Women and Children).

10. Accordingly, the terms child prostitution and child pornography will be encompassed by the broader concept of child sexual exploitation (Sub-item "b", item III of article 4 of Law 13,431/2017), which consists in using children or adolescents in sexual activity in exchange for financial compensation or any other form of compensation, independently or under third party sponsorship, support, or incentive, either in person or electronically.

11. The Brazilian Government has reordered its legal system to promote and protect the human rights of children and adolescents based on the Federal Constitution of 1988 and the adoption of fundamental laws, such as the Statute of the Child and Adolescent (ECA) (Law No. 8,069 of July 13, 1990). These norms are in line with the general principles of the CRC (non-discrimination, best interests, right to life and development, and participation) and have contributed to the implementation of its provisions, as will be shown below.

12. The Federal Constitution of the Federative Republic of Brazil (1988) addresses the issue of violation of sexual dignity of children and adolescents: "The law will severely punish abuse, violence, and sexual exploitation of children and adolescents" (paragraph 4 of article 227), as provided for in article 34 of the CRC. The Constitution also established that the rights of urban and rural workers, as well as others aiming at improving their social status: prohibition of night, dangerous, or unhealthy work for minors under 18 and any work for minors under 16, except as an apprentice, from the age of 14 (item XXXIII of article 7) and pursuant to article 32 of the CRC.

13. The ECA, on its turn, defined the legal age of children and adolescents pursuant to Article 1 of the CRC and established, based on article 36 of the same international document, that no child or adolescent will be subject to any form of negligence, discrimination, exploitation, violence, cruelty, and oppression. Any act or omission of their fundamental rights shall be punished by law.

14. Still regarding sexual violence against children and adolescents, May 18 was instituted as the National Day to Fight Abuse and Sexual Exploitation of Children and

Adolescents by Law No. 9,970 of May 17, 2000. Law No. 11,577 of November 22, 2007 established the obligation to disseminate a message regarding sexual exploitation and trafficking of children and adolescents indicating reporting procedures, directed to hotels, motels, lodgings, and others providing lodging services; bars, restaurants, cafeterias, and the like; nightclubs of any kind; social clubs and recreational or sports associations whose membership is freely accessible or promotes paid entry events; beauty salons, modeling agencies, massage parlors, saunas, bodybuilding, dance, gymnastics gyms and for related physical activities; other commercial establishments that, even for non-profit purposes, offer services for a fee, directed to the market or otherwise; gas stations, and other places of public access located near the highways.

15. The Brazilian Government also reformulated its adoption rules by Law No. 12,010 of August 3, 2009, which produced significant changes to the ECA. The rule is consistent with the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Decree No. 3,087 of June 21, 1999) and article 21 of the CRC.

16. Law No. 13,344 of October 6, 2016 established the National Day against Trafficking in Persons, to be celebrated annually on July 30. The rule also provides preventive actions, repression, protection, and assistance to victims, pursuant to article 35 of the CRC.

17. Recently, reaffirming articles 32, 34, 35, and 36 of the CRC, Law No. 13,431 of April 4, 2017 standardized and organized the system for ensuring the rights of a child and adolescent which are victim or witness of violence. It also created mechanisms to prevent and curb violence, and established assistance and protection measures for children and adolescents in situations of violence. The law defined commercial sexual exploitation and human trafficking and regulated specialized interview procedure on situations of violence with children or adolescents and special procedure for child or adolescent victim or witness of violence to appear before police or judicial authorities. The normative document is also pursuant to article 12 of the CRC and the guidelines on justice in matters involving child victims or witnesses of crimes (United Nations Economic and Social Council (ECOSOC) Resolution 20/2005).

18. During this period, there were a series of rules and policies that contributed to raising awareness of the importance of the matter. The protection of children and adolescents is a matter that has been mainstreamed into Brazilian culture, with important positive changes over the last few years.

19. The Brazilian Government reformulated its regulatory frameworks on migration through Law No. 13,445 of May 24, 2017. Such law provided for a residence permit for immigrants, frontier residents or visitors who have been a victim of trafficking in persons (art. 30, II, "g"). The new rule also updated the classification of the crime of promoting illegal migration (art. 232-A, Penal Code (CP)).

20. In 2017, Law No. 13,509 entered into effect, providing rules for adoption and introducing changes to the ECA, as well as in the Consolidated Labor Laws and the Civil Code.

21. In order to adapt the Brazilian Penal Code to international law, Law No. 13,344/2016 deleted articles 231-A in Title VI (of crimes against sexual freedom) and established a new broader criminal type, provided for in Article 149-A of the Penal Code, included in Title I (crimes against the individual) – Chapter IV (crimes against individual liberty), covering not only the purposes of sexual exploitation, but also the removal of organs, slave-like labor, servitude, and adoption. With the advent of Law 13,344/2016, including article 149-A of the Brazilian Penal Code, the penalty for such crimes became four to eight years of reclusion and a fine. This law represents an important progress in fighting human trafficking.

## II. Data

22. Brazil currently has a population of 207.7 million people, according to data from the latest National Household Sample Survey (PNAD) from the Brazilian Institute of Geography and Statistics – IBGE – 2016. And a significant portion of the population, 30% or 62.3 million, are children and adolescents.

23. Despite the large child and youth population in Brazil and the normative set of rights laid out in legislation, statistical information on sexual exploitation and trafficking in children and adolescents still requires additional work by the Brazilian Government.

24. Pursuant to the Epidemiological Bulletin of the Health Surveillance Secretariat of the Ministry of Health, volume 49 of June 2018, based on data recorded in the VIVA System, which includes the surveillance of violence and accidents in urgency and emergency units (VIVA Survey) and surveillance of interpersonal violence and self-harm from the Notifiable Disease Information System (VIVA/SINAN) from 2011 to 2017, 1,460,326 cases of interpersonal violence or self-harm were reported. Of this total, 219,717 (15.0%) notifications against children and 372,014 (25.5%) against adolescents were recorded, concentrating 40.5% of the cases. During this period, 184,524 cases of sexual violence were reported, 58,037 (31.5%) against children and 83,068 (45.0%) against adolescents, concentrating (76.5%) of the cases reported in these two categories.

25. Most cases involve girls, when analyzing data on children (0-14 years) who are victims of sexual violence. The SINAN concluded that 43,034 (74.2%) were female and 14,996 (25.8%) were male. 45.5% were black and 3.3% had some disability or disorder. The notifications were concentrated in the Southeast (40.4%), South (21.7%), and North (15.7%) regions.

26. According to SINAN data, the evaluation of the characteristics of sexual violence against children (0 to 14 years old) showed that 33.7% of the cases were repetitive offences, 69.2% occurred at home and 4.6% occurred at school, and 62.0% were reported as rape. Considering that, among female children, 33.8% of notified cases were repetitive offences, most of the recorded events occurred in the home (71.2%) and school (3.7%), while 61% of the events were reported as rape. Among male children, the analysis of notifications of sexual violence showed that 33.2% were repetitive offenses, occurring at home (63.4%) and school (7.1%), and 64.6% of the events were reported as rape.

27. Based on SINAN data of the characteristics of the probable perpetrator of sexual violence against children (0 to 14 years old), 74.7% of the notifications involved one perpetrator. In 81.6% of the events, the perpetrator was male and 37.0% had family ties with the victim. Among female children, 75.6% of the cases reported involving sexual violence were perpetrated by one aggressor. In 80.8% of the events, the perpetrator was male and 39.8% had family ties with the victim. Among female children, 72.2% of the cases reported of sexual violence were perpetrated by one aggressor. In 83.7% of the cases, the aggressor was male. In 35.4% of the recorded events, the perpetrator was known to the victim.

28. Pursuant to SINAN data, the evaluation of the sociodemographic characteristics of adolescents (15 to 18 years old) victims of sexual violence showed that 76,716 (92.4%) were female and 6,344 (7.6%) were male. Of the total, 55.5% were black, 7.1% had a disability or disorder. The events reported were concentrated in the Southeast (32.1%), North (21.9%), and South (18.8%) regions. Among female adolescents, 56.0% were black, 6.3% had a disability or disorder. The events reported were concentrated in the Southeast (31.4%), North (22.6%), and South (18.4%) regions. Among male adolescents, 49.9% were black, 17.0% had a disability or disorder. The events were concentrated in the Southeast (41.0%), North (23.5%), and South (14.0%) regions.

29. The SINAN data indicates that 39.8% of the events were repetitive, 58.2% occurred at home, and 13.9% in public thoroughfare, while 70.4% were reported as rape. Among female adolescents, the evaluation of notifications of sexual violence showed that 39.7% were repetitive offenses. The recorded events occurred at home (58.7%) and in public thoroughfares (14.1%). Approximately, 70.9% of them were reported as rape. Among male adolescents, the analysis of notifications of sexual violence showed that 40.3% were repetitive, they occurred mostly at home (52.0%) and in public thoroughfares (11.4%). A total of 64.2% of the events were reported as rape.

30. SINAN data indicated the characteristics of the probable perpetrator of sexual violence against adolescents. It showed that 78.9% of the notifications involved one aggressor. In 92.4% of the events, the aggressor was male and 38.4% involved family ties (family members and intimate partners). Among female adolescents, 79.7% of the cases reported involving sexual violence were perpetrated by one aggressor. In 92.8% of the events,

the aggressor was male and 39.8% had family ties. Among male adolescents, 69.4% of the cases reported involving sexual violence were perpetrated by one aggressor. In 87.0% of the events, the aggressor was male. In 41% of the cases, the perpetrator was known by the victim.

31. Based on Dial 100 data, 22,324 cases of sexual exploitation of children and adolescents were reported in 2017. Of these, 47.85% were female compared to 40.29% male. 20.66% involved children between 4 and 7 years old, 20.41% with children between 8 and 11 years old, 18.13% between 12 and 14 years old, and 12.85% with adolescents from 15 to 17 years old. The profile of the suspects was recorded as follows: 37.15% are men and 17.66% are of uninformed sex.

