



Home Office

Country Information Note

Brazil: Background information, including internal relocation

Version 1.0

November 2020

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- A person is reasonably likely to face a real risk of persecution or serious harm
- The general humanitarian situation is so severe as to breach Article 15(b) of European Council Directive 2004/83/EC (the Qualification Directive) / Article 3 of the European Convention on Human Rights as transposed in paragraph 339C and 339CA(iii) of the Immigration Rules
- The security situation presents a real risk to a civilian's life or person such that it would breach Article 15(c) of the Qualification Directive as transposed in paragraph 339C and 339CA(iv) of the Immigration Rules
- A person is able to obtain protection from the state (or quasi state bodies)
- A person is reasonably able to relocate within a country or territory
- A claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- If a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

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

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual, 2013](#). Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

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

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

Independent Advisory Group on Country Information

Independent Chief Inspector of Borders and Immigration

5th Floor

Globe House

89 Eccleston Square

London, SW1V 1PN

Email: chiefinspector@icibi.gov.uk

Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 2 November 2020

1. Introduction

1.1 Scope of this note

- 1.1.1 This note considers general, background information on Brazil and also whether in general those with a well-founded fear of persecution or serious harm from non-state actors can internally relocate.
- 1.1.2 Where a claim is refused, it must be considered for certification under section 94(3) of the Nationality, Immigration and Asylum Act 2002 as Brazil is listed as a designated state.
- 1.1.3 For information on certification, see the instruction on [Certification of protection and human rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.
- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the Asylum Instructions on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and [Restricted Leave](#).

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2.3 Internal relocation

- 2.3.1 Where a person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk. Where a person's has a well-founded fear of persecution or serious harm from rogue-

state actors, decision makers must consider whether the person will be able to relocate to escape that risk.

- 2.3.2 Where a person persecution or serious harm from non-state actors, in general they will be able to relocate to escape that risk.
- 2.3.3 The Court of Appeal in [SC \(Jamaica\) v Home Secretary \[2017\] EWCA Civ 2112](#) held that: "the evaluative exercise is intended to be holistic and ... no burden or standard of proof arises in relation to the overall issue of whether it is reasonable to internally relocate" (para 36).
- 2.3.4 Decision makers must give careful consideration to the relevance and reasonableness of internal relocation taking full account of the individual circumstances of the particular person.
- 2.3.5 Brazil is the fifth largest country in the world, about 35 times bigger than the UK with an ethnically diverse population estimated to be over 210 million. It has 15 cities estimated to have over a million people, with the 3 largest being Sao Paulo (46 million), Rio de Janeiro (17 million) and the capital Brasilia (3 million). The population is estimated to be 87% Christian, made up of 64% Roman Catholic and 22% Protestant and 0.7% other Christian with a small minority practising other religions or with no religious affiliation at all (see [Geography and Demography](#)).
- 2.3.6 Brazil is the eighth largest economy in the world and is a member of the Common Market of the South (Mercosur). The World Bank assessed it to be an upper middle income country, although wealth is distributed unevenly across the country and population with an estimated 13.2 million people living in extreme poverty. The economy is dominated by services, accounting for over half the work force, with over 32% in industry and 9% in agriculture and had been recovering from a 2015/2016 recession. However, the likely impact of COVID-19 is that it will slow or shrink in 2020. In the first half of 2020 1.2 million formal jobs were lost, with an unemployment rate at a two-year high of 12.9% (12.8 million people) (see [Socio-economic conditions](#) and [Economy and employment](#)).
- 2.3.7 While most Brazilians have adequate housing, almost a quarter live in poor housing, particularly in the favelas that are on the outskirts of large cities (see [Housing / shelter](#)).
- 2.3.8 The public health care system offers free health care to all. However it is reported that the system's capacity is uneven across Brazil, as well as underfunded, overcrowded and mismanaged. The COVID-19 pandemic has increased the pressure on the public health care system across the country and the spread of the virus in poorer areas such as the North and North-east has further reduced the public health care system's ability to respond to an increase in demand for services. It is reported that the government has introduced efforts to increase treatment capacity, and some private health care is also available (see [Healthcare and medical issues](#) and [COVID-19](#)).
- 2.3.9 State education is compulsory from pre-school to upper secondary. Enrolments in early childhood education has doubled between 1999 to 2018. In 2015 98.6% of children from 6 to 14 years attended elementary or middle school. Although, attendance and dropout rates across all levels of

education differs across Brazil. In developed industrialized urban areas the rates are more favourable than in more rural regions (see [Education](#)).

- 2.3.10 Crime levels, including violent crime, are high in Brazil. The states with the greatest violence and security problems are Sergipe, Rio Grande do Norte, Alagoas, Pará, Amapá, Pernambuco, Bahia, Goiás, Ceará and Rio de Janeiro. Organised crime is funded predominantly by weapons and drugs trafficking. Violence and security problems are a major issue in several cities. Militias, gangs and criminal groups are widespread across Brazil and control and operate many neighbourhoods / favelas. Militias are formed of public servants including the police and firefighters (see [Crime / gangs](#) and [Freedom of movement](#) and the [Country Policy and Information note on Brazil: Actors of Protection](#)).
- 2.3.11 There are no legal constraints on movement within the country, and people are generally able to move freely within the country, choosing where they live and work. However, gang violence and gang imposed curfews, particularly in the favelas, due to COVID-19 has impeded free movement in these areas (see [Crime / gangs](#) and [Freedom of movement](#))
- 2.3.12 In general, a person fearing a non-state or rogue state actor is likely to be able to relocate to another part of Brazil depending on the nature of the threat and the individual circumstances of the person.
- 2.3.13 For further guidance on considering internal relocation and factors to be taken into account, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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Country information

Section 3 updated: 2 November 2020

3. History

3.1.1 An undated and archived article in the New York Times provided [A Brief History of Brazil](#).

3.1.2 The BBC Brazil Country Profile offered a [Timeline of key events](#).

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Section 4 updated: 2 November 2020

4. Geography and demography

4.1 Main geographic and demographic points

Full country name	Federative Republic of Brazil ¹
Area	8,515,770 sq km ² which is about 35 times larger than the United Kingdom ³ , and the largest country in South America and in the Southern Hemisphere ⁴ . Brazil occupies half of South America's landmass and is the fifth largest country in the world ⁵ .
Flag	
Population	211,715,973 (July 2020 est.) ⁶
Capital city	Brasilia ⁷
Other cities	See Population distribution and main cities .

¹ PCGN, '[Country names](#)', updated 11 December 2019

² CIA, '[World Factbook](#)', July 2020

³ My Life Elsewhere, '[country size comparison](#)', undated

⁴ CIA, '[World Factbook](#)' (Geography), last updated 5 August 2020

⁵ Encyclopædia Britannica, '[Brazil: Introduction and Quick facts](#)', 7 September 2020,

⁶ CIA, '[World Factbook](#)', July 2020

⁷ World Atlas, '[Brazil capital](#)', January 2018

Position	Eastern South America, bordering the Atlantic Ocean and ten other countries (Argentina, Bolivia, Colombia, French Guiana, Guyana, Paraguay, Peru, Suriname, Uruguay and Venezuela) ⁸
Languages	Portuguese (official and most widely spoken language). Other languages include Spanish (border areas and schools), German, Italian, Japanese, English, and a large number of minor Amerindian languages. ⁹
Ethnic groups	White 47.7%, mulatto (mixed white and black) 43.1%, black 7.6%, Asian 1.1%, indigenous 0.4% (2010 est.) ¹⁰
Religion	Roman Catholic 64.6%, other Catholic 0.4%, Protestant 22.2% (includes Adventist 6.5%, Assembly of God 2.0%, Christian Congregation of Brazil 1.2%, Universal Kingdom of God 1.0%, other Protestant 11.5%), other Christian 0.7%, Spiritist 2.2%, other 1.4%, none 8%, unspecified 0.4% (2010 est.) ¹¹

4.2 Map

- 4.2.1 The Perry-Castañeda Library Map Collection contained a range of [maps of Brazil](#), including country, city and thematic.

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4.3 Administrative divisions and regions

- 4.3.1 The CIA World Factbook noted that there are '26 states (estados, singular - estado) and 1 federal district* (distrito federal); Acre, Alagoas, Amapa, Amazonas, Bahia, Ceara, Distrito Federal*, Espirito Santo, Goias, Maranhao, Mato Grosso, Mato Grosso do Sul, Minas Gerais, Para, Paraiba, Parana, Pernambuco, Piaui, Rio de Janeiro, Rio Grande do Norte, Rio Grande do Sul, Rondonia, Roraima, Santa Catarina, Sao Paulo, Sergipe, Tocantins' ¹²
- 4.3.2 A UN review from August 2020 stated: 'Brazil is divided into five major Regions (North, Northeast, Midwest, Southeast, and South) with very diverse demographic, climatic, cultural, and social characteristics.'¹³

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⁸ CIA, ['World Factbook'](#), July 2020

⁹ CIA, ['World Factbook'](#), July 2020

¹⁰ CIA, ['World Factbook'](#), July 2020

¹¹ CIA, ['World Factbook'](#), July 2020

¹² CIA, ['World Factbook'](#), July 2020

¹³ UNIHRI, ['Common core document forming part of the reports of States parties'](#) (p2), 6 August 2020

4.4 Population distribution and main cities

- 4.4.1 Brazil's population is estimated to be over 85% urban¹⁴ with over 10 cities with a population of a million or more 'Brazil has 15 cities with more than a million people, 213 cities with between 100,000 and 1 million people.'¹⁵
- 4.4.2 The Instituto Brasileiro de Geografica e Estatrisitca, a government statistical division provides the following population estimates by city.
- 'Sao Paulo – 12,325,232
 - 'Rio de Janeiro – 6,747,815
 - 'Salvador – 2,886,698
 - 'Fortaleza – 2,686,612
 - 'Belo Horizonte – 2,521,564
 - 'Brasilia – 3,055,149
 - 'Curitiba – 1,948,626
 - 'Manaus – 2,219,580
 - 'Recife – 1,653,461
 - 'Belem – 1,499,641.'¹⁶

4.5 Transportation

- 4.5.1 The CIA World Factbook noted the existence of 698 airports (with paved runways) in the country with 9 registered air carriers; 29,850 km of railway; 2 million km of roadway; 50,000 km of waterways (most in areas remote from industry and population); and 7 major seaports (at Belem, Paranagua, Rio Grande, Rio de Janeiro, Santos, Sao Sebastiao, Tubarao)¹⁷.

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Section 5 updated: 24 September 2020

5. Constitution

- 5.1.1 See Brazil's [Constitution](#) of 1988 with amendments through to 2014.

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Section 6 updated: 2 November 2020

6. Political system

- 6.1.1 The Economist Intelligence Unit provided information on Brazil's [political structure](#).
- 6.1.2 For information on the electoral process, political participation and functioning of the government in Brazil, see the Freedom House report [Freedom in the World 2020-Brazil](#).
- 6.1.3 Bertelsmann Stiftung's Transformation Index (BSTI) 2020 covers the period from February 1, 2017 to January 31, 2019. The BSTI assesses the

¹⁴ UN Data, [Brazil](#), no date

¹⁵ World Population Review, '[Population of Cities in Brazil](#)', 2020

¹⁶ the Instituto Brasileiro de Geografica e Estatrisitca: Home

¹⁷ CIA, '[World Factbook](#)', July 2020

transformation toward democracy and a market economy as well as the quality of governance in 137 countries. The report noted:

‘The Brazilian party system was already one of the most fragmented in the world before 2018. As a result of the presidential and parliamentary elections of 2018, this situation has worsened. In the Lower House of the National Congress, 30 political parties will be represented during the current legislature (2019–2023). The PT (Partido dos Trabalhadores) lost 13 seats, but with 56 (out of 513) members of parliament it will still be the strongest party. The right-wing conservative Partido Social Liberal (PSL), whose members include the new president, Jair Bolsonaro, won 52 mandates, 51 more than in the last elections. On the other hand, centrist parties suffered serious losses. The MDB (Movimento Democrático Brasileiro) lost almost half of its 66 seats, winning only 34 mandates. The PSDB (Partido da Social Democracia Brasileira) accounts for only 29 (previously 54) mandates. In the Senate, the situation is very similar. The 81 senators now represent 23 different parties. MDB and PSDB also suffered losses here, but with 12 (MDB) and nine (PSDB) senators they still represent the two largest groups. The PSD (Partido Social Democrático) accounts for seven senators and the PT for six.