32. Vulnerable points to the sexual exploitation of children and adolescents on Brazilian roads and highways are mapped by the Federal Highway Patrol (PRF) through the MAPEAR Project (Mapping of Vulnerable Points to the Sexual Exploitation of Children and Adolescents on the Brazilian Federal Highways), based on common general guidelines for the insertion of data in an electronic application by federal highway police during rounds.

33. The MAPEAR contains questions about the characteristics of places that may facilitate sexual exploitation of children and adolescents (type of establishment, lighting, surveillance, isolated parking, closed circuit television system, pay phone, drug trafficking, adult prostitution, employer connivance, proximity to nightclubs, proximity to villages, urban or rural area, tax office or port, and urban perimeter distance).

34. The system calculates the level of risk, consolidates the information in graphs, and allows filtering points for detailed study. The following were identified: 924 points in 2009-2010, 691 points in 2011-2012, 566 points in 2013-2014 and 498 points in the 2017-2018. While the number of cases of sexual exploitation across the country remains high, public policies have shown results in reducing the situations of violations. The Government understands that it is necessary to intensify the existing policies.

35. The MAPEAR Project has resulted in the removal of at-risk children and adolescents from points vulnerable to sexual exploitation. According to PRF data, in 2005, 121 children or adolescents were removed from vulnerable points, in 2006 compared to 469, in 2007; 663, in 2008; 502, in 2009; 511, in 2010; 590, in 2011; 420, in 2012; 590, in 2013; 285, in 2014; 245, in 2015; 128, in 2016; and, finally, 102, in 2017.

36. The Inter-Sectoral Matrix to Fight Sexual Exploitation of Children and Adolescents is a strategic tool for public management, information cross-checking, which gives quantitative and qualitative visibility into sexual exploitation of children and adolescents, in the context of the public policies. The Matrix presents relational dialectic perspective to understand the reality of sexual exploitation of children and adolescents. The first version of the Matrix (2004) identified 932 Brazilian municipalities and locations therein where child sexual exploitation occurs. The second version, in 2011, identified reports on Sexual Exploitation of Children and Adolescents in 2,930 Brazilian municipalities. In both surveys, the Northeast led the report with the highest number of incidents, followed by the Southeast, South, Midwest, and North regions.

37. The Dial 100 hotline registered, from 2005 to 2010, 25,175 events of sexual exploitation of children and adolescents. The data took into account reports on prostitution, pornography, trafficking for sexual purposes, and exploitation in the context of tourism.

38. Regarding sexual exploitation on the Internet, statistics from the National Cyber Crime Reporting Center, a system operated by the SaferNet organization in cooperation with MMFDH, Federal Police, and Federal and State Prosecutors, show that, in 2017, 327 pages were found on 124 hosts containing Brazilian child pornography.

39. According to Dial 100 data, 26 complaints were reported on human trafficking in 2011; 105 in 2012; 218 in 2013; 122 in 2014; 212 in 2015; 106 in 2016. Regarding 2017, 37% of the reports involved children from 08 to 17 years old, 34% involved children from 0 to 7 years old, i.e., 71% are children and adolescents. Another 3% involved young adults from 18 to 30 years old (3%), 1% from 41 to 50 years, and 26% not informed.

40. The Dial 180 hotline recorded 413 cases of trafficking in persons between 2014 and 2016, of which 216, or 52.3%, involved children and adolescents.

41. Finally, according to data from the Unified System for Social Assistance (SUAS) Census of 2016, of the 2521 Specialized Reference Centers for Social Assistance (CREAS), 88.9% address cases of sexual exploitation of children and adolescents and 37.3% trafficking in children and adolescents, both within the scope of the Specialized Care and Protection Services to Families and Individuals – PAEFI (Attachment 4).

### **III. General implementation measures**

42. The Brazilian Government is structured to fight sexual exploitation and trafficking in children and adolescents through different bodies of the Federal Public Administration, involving strategic sectors across all areas, in partnership with the civil society organizations and international cooperation.

43. In 2003, the Secretariat of Human Rights of the Presidency of the Republic (now integrated into the MMFDH) established a specific area to address sexual exploitation of children and adolescents, based on the National Program to Fight Sexual Violence against Children and Adolescents (PNEVSCA). The Program is currently under the purview of the General Coordination for the Defense of the Rights of Children and Adolescents, under the National Secretariat of the Rights of the Child and Adolescent of MMFDH.

44. Upon its establishment, PNEVSCA absorbed the National Plan to Fight Child Sexual Violence (2000). It is implemented in a partnership with the National Committee to Fight Sexual Violence against Children and Adolescents, the national body representing the society, public authorities, and international cooperation organizations.

45. After a significant review process (Attachment 5) and based on the guidelines of the Decennial Plan on Human Rights of Children and Adolescents, the second version of the National Plan to Fight Sexual Violence against Children and Adolescents was launched in 2013. The document was divided into the following axes: a) prevention, b) care, c) defense and accountability, d) participation and prominence, e) communication and social mobilization, f) studies and research (Attachment 6).

46. The national plans approved by the CONANDA and the public policies promoted by the CIEVSCA have been the fundamental tools for implementing the Optional Protocol to the CRC as for fighting child sexual exploitation.

47. As a result of the international commitments undertaken in the Palermo Protocol (Decree No. 5,017 of March 12, 2004), the Brazilian Government has instituted mechanisms to fight trafficking in persons, especially women, children, and adolescent. In this regard, the National Policy to Fight Trafficking in Persons through Decree No. 5,948 of October 26, 2006, established a governance model, composed of the National Committee to Fight Human Trafficking (CONATRAP), Interministerial Group, Core and Station Network, and General Coordination to Fight Trafficking in Persons of the Ministry of Justice and Public Security.

48. The I National Plan to Fight Trafficking in Persons (I PNETP), approved by Decree No. 6,347 of January 8, 2008, (Attachment 7) was built and structured around three strategic axes: a) prevention of trafficking in persons; b) assistance to victims, and c) repression of trafficking in persons and accountability of perpetrators. Pursuant to the National Plan, for each of the three axes, the PNETP provides for a set of priorities (objectives), actions, activities, specific goals, responsible body, partners, and implementation deadlines. Additionally, the PNETP Evaluation and Dissemination Advisory Group was set up within the Ministry of Justice and Public Security, to: support in its monitoring and evaluation; establish the monitoring and evaluation methodology and monitor the execution of the actions, activities and goals; make adjustments in setting priorities; promote its dissemination to governmental and non-governmental bodies and entities; and prepare a semi-annual follow-up report.

49. To support the fight against sexual violence against children and adolescents, the Ministry of Health developed the Violence and Accident Surveillance System (VIVA), which provides data on typology, severity, profile of people involved, location of occurrence, and other characteristics of events. From 2011, the notification of violence in the health field became compulsory for all public and private health services. In 2014, cases of sexual

violence were immediately notified and reported within 24 hours after assistance to the victim. Another mandatory action is to report any type of violence against children and adolescents to the Child Protective Services, as required by the State of the Child and Adolescent (ECA).

50. The II National Plan to Fight Trafficking in Persons was launched in 2013 (Attachment 8) aimed at preventing and repressing trafficking in persons within the national territory, making the perpetrators accountable, and providing assistance to the victims. The document included 115 goals, divided into five operational lines: a) improvement of the regulatory framework, b) integration and strengthening of the public policies, service and organization networks, c) training, d) production, management, and dissemination of information and knowledge, e) campaigns and mobilization. The II PNETP included inspection, training of professionals, and diagnosis of trafficking in children and adolescents.

51. The III National Plan to Fight Trafficking in Persons was launched in 2018 (Attachment 9) and outlines actions by the Federal Government to prevent and suppress the crime of trafficking in persons in the next four years. The plan includes 58 targets divided into six thematic axes: policy management, information management, capacity building, accountability, victim assistance, and public awareness and prevention. The III PNETP is the result of a public policy evaluation cycle that ended in September 2017, after the organization of the “I International Seminar on Fighting of Trafficking in Persons and Smuggling of Migrants”. During this event, experts and members from different areas of the government and civil society took stock of the implementation of the first two National Plans to Fight Trafficking in Persons.

52. Decree No. 7,901, dated February 4, 2013, established the Tripartite Coordination of the National Policy to Fight Human Trafficking, which is comprised of the following Federal Government bodies: the Ministry of Justice, the former Secretariat of Policies for Women, and the former Secretariat of Human Rights of the Presidency of the Republic (both have been integrated into the MMFDH). The Decree was later revoked and substituted by Decree No. 9,833, of June 12, 2019, which brings it up to date with the new administration’s structure. The government bodies are responsible for evaluating and deciding on aspects related to the coordination of actions against human trafficking within the federal administration; for leading the elaboration of national plans to fight trafficking in persons and for coordinating the work of the correspondent inter-ministerial monitoring and evaluation groups; for mobilizing networks of actors and partners involved in the fight against trafficking in persons; for coordinating actions to fight human trafficking with states, the Federal District and municipalities, as well as with private, international and civil society organizations; for preparing reports for national and international bodies, and disseminating information on the fight against human trafficking; and for supporting the work of the National Committee to Fight Human Trafficking (CONATRAP), by the proposal of debate topics.

53. National Pact to Fight Violence against Women. It is a federal agreement celebrated by and between the federal government, through the Secretariat of Policies for Women (SPM), and state and municipal governments, effective as of 2007, for planning actions that consolidate the National Policy to Fight Violence against Women through the implementation of integrated public policies in the entire national territory. Among its main premises, the pact seeks to ensure sexual and reproductive health and to fight sexual exploitation and trafficking in women (Attachment 16).

54. The National Committee to Fight Human Trafficking – CONATRAP – aims at articulating actions of public and private bodies to fight trafficking in persons. CONATRAP has the following duties: proposing strategies for managing and implementing actions related to the National Policy to Fight Human Trafficking, approved by Decree 5,948 of 2006; proposing the development of studies and actions to fight trafficking in persons; accompanying the implementation of national plans to fight trafficking in persons; articulating its activities to those of the National Councils of public policies fighting trafficking in persons to promote intersectoral policies; coordinating and providing technical support to state, district, and municipal committees fighting trafficking in persons in order to define guidelines, and regulation; preparing reports on its activities; and preparing and approving its own internal rules of procedure.

55. In addition to CONATRAP, the Interministerial Working Group for Monitoring and Evaluating the II National Plan to Fight Human Trafficking was established by Interministerial Ordinance 634 of February 25, 2013, and has the following duties: establishing a methodology for monitoring and evaluating the II PNETP and accompanying the enforcement of its operations, activities, and goals; validating deadlines for achievement of the goals agreed to the II PNETP; proposing adjustments to the priorities defined to the II PNETP; disseminating the II PNETP before public and private bodies and entities; and producing a report on the monitoring and evaluation of the II PNETP. The Interministerial Working Group held meetings at every four months and produced periodic monitoring reports, among other things, on the actions involving fight to trafficking in children and adolescents. In 2017, after completion of the II Plan, the effective period of which was four (4) years (2013-2016), the Ministry of Justice, in a partnership with the United Nations Office on Drugs and Crime – UNODC, made a public consultation through the Internet for the evaluation of the II PNETP and to collect funds for formulating the next Plan. In fact, on July 3, 2018, the III National Plan to Fight Human Trafficking was approved through Decree No. 9,440, the effective period of which would also be four (4) (2018-2022).

56. Thus, regarding the fight against trafficking in children and adolescents, the institutional arrangement formed by the Coordination for Fighting Human Trafficking, the Tripartite Commission, CONATRAP, and the Interministerial Working Group, with the National Plans as primary strategy, has also been promoting the implementation of the Optional Protocol to the CRC into the Brazilian Government.

## IV. Prevention measures and subsequent items

57. The Brazilian Government took actions to fight sexual exploitation and trafficking in children and adolescents focusing on prevention, which include studies and diagnostics, training of professionals, awareness campaigns, articulation and mobilization actions, dissemination of information on the means of reporting, production of informative materials, construction of protocols with business and financial sectors, and holding of events, such as congresses and seminars. In this regard, the following initiatives should be highlighted: Global Action to Prevent and Fight Trafficking in Persons and Migrant Smuggling (GLO.ACT).

58. The Glo.Act is a four-year joint initiative (2015-2019) of the European Union (EU) and the United Nations Office on Drugs and Crime (UNODC). It is implemented in partnership with the International Organization for Migration (IOM) and the United Nations Children's Fund (UNICEF). This project aims at providing assistance to the governmental authorities and the organizations of the civil society in 13 strategically selected countries: Belarus, Brazil, Colombia, Egypt, Kyrgyzstan, Lao People's Democratic Republic, Mali, Morocco, Nepal, Niger, Pakistan, South Africa, and Ukraine. It will support improved responses to trafficking and smuggling, including the provision of assistance to trafficking victims and vulnerable migrants through strengthening the identification, referral, and direct support mechanisms. The project follows a multidisciplinary approach, based on gender and rights issues, focused on the needs and well-being of victims of trafficking and smuggling of migrants. It also provides customized training and technical assistance to ensure that national legislative frameworks are in line with the international rules and best practices, thus aiming at strengthening the actions within and between countries and regions of origin, transit, and destination.

### A. Parliamentary front against sexual abuse and exploitation of children and adolescents

59. Since the 1990s, at every term of office, the National Congress' House of Representatives has established a parliamentary front against sexual abuse and exploitation of children and adolescents, promoting public hearings, missions in different parts of the country, and proposing the holding of congressional investigation panels. The initiative of the Federal Parliament has been the basis for the creation of similar initiatives in Legislative Assemblies and City Councils of the various states of the Brazilian federation.

60. There is also a joint initiative set forth by Federal Deputies and Senators to build the Joint Parliamentary Front for the Promotion and Defense of Children and Adolescents. It is a permanent space for mobilization and articulation of themes related to children and adolescents involving the two houses of the National Congress.

61. Program of Integrated and Benchmark Actions to Fight Sexual Violence against Children and Adolescents in the Brazilian Territory (PAIR)

62. PAIR is a methodology for strengthening municipal networks for fighting sexual violence that began to be implemented in 2002 based on four axes: a) fostering the planning of integrated actions, b) preparation of local diagnoses, c) action monitoring, and d) training of professionals in the system ensuring the rights for qualified performance.

63. The program proposes a series of steps for establishing public policies to fight sexual violence against children and adolescents, in an articulated and intersectoral manner, by strengthening local networks. PAIR uses methodologies like political articulation of each municipality, empowerment of the safety net, and monitoring of actions provided for in state and municipal plans to fight sexual violence against children and adolescents.

64. The implementation of PAIR suggests the following outcomes: a) rapid and interactive diagnosis, including domestic and international trafficking, aiming at mapping flows and assessing the quality of care, as well as the organizational and operational structure of programs and service networks in each city; b) Local Operating Plans; c) training the main players that compose assistance, prevention, defense, and accountability networks; d) an evaluation system that assures the monitoring of activities carried out and supports the exchange of information and experiences; e) the systematization and publication of a benchmark manual, which lists successful activities that have been carried out and their achievements in municipalities (Attachment 10).

65. PAIR was implemented through time framed partnerships between federal or municipal government and/or civil society entities. The program was discontinued due to the lack of renewal or implementation of new instruments.

## **B. Dial 100 – Dial Human Rights**

66. Created in 1997 by the Brazilian Multiprofessional Association for Child and Adolescent Protection – ABRAPIA, the Dial Human Rights – Dial 100 hotline was undertaken by the Federal Government in 2003, through the former Secretariat of Human Rights of the Presidency of the Republic, which established a partnership with the Center of Reference, Studies and Actions on Children and Adolescents (CECRIA).

67. It is a public utility service linked to the National Ombudsman for Human Rights (ONDH), intended to receive demands related to human rights violations, especially those affecting populations with increased vulnerability, such as children and adolescents, elderly people, people with disabilities, LGBT, homeless people, and others, such as *quilombolas*, Romans, Indians, people deprived of liberty. The service also includes the dissemination of information on human rights and guidance on actions, programs, campaigns, and human rights assistance, protection, advocacy, and accountability services available at the federal, state, and municipal levels.

68. The Dial Human Rights – 100 is available 24/7, including Saturdays, Sundays, and holidays. Launched in 2003, it is intended to receive reports on violations of the Human Rights, especially serving populations considered to be highly vulnerable, such as children and adolescents, elderly people, black population, people with disabilities, LGBTs, homeless people, people deprived of liberty, among others. Calls can be made from all over the country by direct free dialing from any land or mobile phone by dialing 100. The reports may be anonymous, and confidentiality of information is guaranteed when requested by the person reporting it. Given the extent, scope, and consolidation of the service, compared to the other emergency services, it can be deemed the “emergency room” of Human Rights, as it also addresses serious cases of violations that just happened or are still happening, informing the competent authorities and enabling intervention in the act. It also takes into account situations where the network is compromised and the only alternative to interrupt the cycle of violations

is the service, which will record, analyze, and forward reports to the protection and accountability bodies, with the best conditions to protect the victim faster.

69. The ONDH has a large database generated from the information produced by the abovementioned service, which is extremely relevant for the promotion of public policies in human rights at all government levels, considering the possibility of mapping the locations where the highest level of social vulnerability is concentrated. In addition, ONDH data are also sources of consultation for the general press, researchers, and bodies integrating the Human Rights Protection Network. Aiming at expanding its communication channels with the population and considering the increasing use of the Internet and access to social networks, in April 2015, online channels were made available, accessed through the Internet and by using mobile apps, which is the Online Office of the Ombudsman, an exclusive channel for receiving reports on violations occurred in the Internet apps, and Click 100, the “Dial Human Rights”, its online version, both available at: [www.humaniza.redes.gov.br](http://www.humaniza.redes.gov.br).

70. In April 2016, another innovation was implemented in partnership with the United Nations Children’s Fund – UNICEF: a channel dedicated to the reporting of violations of the human rights violations was made available, within the *Proteja Brasil* app., which can be downloaded in Android and iOS platforms. The app can be downloaded for free from online stores, such as Play Store, and, with just a few clicks, the user can make his/her complaint to the National Ombudsman for Human Rights easily, quickly, and anonymously. It is available in three languages (Portuguese, Spanish, and English). The three reporting channels are integrated into the National Human Rights Ombudsman Service System (SONDHA) system, available through registration at <http://sondha.sdh.gov.br/>, enabling quick forwarding of complaints to the competent bodies and authorities for stopping, preventing, and suppressing the cycle of violations.

71. Pursuant to the ONDH’s Annual Balance Sheet of 2017 between 2013 and 2017, more than 19 thousand complaints of human rights violations against imprisoned persons were received. Data from 2016 and 2017 shows the following violations are the most frequent: negligence (6,809), institutional violence (4,816), physical violence (3,672), psychological violence (3,040), and torture (741). The Report also indicates that, between 2011 and 2017, 7,120 complaints of human rights violations committed by police officers were received and, between 2016 and 2017, 908 complaints of torture. 71. The Dial National Complaint (*Disque Denúncia Nacional*) toll free service, known as “Dial 100” (“Disque 100”), is currently operated by an outsourced company called CALL, headquartered in Brasilia. The Service works 24/7 and counts on approximately two hundred call center agents.

72. The Ombudsman Offices, on their turn, are as responsible for assessing the complaints in a broader manner, collecting data on the complaints, promoting protection networks of the thematic groups, and coordinating the call center service.

73. The Service provided by the Dial Human Rights briefly works pursuant to the complaints received, as follows:

- By dialing 100, the call center agent listens to the user and seeks to obtain as much information as possible so as not to cause discomfort to the victim. In more severe cases, such as a call made by perpetrators or suicidal teenagers, the user is sent to a specialized service;
- Upon confirmation that this is a human rights violation case, the hotline operator collects the information and records the data in the National Human Rights Ombudsman Service System (SONDHA);
- After the call is ended, the monitoring team verifies and classifies the complaint, forwarding it to the referral area, which analyses the complaint, categorizing it by priority, and then sending letters to all agencies deemed applicable;
- In cases of more serious complaints, such as urgent demands or constant users, the complaint handling coordinators perform what they call the “active search”, which is the contact established between the operators and the body responsible for handling the complaint to obtain updated case information.