‘...The 2018 elections represented a protest, anti-establishment election. The results are also the product of increasing political polarization. This affected above all the centrist parties. MDB and PSDB, both represented in the interim government of President Temer, were also punished by voters over allegations of corruption against many of their deputies.’¹⁸

6.1.4 See also:

- [Congressional Research Service, Brazil: Background and US relations, July 2020](#)
- [UN International Human Rights Instruments, ‘Common core document forming part of the reports of States parties: Brazil’, August 2020](#)

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Section 7 updated: 2 November 2020

7. Socio-economic conditions

7.1 Economy and employment

7.1.1 Main economic data:

Currency	Brazilian real (BRL) ¹⁹
Exchange rate	1 GBP = 7.11053 BRL ²⁰
GDP per capita	US\$ 8,717.2 ²¹
GDP by sector	Agriculture: 6.6% (2017 est.)

¹⁸ BSTI, [‘2020 Brazil Country Report’](#) (p14), 2020

¹⁹ Global Exchange, [‘The Brazilian real’](#), no date

²⁰ Xe currency converter, [‘GBP to BRL live rates’](#), 10 July 2020

²¹ The World Bank, [‘GDP per capita \(current US\\$\) – Brazil’](#), 2020

	Industry: 20.7% (2017 est.) Services: 72.7% (2017 est.) ²²
Labour force by occupation	Agriculture: 9.4% Industry: 32.1% Services: 58.5% (2017 est.)
Inflation rate	2.44% (Aug 2020) ²³
Unemployment rate	13.3% (June 2020) ²⁴ 'The number of unemployed persons in Brazil increased to 12.79 million in June of 2020 from 12.71 million in May of 2020'. ²⁵
Employment rate	'Employment Rate in Brazil decreased to 47.90% in June from 49.50% in May of 2020'. ²⁶

7.1.2 The World Bank describes Brazil as an upper middle income country. 'Upper-middle-income economies are those in which 2019 GNI [Gross National Income] per capita was between \$4,046 and \$12,535'.²⁷

7.1.3 Encyclopaedia Britannica stated:

'Brazil is one of the world giants of mining, agriculture, and manufacturing, and it has a strong and rapidly growing service sector. It is a leading producer of a host of minerals, including iron ore, tin, bauxite (the ore of aluminum), manganese, gold, quartz, and diamonds and other gems, and it exports vast quantities of steel, automobiles, electronics, and consumer goods. Brazil is the world's primary source of coffee, oranges, and cassava (manioc) and a major producer of sugar, soy, and beef; however, the relative importance of Brazilian agriculture has been declining since the mid-20th century when the country began to rapidly urbanize and exploit its mineral, industrial, and hydroelectric potential. The city of São Paulo, in particular, has become one of the world's major industrial and commercial centres...

'Farming and stock raising account for about one-fifth of the labour force and roughly one-twelfth of the GDP; although fishing and forestry are important, they are much smaller parts of the overall economy...

'Manufacturing accounts for about one-fifth of the GDP and more than one-tenth of the labour force. With few exceptions, the Southeast contains the largest, most varied, and most efficient establishments in every sector of industry. It also employs three-fifths of the country's industrial workers, who earn most of Brazil's wages and produce the largest value of its goods. The

²² CIA, '[World Factbook](#)', July 2020

²³ Banco Central do Brasil, '[Home: Statistics](#)', undated

²⁴ Banco Central do Brasil, '[Home: Statistics](#)', undated

²⁵ Trading Economics, '[Brazil unemployed persons](#)', 2020

²⁶ Trading Economics, '[Brazil unemployed persons](#)', 2020

²⁷ The World Bank, '[Data for Brazil, upper middle income](#)', 2020

South employs more than one-fifth of the country's industrial workers, but the Northeast employs roughly half that number, and at lower wages than in the Southeast and South. Within the Southern and Southeastern states, the manufacturing sectors of Paraná, Minas Gerais, Rio de Janeiro, Rio Grande do Sul, and Espírito Santo are increasingly offsetting the industrial strength of São Paulo, which alone produces nearly two-fifths of Brazil's manufactured goods. Generally speaking, Brazil's factories are not large; only a few employ a hundred or more workers. As might be expected, the largest firms are in the Southeast, followed by the South...

'The rapidly expanding service sector is Brazil's largest employer, accounting for more than half of the labour force. It is composed of private and government services, including national and local bureaucracies, public utilities, and a host of special agencies. In the private sector the largest number of workers are employed in hospitality industries (hotels, restaurants, and bars) and repair shops of various kinds. Retail sales and personal services each account for most of the rest of the private-sector workers. Employment is growing most rapidly in the field of information technology.'²⁸

7.1.4 A July 2020 Reuters article noted:

'Brazil's economy lost 1.2 million formal jobs in the first half of the year, official figures showed on Tuesday, but the losses almost evaporated in June, indicating that the labor market is over the worst of the coronavirus crisis.

'The economy lost 10,984 formal jobs in June, economy ministry figures showed, by far the smallest monthly decline since the onset of the coronavirus pandemic earlier this year.

'While it marked the fourth month in a row of jobs losses, the decline was significantly less than that seen in each of the previous three months when hundreds of thousands of jobs were lost...

'June's figures followed an upwardly revised 350,000 formal job losses in May and brought the net loss in the first six months of the year to almost 1.2 million.

'While June clearly marked an improvement on recent months, the accumulated job losses in the first half of this year are roughly double and treble the same periods in 2015 and 2016, respectively, when Brazil was last in deep recession.

'The number of formally registered jobs in Brazil stood at 37.6 million in June, the lowest figure for any June since 2011, the economy ministry said.

'So far this year, just over half a million jobs have been lost in the services sector, just under half a million in commerce, and almost a quarter of a million in industry.

'Brazil's official unemployment rate stands at a two-year high of 12.9%, and is expected to rise further in the coming months.'²⁹

²⁸ Encyclopædia Britannica, '[Brazil: Economy](#)', 10 August 2020,

²⁹ Reuters, '[Brazil sheds 1.2 million job in first half of year, but losses slow sharply...](#)', 28 July 2020

7.1.5 Inter-American Commission on Human Rights noted in its 2019 Annual Report its concern at

‘the increase in poverty rates in Brazil in recent years. According to the data of the Single Register of the Ministry of Citizenship, there was an increase in the population living in extreme poverty reaching a total of 13.2 million people and, in the last seven years, more than 500 thousand people entered this situation. According to the GINI index, inequality grows in Brazil, since, between 2014 and 2019, the cumulative average income loss was 3.71%. According to the IBGE, long-term unemployment affects 3,347 million people, and nearly 5 million have already given up looking for a job’.³⁰

7.1.6 The Cost of Living Reports website provided information on the [cost of living in Brazil](#).

7.1.7 See also section [COVID-19](#) and

- [CIA Factbook: ‘Brazil’](#).
- [Congressional Research Service, Brazil: Background and US relations, July 2020](#)
- [UN International Human Rights Instruments, ‘Common core document forming part of the reports of States parties: Brazil’, August 2020](#)
- [Banco Central do Brasil: ‘Statistics’](#)
- [UN data: Brazil](#)
- [The World Bank in Brazil](#).

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7.2 Housing / shelter

7.2.1 Habitat for Humanity noted that ‘More than 50 million Brazilians live in inadequate housing...Brazil has between 6 million and 8 million fewer houses than it needs, which led to a proliferation of slum housing over time...The greatest needs are in the northeast and southeast, where many cities are plagued by overcrowding and housing deterioration, which fuels extreme poverty in the country.’³¹

7.2.2 A 2018 Borgen Project article noted:

‘Slums are called favelas, which are living conditions for the extremely impoverished in Brazil. They are built by their occupants on the edges of big cities like Rio de Janeiro.

‘As of 2013, two million people in Brazil live in favelas. The occupants of favelas are extremely poor, unable to afford better housing in urban areas. These citizens often moved to urban areas to find better work but were forced into the slums when they could not find a job that paid them enough to purchase better housing.

³⁰ Inter-American Commission on Human Rights, [Annual Report 2019](#), 24 February 2020

³¹ Habitat for Humanity, [‘Housing poverty in Brazil’](#), 2017

'The communities of favelas do not have any organization or sanitation systems and are built illegally. With a lack of any structure or legal system which leads to higher crime rates, favelas are often sites of crime and drug-related violence.'³²

7.2.3 For further information see

- [UN Habitat - Brazil](#)
- [Inter-American Commission on Human Rights, Annual Report 2019](#)

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7.3 Social welfare

7.3.1 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report for Brazil noted:

'Social protection policies in Brazil consist of non-contributory policies, contributory social insurances and health care policies. Non-contributory social transfers play a key part in assuring social protection for those who do not access contributory benefits. Cash transfer programs for the poorest families were first delivered during the government of President Fernando Henrique Cardoso, but it was during the terms of PT presidents Lula da Silva (2003–2010) and Rousseff (2011–2016) that the most systematic actions to confront social exclusion in the country were implemented. PT governments launched several high-priority social initiatives, including efforts to eradicate hunger, create youth employment and unify conditional cash transfer programs to enhance effectiveness in reducing poverty. Cash transfer programs have been credited with helping to significantly reduce levels of absolute poverty and inequality in Brazil. For example, 62% of the decline in extreme poverty in Brazil between 2004 and 2013 was due to changes in non-labor income, mainly conditional cash transfers under the Bolsa Família program.'³³

7.3.2 The US Social Security Administration organisation provided information on Brazil's [Social Security Programme](#)³⁴.

7.3.3 See also

- [UN International Human Rights Instruments, 'Common core document forming part of the reports of States parties: Brazil', August 2020](#) (Social assistance section, p26)
- [Inter-American Commission on Human Rights, Annual Report 2019](#)

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Section 8 updated: 2 November 2020

8. Healthcare and medical issues

8.1 Healthcare system

8.1.1 A UN 'Working Group on the Universal Periodic Review Report of the Office of the United Nations High Commissioner for Human Rights stated that '...

³² The Borgen Project, '[Facts about Living Conditions in Brazil](#)', 16 September 2018

³³ BSTI, '[2020 Brazil Country Report](#)', 2020 (p.24)

³⁴ US Social Security Administration, '[Brazil. Social Security Programs throughout the...](#)' March 2018

the Unified Health System was currently being dismantled through various proposals to limit its scope or to privatize it. [Another source] reported challenges such as unjustifiably high prices of medicines that threatened public health system sustainability and access to medicines.’³⁵

8.1.2 A Medical Xpress article from August 2020 noted:

‘Brazil’s public health care system, considered among the world’s most advanced when it was launched, is being pushed to the brink by the coronavirus pandemic, which has exposed the impact of years of under-funding and mismanagement.

‘...Launched in 1988, the so-called SUS—for Sistema Unico de Saude, or Single Health System—was modelled on Britain’s National Health Service (NHS).

‘It was created when Brazil adopted a new constitution to steer it out of its 1964-1985 military dictatorship.

‘The constitution states that "health is a universal right and a duty of the state."

‘The SUS is one of the only systems in Latin America to offer universal coverage, meaning free access to health care for the entire population—in theory, at least.

"On paper, the SUS is a perfect system. But in reality, we have a lot of problems," said Fred Nicacio, an emergency room physician in the southeastern city of Bauro.

"We need more hospital beds, staff and a wider range of medicines," he told AFP.

‘..."The constitution says the state has a duty to guarantee access to health care, but funding for the SUS is extremely, chronically insufficient," he said.

‘A 2019 report...found Brazil was among the countries making the least public investment in health care, with per-capita spending 30 percent below the average for developed and emerging countries.

‘Brazil spends just four percent of gross domestic product (GDP) on public health, less than half the level in countries such as Germany, France and Britain.

...

‘Paradoxically, even as the federal government faces accusations of under-funding the public health system, it indirectly finances the private health system via tax breaks for those who can afford private health insurance.