### C. Mapear project

74. The initiative began in 2003 within the Federal Highway Patrol, under the Ministry of Justice and Public Safety's coordination. The project promotes nationwide mapping of points considered vulnerable, where the sexual exploitation of children and adolescents on highways and federal highways could take place more often. The purpose is to generate data and indicators that can be studied and monitored, in order to develop strategies, by various sectors of the society, aiming at preventing, addressing, and effectively protecting children and adolescents who are victims of sexual exploitation.

75. The Mapear Project was part of the *Na Mão Certa* (On the Right Track) Program (2006), which brings together several companies through the Corporate Pact against Sexual Exploitation of Children and Adolescents on Brazilian Highways, through a partnership between the PRF and the NGO Childhood Brasil, signed in 2009. The mapping initiative also includes the work carried out by the Ministry of Human Rights, the International Labor Organization, and the Labor Prosecution Service (Attachment 12).

76. The Mapear Project also helps the PRF to help children and adolescent victims at risk, properly leading them to the protection network. The mapping is currently made through the mobile phone application, making it easier for police officers to analyze the vulnerable spots to be mapped. The application includes questions such as "Is there street lighting in the spot analyzed?", "Is there any occurrence of drug trafficking at this spot?", and "Has there ever been any previous occurrence of sexual exploitation of children and adolescents at this spot?", among others, which help to classify the vulnerable spot into "low risk", "medium risk", "high risk", and "critical".

77. The Mapear Project is among the goals of the III National Plan to Fight Human Trafficking, launched in July 2018. The Project can also be used to collect data related to that type of offense (Attachment 13).

### D. Sustainable tourism and childhood program (TSI)

78. The Sustainable Tourism and Childhood Program (TSI) was created in 2004 in order to prevent and fight sexual exploitation of children and adolescents in all levels of tourism in Brazil. The National Tourism Council, the local and state Tourism offices, the Sustainable Tourism Thematic Chamber, several companies, as well as the civil society, are partners of the TSI.

79. The program principles include sustainable development, corporate social responsibility, and children's rights. They are categorized into four axes: a) Social Inclusion with Professional Capacity-building Project, b) Multiplier Training Projects, c) Awareness Seminar, and d) Campaigns.

80. Pursuant to data from the Ministry of Tourism, the Sustainable Tourism and Childhood Program has accumulated significant results and figures in fighting sexual exploitation of children and adolescents, among them: 1,800 young people professionally trained, 530 local agents trained, 163 awareness seminars, and 110,000 people mobilized.

81. Between 2013 and 2014: 728,839 advertising materials related to the campaign for child protection were distributed during Carnaval and World Cup 2014, and 1,114 persons were made aware on preventing exploitation of children and adolescents, trafficking in persons, and child labor between September 2013 and May 2014 in 12 Brazilian states.

82. During the Olympic Games in Brazil, in 2016, the Ministry of Tourism distributed 240.8 thousand folders and booklets printed for the campaign "Don't Look Away. Stay tuned. Report it. Protect our children and adolescents from violence". They have been mailed to the Official Bodies of Tourism of the Brazilian Federative Units and cities, during Carnival, and again on May 18 – the National Day to Fight Sexual Abuse and Exploitation of Children and Adolescents.

83. A manual and sign model with the words "sexual exploitation and trafficking of children and adolescents are felonies. please report to authorities!" were also made available

to 59 thousand tourist service providers through CADASTUR – the individual and legal entity register of the tourism sector – in Portuguese, English, and Spanish in order to encourage the enforcement of Law No. 11,577 of November 22, 2007.

84. During Carnival and on May 18, 2017, the Ministry of Tourism joined efforts in partnership with the former Secretariat of Human Rights to advertise a campaign with the slogan “Respect, Protect, and Ensure – All Together for the Rights of Children and Adolescents”. The advertising occurred through digital banner of the campaign in the website of the Ministry of Tourism and in its social media and through broadcasting in video systems on board of aircraft of airlines Avianca and LATAM, at the same time sensitizing about 50,000 touristic service providers enrolled to CADASTUR by broadcasting the video of the campaign.

85. In 2018, the Ministry of Tourism prepared and broadcasted new video material for the campaign “Respect, Protect, and Ensure – All Together for the Rights of Children and Adolescents”. The video was advertised during carnival, in international events related to the theme, and in the Ministry’s social media.

## **E. School guide**

86. In 2003, the Ministry of Education and the Special Office of Human Rights of the Presidency of the Republic created the School Guide (Attachment 11), which contains methods to identify signs of abuse and sexual exploitation of children and adolescents. The document defines sexual exploitation of children and adolescents and its causes, and indicates how schools can get engaged in fighting against it.

87. The guide deems school a critical interactive community that can be turned into a privileged space for the fostering of a culture of prevention of sexual violence against children and adolescents.

88. It also provides information on how to report such offenses, indicates national bodies that are essential in the mobilization against sexual exploitation of children and youth, and discusses successful methods and experiences. The third edition of the School Guide was published in 2011, in partnership with the Federal Rural University of Rio de Janeiro.

## **F. Escola que protege project (School that protects project)**

89. Created in 2004 by the Ministry of Education, the “School that Protects Project” is intended to train education professionals and members of education and school councils, in addition to healthcare practitioners, social workers, child care counselors, security and justice officials, and other professionals related to the Network for Protecting and Ensuring Rights of Children and Adolescents in order to promote and defend the rights of these people, as well as to fight and prevent violence at schools.

90. The main strategy of the program is to promote the fund the training of public primary schools teachers, as well as producing teaching and supplementary educational materials on the project’s topics. The project encourages education systems to report violence at school, as well as to integrate the school community to the Network for Protecting and Ensuring Rights of Children and Adolescents.

## **G. Intersectoral matrix to fight sexual exploitation of children and adolescents**

91. In 2003 and 2004, the University of Brasília, the Special Office for Human Rights of the Presidency of the Republic, and UNICEF, created an Intersectoral Matrix to Fight Sexual Exploitation of Children and Adolescents (Schedule 14), in order to help in the coordination of federal public policies.

92. The document encompasses programs and actions to fight sexual exploitation in the fight against poverty and inequality, and the promotion of diversity; as well as actions,

institutions, and organizations aiming to fight sexual exploitation in the scope of Defense and Accountability; laws and regulations to fight sexual exploitation; international cooperation initiatives and programs to fight sexual exploitation; and actions taken by the civil society to fight sexual exploitation.

93. In 2011, the study was updated at the request of the Intersectoral Commission to Fight Sexual Violence against Children and Adolescents (Schedule 15). In addition to the report map, the document also includes a survey on actions taken by the Federal Government to fight sexual violence.

## **H. Trama project**

94. The Trama Project began in April 2004, through the organization with the participation of four non-governmental entities: the Human Rights Organization Legal Project; the Brazilian Institute of Innovations in Social Health – IBISS; the Black Women Organization CRIOLA; and the Center of Human Rights of the Grande Rio University – UNIGRANRIO, all of which have recognized actions in the defense, guarantee and promotion of human rights in the State of Rio de Janeiro. Considering the trafficking in persons as a serious violation of human rights and a problem related to globalization and social inequality, as well as to the issues of gender, race, and ethnicity. The Trama Project has the mission to tackle this problem through the enforcement of human rights, in order to avoid victimization and discrimination.

95. The actions were organized in four different fields of action, aiming at promoting the structural and integrated fight against trafficking in persons, always based on the principles of human rights: a) development of studies and researches on the theme; b) provision of legal and psychosocial assistance and defense to persons victims of trafficking; c) national and international integration with governmental and non-governmental organizations; d) actions to promote information, mobilization, and awareness of society, including through educational campaigns, trainings, and preventive actions.

## **I. Campaigns during carnival**

96. Since 2006, there are important campaigns being implemented focused on the events during Carnaval, directed to fight sexual exploitation of children and adolescents. Every year new slogans and advertising materials are created. Among the mottos of the campaigns, the following stands out: “United against Sexual Exploitation of Children and Adolescents – Join this Bloco (Carnaval Block)”, “Sexual Exploitation of Children and Adolescents is a Felony. Report it to authorities! Seek the Child Protective Services in your city or dial 100” (in a reference to the human rights help line), “Protect our children and adolescents. Sexual violence is a Felony. Report it to authorities. It’s up to you”, “Protection League – Protect our children and adolescents. Sexual violence is a felony. Report it to the authorities”.

97. Between 2013 and 2016, the National Campaign to Fight Sexual Violence against Children and Adolescents during Carnaval had the theme “Don’t Look Away. Stay tuned. Report it. Protect our children and adolescents from violence”. The campaign was based on the three monkeys that emphasize the actions of seeing, hearing, and reporting offenses. During the Olympic Games, the permanent campaign of the National Secretariat on the Rights of the Child and the Adolescent (SNDCA) to prevent violence was changed to “Respect, Protect, and Ensure – All Together for the Rights of Children and Adolescents”, which holds, as its main symbol, three children holding hands in the shape of a diamond.

## **J. Mais educação program (More education program)**

98. Created by the Interministerial Ordinance No. 17/2007 and regulated by Decree No. 7,083 of January 27, 2010, the More Education Program is a strategy of the Ministry of Education to promote integral education agenda in state and municipal public schools, extending the school day in public schools to at least 7 hours a day.

99. The objectives of the Program are to prevent and fight child labor, sexual exploitation, and other forms of violence against children, adolescents, and young people, through greater community integration, increasing their participation in school and social life, and promoting access to social assistance services provided by the Single Social Assistance System (SUAS).

## **K. National pact to fight violence against women**

100. It is a federal agreement celebrated by the federal government, through the National Secretariat of Policies for Women, and state and municipal governments, in 2007, for planning actions that consolidate the National Policy to Fight Violence against Women through the implementation of integrated public policies in the entire national territory. Among its main premises, the pact seeks to ensure sexual and reproductive health and to fight sexual exploitation and trafficking in women (Attachment 14).