"No other country with a universal health care system funds the private sector like that" [said Luciana Dias Lima, a researcher at leading public health institute Fiocruz.]...

‘...More than 70 percent of Brazil’s 212 million people depend exclusively on the SUS.

³⁵ UN General Assembly Working Group..., ‘[Report of the OHCHR](#)’ (para. 57), 24 February 2017

'It's track record has not been good during the pandemic: the rate of recovery for COVID-19 patients hospitalized in the private system is 50 percent higher than for those in the public system. "The pandemic has deepened inequality: the poorest are most exposed, because they often live in inadequate sanitation conditions, have more chronic illnesses and have more problems getting a hospital bed" [said Guilherme Werneck, vice president of the Brazilian Collective Health Association (ABRASCO)].'³⁶

- 8.1.3 The Foreign and Commonwealth and Development Office (FCDO) Travel Advice for Brazil noted that 'Public hospitals in Brazil, especially in major cities, tend to be overcrowded and there's often a long wait for a bed and a lack of medication. Private hospitals will not accept you unless you can present evidence of sufficient funds or insurance.'³⁷
- 8.1.4 The 2018 Borgen Project article noted 'Rates of disease and infant mortality are high in favelas, and poor nutrition is common. The lack of sanitation and proper healthcare leads to diseases and more deaths in children.'³⁸
- 8.1.5 The British Consular Network in Brazil provided a [List of medical facilities/practitioners in Brazil](#)³⁹.
- 8.1.6 The US Embassy in Brasilia provided lists of medical practitioners for US citizens ranging from general practitioners to hospitals. The Embassy observed regarding these lists: 'The quality of medical care available is similar to the same standards as in the US, if you use the physicians' list. It is not meant to be a complete list, as there are many competent doctors in the community.'⁴⁰
- 8.1.7 See also the assessments of medical care in the USSD Overseas Security Advisory Council [Crime and Safety report reports](#) for Brasilia, Porto Alegre, Recife and Rio de Janeiro.
- 8.1.8 For private providers of healthcare according to city or region see [Allianz Care](#)
- 8.1.9 See also [Inter-American Commission on Human Rights, Annual Report 2019](#)

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8.2 COVID-19

- 8.2.1 A June 2020 report by the World Bank 'COVID-19 in Brazil' stated:

'The COVID-19 pandemic is exposing Brazil to an unprecedented challenge. With a view to containing the pandemic, Brazil, as almost all other countries, has implemented measures to slow the spread of the virus (or "flatten the curve"). This was an attempt to avoid overwhelming the health care system with large numbers of severe case patients.

'Although Brazil has one of the strongest health care systems in Latin America, capacity is highly uneven across the country. The spread of the virus toward poorer areas with lower health care capacity, especially in the

³⁶ Medical Xpress, '[Virus exposes cracks in Brazil's public health system](#)', 3 August 2020

³⁷ FCO, '[Brazil Travel Advice-Health](#)', 31 July 2020

³⁸ The Borgen Project, '[Facts about Living Conditions in Brazil](#)', 16 September 2018

³⁹ British Consular Network, '[List of medical facilities/practitioners in Brazil](#)', July 2016

⁴⁰ USSD, '[US Embassy – Brasilia \(Medical Assistance\)](#)', no date

North and Northeast of Brazil, poses a threat to the system's ability to respond to an increased demand for services. This would add pressure to the already overcrowded public health care system, and endanger more lives, particularly among the poor and vulnerable. As of June 25, 2020, Brazil had recorded 1,228,114 confirmed cases of COVID-19, and 54,971 deaths, according to the Brazilian Ministry of Health data.

'Brazil is the second most exposed country globally, only behind the United States in number of cases and deaths. The spread of the virus has not slowed down so far, with the number of cases doubling every ten days, on average. Efforts have been made—by both federal and subnational governments—to ramp up the health care system's capacity, including through the purchase of new intensive care beds, medical equipment and ventilators, and the recruitment of additional health care professionals. In addition, Besides, the federal government has provided emergency funding to states and municipalities. As the country makes efforts to expand its treatment capacity, it is urgent to expand testing capacity as well, particularly given the estimated high percentage of under-reported cases and deaths.

'The pandemic is expected to plunge Brazil into another recession. Even before the crisis struck, Brazil's recovery from the 2015–16 recession was fragile, and its fiscal space was limited. Significant achievements to put the country on a path of rebuilding fiscal buffers, such as the 2016 spending cap rule (teto dos gastos) or the 2019 pension reform, did not have sufficient time to bear fruit before COVID-19 engulfed the world and Brazil. The pandemic, and the health policy response to it, have essentially resulted in two shocks for Brazil: an external shock, including foreign demand and prices; and a domestic shock, as domestic demand and supply are affected by consumers' decision to avoid physical interactions, and by the restrictions on economic activity imposed to prevent contagion. In addition, as a net oil exporter, Brazil has also been hit by the oil price shock. Due to a sharp decline in demand, oil prices have been reduced by half, with some contracts even falling into negative territory in April 2020. The result of these three shocks is Brazil's sharpest recession on record. World Bank estimates point to a –8 percent growth in 2020. While services are expected to be hit the hardest, export-oriented crop sectors (such as soy) should expand, benefiting from a more competitive real effective exchange rate. Although inflation is generally low, the crisis is expected to put some pressure on food prices.'⁴¹

- 8.2.2 The Guardian and Deutsche Welle (DW) reported on gang imposed curfews in favelas, where residents were restricted from leaving their homes between specified times and the threat of reprisals if they broke curfew^{42 43}.
- 8.2.3 As of 10 November the World Health Organisation recorded 5,664,115 confirmed cases of COVID-19 in Brazil with 162,397 deaths⁴⁴.
- 8.2.4 For further information and updates see

⁴¹ The World Bank, '[COVID-19 in Brazil: Impacts and policy responses](#)' (exec summary), June 2020

⁴² DW, '[Brazil's favelas forced to fight coronavirus alone](#)', 2 July 2020.

⁴³ The Guardian, '[Brazil gangs impose strict curfews to slow coronavirus spread](#)', 25 March 2020

⁴⁴ WHO, '[COVID-19 Brazil](#)', last updated 23 September 2020

- [Chatham House – Brazil and Covid-19: A Perfect Storm?](#)
- [Congressional Research Service, Brazil: Background and US relations, July 2020](#)
- [CNBC: ‘Brazil turned the coronavirus into a political football, with devastating results’](#)
- [OCHA - Brazil](#)
- [UNHCR – COVID-19 situation](#)
- [World Health Organisation - Brazil](#)
- [World Health Organisation – Coronavirus disease \(COVID-19\) pandemic](#)
- [CNBC, ‘Brazil turned the coronavirus into a political football, with devastating results’, 22 July 2020](#)
- [BBC, ‘Coronavirus: How pandemic turned political in Brazil’, 12 June 2020](#)
- [International Crisis Group, ‘June 2020 Crisis Watch-Brazil’, July 2020](#)
- [Committee to Protect Journalists, ‘Data journalists describe challenges of reporting on the true toll of COVID-19’ 14 July 2020](#)

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Section 9 updated: 2 November 2020

9. Media and telecommunications

9.1.1 Main media/telecommunications points:

International dialling code	+55 ⁴⁵
Internet domain	.br ⁴⁶
Broadcast media	<p>The BBC media profile noted ‘Television dominates South America’s biggest media market. There are hundreds of TV networks and thousands of radio stations.’⁴⁷</p> <p>Reporters without Border (RSF) noted ‘More than 70% of the national [TV] audience is shared among four major networks (TV Globo, SBT, Record and Band), of which TV Globo alone accounts for more than half (36,9% of the total).’⁴⁸</p>
News agencies	<p>Agencia Brasil - state-owned</p> <p>Agencia Estado - private, Sao Paulo-based</p> <p>Agencia Globo - private</p>

⁴⁵ Countrycode.org, ‘[Brazil Country Code](#)’, undated

⁴⁶ CIA, ‘[World Factbook](#)’, July 2020

⁴⁷ BBC News, ‘[Brazil profile – Media](#)’, 20 February 2018

⁴⁸ Media Ownership Monitor-Reporters without Borders, ‘[Brazil](#)’, undated

	UOL - popular portal G1 - news website, operated by Globo ⁴⁹
Newspapers	O Dia - Rio de Janeiro daily O Correio Braziliense - influential daily O Globo - Globo-owned Rio de Janeiro daily Jornal do Brasil - Rio de Janeiro daily Folha de Sao Paulo - daily O Estado de Sao Paulo - daily ⁵⁰
Radio	RSF noted 'Radio stations are...organised in national networks transmitting large parts of syndicated content. Of the twelve major radio networks, three belong to the Bandeirantes group and two to the Globo group.' ⁵¹

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Section 10 updated: 2 November 2020

10. Citizenship and nationality

10.1.1 Article 12 of the Constitution stated:

'I. by birth: • Requirements for birthright citizenship

'a. those born in the Federative Republic of Brazil, even though of foreign parents, provided that they are not in the service of their country;

'b. those born abroad of a Brazilian father or mother, so long as either is in the service of the Federative Republic of Brazil;

'c. those born abroad of a Brazilian father or mother, so long as they are registered at a proper Brazilian governmental office, or come to reside in the Federative Republic of Brazil and opt for Brazilian nationality at any time after reaching the age of majority;

'II. by naturalization: • Requirements for naturalization

'a. those who, as set forth by law, acquire Brazilian nationality; for persons whose country of origin is Portuguese-speaking, only one uninterrupted year of residence and good moral character are required;

'b. foreigners of any nationality, resident in the Federative Republic of Brazil for more than fifteen uninterrupted years and without any criminal conviction, provided they request Brazilian nationality.'⁵²

10.1.2 USSD report on 2019 stated 'Citizenship is derived from birth in the country or from birth to a Brazilian citizen parent. Parents are required to register their newborns within 15 days of the birth or within three months if they live

⁴⁹ BBC News, '[Brazil profile – Media](#)', 20 February 2018

⁵⁰ BBC News, '[Brazil profile – Media](#)', 20 February 2018

⁵¹ Media Ownership Monitor-Reporters without Borders, '[Brazil](#)', undated

⁵² Constitute Project.org, '[Brazil's Constitution of 1988 \(with Amendments through 2017\)](#)', 2020

more than approximately 20 miles from the nearest notary. Nevertheless, there were many children who did not have birth certificates.⁵³

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Section 11 updated: 2 November 2020

11. Corruption

Transparency International's Corruption Perception Index (CPI) 2019 rated Brazil 35 out of 100 (the perceived level of public sector corruption is measured on a scale of 0 (highly corrupt) to 100 (very clean)) and ranked it 106 out of 180 countries (1st place being the least corrupt)⁵⁴.

11.1.1 The CPI report noted:

'Corruption remains one of the biggest impediments to economic and social development in Brazil. With a score of 35, Brazil remains stagnated, with its lowest CPI score since 2012.

'...Ongoing challenges include growing political interference with anti-corruption institutions by President Bolsonaro, and congressional approval of legislation that threatens the independence of law enforcement agents and the accountability of political parties.'⁵⁵

11.1.2 A Transparency International (TI) article from September 2019 noted that 'Corruption remains a big concern for Brazilians — more so than anywhere else in the Latin America region. The Global Corruption Barometer — Latin America and Caribbean 2019 highlights that nine in ten Brazilians see corruption in the public sector as a major problem.'⁵⁶

11.1.3 The 2020 Capacity to Combat Corruption (CCC) Index noted:

'Brazil continues to demonstrate relatively solid anti-corruption credentials, ranking fourth in the 2020 CCC Index. However, it displays one of the most concerning trajectories in the region, with a 10% decline in its overall score, particularly due to setbacks in the Legal Capacity sub-category, which dropped 14% year-on-year. A perceived decline in the independence of law enforcement agencies, and recent judicial decisions that negatively impacted investigations of white-collar crime, are the leading causes for the downward trajectory.

'...The index also highlights a deterioration in the Civil Society, Media and the Private Sector sub-category, driven by lower levels of citizens' mobilization against corruption and the more challenging environment for reporters.'⁵⁷

11.1.4 The Bertelsmann Stiftung Transformation Index (BSTI) 2020 Brazil report noted that: 'Brazil has a strong legal anti-corruption framework, but implementation and effective enforcement remain a huge problem.'⁵⁸

⁵³ USSD report, '[2019 Human Rights Practices Report](#)', 13 March 2020

⁵⁴ Transparency International, '[2019 Corruption Perception Index \(CPI\)](#)' (p3&13), January 2020

⁵⁵ Transparency International, '[2019 Corruption Perception Index \(CPI\)](#)' (p3&13), January 2020

⁵⁶ Transparency International, '[Threats against anti-corruption framework in...](#)', 23 September 2019

⁵⁷ CCC Index, '[Assessing Latin America's ability to detect, punish, and...](#)' (p.13), 30 June 2020

⁵⁸ BSTI, '[2020 Brazil Country Report](#)' (p35), 29 April 2020

- 11.1.5 UNODC also stated: 'Brazil has a vast legal apparatus which comprises auditing and controlling as well as corruption prevention and public official's performance auditing.'⁵⁹

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Section 12 updated: 2 November 2020

12. Official documents

12.1 Birth certificates

12.1.1 Anglo Info Brazil noted:

'...[a] hospital will provide the parent(s) with a birth declaration (Declaração de Nascidos Vivos - DNV) containing the date and time of the birth.

'This document, along with proof of identity, must be taken to the Civil Registry Office (Cartório) closest to the parent's place of residence within 15 days, or within three and a half months if the registry office is more than 30 Km from the place of birth.

'...If a baby is born at home, or anywhere outside a hospital or clinic, the mother must get a DNV certificate from a health center, or the parents must take two witnesses along to the Registry Office, one of whom should be the person who delivered the child, if possible.'⁶⁰

- 12.1.2 The US Bureau of Consular Affairs Reciprocity Schedule noted that the Birth Certificate (Certidão de Nascimento) was issued by the Civil Registry (Cartório de Registro Civilsoas Naturais) available in all 26 states and the Federal District of Brasília. The Reciprocity Schedule also noted 'Certificates vary in form depending on the state where it was issued. There are standard and unabridged versions of birth certificates. Both are acceptable. The extended versions (Certidão de Inteiro Teor and Certidão de Pública Forma) contain the same basic information required in the simplified version as well as more detailed information about the birth and a history of any amendments.'⁶¹

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12.2 Passports

12.2.1 The US Bureau of Consular Affairs Reciprocity Schedule noted:

'Regular Brazilian Passport. Blue cover. Issued to Brazilian nationals who hold citizenship through birth or naturalization. Issued by Department of Federal Police in Brazil and by Brazilian embassies or consulates abroad. Validity: Not renewable. Most passports issued on/after July 10, 2015 are valid for 10 years. Before that date, passports were valid for 5 years.

'Changes in Regular Brazilian Passports: Prior to December of 2010, regular Brazilian passports had green covers and were slightly larger than the current blue passport. Many regular green passports are still in use and will be phased out as they expire.

⁵⁹ UNODC, '[Corruption: Legal framework – National laws](#)', undated

⁶⁰ Anglo Info Brazil, '[Registration of the Birth-Brazil](#)', undated

⁶¹ US Bureau of Consular Affairs, '[Reciprocity Schedule-Brazil](#)', undated

‘Changes in Name Display on Brazilian Passports: Brazilian names generally are longer than typical American names. The pre-December 2010 convention had been to list the entire name on a single line, with no breakdown by Surname/Given Name. For visa purposes, Mission Brazil's convention was to use the very last name as Surname and the rest of the name, however long, as Given Name. Current Brazilian passports break names down by Surname/Given Name. As a result, visas issued pre-December 2010 may display the applicant's Surname/Given Name differently than in their new passports. This is not an error. For visa issuance purposes, names must match the breakdown as it appears in the current passport, even if Given Name and Surname were broken down differently in prior visa(s) for the same person. When issuing visas to Brazilians, an alias must be entered into the NIV record, with the applicant's very last name listed as Surname, and the rest of their name in the Given Name field.

‘...Passport for Stateless Persons. (Passaporte para estrangeiros). Yellow cover. Issued to aliens who no longer hold citizenship of their country of origin. Issued by the Department of Federal Police. Validity: Valid for a period to be determined by the Federal police at time of application and according to the specific circumstances of the case.

‘...Laissez-Passer. Travel document issued by the Department of Federal Police to persons who for whatever reason are unable to document citizenship in the country of their birth.

‘Brazilian ID Cards: May be used as a travel document with some restrictions for travels to some countries in Latin America (Argentina, Bolivia, Chile, Paraguay, Peru, and Uruguay).’⁶²

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12.3 ID cards

12.3.1 The US Bureau of Consular Affairs Reciprocity Schedule noted:

‘Brazilian ID Cards [Carteiras de Identidade] are issued by each state's Department of Public Security (Secretaria de Segurança Pública) or Detran (Departamento Estadual de Transito), depending on the state, to Brazilian citizens.

‘Resident Alien ID Cards are issued by the Federal Police (Polícia Federal – Ministério Da Justiça E Segurança Pública) to alien lawful residents in Brazil.

‘Special Seal(s) / Color / Format: Certificates vary in form depending on the state or issuing authority.

‘...Registration Criteria: Must be a Brazilian citizen.

‘...Brazilian ID Cards: Validity is for life. May be used as travel document, as long it has been issued within the last 10 years, is legible/readable, and has a recent photo, for travel to some countries in Latin America (Argentina, Bolivia, Chile, Paraguay, Peru, and Uruguay).

‘...Non-Brazilians may obtain a Resident Alien ID Card (Carteira de Identidade para Estrangeiros or Registro Nacional de Estrangeiros (RNE).

⁶² US Bureau of Consular Affairs, ‘[Reciprocity Schedule-Brazil](#)’, undated

'...Resident Alien ID Cards: Not a travel document. An alien resident is authorized to remain outside Brazil for a period not to exceed two years without losing resident status. To re-enter, the alien presents his foreign passport and the carteira modelo 19.' ⁶³

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12.4 Fraudulent documents

12.4.1 The Overseas Security Advisory Council (OSAC) 2020 Brasilia Crime and Safety Report noted that 'Some local police forces make concerted efforts to combat sales of counterfeit and pirated goods in open marketplaces.' ⁶⁴

12.4.2 A Brookings Institution report noted that 'there has been a big rise in online crime, such as fraudulent webpages that pretend to sell medical supplies, credit card and ID thefts, replacing some street predatory crime with online predatory crime. A great deal of online fraud already originates from Brazil's favelas, and their prominence in this space can only be reinforced, a potentially lasting effect.' ⁶⁵

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⁶³ US Bureau of Consular Affairs, '[Reciprocity Schedule-Brazil](#)', undated

⁶⁴ OSAC, '[2020 Brazil Crime and Safety Report](#)', 13 May 2020

⁶⁵ Brookings Institution, '[COVID-19 and organized crime: Latin American...](#)', 12 May 2020

Human rights issues relevant to protection claims

The issues below are not meant to be exhaustive; rather the key topics which may be relevant to protection claims.

Section 13 updated: 2 November 2020

13. Children

13.1 Education

13.1.1 A National Institute For Educational Research and Studies (Inep) report noted:

‘In terms of organization, the Brazilian education system is structured on two levels: basic education and higher education. Basic education consists of three stages: 1) early childhood education, which includes provision for children from 0 to 3 years of age (nursery schools) and from 4 to 5 (pre-school); 2) elementary education from 6 to 14 years of age and 3) upper secondary education, the final stage of basic education, with a minimum of three years’ attendance, from 15 to 17 years of age. The education is compulsory from pre-school to upper secondary (4 to 17 years old) and free in public schools.’⁶⁶

13.1.2 The World Education News Review Profile of Brazil from 2019 noted:

‘Participation in early childhood education in Brazil was low until recently, especially among low income households. Several states were financially ill-prepared to provide this form of education across the board. However, the introduction of mandatory pre-school education and investments in infrastructure and human resources have helped to almost double enrollments in early childhood education, from 4.6 million in 1999 to 8.7 million in 2018. While participation is not universal, 90 percent of relevant age cohorts currently enroll in kindergartens or day care centers.

‘...Early childhood education lasts two years (ages four and five) and is provided mostly by public schools: 77 percent of children were enrolled in public institutions in 2018. Most of these institutions are administered by city and municipal governments—states and the federal government play only a marginal role in this sector. Private schools at this level have become more closely regulated and now follow recently developed national curriculum guidelines.

‘...Elementary education begins at the age of six and lasts nine years. It’s divided into two cycles: Ensino fundamental I (years one to five) and ensino fundamental II (years six to nine). In most states, each cohort of pupils is taught by a single teacher in the first cycle, whereas there are different teachers for different subjects in the second cycle. While national legislation requires that public schools provide 800 hours of instruction per year, private

⁶⁶ Inep, [‘Overview of the Brazilian Education System’](#) (p5), October 2016

institutions often supplement the official curriculum and provide 1,000 or more hours of instruction.

‘...While the language of instruction is Portuguese, indigenous ethnic groups have the constitutionally enshrined right to use their native languages and their own learning methods. In practice, only a few states and cities have implemented curricula that incorporate native languages, in some cases along with German and/or Italian. Religion must be offered by law, but it is an elective, depending on the jurisdiction.

‘Participation in elementary education is universal – 99 percent of the relevant age cohort entered the first grade in 2018. However, while dropout rates are close to zero in developed states like Santa Catarina, Mato Grosso, and Pernambuco, the situation in some north and northeastern states is problematic. The overall graduation rate for elementary education was only 76 percent in the state of Sergipe and 77 percent in the state of Bahia in 2014/2015, according to government statistics. As noted, stark disparities in educational outcomes exist between private schools in industrialized states and public schools in impoverished rural neighborhoods.

‘...Secondary education lasts three years (grades 10 to 12), although some vocational programs and programs for adult students can vary in length in each state. It’s provided free of charge at public schools and has been compulsory since 2013. Most students who completed the ensino fundamental can access secondary education without sitting for an entrance examination, although some competitive schools require exams for admission.

‘Schooling is offered at instituições de ensino médio (general academic) and instituições de ensino técnico (technical schools), as well as military schools and teacher training schools (discussed further below). Many students attend evening classes. Private schools tend to be better equipped to provide higher quality education, but play only a relatively minor role; 86 percent of students were enrolled in public institutions in 2017.

‘...Total enrollments in secondary education have declined in recent years, just as they have in basic education, because of shrinking fertility rates. There were 7.7 million secondary students in 2018 compared with 8.3 million in 2009. Despite progress in increasing participation rates, Brazil still has one of the largest shares of adults without upper secondary education compared with adults in OECD countries. As of 2018, only “69% of 15-19 year-olds” were “enrolled in any level of education, well below the OECD average ... of 85%.”

‘By some estimates, 2.8 million Brazilian students between the ages of 15 and 17 abandon school each year because of financial constraints, the need to work, poor academic preparedness, teen pregnancy, or lack of interest or transportation. As at all levels of Brazilian education, participation and dropout rates are much more favorable in industrialized urban areas than in more rural, peripheral regions.

‘...The 1968 university reform laid the groundwork for the current structure of Brazilian higher education. It modernized public universities and introduced important changes, such as the development and national standardization of

graduate programs. Crucially, it allowed for the establishment of independent private HEIs, ushering in a literal explosion of the number of these institutions.