101. Four years after its implementation, during the preparation of the 2012-2015 Multiannual Program, the proposals of the pact were reviewed and evaluated by the 27 signatory Federative Units. This revision of the pact resulted in the publication of a new document (Attachment 16 and 17) in 2011 with new structuring lines, one of which is already included in the following: "Ensured sexual and reproductive rights and actions to fight sexual exploitation and trafficking in women".

## **L. Third congress against sexual exploitation of children and adolescents**

102. From November 25 to 28, 2008, the Brazilian Federal Government hosted the III Congress against Sexual Exploitation of Children and Adolescents, in Rio de Janeiro, in a partnership with UNICEF, ECPAT International, and the NGO Group for the Convention on Rights of the Child. More than 3,500 people from 150 countries participated in the Congress, including 137 Governmental delegations, representatives of international agencies, NGOs, and the private sector, and 282 adolescents.

103. The III World Congress against Sexual Exploitation of Children and Adolescents (Attachment 18) was held as a follow-up to two major events held in Stockholm, Sweden, in 1996 and Yokohama, Japan, in 2001.

## **M. Second Brazilian congress against sexual exploitation of children and adolescents**

104. The II Brazilian Congress against Sexual Violence against Children and Adolescents, held from May 14 to 16, 2018, intended to create an intersectoral and inter-institutional space to exchange experiences and reflect on sexual violence against children and adolescents. For three days, several strategic players – public managers, representatives of social movements, civil society organizations, members of the judiciary, adolescents, businesses, parliament, among others –gathered to discuss the scenarios of violence and the joint possibilities and alternatives for fighting it. The event is an important milestone in the fight against sexual violence, as it marks the 18th anniversary of the institution of May 18th as the national day to fight abuse and sexual exploitation against children and adolescents. The year of 2018 is also marks the tenth anniversary of the I Brazilian Congress and of the III World Congress against Sexual Exploitation of Children and Adolescents.

## **N. Agenda for convergence proteja brasil (protect brazil)**

105. Created in 2011, the Agenda for Convergence Protect Brazil was the result of the coordination between the Ministry of Human Rights and the National Networks for the Defense of the Rights of Children and Adolescents, formed by the National Committee to Fight Sexual Violence against Children and Adolescents, by the National Association of Child and Adolescent Defense Centers (ANCED), the National Forum on Child and Adolescent Rights (DCA Forum), ECPAT Brazil, and the National Forum for the Prevention

and Eradication of Child Labor (PETI Forum), in partnership with UNICEF, the International Labor Organization (ILO), and Childhood Brazil.

106. The Agenda for Convergence, established within the context of the 2013 Confederations Cup and the 2014 FIFA World Cup Brazil (mega sports events) hosted by Brazil, coordinated intersectoral, interinstitutional, and inter-federative actions by the government and civil society, with international cooperation, to fully protect children and adolescents during major sporting, cultural, or religious events.

107. The initiative was implemented through the establishment of Local Committees in each of the 12 cities hosting the 2014 FIFA World Cup, which provided services with three modalities: full-time shift, traveling teams, and living spaces. The local committees were organized by a national committee coordinated by the federal government (Attachments 19 and 20).

## **O. Agenda for convergence major works and megaprojects**

108. It was an initiative initiated by the then Office of Human Rights of the Presidency of the Republic, in 2011, seeking to involve the Brazilian corporate sector in addressing sexual exploitation of children and adolescents. One of its actions was inviting companies to sign a corporate commitment statement, which included ensuring the rights of children and adolescents within the agenda of social responsibility initiatives.

109. In 2014, actions were taken to protect the rights of children and adolescents in construction works. Therefore, a set of specific obligations were established for the Government, companies (state and private), and financial institutions, to be implemented from planning to the execution of the work. In addition, it presents instruments for social oversight and control by civil society organizations and related institutions.

110. The initiative aimed at mitigating the impacts of new construction works on the lives of the local residents, including children and adolescents, who are more vulnerable to increased violence, sexual exploitation, child labor, among other related problems. In this regard, a protocol has been built with parameters for the protection of the rights of children and adolescents in labor and construction contexts, which was subject to public consultation in 2017.

## **P. National report on human trafficking**

111. In order to better understand the reality of trafficking in persons in Brazil, the Ministry of Justice and the Public Security, particularly the General Coordination to Fight Trafficking in Persons, has made several efforts to build the National Report on Trafficking in Persons, which consists in the systematization and analysis of information on the issue based on official sources.

112. The report includes information on victims of trafficking in persons (number of victims and occurrences, profile of victims), characteristics of the crime, characteristics of the trafficker, and referrals to cases in the criminal justice system. The document had its fourth edition in 2016, and the previous three editions were made in 2005 to 2011, 2012, and 2013 respectively (Attachment 21, 22, and 23).

113. All reports are available at the Ministry of Justice's website (<https://www.justica.gov.br/sua-protectao/traficodepessoas/publicaçoes>).

## **Q. Charter for the constitution of defense strategies for all the rights of children and adolescents**

114. Developed in October 2012, the Charter for the Constitution of Defense Strategies for All Rights of Children and Adolescents was a national structural initiative for the integration of efforts of the bodies of the Executive Branch and the Brazilian Legal System (Attachment 24).

115. The initiative involved the then Office of Human Rights of the Presidency of the Republic, the Ministry of Justice, the Ministry of Education, the Ministry of Labor and Employment, the Ministry of Social Development and Fight against Hunger, the Ministry of Health, the National Justice Council, the National Council of the Prosecution Service, and the National Council of General Public Defenders.

116. The charter encompasses a national strategy to fight sexual violence and other violence against children and adolescents and its purpose is to articulate efforts at the national level to ensure children and adolescents the right to a comprehensive development free of all violence.

## **R. Integrated methodology for collecting and analyzing data and information on human trafficking**

117. Created by a working group established in 2012, the methodology consists of an integrated method of data collection and analysis of statistics on trafficking in persons to be implemented by bodies of the public security and criminal justice systems and by institutions of the victim care network (Attachment 25).

118. Ordinance No. 155 of October 5, 2012 of the National Secretariat of Justice and the National Secretariat of Public Security sought to develop an Integrated Methodology for the Collection and Analysis of Data and Information on Trafficking in Persons, based on dialogue and on an integrated method of collecting and analyzing statistics on trafficking in persons to be implemented by public security and criminal justice system bodies and some institutions of the victim care network. Through the integrated methodology, it was possible to gather information on the profile of victims and traffickers, the trends of the phenomenon, as well as information on the actions of public security and criminal justice agencies, and the respective stages of investigation, criminal prosecution, and final decisions.

119. The methodology allowed for knowing the phenomenon of international and domestic trafficking in persons better in Brazil, enabling the production of diagnoses nationwide; the elaboration, monitoring, and evaluation of public policies and more appropriate legislation on the matter; always respecting the autonomy of the public bodies that compose the system to fighting trafficking in persons.

## **S. Training in fighting human trafficking**

120. Aiming at qualifying professionals for the prevention and suppression of trafficking in persons, as well as verifying the conditions for assisting and socially reintegrating the victims, a system was developed in 2013 by the Ministry of Justice and Public Security for permanent training in fighting human trafficking, which includes: a national training matrix, pedagogical projects, teacher's guidance manual, guide for the organizer of courses and training actions, and faculty.

121. Approach to trafficking in persons and smuggling of migrants in Cáceres (Mato Grosso) (July 5 and 6, 2017): professionals providing services from various sectors, such as social assistance, health, education, public safety, and the system and justice, as well as political representatives, representatives of the civil society and religious institutions, participated in the two-day course. The general public showed interest in the matters dealt by the course, it considered the topic of fighting trafficking in persons necessary for improving services, especially in view of the increasingly recurring arrival of migrants in the Brazilian borders.

122. I International Seminar against Trafficking in Persons and Smuggling of Migrants, in Rio de Janeiro (September 19-20, 2017): the seminar aimed at discussing the new legal framework on Trafficking in Persons (Law 13,344 of October 6, 2016), sharing experiences and creating material for the evaluation of the National Plan II against Trafficking in Persons, as well as identifying targets for the National Plan III against Trafficking in Persons, empowering the national network to fight trafficking in persons, understanding the characteristics of smuggling of migrants in the context of the new migratory flows that

include Brazil as a destination country, and producing national guidelines for the prevention of smuggling of migrants based on the Protocol against the Smuggling of Migrants by Land, Sea, and Air (Migrant Protocol).

123. Trafficking in persons, smuggling of migrants, and human mobility, held in Boa Vista/Roraima (October 22 to 28, 2017): it addressed victims of trafficking in persons, Brazilian laws and regulations on migration and human mobility, and new migratory flows.

124. The Global Action Against Child and Adolescent Trafficking, held in the Marajó Island/Pará (November 6 to 10, 2017) aimed at adjusting Asbrad's Humanitarian Assistance to the Victims of Trafficking in Persons in Border Areas methodology to the conditions of children and adolescent exploitation in the Marajó Island, emphasizing the new law framework for trafficking in persons and holding educational discussions for professionals of local networks for the fight of violence against children and adolescents, in order to consolidate and strengthen the assistance services network. Training, awareness, studies and researches to propose public policies to fight trafficking in persons in the Marajó Island are an urgent need. These trainings were an opportunity to gather information, knowledge, and awareness to the network of public and civil society institutions in the region, to highlight the problem and support the creation of public policies and private interventions in the region.

125. The II Regional Symposium on Fighting Human Trafficking, held in Goiânia/GO (December 4 to 7, 2017) focused on the violation of human rights, the current policy to fight trafficking in persons, the new law on trafficking in persons and migration, the provision of assistance to the victims of trafficking in persons and slavery, the trafficking and sexual exploitation of children and adolescents, and the work to fight to trafficking in persons in the Latin-American region. The guidelines for organizing the work groups were divided into prevention, accountability, and assistance.