'...By 2019, private institutions represented a staggering 88 percent of all Brazilian HEIs, or 2,238 institutions in total... By comparison, the number of public HEIs has grown only slowly, by just 123 over the two decades. This means that for every public institution in Brazil, there are now more than seven private institutions. In 2018, public HEIs were able to only offer 835,569 undergraduate seats while private HEIs had over 12 million opens slots (94 percent of all available seats). Some 75 percent of all tertiary students in Brazil were consequently enrolled in private institutions in 2018.'⁶⁷

13.1.3 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report for Brazil noted:

'Brazil has succeeded in making participation in education universal for children aged 5 to 14, but enrollment falls sharply among older children and young adults. Only 69% of 15- to 19-year-olds and 29% of 20- to 24-year-olds are enrolled in any level of education. Over half of Brazil's adult population have not completed upper secondary education. However, the proportion of young adults (25- to 34-year-olds) who have attained at least upper secondary education increased from 47% in 2007 to 64% in 2015. Brazil also faces significant regional inequities in tertiary attainment. While in the rich states more than 30% complete tertiary education, the corresponding figures for the poorest states are in the single-digit range.'⁶⁸

13.1.4 A UN review from August 2020 stated: 'In the last decade, there was a substantial growth in the Brazilian educational system, especially with respect to early education, comprising children from 0 to 3 years old and from 4 to 5 years old. There was also the universalization of elementary and middle school, with 98.6% children from 6 to 14 years old attending school in 2015.'⁶⁹

13.1.5 For more information on education and school attendance see

- [UN International Human Rights Instruments, 'Common core document forming part of the reports of States parties: Brazil', August 2020](#)
- [UN data: Brazil](#)
- [Inter-American Commission on Human Rights, Annual Report 2019](#)

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13.2 Child abuse

13.2.1 The US State Department 2019 Human Rights Practices Report (USSD Human Rights report 2019) noted that

'The law prohibits child abuse and negligence, but enforcement was ineffective.

⁶⁷ World Education News Review, '[Education in Brazil](#)', 14 November 2018

⁶⁸ BSTI, '[2020 Country Report-Brazil](#)',(p27), 2020

⁶⁹ UNIHRI, '[Common core document forming part of the reports of States...](#)' (p10), 6 August 2020

'...Sexual exploitation of children, adolescents, and other vulnerable persons is punishable by four to 10 years in prison. The law defines sexual exploitation as child sex trafficking, sexual activity, production of child pornography, and public or private sex shows. The government enforced the law unevenly. The law sets a minimum age of 14 for consensual sex, with the penalty for statutory rape ranging from eight to 15 years in prison.

'While no specific laws address child sex tourism, it is punishable under other criminal offenses. The country was a destination for child sex tourism. In addition, girls from other South American nations were exploited in sex trafficking in the country.

'The law criminalizes child pornography. The creation of child pornography carries a prison sentence of up to eight years and a fine. The penalty for possession of child pornography is up to four years in prison and a fine. On March 28, a nationwide operation involving more than 1,500 civil police resulted in the arrest of 141 individuals allegedly involved with child pornography. The Federal Police, in coordination with the Ministry of Justice and Public Security, conducted a series of operations to combat child pornography. On May 23, they executed 28 arrest warrants in eight states.'⁷⁰

13.2.2 The UN National Report of the Working Group on the Universal Periodic Review noted:

'According to the National Ombudsman's Office, violations against children and adolescents constitute the majority of cases reported through the Dial 100 service [Brazil's free telephone service for human rights violations and domestic violence⁷¹].

'...The Brazilian Government has developed strategies to engage various stakeholders, such as the Convergence Agenda for the Integral Protection of the Rights of Children and Adolescents.

'...The Convergence Agenda has innovated by creating an application for smartphones called Protect Brazil, which enables people to report violations online, and by launching the campaign Respect, Protect and Guarantee – All Together for the Rights of Children and Adolescents, which aims to raise awareness about the need to monitor and report any suspected violation of rights.

'New legislation has been implemented, such as: Law 13,010/2014, which establishes the right of children and adolescents to be educated and cared for without the use of physical punishment or cruel or degrading treatment; and Law 12,978/2014, which establishes that enabling sexual exploitation of children or adolescents is a heinous crime; and Law 13,257/2016, which establishes public policies for early childhood.

'Other important initiatives to fight the sexual exploitation of children and adolescents are: the revision of the 2013 National Plan to Fight Sexual Violence against Children and Adolescents (PNEVSCA) and the ongoing implementation of the Integrated and Reference Actions Programme (PAIR).

⁷⁰ USSD report, '[2019 Human Rights Practices Report](#)' (section 6), 13 March 2020

⁷¹ The Rio Times, '[Brazil registers 142,000 complaints about violence in 2017](#)', 4 May 2018

Efforts to advance the protection are still fundamental: in the first months of 2016, 4,953 cases were reported via Dial 100.’⁷²

- 13.2.3 A Frontiers in Psychiatry Report noted that ‘In Brazil, it is estimated that 18,000 children and adolescents suffer daily physical abuse...According to Brazil's National Council of Justice there are 47,815 children and adolescents living in shelters in Brazil, with an increase in recent years; 13,674 of those live in São Paulo.’⁷³

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13.3 Child marriage

- 13.3.1 The USSD Human Rights report 2019 noted:

‘The legal minimum age of marriage is 18 (16 with parental or legal representative consent). In March Congress passed a law prohibiting the marriage of minors younger than 16. Prior to the change in the law, minors younger than 16 could marry with the consent of their parents if they were pregnant or if they had an older sexual partner who was seeking to avoid criminal charges of statutory rape. The practice of early marriage was common. A study of child marriage in the northeastern states of Bahia and Maranhao found that pregnancy was the main motivation for child marriage in 15 of 44 cases. According to 2017 data from UNICEF, among the cohort of women between the ages of 20 and 24, 11 percent were married by age 15 and 36 percent by age 18.’⁷⁴

- 13.3.2 Unicef data indicated Brazil has the fourth highest number of child brides in the world – 3,034,000. According to the most recently available data, 36% of Brazilian girls are married before their 18th birthday and 11% are married before the age of 15⁷⁵.

- 13.3.3 OECD SIGI stated

‘Even though the legal age of marriage has been established as 16 years for both men and women, the law stipulates that marriage of a person under the legal age will not be considered void if a pregnancy results from the marriage (Civil Code, article 1.551). There is, however, a contradiction in the legal framework, since article 217-1 of the Penal Code establishes that any “libidinous act” with minors under 14 is considered to be a rape. Recent research on the issue of early marriage ranks Brazil “the fourth country in the world in absolute number of women married or co-habiting by age 15” [...]. Promundo also called attention to census data that points to 88 000 girls and boys aged 10 to 14 years in civil or religious unions in Brazil [...]. Little research on the subject has been produced and no mention on child marriage was made in the third National Policies for Women Program.’⁷⁶

⁷² UN General Assembly..., ‘[National Report](#)’ (paras 108 and 110 - 113), 27 February 2017

⁷³ Frontiers in Psychiatry, ‘[Maltreatment and Emotion Recognition Among...](#)’, 26 November 2020

⁷⁴ USSD report, ‘[2019 Human Rights Practices Report](#)’ (section 6), 13 March 2020

⁷⁵ Unicef, ‘[Child Marriage](#)’, 2020

⁷⁶ OECD, ‘[Social Institutions and Gender Index – Brazil Profile, 2019](#)’, 2019

13.4 Child labour

13.4.1 The US Department of Labor in their annual report of Child Labor report covering 2018 found:

'In 2018, Brazil made a moderate advancement in efforts to eliminate the worst forms of child labor. In January 2018, the state of Ceará signed a law requiring businesses to publicly display signs highlighting the dangers of child labor and establishing administrative fines for those who violate the law, as well as those who fail to display the required signage. Furthermore, Brazilian police conducted the largest operation to date to combat child pornography, resulting in 89 arrests in more than 24 states. The number of children removed from situations of forced child labor increased by 40 percent, from 1,008 children in 2017 to 1,854 in 2018. The government also adopted its third National Plan to Eradicate Child Labor, and its third National Plan to Combat Human Trafficking.'⁷⁷

13.4.2 The US Department of Labour report on the 2019 Findings on the Worst Forms of Child Labour stated that

'...children in Brazil engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture, including in the production of coffee. Although Brazil made meaningful efforts in all relevant areas during the reporting period, prohibitions against child trafficking require the use of threats, violence, coercion, fraud, or abuse to be established for the crime of child trafficking and, therefore, do not meet international labor standards. In addition, there are likely not enough labor inspectors to provide sufficient coverage of the workforce, and local governments lack the capacity to fully implement and monitor the National Program to Eradicate Child Labor, the family stipend program Bolsa Família, and other social protection programs.'⁷⁸

13.4.3 For more information on children see:

- [USDOL, '2018 Findings on the Worst Forms of Child Labor: Brazil', 27 September 2019](#)
- [Inter-American Commission on Human Rights, Annual Report 2019](#)
- [USSD, '2019 Human Rights Practices Report', 2020](#)
- [USSD, '2020 Trafficking in Persons Report: Brazil', 2020](#)
- [Unicef - Brazil](#)

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Section 14 updated: 2 November 2020

14. Civil society

14.1.1 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report for Brazil noted:

⁷⁷ USDOL, '[2018 Findings on the Worst Forms of Child Labor: Brazil](#)', 27 September 2019

⁷⁸ USDOL, '[2019 Findings on the Worst Forms of Child Labor: Brazil](#)', 27 September 2019

‘One of the first acts of the new government in January 2019 was the introduction of a provisional measure that would allow it to supervise, coordinate, monitor and observe the activities and actions of international agencies and non-governmental organizations within national territory. Many civil society organizations have criticized the measure as a violation of the constitutionally guaranteed freedom of association and association. [...]

‘Conservative civil society groups have received considerable support in recent years. Conservative groups are not homogeneous; they combine various strands of conservatism and use various collective action tactics. Their programs combine fighting against alleged left-wing economic and social policies with the fight against corruption. Traditionalism, conservative and illiberal moral values, and varying doses of economic liberalism and nationalism can be observed in this segment. Some sectors of conservative civil society are rather ambivalent about core democratic values or even openly defend authoritarian military rule between 1964 and 1985. The empowerment of conservative civil society groups has contributed to Brazil’s political polarization.’⁷⁹

14.1.2 The same report also stated:

‘There is a robust network of autonomous, self-organized groups and civil society organizations (CSOs) in Brazil. By 2016, there were 820,000 CSOs active in the country. CSOs have expanded in recent years. The sector is of economic importance in the labor market, in addition to issues of public interest. Organizations that aim to defend rights and advocate for public interests, and religiously oriented organizations represent more than six out of 10 active organizations. Of CSOs, 86% are private associations, 12% are religious organizations and 2% are private foundations.’⁸⁰

14.1.3 The USSD Human Rights report 2019 noted:

‘Many domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views. Federal and state officials in many cases sought the aid and cooperation of domestic and international NGOs in addressing human rights problems.

‘...In April President Bolsonaro issued a decree to eliminate 34 interministerial councils that link civil society to decision makers in the government on a range of human rights topics. The Supreme Court overturned the decree, but the president maintained the councils were ineffective and a waste of resources. A few of the councils impacted by the ruling included the National LGBT Council, National Council for Religious Freedom, National Council for Racial Equality Policies, National Council for Rights of Children and Adolescents, and National Council for Refugees.

‘The National Council for Human Rights, established by law, was not affected by the presidential decree. The council, which is composed of 22

⁷⁹ BSTI, [‘2020 Country Report-Brazil’](#),(p9 & 30), 2020

⁸⁰ BSTI, [‘2020 Country Report-Brazil’](#),(p16), 2020

members--11 from various government agencies and 11 from civil society--met regularly, most recently in February.’⁸¹

14.1.4 An interview with the ombudsman in Rio de Janeiro in 2019 noted:

‘While we live in a democracy, within a democratic and legal institutional setting, in practice it is difficult for CSOs to have a voice and express themselves freely, autonomously and sustainably. First of all, economic sustainability is failing us. There are no public, transparent and accessible funds for the strengthening of civil society. For reasons of funding, structure and advocacy capacity, civil society is quite weak. There are no interlocutors in the state. This is a moment of fragility for civil society, so it is important that we manage to reinforce it.

‘Second, although strictly speaking there is no official censorship, there is an atmosphere of fear that restricts the freedom of expression, as there are lots of investigations of human rights defenders and civil society activists. The president’s discourse, which depicts activists as communists threatening the Brazilian social system, aims to eliminate activism. There are very strong signs of political control, which were clearly expressed in the decision to put a military minister in control of CSOs. We live in a democracy, but not quite.

‘Third, there are risks and physical threats to activists. We really do not know to what extent it is currently safe to work on rights issues in Brazil.’⁸²

14.1.5 See also

- tables 76-78 of the [UN International Human Rights Instruments, ‘Common core document forming part of the reports of States parties: Brazil’, August 2020](#)
- [Amnesty International, ‘Annual report 2019 - Human Rights in the Americas’, February 2020.](#)

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Section 15 updated: 2 November 2020

15. Crime / gangs

15.1.1 The [United Nations Office on Drugs and Crime country profile webpage](#) provides a range of drugs and crime data.