## **T. National matrix for training in the fight of trafficking in persons**

126. The National Matrix for Training in Fighting Human Trafficking (2013) is a technical document of reference for a coordinated, integrated, and continuous performance of actions and training courses on how to fight trafficking in persons. The document is based on the foundations, guidelines, and objectives of the National Policy to Fight Human Trafficking and National Plans to Fight Human Trafficking, and was produced according to the interdisciplinarity and transversality between several contents required (Attachment 26). 124. The Matrix aims at promoting training programs that provide unity in the diversity, fostering the dialogue between theory and practice in a permanent process of education and updating knowledge to fight trafficking in persons. The structure of the Matrix for Training includes: a) general and specific objectives, b) cross-sectional ethical references, c) legal, political, and conceptual framework, d) coordinated stages, e) themes, f) politic-pedagogical guidelines, g) methodological orientations, h) techniques of education, i) evaluation system, and j) suggested curricular modules for education and training courses.

127. The aforementioned National Matrix aims at promoting training programs capable of providing unity in diversity and favoring dialogue between theory and practice. This interactive dynamic entails a permanent process of education and updating on fighting trafficking in persons. The Matrix for Training includes: a) general and specific objectives; b) cross-sectional ethical references; c) legal, political and conceptual framework d) coordinating topics; e) subject areas; f) political-pedagogical guidelines; g) methodological orientations; h) education techniques ; i) evaluation system; and j) suggestions for education and training courses' programs.

## **U. Proteja Brasil (Protect Brazil)**

128. *Proteja Brasil* is a free app launched in 2013 by the Office of Human Rights of the Federal Government and UNICEF. The app allows everyone to engage in the protection of children and adolescents, by reporting violations, locating protection bodies in the main cities and receiving information on different violations.

129. Complaints are forwarded directly to Dial 100, the Federal Government's human rights helpline. The app also receives complaints concerning places with no accessibility for persons with disabilities, internet crimes and violations related to other vulnerable populations (Attachment 27).

#### **V. Coração azul campaign (Blue heart campaign)**

130. In 2013, the Ministry of Justice and the United Nations Office on Drugs and Crime (UNODC) launched the Brazilian version of the Blue Heart Campaign against trafficking in persons. The campaign's goals are: a) making the "Blue Heart" symbol an icon for recognizing the Campaign to Fight Trafficking in Persons; b) fostering promotional actions and interventions to raise awareness in society, NGOs, governmental bodies, media and opinion makers on this social problem; c) raising awareness by using the Blue Heart symbol and encouraging the search for information and reporting.

#### **W. Respeitar, proteger, garantir campaign (Respect, protect, ensure campaign)**

131. During periods of high tourist activity in the country, such as the 2016 Olympic and Paralympic Games, children and adolescents are more vulnerable, and the risk of violations increase. The campaign "Respect. Protect. Ensure – All Together for the Rights of Children and Adolescents" (Attachment 28) aims at mobilizing society to stay alert and report any suspicious situation. Its purpose is to engage all persons in the prevention and fight of violations of rights, especially the most recurring ones: a) child labor; b) sexual exploitation of children and adolescents; c) use of alcohol and other drugs by children and adolescents; d) street children and adolescents; e) lost or missing children and adolescents.

#### **X. Week for fighting trafficking in persons**

132. The General Assembly of the United Nations established July 30 as the World Day against Trafficking in Persons. In Brazil, this date marks the Week for Fighting Trafficking in Persons, the purpose of which is to increase awareness and mobilize the society, public and private institutions for fighting trafficking in persons, as well as to highlight national actions on the matter. The week encompasses several activities, such as seminars, roundtables, dissemination of materials and blue-colored lighting on buildings.

133. Law No. 13,344 of October 6, 2016, established July 30 (art. 14) as the National Day against Trafficking in Persons. The same law defines the adoption of national campaigns to fight trafficking in persons and their advertisement in means of communication, so as to inform society about all types of trafficking in persons (art. 15).

#### **V. Prohibition and other related topics (Articles 3, 4, 2 and 3, 5, 6, 7)**

134. Since the beginning of the 21st century, the Brazilian Government has been improving its criminal laws and regulations to hold accountable agents that practice acts characterized as sexual exploitation and trafficking children and adolescents, in addition to other related crimes.

135. Law No. 9,975 of June 23, 2000, included article 244-A in ECA, criminalizing sexual exploitation of children and adolescents. Since 1990, ECA has criminalized the promise or act of delivering a child or pupil to a third party, upon payment or reward (art. 238), and promoting or supporting the act of dispatching a child or adolescent abroad without complying with the legal formalities thereof or with the intent to obtain profit (art. 239).

136. Law No. 11,106 of March 28, 2005 established trafficking in persons (domestic and international, as well as aiming at sexual exploitation) as a criminal conduct under the Brazilian Penal Code (CP) (arts. 231 and 231-A). By that time, criminal laws and regulations

already included provisions on trafficking in persons, such as ill-treatment (art. 136, CP), kidnapping and private imprisonment (art. 148, CP), reducing someone to the conditions analogous to slavery (art. 149, CP), infringement of any rights guaranteed by labor law (art. 203, CP), fraudulent recruitment of workers for emigration purposes (art. 206, CP), recruitment of workers from one place to another in the national territory (art. 207, CP), fraud committed by a foreigner when entering or remaining in the national territory (art. 309, CP), crimes in violation of the law regulating the transplantation of human organs (art. 14 to 17 of Law 9,434 of February 4, 1997).

137. During the World Congress III against Sexual Exploitation of Children and Adolescents, the President of the Republic approved Law No. 11,829 of November 25, 2008, which criminalizes within the scope of the ECA various forms of display of child pornography (art. 240, 241, 241-A, 241-B, 241C, 241-D, 241-E).

138. As part of the process of improving criminal law, Law No. 12,015 of August 7, 2009 reformulated the Brazilian Penal Code turning crimes against customs into crimes against sexual dignity, encompassing rape (art. 213); sexual violation through fraud (art. 215); sexual harassment (art. 216-A); favoring prostitution or other forms of sexual exploitation (art. 228 and 229); pimping (art. 230); international trafficking in persons for the purpose of sexual exploitation (art. 231); internal trafficking in persons for the purpose of sexual exploitation (art. 231-A); rape of vulnerable persons (art. 217A); child grooming (art. 218); satisfaction of lasciviousness through the presence of a child or adolescent (art. 218-A); and promotion of prostitution or other forms of sexual exploitation of vulnerable persons (art. 218-B). Furthermore, Law No. 12,015 amended ECA by providing for the crime of child grooming (Art. 244-B).

139. Known by the name of Olympic swimmer Joanna Maranhão, Law No. 12,650 of 17 May 2012 established that prescription for crimes against sexual dignity of children and adolescents provided for in the Brazilian Penal Code or in special law and regulations begins on the date when the victim turns eighteen years old, unless a criminal suit is already in course by then.

140. Law No. 12,978 of May 21, 2014, on its turn, deems the crime of favoring prostitution or other forms of sexual exploitation of children or adolescents or vulnerable persons as heinous (art. 218-B, main section, and paragraphs 1 and 2 of the Brazilian Penal Code). Heinous crimes are those so set forth by the laws and regulations (Law No. 8,072 of July 25, 1990) and, because they are especially serious, they receive the most rigorous treatment.

141. Law 13,344 of October 6, 2016, however, amended the Brazilian Penal Code (art. 149-A) and the Brazilian Code of Criminal Procedure (art. 13-A) with the inclusion of conducts and the establishment of procedures for fighting trafficking in persons, improving the amendments to the Brazilian Penal Code made by Law No. 11,106 of March 28, 2005.

142. Two other recent amendments promoted inclusions in the ECA. Law No. 13,440 of May 8, 2017, establishes a mandatory penalty of loss of property and monetary sums due to the practice of the crime described in article 244-A (sexual exploitation of children and adolescents). In turn, Law No. 13,441 of May 8, 2017, provides for the infiltration of police officers on the Internet to investigate crimes against sexual dignity of children and adolescents.

143. As several legislative amendments sought to reshape the rules holding liable those involved in sexual exploitation and trafficking in children and adolescents, the case law set by the Brazilian courts intensely discussed the criminal liability of agents accused of crimes against children and adolescents. In this regard, the following decisions of the Superior Court of Justice (Attachments 29, 30, and 31) stand out:

- Criminal. article 244-a of the statute of the child and adolescent. configuration. customer or user of the service provided by the child already in prostitution situation and offering services. not classified in the criminal type. unknown victim's age. no willful misconduct. appeal denied;
- The crime described in art. 244-A of ECA does not include a "casual customer", given the absence of "sexual exploitation" mentioned in the legal definition;

- Hypothesis in which the defendant hired an adolescent, already in prostitution, for sexual intercourse, which does not fit the legal definition of art. 244A of the ECA, which requires subjecting an adolescent to prostitution or sexual exploitation;
- Case in which the adolescent affirms that, when argued by the defendant about her age, she claimed to have been 18 years old and lost her ID, preventing a willful misconduct from taking place;
- The uncertainty as to the status of the “victim” as an underage excludes a willful misconduct, since there is no desire in committing a crime. As to an offense that does not entail punishment for unintentional crimes, the conclusion reached in the ordinary instances of acquittal of the defendant is correct;
- Appeal denied (Appeal to the Superior Court of Justice No. 884333/SC, Reporting Judge Gilson Dipp, Fifth Panel, May 10, 2007);
- “Appeal to the superior courts of justice. criminal. crime of sexual exploitation. article 244-a of law no. 8,069/90. defendant acquitted by the trial court. appellant alleging the occurrence of the crime. the defendant’s conduct is not similar to sexual exploitation. casual customer. appeal denied:
  - This Superior Court of Justice understands that “the crime provided for in article 244-A of the ECA does not include casual customers, given their absence under the legal definition” (Appeal to the Superior Court of Justice 884.333/SC, Reporting Justice Gilson Dipp, Justice Gazette of June 29, 2007).
  - 2. The law requires the submission to prostitution or act of “sexual exploitation” by others, i.e., a third person aiming at taking advantage of the sexual act.

144. Appeal denied (Appeal to the Superior Court of Justice 1102413/RS, Reporting Judge Laurita Vaz, Fifth Panel, August 14, 2012)”:

“Appeal to the superior courts of justice. proceedings under art. 543-c of the brazilian code of civil procedure (cpc). appeal representing the dispute. rape of a vulnerable person. the victim is under 14 years old. the event occurred after law 12,015/09 becomes effective. consent of the victim.