15.1.2 The Foreign, Commonwealth and Development Office (FCDO) Travel Advice for British nationals going to Brazil noted that ‘There are high levels of crime, particularly robberies, within Brazil’s cities and the murder rate can be very high. This can vary greatly within a city... Crime, including violent crime, can occur anywhere and often involves firearms or other weapons.’⁸³ The FCDO advice also observed:

‘Favelas (Portuguese for “slum” or “shanty town”) are urban neighbourhoods of high density informal or unplanned housing. They exist in all major Brazilian cities, range in size from a few blocks to large sprawling areas, and can border areas frequented by tourists and visitors.

⁸¹ USSD report, [‘2019 Human Rights Practices Report’](#) (section 5), 13 March 2020

⁸² Civicus, [‘Brazil: This is a moment of fragility for civil society’](#), 25 April 2019

⁸³ FCDO, [‘Travel Advice \(Safety and Security\)’](#), last updated 10 July 2020

'The security situation in many favelas is unpredictable, particularly in Rio de Janeiro. Any visit to a favela can be dangerous... Violence in Rio de Janeiro favelas increased in 2017. Armed clashes and shootouts between police forces and gangs are a regular and unpredictable occurrence, and in October 2017 a tourist on a favela tour in Rio de Janeiro was accidentally shot dead by police. Armed clashes have also occurred on major thoroughfares, including the main highway to and from the international airport in Rio de Janeiro which runs alongside a large favela.

'There is a risk of violence spilling over into nearby areas...' ⁸⁴

15.1.3 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report for Brazil noted:

'In several large cities, the state is unable to completely guarantee private and public security. Organized crime funded by weapons and drugs trafficking is extremely powerful in several metropolitan areas, including Rio de Janeiro, Rio Grande do Norte and Recife. Among the states with the greatest violence and security problems are Sergipe, Rio Grande do Norte, Alagoas, Pará, Amapá, Pernambuco, Bahia, Goiás, Ceará and Rio de Janeiro. While some parts of metropolitan areas are controlled by drug-trafficking gangs, others are under the influence of militias. These are paramilitary organizations, largely formed by off-duty police and firemen. Militias control numerous favelas and operate in many neighborhoods. Several million people live in areas controlled by militias. They are known to carry out executions, extract protection money and threaten those who refuse to pay.

'...Most violent crime is related to the illegal drug trade. In many states, police groups referred to as "death squads" terrorize shantytown dwellers and intimidate human rights activists.' ⁸⁵

15.1.4 An Insight Crime profile of Brazil noted on criminal groups:

'The two most established groups in Brazilian organized crime are the Red Command and the First Capital Command (PCC), both of which grew out of the Brazilian prison system. The Red Command is largely based in Rio de Janeiro, while the PCC originated in São Paulo. Both have expanded their influence across the country and even into neighboring countries such as Paraguay and Bolivia and are involved in crimes ranging from drug trafficking and sales to extortion and robberies. The two groups maintained a longstanding truce until late 2016, when a gang war broke out apparently linked to conflict over the drug trade.

'In addition, there are several splinter groups, such as the Amigos dos Amigos and Pure Third Command (Terceiro Comando Puro – TCP) as well as localized networks such as the First Catarinense Group (Primeiro Grupo da Catarinense – PGC) in the south and the Family of the North (Família do Norte – FDN) in the north. Further complicating the underworld dynamic are police militias, groups set up by former and current police officers that have crossed the line from vigilantism to criminal activity.' ⁸⁶

⁸⁴ FCDO, '[Travel Advice \(Safety and Security\)](#)', last updated 16 September 2020

⁸⁵ BSTI, '[2020 Country Report-Brazil](#)' (p6&11), 2020

⁸⁶ Insight Crime, '[Brazil Profile](#)', 29 November 2017

- 15.1.5 The Insight Crime website provided more detail on the main gangs in Brazil, including [Red Command](#), [First Capital Command](#), [Family of the North](#), [Pure Third Command](#), and [Amigos dos Amigos](#).
- 15.1.6 An article in The Rio Times noted that ‘Bonde dos Cachorros is not a funk group, Amigos do Estado is not an NGO that partners with the Government, Sindicato RN does not defend any professional category and “Cerol Fino” is not a kite club. These are the names, unknown to many, of some of the dozens of Brazilian criminal factions that help to make up the complex scenario of drug trafficking and robbery in their states.’⁸⁷
- 15.1.7 A 2019 article in Deutsche Welle noted:
- ‘The criminal "militias" in Brazil are mostly made up of police officers who commit violent crimes and go unpunished in those areas which have been given up by the state. They control more than half of the country.
- ‘...According to information from the Brazilian federal police, these militias are made up of public servants from the area of public security: they are members of the police force, the military police, and even the fire brigade, who commit crimes that go unpunished. "The people work for the state and at the same time for organized crime," a senior police officer told me.
- ‘The militias are dedicated to extortion, collecting protection money, controlling the supply of gas, public transport, access to cable television, rented property; they organize illegal gambling, control the drug and weapons trade and even operate illegal mining. According to the federal police, they generate just in Rio de Janeiro a turnover of 100 million dollars (91 million euros) a year.
- ‘...In Brazil, there is a concern that militias from active, well-trained and equipped, violence-prone public servants are formed. Various militias have been distributed across the country. Through the anonymity in which they operate, it is unknown exactly how many groups there are or how many members it has.
- ‘...The officers of the Brazilian federal police showed...a map of Brazil. The country has 26 federal states and according to this map, the militias are represented in 18 states, more than half of the fifth-largest country in the world.’⁸⁸
- 15.1.8 The Internal Displacement Monitoring Centre in their Brazil 2019 report stated:
- ‘There is also a data gap related to internal displacement associated with violence. According to the Igarapé Institute and its Forced Migration Monitor, a large number of new displacements in Brazil are caused by gang violence, but there is limited data available on this kind of displacement and the number of people forced to flee their homes as a result of it. IDMC has thus not reported on internal displacement triggered by conflict in Brazil in 2019.

⁸⁷ The Rio Times, ‘[Brazil’s Federal Prisons Host Its Most Deadly Organized Drug...](#)’, 21 July 2020

⁸⁸ Deutsche Welle (DW), ‘[Against the current: Brazil’s dangerous militias](#)’, 4 September 2019

The final displacement figures are also likely to be an underestimate for this reason.⁸⁹

15.1.9 The Congressional Research Service commented on drugs and trafficking policing, it stated:

‘Brazil is not a major drug-producing country, but it is the world’s second-largest consumer of cocaine hydrochloride and likely the world’s largest consumer of cocaine-derivative products. It is also a major transit country for cocaine bound for Europe. 98 Organized crime in Brazil has increased in scope and scale over the past decade, as some of the country’s large, well-organized, and heavily armed criminal groups—such as the Red Command (Comando Vermelho, or CV) and the First Capital Command (Primeiro Comando da Capital, or PCC)—have increased their transnational operations. Security analysts have attributed much of the recent violence in Brazil, particularly in the northern portion of the country, to clashes among the CV, PCC, and their local affiliates over control of strategic trafficking corridors.’⁹⁰

15.1.10 See also CPIN [Brazil: Actors of Protection](#)

- Overseas Advisory Council (OSAC) 2020 Crime and Safety reports for [Brasilia](#), [Rio de Janeiro](#), [Sao Paulo](#), [Porto Alegre](#) and [Recife](#).
- Immigration and Refugee Board of Canada. Responses to information request: [Brazil: The Red Command \(Comando Vermelho, CV\) criminal organization, including activities, areas of operation, membership, structure, networks, political connections, and resources; state protection available for victims of crimes committed by the Red Command \(2017-March 2019\)](#)
- [Chatham House – Pandemic and public safety in Brazil: How bad is becoming worse](#)
- [Foreign Policy – Brazil murder rate finally fell and by a lot, April 2019](#)
- [Ingarape Institute - Citizen security in Latin America – Facts and figures, 26 April 2018](#)
- Tables 60-63 of the [UN International Human Rights Instruments, ‘Common core document forming part of the reports of States parties: Brazil’, August 2020](#)

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Section 16 updated: 2 November 2020

16. Ethnic and indigenous groups

16.1.1 For information about ethnic demography, see [Geography and demography](#)

16.1.2 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report for Brazil noted that

‘There are no irreconcilable ethnic, religious or social clashes in Brazil, but there are Conflict intensity extreme social and regional disparities. Social life

⁸⁹ IDMC, [‘Brazil - Figure Analysis – Displacement Related to Disasters’](#) (2019), 2020

⁹⁰ CRS, [‘Brazil: Background and US relations’](#), updated 6 July 2020

in Brazil is characterized by the 5 largely peaceful manner in which a multiplicity of ethnic groups lives together. However, racial inequality is still a serious problem. Brazil continues to be an extremely unequal country, and racism is an important element in understanding the dynamic of this framework of inequality. The high-income population is essentially white, while most Brazilians who live in poverty are black. The main source of violence in Brazil is criminal rather than political. There is a high rate of criminal activity in major cities, where 25% of the population is believed to live in favelas or shantytowns. Violence is no longer purely an urban phenomenon, but has spread to the countryside. An imbalance in land distribution leads to episodic violence in rural areas, a particular problem in the Amazon...

'President Jair Bolsonaro, who has been in office since January 2019, has pushed polarization through his excessive rhetoric against...indigenous people and Afro-Brazilians.'⁹¹

16.1.3 The USSD Human Rights report 2019 noted:

'The law prohibits racial discrimination, specifically the denial of public or private facilities, employment, or housing to anyone based on race. The law also prohibits the incitement of racial discrimination or prejudice and the dissemination of racially offensive symbols and epithets, and it stipulates prison terms for such acts.

'Approximately 52 percent of the population identified themselves as belonging to categories other than white. Despite this high representation within the general population, darker-skinned citizens, particularly Afro-Brazilians, encountered discrimination. Afro-Brazilians were underrepresented in the government, professional positions, and middle and upper socioeconomic classes. They experienced a higher rate of unemployment and earned average wages below those of whites in similar positions. There was also a sizeable education gap. Afro Brazilians were disproportionately affected by crime. [...]

'According to data from FUNAI and the 2010 census, there were approximately 897,000 indigenous persons, representing 305 distinct indigenous ethnic groups that spoke 274 distinct languages.

'The constitution grants the indigenous population broad protection of their cultural patrimony and use of their territory; however, all aboveground and underground minerals as well as hydroelectric power potential belong to the government.'⁹²

16.1.4 The Minority Rights Group International profile of Afro Brazilians noted:

'An estimated 91 million Brazilians are of African ancestry, according to the 2010 census, which found that more than half (50.7 per cent) of the Brazilian population now identified as preto (black) or pardo (mixed ethnicity).

'...Despite their sizeable demographic, Afro-Brazilians still face major disadvantages and institutionalized discrimination. The severe inequalities faced by Afro-descendants are reflected in every area of their lives, from

⁹¹ BSTI, '[2020 Country Report-Brazil](#)' (p30), 2020

⁹² USSD report, '[2019 Human Rights Practices Report](#)' (section 6), 13 March 2020

health and education to employment and wealth. Average incomes for black households are just 43 per cent those of white households, for example, while average life expectancy for Afro-Brazilians is almost seven years less than for white people. According to the National Network for Social Monitoring and Health of the Black Population, black women are even given less anaesthesia during normal childbirth. Half of all Afro-Brazilians are also illiterate, with 40 per cent not having completed elementary school. Politically, too, black people remain heavily under-represented.

‘Brazil has also begun to roll out a range of initiatives to combat discrimination in education the labour market. Since 2012, for example, public universities have been obliged to set aside half of their places for public high school students, largely aiming to benefit Afro-Brazilian and students. Similar steps have been proposed to enforce quotas for representation in public administration. However, the issue of quotas remains contentious, and some politicians have campaigned on promises to repeal them.