Irrelevance. social adequacy. denial. legal and constitutional protection of the child and adolescent. appeal to the superior court of justice granted. (...)

New Appeal to the Superior Court of Justice (art. 543-C of the CPC), with the following argument: For the crime of rape of vulnerable persons described in art. 217-A, main section, of the Penal Code to happen, it is sufficient that the agent has sexual intercourse or performs any lewd act with a person under 14 years old. The consent of the victim, any previous sexual experience or the existence of a love relationship between the agent and the victim do not rule out the crime (Appeal to the Superior Court of Justice 1480881/PI, Reporting Judge Rogerio Schietti Cruz, Third Section, August 26, 2015)”.

145. The process of holding offenders liable has involved bodies of the Justice and Public Security Systems of the Brazilian state, in addition to the contributions of the Parliament, through regulatory, inspection and criminal prosecution actions, as shown by the following initiatives.

## A. Inspections by the ministry of economy

146. Since the 1990s, the then Ministry of Labor and Employment – nowadays the Ministry of Economy – has been promoting the inspection of all forms of child labor (including sexual exploitation and trafficking in children and adolescents) through labor inspection, removing children from work and facilitating their access to school. Inspections work in a partnership with governmental and non-governmental organizations.

**B. National coordination office to fight child and adolescent labor  
(COORDINFÂNCIA)**

147. COORDINFÂNCIA is a body of the Labor Prosecution Service created in 2000, which aims at promoting, supervising and coordinating actions against the various forms of exploitation of children and adolescent labor, including child and adolescent sexual exploitation, providing uniform and coordinated treatment to such topics.

**Compulsory notification**

148. In 2001, through Ordinance No. 1,968 - MS/GM of October 26, 2001, the Ministry of Health established the compulsory notification on ill-treatment against children and teenagers assisted in the Brazilian public health system, called "Unified Health System" (SUS).

149. This rule requires notification to be made to the Child Protective Services, using the proper form filled out in two copies, of which the first should be sent to the Child Protective Services; whereas the second should be attached to the Assistance Form or Patient Record.

**C. NuDetective**

150. The NuDetective software is a forensic tool developed by experts from the Federal Police of the state of Mato Grosso do Sul in 2009. The tool can identify child pornography photos and videos on suspicious computers, tablets, smartphones and storage devices (flash drives, external hard drives, memory cards). This program is free, but exclusive for law enforcement and public institutions.

**D. Parliamentary commission of inquiry on trafficking in persons**

151. In February 2012, the Presidency Act of the House of Representatives created the Congressional Investigating Panel (CPI) aimed at investigating trafficking in persons in Brazil, its causes, consequences and responsible persons from 2003 to 2011, a period covered by the United Nations Convention against Transnational Organized Crime (Palermo Convention). The CPI, which has a competence to investigate the legal authorities, pursuant to paragraph 3 of article 58 of the Brazilian Federal Constitution, investigated cases and made indictments aiming at holding violators criminally liable (Attachment 32).

152. The Commission concluded its Final Report in May 2014. The document is available at: <http://www2.camara.leg.br/atividade-legislativa/comissoescomissoes-temporarias/parlamentar-de-inquerito/54alegislatura/cpi-trafico-de-pessoas-no-brail/relatorio-final-aprovadoeparecerdacomissao/relatorio-final-aprovado-e-parecer-da-comissao>.

**E. Parliamentary commission of inquiry on sexual exploitation of children and adolescents**

153. A Congressional Investigating Panel (CPI) functioned in the House of Representatives of the National Congress from 2012 to 2014. Its aim was to investigate complaints of sexual tourism and sexual exploitation of children and adolescents, following press reports. The CPI's work resulted in the indictment of thirty-seven people for criminal prosecution (Attachment 33).

**F. Recommendation No. 15 of the national justice council**

154. On July 31, 2014, the National Council of Justice (CNJ) issued Recommendation No. 15, asking criminal judges to give priority to the prosecution of crimes of sexual abuse and exploitation, torture and ill-treatment of children and adolescents. According to that Recommendation, judges should tag such proceedings, either in their physical or digital versions, as well as quickly process them, seeking as much as possible to reach a decision within no more than twelve months.

## **G. Resolution No. 212 of the national council of justice**

155. This rule of December 15, 2015 establishes the Judiciary Power National Forum for the Monitoring and the Effectiveness of Claims Related to Labor Exploitation in Conditions Analogous to Slavery and Human Trafficking (FONTET). That Forum aims at carrying out studies and proposing measures to improve the legal system regarding these subjects. The following entities are members of FONTET: the National Judicial Committee to Fight Labor Exploitation in Conditions Analogous to Slavery and Human Trafficking, represented by all of its members; States Judicial Committees to Fight Labor Exploitation in Conditions Analogous to Slavery and Human Trafficking, represented by one member of each State Committee.

## **H. Ordinance No. 5 of January 5, 2016 of the national council of justice**

156. This rule, which resulted from the aforementioned Resolution No. 212 of the National Justice Council of Justice, created the National Judicial Committee to Fight Labor Exploitation in Conditions Analogous to Slavery and Human Trafficking.

## **I. Fighting trafficking in persons: a guiding manual**

157. In 2015, the Federal Public Defender's Office (DPU) published a guide on trafficking in persons, with concepts; categories; indicators; laws and regulations; plans and policies; networks useful for fighting trafficking in persons; difficulties and challenges; and different types of reports (Attachment 34).

## **J. Recommendation No. 43 of the national council of the prosecution service**

158. Recommendation No. 43 of the National Council of the Prosecution Service, issued on September 13, 2016, established the need for faster and more effective investigations, complaints and monitoring of criminal suits related to crimes of sexual abuse and exploitation, torture, ill-treatment, and trafficking in children and adolescents.

### **Migration and international trafficking in persons: a reference guide for the Federal Prosecution Service**

159. In 2016, the Office of the Federal Prosecution Service for Citizens' Rights published a reference guide on migration and international trafficking in persons for the Federal Prosecution Service, in order to provide inputs for the work of the members of that institution. Regarding trafficking in persons, the document focused on criminal prosecution and public policies to fight it (Attachment 35).

160. Each document should be contextualized according to the initiatives that address the matter.

161. Therefore, the Government, through its Executive, Legislative, and Judiciary Branches, along with civil society, has been making efforts to deal with this issue in an effective way, by means of different complementary policies.

## **VI. The protection of victims' rights (articles 8 and 9, 3 and 4)**

162. Children and adolescents who are victims of sexual exploitation and trafficking, as well as their families, need qualified assistance, so that the cycle of violence can be stopped and their human rights can be safeguarded. Thus, the Brazilian Government has been fostering initiatives aimed at supporting and protecting victims, which encompass specialized assistance provided by interdisciplinary teams and changes in the treatment of offenders, in order to reduce damages and prevent new violations from happening, as demonstrated by the following actions.

**A. Program for the eradication of child labor (PETI)**

163. Launched in 1996, the Program for the Eradication of Child Labor was incorporated to the Unified Social Assistance System in 2005. In 2011, it was included in the Organic Law on Social Assistance – LOAS (Law No. 8,742 of December 7, 1993).

164. According to article 24-C of this law, the PETI, which has an intersectoral nature, is a part of the National Social Assistance Policy. Within the scope of the SUAS, it includes income transfers, social work with families, and the offering of socio-educational services to those in child labor.

165. The PETI, which has a nation-wide reach, is developed in a coordinated way by the federated entities, with the participation of civil society. It aims at contributing to the removal of children and adolescents under 16 years of age from labor situations, with the exception of minors above 14 years of age working as apprentices.

166. Children and adolescents in labor situations shall be identified and have their data entered into the Unified Registry for Social Programs of the Federal Government (CadÚnico), with proper indication of the child labor situations.

**B. Sentinela program (Sentinel program)**

167. The *Sentinela* Program, created in 2001, was discontinued in 2005, upon its incorporation to the Unified Social Assistance System. The program aimed at providing children and adolescents who were victims of violence, be it domestic violence or not, including negligence, physical and psychological violence and abuse, as well as sexual exploitation, with psychosocial assistance.

**C. Social assistance specialized reference center**

168. Within the scope of the Unified Social Assistance System, the Social Assistance Specialized Reference Center is responsible for the Service for Protection and Specialized Assistance to Families and Individuals, under the Organic Law on Social Assistance.

169. This service provides assistance to individuals and families that suffer violations of their rights, such as physical and psychological violence, negligence, abuse, sexual exploitation, family estrangement due to socio-educational or protective measures, trafficking in persons, street situation, beggary, abandonment, child labor, sexual, racial or ethnic discrimination and other violations of rights arising from discrimination.

**D. Vira vida (Change a life)**

170. Created in 2008 by the National Council of the Social Service of Industry (SESI), *Vira Vida* is a social program aimed at providing opportunities to adolescents and young adults (16 to 21 years of age) with a history of sexual violence (sexual exploitation or abuse), through vocational courses, psychosocial assistance, and the strengthening of family bonds, so that they can achieve their autonomy. SESI, like other entities of the *Sistema S* (S. System), is financed by public resources from taxes referred to as social contributions (Attachment 36).

**E. Advanced posts for humanized care to migrants (PAAHM)**

171. The Advanced Posts for Humanized Care to Migrants, which were established in 2009, are located in the main points of entry to or exit from Brazil, where they receive deportees and individuals not granted admission at the border. These posts have interdisciplinary teams that develop methods to provide humanized care to the migrants, identifying potential victims of trafficking in persons, in order to offer them assistance locally.

172. The posts also undertake local campaigns to inform passengers on how to protect themselves from trafficking in persons and how to obtain support through the Brazilian consulates and other organizations abroad, should they suffer from any kind of violence.

#### **F. Anti-trafficking offices (NETPs)**

173. In 2009, the Ministry of Justice and Public Security promoted the creation of Anti-trafficking Offices. This was one of the goals of the former National Plan to Fight Trafficking in Persons. It is pursuant to the National Program for Public Security with Citizenship (PRONASCI), established by Law No. 11,530 of October 24, 2007.

174. This way, Advanced Posts and NETPs were established, in a partnership with the state governments, with the objective of articulating, structuring, and consolidating state reference networks for the assistance of the victims of human trafficking.

175. As administrative families, the NETPs are responsible for carrying out the actions set out in the National Policy to Fight Trafficking in Persons in the following fields: a) prevention of human trafficking (article 5), b) accountability of offenders (article 6), and c) provision of assistance to victims (article 7). In 2012 and 2013, guidelines were published for the network of posts and NETPs (Reference Guide, Action Guide, Training Guide, Referral Protocol – Attachment 37).

#### **G. Special deposition**

176. In 2010, the National Council of Justice issued Recommendation No. 33, which recommended to the courts the creation of specialized services to take depositions of children and adolescents who are victims or witnesses of violence in legal proceedings. It specifically recommends that courts establish a system of video-recorded depositions for children and adolescents, which shall be taken in a space separated from the that of the courtroom, by a specialized professional.

177. Those who participate in the process of taking the statement shall be specifically trained for using the special deposition technique, through the basics of the cognitive interview. The child or the adolescent shall be made aware of the reason and effect of their participation in the special deposition, with attention to their condition as developing persons, which entitles them to special protection. Moreover, a booklet previously prepared to this purpose should guide the special deposition.

178. The technical services of the court system must be capable of ensuring the support, orientation, and physical and emotional health assistance to the victim or the witness and their family members, whenever necessary, during and after the legal proceeding.

#### **H. Mulher: viver sem violência program (Women living without violence program)**

179. Launched in 2013 by Decree No. 8,086 of August 30, the *Mulher: Viver Sem Violência* Program (PMVSV) encompasses actions to fight sexual violence, including human trafficking and sexual exploitation of adolescents and young women. The decree also provides for the establishment of centers in the Brazilian borders to fight human trafficking and violence against women, as well as to provide humanized assistance to victims, as demonstrated below:

- Article 3, IV – expansion of Centers to Support Women at Land Border Regions, which provide specialized services to assist women in cases of gender-based violence, included human trafficking and situations of vulnerability related to migration (BRAZIL, 2013).
- Article 4, IV – promote the training of the teams of the Centers to Support Women at Land Border Regions and of the Houses of the Brazilian Woman on matters related to gender relations (BRAZIL, 2013).

180. Due to budgetary limitations, no Land Border Center has been established ever since.

181. Furthermore, one of the main actions of the Program is related to the House of the Brazilian Woman, a space that provides full and humanized assistance to women subjected to domestic violence. The House also helps in the fight against the commercial exploitation of the female body, as a component of the network of services directed at fighting violence against women, in a partnership with the other specialized services (Attachment 38).

182. Moreover, there was a project that, in spite of not being a part of the PMVSV, was carried out in a partnership with the Brazilian Association for the Defense of the Rights of Children and Women (ASBRAD), indirectly contributing to its objectives regarding the establishment of Land Border Centers in Brazil in order to fight trafficking in persons and violence against women, as well as the provision of humanized assistance to victims, since it raised awareness of professionals through trainings focused on the fight against trafficking in persons, violence against women, and assistance to victims.

183. ASBRAD initiated the project “Assistance to women subjected to violence and to victims of trafficking in persons in the Brazilian border regions” in January 2015, through a partnership with the National Secretariat on Policies for Women. Its purpose was to “disseminate the methodology of assistance to victims of trafficking in persons of the Post for Humanized Assistance to Deportees and Individuals not Granted Admission to the Territory of the Guarulhos International Airport/SP to ten Brazilian border cities”.

184. The ten cities chosen are located in the land borders between Brazil and Bolivia, Guyana, Paraguay, and Uruguay. These cities are the same where the Mulher: Viver sem Violência Program initially intended to establish Border Centers to assist women subjected to trafficking: Bonfim (Roraima), Brasiléia (Acre), Corumbá (Mato Grosso do Sul), Jaguarão (Rio Grande do Sul), Ponta Porã (Mato Grosso do Sul), Santana do Livramento (Rio Grande do Sul), Tabatinga (Amazonas), Foz do Iguaçu (Paraná), Oiapoque (Amapá), and Pacaraima (Roraima).

## **I. Centers for integrated assistance to children and adolescents victims of violence**

185. These Centers aim at assisting children and adolescents victims of violence, especially sexual abuse and exploitation. The initiative, which has been implemented in several Brazilian states, comprises public policies in the social, justice, and security areas, with the objective of protecting the assisted children and adolescents and holding the aggressors accountable (Attachment 39).

## **J. Parameters for taking depositions of children and adolescents subjected to violence**

186. The Inter-sectoral Commission to Fight Sexual Violence against Children and Adolescents released in 2017 a document named “Parameters for taking depositions of children and adolescents subjected to violence”. Its objective is to enhance the quality of the service provided by those who work with public security, the justice system and social welfare during the taking of a deposition from children and adolescents, in order to avoid subjecting them to an unnecessary repetition of the facts experienced and to revictimization. This document proposes the standardization of procedures and the integrated action of the bodies responsible for providing this assistance (attachment 40).

## VII. International assistance and cooperation (article 10)

### A. Action plan to counter trafficking in persons between member states of MERCOSUR and associated states

187. The Action Plan to Counter Trafficking in Persons between Member States of MERCOSUR and Associated States was concluded in Buenos Aires in 2006. The Ministry of Justice and Public Security determined its implementation through Ministerial Ordinance 2,167 of December 7, 2006 (MERCOSUR/meeting of the Ministers for the Interior (RMI)/Agreement, 01/2006).

### B. Working group on assistance to victims of trafficking in persons

188. The Working Group on Assistance to Victims of Trafficking in Persons of the Federal Public Defender's Office started, in 2017 and 2018, an initiative to grant assistance in the Guarulhos "Connector" to victims from Africa and Asia. They also started coordinating with their peers in the Specialized Meeting of Official Public Defenders (REDPO) to create a regional commission of public defenders of Mercosur specialized in trafficking in persons (2018).

189. In 2015, the Working Group on Assistance to Victims of Trafficking in Persons launched a booklet regarding trafficking in persons. Likewise, in 2017 and 2018, the Working Group performed the following activities: projects in partnership with the UNODC in Roraima, Corumbá, and Manaus, with the theme "Trafficking in Persons", direct at Venezuelan migrants; and the National Campaign to Fight Trafficking in Persons, with videos broadcast in airports with information on how to prevent trafficking in persons.

190. In 2016, the following activities were performed: a project supported by the Brazilian Airport Infrastructure Company (INFRAERO); handbooks on assistance to Brazilians abroad; the *DPU nas escolas* (Public Defender's Office at schools) project to raise awareness on human rights in basic education; an essay contest for elementary and middle schools, as well as high school with the topic "Say no to trafficking in persons".

191. As of 2016, the *Remir pela leitura* project (Remission through reading project) was implemented in correctional facilities. Among the several topics addressed there was trafficking in persons. Moreover, a joint resolution of the Public Defender's Office, the National Immigration Council (CNIg), the National Committee for Refugees (CONARE), and the National Council for the Rights of the Child and the Adolescent was issued regarding prevention, assistance, and undocumented children in border posts in 2017. There was also the production of handbooks and informative materials, and the participation in the Global Action on Trafficking in Persons in several Brazilian states (Rio de Janeiro, Pernambuco, Bahia, Distrito Federal, Piauí, Rondônia, and Minas Gerais).

### C. PAIR Mercosur

192. The Permanent Commission of Niñ@sur, which includes public officials of Mercosur countries and associate States, is part of the Meeting of High Authorities on Human Rights of Mercosur and Associated States (RAADH). The Niñ@sur initiative has emphasized, in its agenda, the fight against trafficking in children and adolescents, especially in border areas.

193. In 2008, the methodology of the Program for Integrated Actions to Confront Sexual Violence against Children and Adolescents in Brazil started to be disseminated to 15 twin cities of Brazil, Paraguay, Uruguay, and Argentina (PAIR Mercosur), based on a regional strategy focused on preventing and fighting trafficking in children and adolescents for sexual exploitation in border areas (Attachment 38).

**D. Agreement between Brazil and Argentina**

194. In 2014, the Ministry of Justice and Human Rights of the Republic of Argentina and the Ministry of Justice and Public Security of the Federative Republic of Brazil signed a Memorandum of Understanding on cooperation and technical assistance for the prevention and fight against trafficking in persons, as well as the assistance to the victims of this crime. Both countries committed themselves to reinforcing joint actions of coordination and cooperation to prevent the crime and assist its victims, as well as to exchange good practices, and promote trainings, awareness campaigns, investigation, and other forms of bilateral cooperation.

**E. Mercosur's regional guide of identification and attention to special protection needed by migrant children and adolescents**

195. During the plenary session of the 27<sup>th</sup> Meeting of High Authorities on Human Rights of Mercosur and Associated States, held in Paraguay, the regional guide of identification and attention to special protection needed by migrant children and adolescents was approved. It was a product of the work of the permanent commission *Iniciativa NiñoSur* (NiñoSur Initiative) (Attachment 40).

**VIII. Other legal provisions (Article 11)**

196. The following Brazilian laws complement the Optional Protocol to the CRC on the sale of children, child prostitution, and child pornography:

- Law No. 13,431 of April 4, 2017, which establishes the system to protect the rights to the child and adolescent who is a victim or a witness of violence, and b) Law No. 13,441 of May 8, 2017, which amends Law No. 8,069, of July 13, 1990 (Statute of the Child and Adolescent), to provide for the infiltration of police officers on the Internet to investigate sexual crimes against children and adolescents.

197. Finally, the Brazilian Government is in its final stages of incorporation of the Optional Protocol to the United Nations Convention on the Rights of the Child related to a Communication Procedure. It has already been approved by the National Congress (Legislative Decree No. 85 of July 8, 2017), and is only pending promulgation through presidential decree.

[English only]

## Annex

### Attachments

#### A. Documents

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