‘...Profound inequality is also evident in cities, too, with many Afro-Brazilians forced to reside in the most dangerous urban areas. With little opportunity to improve their lives, young Afro-Brazilian men in particular have been drawn into drug gangs and violence – an acute issue in a country where, according to the Mexico-based organization Seguridad, Justicia y Paz, 19 of the 50 most violent cities in the world are located. Afro-descendant youth have been disproportionately exposed to these threats. Homicide remains the main cause of death among Brazilian youth, particularly affecting young black males living in favelas and urban areas.’⁹³

16.1.5 An undated United Nations UN Chronicle document noted:

‘...most Brazilians of all colours acknowledge that there is racial prejudice and discrimination in the country...Based on the statistical analysis of censuses, surveys and other evidence...

‘...Most discrimination in Brazil is subtle and includes slights, aggressions and numerous other informal practices, while consciously egregious and overt racism directed at particular individuals, especially in the form of racial insults, is more commonly recognized as racist. Even though Brazil's anti-racism laws target such incidents, which have long been considered un-Brazilian, subtle individual and institutional practices maintain and reproduce racial inequalities.’⁹⁴

16.1.6 For more information on ethnic groups see:

- [Inter-American Commission on Human Rights, Annual Report 2019](#)
- [UN Chronicle, ‘Racial Discrimination and Miscegenation: The Experience in Brazil’, undated](#)
- [The Conversation, ‘Indigenous and Afro-Brazilian lands are under greater threat during covid-19’, 30 June 2020](#)

⁹³ Minority Rights Group International, ‘[World Directory of Minorities and Indigenous Peoples...](#)’, 2020

⁹⁴ UN Chronicle, ‘[Racial Discrimination and Miscegenation: The Experience in Brazil](#)’, undated

- [Global Research, 'Violence Against Indigenous Peoples Explodes in Brazil', 17 October 2019](#)
- [PBS, 'Top court rules Brazil must protect Indigenous peoples in pandemic', 5 August 2020](#)
- [OHCHR - Written statement submitted by Society for Threatened Peoples. Violations of Indigenous Land Rights in Brazil, 19 February 2019](#)
- [OHCHR - Written statement submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status, 2 September 2020](#)
- [UN – CERD, Eighteenth to twentieth periodic reports of the State party, 15 September 2020](#)

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Section 17 updated: 2 November 2020

17. Freedom of movement

17.1 Travel within Brazil

- 17.1.1 The Freedom House 2020 Freedom in the World Report noted that 'Brazilians enjoy freedom to travel within and outside of the country, and to make decisions about their places of residence and employment, though access to high-quality education across all levels remains a challenge. Gang violence in favelas at times has impeded free movement, and has prompted schools to shut down temporarily.'⁹⁵
- 17.1.2 The USSD Human Rights report 2019 that 'The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.'⁹⁶
- 17.1.3 The abstract of a paper by Ernesto Friedrich de Lima Amaral published in the Encyclopaedia of Global Human Migration, 4 February 2013, noted:
 'Internal migration has been decisive in the process of rapid urbanization that has occurred throughout Brazil in recent decades. Between 1950 and 2000, Brazil's urban population grew from 36 percent to 81 percent of the total population...During this period, the country underwent major transformations and became an industrial and urban, rather than an agricultural and rural, society. High levels of migration from the countryside to urban areas and agricultural frontiers occurred. Internal migration flows were heaviest in movements from the northeastern to the southeastern states. The usual explanation for this movement references poverty and the lack of job opportunities in the northeast combined with the concentration of industries in the southeast, mainly in the state of São Paulo.'⁹⁷

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⁹⁵ FH, '2020 Freedom in the World Report-Brazil' (section G1), 4 March 2020

⁹⁶ USSD report, '2019 Human Rights Practices Report' (section 2d), 13 March 2020

⁹⁷ The Encyclopaedia of Global Human Migration, '[Brazil: internal migration](#)', 4 February 2013

17.2 Returns

17.2.1 An International Organisation for Migration article noted:

‘The Federal Public Defender’s Office in Minas Gerais and the International Migration Observatory (OBMigra) are the new members of the Network to Support the Reintegration of Brazilian Returnees.

‘Part of SURE, the network now has 22 partners in the main states of return in Brazil – São Paulo, Minas Gerais and Goiás -, as well as Paraíba, Paraná and the Federal District.

‘More institutions – i.e. city halls, state governments and NGOs – will be able to be part of the network. The network coordinates distinct entities, guaranteeing that migrants have access to several services like social assistance, psychosocial support, access to labor markets, and legal advice.’⁹⁸

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Section 18 updated: 2 November 2020

18. Journalists / bloggers

18.1.1 Analysis of the Reporters Without Borders (RSF) 2020 [Press Freedom Index](#) noted:

‘In Brazil (down 2 at 107th), the effects of Jair Bolsonaro’s installation as president in January 2019 is the chief reason why the country has fallen two places in RSF’s Index for the second year running. And it will probably continue to fall as long as Bolsonaro, egged on by his family and several members of his government, continues to insult and humiliate some of Brazil’s leading journalists and media outlets, feeding a climate of hate and mistrust towards news providers. Journalists, especially women journalists, are increasingly vulnerable in this fraught environment and are constantly attacked by hate groups and Bolsonaro supporters, especially on social media.’⁹⁹

18.1.2 The Freedom House Freedom in the World Report noted:

‘The constitution guarantees freedom of expression, and the media scene is vibrant. However, investigative journalists, particularly those who cover corruption and crime, face threats, harassment, obstruction, and violence, which in some cases has been deadly.

‘...Journalists who criticized Bolsonaro faced online and offline harassment, and outlets that carried such criticism faced economic pressure from the government. Several journalists who wrote critical stories about Bolsonaro were the targets of hacking and other technical attacks.

‘...In April, the Supreme Court demanded the removal of press reports about a secretive investigation it had launched over what it characterized as threats and attacks on court’s integrity, prompting criticism from press freedom advocates. The action was later revoked.’¹⁰⁰

⁹⁸ International Organisation for Migration, ‘[Two new partners join SURE’s network](#)’, undated

⁹⁹ RSF ‘[RSF 2020 Index: Latin America’s dark horizon for press freedom](#)’, 21 April 2020

¹⁰⁰ FH, ‘[2020 Freedom in the World Report-Brazil](#)’ (section D1), 4 March 2020

18.1.3 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report stated 'The freedoms of opinion and the press are unrestricted and respected. Brazil is a cofounder of the Open Government Partnership and enacted an Access to Information Law in 2011. However, the rising level of violence against journalists and lack of political will to protect journalists effectively have caused Brazil to fall from rank 58 in 2010 to rank 102 out of 180 countries in the 2018 World Press Freedom Index. The national media are free from federal government pressures and provide vigorous reporting on controversial issues and government performance. Media ownership in general is highly concentrated and information is often biased in favor of private power interests.'¹⁰¹

18.1.4 For more information on media freedoms see:

- [Committee to Protect Journalists, "Brazilian Minister of Justice calls for criminal investigations of 2 journalists, cartoonist" 16 July 2020](#)
- [Reporters Without Borders, '2020 List of Press Freedoms Digital Predators', 10 March 2020](#)
- [IACHR, '2019 Annual Report of the Office of the Special Rapporteur for freedom of expression', 20 February 2020](#)
- [Freedom House – Brazil: Freedom on the net 2019.](#)
- [Article 19 - Violations of Freedom of Expression: 2018 Annual Report](#)

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Section 19 updated: 2 November 2020

19. Persons with disabilities

19.1.1 The USSD 2019 report stated

'The law prohibits discrimination against persons with physical and mental disabilities, and the federal government generally enforced these provisions. While federal and state laws mandate access to buildings for persons with disabilities, states did not enforce them effectively.

'The Inclusion of Persons with Disabilities Act, a legal framework on the rights of persons with disabilities, seeks to promote greater accessibility through expanded federal oversight of the City Statute (a law intended to foster the safety and wellbeing of urban citizens, among other objectives). The act also includes harsher criminal penalties for conviction of discrimination based on disability and inclusive health services with provision of services near residences and rural areas.

'The National Council for the Rights of Persons with Disabilities and the National Council for the Rights of the Elderly have primary responsibility for promoting the rights of persons with disabilities. The lack of accessible infrastructure and schools significantly limited the ability of persons with disabilities to participate in the workforce.

'Civil society organizations acknowledged monitoring and enforcement of disability policies remained weak and criticized a lack of accessibility to

¹⁰¹ Bertelsmann Stiftung's Transformation Index, ['2020 Brazil Country Report'](#), 2020

public transportation, weak application of employment quotas, and a limited medical based definition of disability that often excludes learning disabilities.¹⁰²

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Section 20 updated: 2 November 2020

20. Political opposition

20.1.1 The Freedom House 2020 Freedom in the World Report noted:

‘Brazil has an unfettered multiparty system marked by vigorous competition among rival parties. The electoral framework encourages the proliferation of parties, a number of which are based in a single state. Some parties display little ideological consistency. Party switching is common by members of Congress, rendering electoral coalitions fragile. The sheer number of parties means that the executive branch must piece together diverse and often ideologically incoherent coalitions to pass legislation. After a month of internal disputes in the PSL, Bolsonaro left the party to create a new one in November 2019, the Alliance for Brazil (APB).

‘Ahead of the 2018 elections, 35 parties were registered, 30 of which won seats in the lower chamber—the largest number of parties seated there since Brazil’s return to electoral politics in 1985. However, political parties operate with little transparency and under no governance rules. Independent candidates are not allowed to register and run for any office.

‘Opposition parties are able to compete freely and gain power through elections. Ahead of the 2018 polls, Bolsonaro’s former small, far-right PSL succeeded in attracting widespread support in a short amount of time.

‘Recent investigations into corruption have exposed how powerful business interests undermine democratic accountability by facilitating or encouraging corruption among elected officials. Criminal groups have carried out attacks against political candidates. Ongoing investigations of the 2018 assassination of councilwoman Marielle Franco revealed the growing power of militia groups in Rio de Janeiro State.’¹⁰³

20.1.2 A June 2020 article in The Brazilian Report noted:

‘For the majority of Jair Bolsonaro’s 17 months in office, the Brazilian president has governed without much of an opposition. The Workers’ Party – the main center-left force in Brazil – has struggled to make its mark as an opposition party, while the center-right has been divided among those who support the government’s libertarian agenda, and those who want to separate themselves from the administration, with one eye on the 2022 elections. So far, almost all of the crises facing the government have been self-inflicted. But the tide could be turning, as several forces scramble to create a broad popular front against Mr Bolsonaro, as political tensions boil over to levels unseen since Brazil’s return to democracy in 1985.

¹⁰² USSD report, [‘2019 Human Rights Practices Report’](#), 13 March 2020

¹⁰³ FH, [‘2020 Freedom in the World Report-Brazil’](#) (sections B1, B2 and B3), 4 March 2020

'...Bolsonaro's success in the 2018 election had a lot to do with the collapse of the center-right and the center-left, especially through the radicalization of the traditional center-right voter base.' ¹⁰⁴

20.1.3 A June 2020 BBC article noted:

'Brazil's handling of the pandemic has turned highly political.

'...At a time when Brazil needs to be putting all its efforts into fighting the virus, the president has been...been wrapped up in his own political battles.

'The Supreme Court is investigating allegations of disinformation and intimidation by his supporters. He is also being investigated over allegations that he interfered in federal police investigations to protect his family.

'Tensions between Mr Bolsonaro and the judiciary are high.

'...For those who oppose Mr Bolsonaro, the spectre of the military is worrying. He openly praises Brazil's two-decade-long military dictatorship. And he backs demonstrations calling for military intervention and an end to Congress and the Supreme Court.

'The role of the military has been strengthened in this pandemic - gone are not just one but two health ministers - both doctors - and in their place, Eduardo Pazuello, an interim minister who has no medical background, he is a general. He has since made several military appointees in the Ministry of Health.' ¹⁰⁵

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Section 21 updated: 2 November 2020

21. Prison conditions

21.1.1 The Institute for Crime and Justice Policy provided the overview data of the [World Prison Brief](#). The table below¹⁰⁶ by World Prison Brief shows the prison population trend from 2000 to 2018.

Year	Prison population total	Prison population rate (per 100,000 of national population)
2000	232,755	132
2002	239,345	132
2004	336,358	180
2006	401,236	209
2008	451,429	231
2010	496,251	249

¹⁰⁴ The Brazilian Report, '[Bolsonaro opposition struggles to bury the hatchet](#)', 7 June 2020

¹⁰⁵ BBC, '[Coronavirus: How pandemic turned political in Brazil](#)', 12 June 2020

¹⁰⁶ WPB, '[Brazil](#)', undated

2012	548,003	270
2014	622,202	301
2016	722,120	349
2018	744,216	354

- 21.1.2 The Freedom House 2020 Freedom in the World Report noted that ‘Conditions in Brazil’s severely overcrowded prisons are life-threatening, characterized by disease, a lack of adequate food, and deadly gang-related violence. Violence is more likely to affect poor, black prisoners. Wealthy inmates often enjoy better conditions than poorer prisoners.’¹⁰⁷
- 21.1.3 The Bertelsmann Stiftung Transformation Index (BSTI) Country Report for Brazil noted that ‘The prison system is anarchic, overcrowded and largely unfit for human habitation. Recurring mass killings in Brazil’s prisons are proof of the authorities’ failure to provide humane conditions and maintain control within the prisons. Many prisons are informally “privatized,” not run by representatives of the state, but rather by the very gangs they incarcerate.’¹⁰⁸
- 21.1.4 The USSD Human Rights report 2019 noted:
- ‘...General prison conditions were poor. There was a lack of potable water, inadequate nutrition, food contamination, rat and cockroach infestations, damp and dark cells, a lack of clothing and hygiene items, and poor sanitation. Deaths from preventable illnesses, such as meningitis and tuberculosis, accounted for 61 percent of prisoner deaths in the penitentiary system in the first half of 2017. One NGO, the Rio de Janeiro Mechanism for Torture Prevention, asserted that injured inmates were denied medication and proper medical treatment.
- ‘According to the Ministry of Health, prisoners were 28 times more likely to contract tuberculosis, compared with the general public. One detainee in Santa Catarina was diagnosed with tuberculosis and pneumonia after being held in crowded conditions and sleeping on the floor for 10 months due to lack of beds. He was denied medical treatment until one year after being diagnosed.
- ‘Between 2000 and 2016, the number of imprisoned women grew 656 percent. As of October, 80 percent of female inmates were mothers. In 2018 the Supreme Court granted a collective habeas corpus to all mothers, pregnant women, and those with custody of persons with disabilities if they had been convicted of a nonviolent crime and did not pose a serious threat to themselves or their dependents. In December 2018 this was reinforced by a law that establishes house arrest for pregnant women, mothers of children who are 12 or younger, or women responsible for persons with disabilities. Despite this decision the National Council of Justice found that as of

¹⁰⁷ FH, ‘[2020 Freedom in the World Report-Brazil](#)’ (section F3), 4 March 2020

¹⁰⁸ BSTI ‘[2020 Country Report-Brazil](#)’ (p11&12), 2020

January, there were 278 pregnant and 141 breastfeeding inmates in the prison system. There were reports of violence committed against pregnant female inmates.

'Prisoners convicted of petty crimes frequently were held with murderers and other violent criminals. Authorities attempted to hold pretrial detainees separately from convicted prisoners, but lack of space often required placing convicted criminals in pretrial detention facilities. In many prisons, including those in the Federal District, officials attempted to separate violent offenders from other inmates and keep convicted drug traffickers in a wing apart from the rest of the prison population. Multiple sources reported adolescents were held with adults in poor and crowded conditions.

'Prisons suffered from insufficient staffing and lack of control over inmates. Violence was rampant in prison facilities. In 2018, according to the National Council of the Public Ministry, 495 prisoners were killed while in custody. According to the National Penitentiary Department, in 2017 the prison homicide rate was 48 per 100,000 prisoners. During the same period, the national homicide rate was 31 per 100,000, according to the Institute of Economic and Applied Research. In addition to poor administration of the prison system, overcrowding, the presence of gangs, and corruption contributed to violence. Media reports indicated incarcerated leaders of major criminal gangs continued to control their expanding transnational criminal enterprises from inside prisons.

'Multiple prison riots throughout the year led to the deaths of inmates. A riot at the Altamira Regional Recovery Center in Para in July was the second-largest riot in a single prison in the country's history and left 57 dead, including 16 inmates who were beheaded. The riot was allegedly the result of a factional fight between rival criminal organizations that began when detainees of one criminal faction broke into a prison annex that held members of a rival group and set fire to the building. In response to several allegations of torture in Para prisons, the Federal Public Ministry filed an action of administrative misconduct. In response to the allegations of torture, in October the National Penitentiary Department announced plans to purchase body cameras for correctional officers in prisons.'¹⁰⁹

21.1.5 For more information on prison conditions see:

- [British Medical Journal, 'Covid-19: Prisons exposed in Brazil's crisis', 21 July 2020](#)
- [FCDO Brazil - Prisoner pack](#)
- [HRW – 2020 World Report – Brazil.](#)
- [HRW - 'Brazil: Mothers at Risk of Illegal Detention', 10 May 2019](#)
- [USSD, '2019 Human Rights Practices Report', 2020](#)

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Section 22 updated: 2 November 2020

¹⁰⁹ USSD report, ['2019 Human Rights Practices Report'](#) (section 1c), 13 March 2020

22. Religious minorities

22.1.1 The US State Department (USSD) 2019 Report on International Religious Freedom for Brazil noted:

'The constitution states freedom of conscience and belief is inviolable, and it provides for the free exercise of religious beliefs. The constitution prohibits federal, state, and local governments from either supporting or hindering any religion.

'...According to the 2010 census, 65 percent of the population is Catholic, 22 percent Protestant, 8 percent irreligious (including atheists, agnostics, and deists), and 2 percent Spiritist. Adherents of other Christian groups, including Jehovah's Witnesses, the Church of Jesus Christ, Seventh-day Adventists, as well as followers of non-Christian religions, including Buddhists, Jews, Muslims, Hindus, and Afro-Brazilian and syncretic religious groups such as Candomble and Umbanda, make up a combined 3 percent of the population. According to the census, there are 588,797 practitioners of Candomble, Umbanda, and other Afro-Brazilian religions, and some Christians also practice Candomble and Umbanda. According to a nonrepresentative 2017 survey of 1,000 persons older than age 18 by researchers at the University of Sao Paulo, 44 percent of Brazilians consider themselves followers of more than one religion.

'According to the 2010 census, approximately 35,200 Muslims live in the country, while the Federation of Muslim Associations of Brazil estimates the number to be 1.2 to 1.5 million. The largest communities reside in Sao Paulo, Rio de Janeiro, Curitiba, and Foz do Iguazu, as well as in smaller cities in the states of Parana and Rio Grande do Sul.

'According to the Jewish Confederation of Brazil, there are approximately 125,000 Jews. The two largest concentrations are 65,000 in Sao Paulo State and 29,000 in Rio de Janeiro State.

'...According to national human rights hotline data and other sources, societal respect for practitioners of minority religions continued to be weak, and violent attacks on Afro-Brazilian places of worship, known as terreiros, continued. Although less than 1 percent of the population follows Afro-Brazilian religions, 30 percent of the cases registered by the human rights hotline involved victims who were practitioners of Afro-Brazilian religions. According to the National Secretariat of Human Rights of the Ministry of Women, Family, and Human Rights, the national human rights hotline received 506 reports of religious intolerance in 2018, compared with 537 in 2017. From April to August, media reported members of criminal organizations attacked several terreiros in the Baixada Fluminense region of Rio de Janeiro State, expelling religious followers and preventing Afro-Brazilian religious services. On June 13, Rio de Janeiro police officers from four different police stations, including the Rio de Janeiro Civil Police Office for Racial Crimes and Crimes of Intolerance (DECRADI), launched an operation to detain individuals who participated in the attacks and arrested eight individuals.'¹¹⁰

¹¹⁰ US State Department (USSD) '[2019 Report on International Religious Freedom](#)', 10 June 2020

22.1.2 For more information on religious minorities see:

- [Brazil Business – All about religions in Brazil](#)
- [The Rio Times, 'Brazil Records over 500 Cases of Religious Intolerance in 2018', 14 June 2019](#)
- [The Conversation, 'Evangelical gangs in Rio de Janeiro wage 'holy war' on afro-Brazilian faiths', 16 December 2019](#)

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Section 23 updated: 2 November 2020

23. Sexual orientation and gender identity and expression

23.1.1 The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) 2019 State-Sponsored Homophobia Report noted:

'The first Criminal Code of Brazil [from 1831] contained no provision on sodomy. However, it has been indicated that other provisions of that Code were used to persecute persons who engaged in same sex sexual acts.

'In 2015 the Supreme Court of Brazil declared that the expressions "pederasty or not" and "homosexual or not" under article 235 of the 1969 Military Penal Code are not constitutional. These provisions had been used to restrict same-sex activity.

'...At the federal level, there is no law prohibiting discrimination on the basis of sexual orientation in broad terms.

'However, around 70% of the population resides in jurisdictions where local laws provide for such protection. Several jurisdictions have enacted laws banning discrimination based on sexual orientation with varying levels of protection: Amapá (2009); Amazonas (2006); Distrito Federal (2000); Espírito Santo (2014); Maranhão (2006); Mato Grosso do Sul (2006); Minas Gerais (2002); Pará (2007); Paraíba (2003); Piauí (2004); Rio de Janeiro (2015); Rio Grande do Norte (2007); Rio Grande do Sul (2002); Rondônia (2018); Santa Catarina (2003); São Paulo (2001); as well as a number of cities such as Fortaleza (1998), Recife (2002) and Vitória (2014).

'...On June 13, 2019, the Federal Supreme Court ruled that Brazil's Law on crimes motivated by racial prejudice (Law No. 7,761) will encompass crimes motivated by the victim's sexual orientation and gender identity until the National Congress drafts a more specific law.² Under Article 20 of this law, incitement to hatred is criminalised.

'Furthermore, several jurisdictions have enacted local administrative (non-criminal) provisions that proscribe incitement explicitly mentioning "sexual orientation": Amazonas (2006); Mato Grosso do Sul (2005); Pará (2011); Paraíba (2003); Rio de Janeiro (2015); and the city of Recife (Pernambuco).

'...Resolution No. 175 (2013) issued by the National Council of Justice states that notaries can no longer refuse to register same sex marriage. Previously in May 2011, the Supreme Federal Court of Brazil had issued a decision indicating that same-sex "stable unions" should be converted to marriage and recommended the Congress to do so though no legislative action has been taken so far. Another decision recognised same-sex

couples living in “stable unions” as “family units” and entitled to the same rights as heterosexual couples living in that kind of unions.’¹¹¹

23.1.2 The Freedom House 2020 Freedom in the World Report noted:

‘Although Brazil has a largely tolerant society, it reportedly has one of the world’s highest levels of violence against LGBT+ people. According to Grupo Gay da Bahia, an LGBT+ advocacy organization, 420 LGBT+ people were killed in 2018 as a result of homophobic violence, marking a 6 percent decrease from the group’s figures for the previous year. The same group reported that 141 LGBT+ people were killed under the same circumstances in the first five months of 2019.’¹¹²

23.1.3 The Human Rights Watch 2020 World Report covering events in 2019 noted:

‘President Bolsonaro has made homophobic statements and sought to restrict the rights of lesbian, gay, bisexual, and transgender (LGBT) people.

‘President Bolsonaro said in April that Brazil must not become a “gay tourism paradise” and said in August that families are only those made of a man and a woman. In September, Brazil’s Supreme Court reaffirmed that same-sex unions are families.

‘The Bolsonaro administration suspended public funding for four films addressing LGBT issues and the mayor of Rio de Janeiro banned a comic showing two men kissing. The Supreme Court ruled the mayor’s actions illegal.

‘In January, Jean Wyllys, an advocate of LGBT rights who had received death threats, resigned his seat in Congress, fearing for his life. He was replaced by David Miranda, who, like Wyllys, is openly gay and has also reported receiving death threats.’¹¹³

23.1.4 The USSD Human Rights report 2019 noted:

‘NGOs cited lack of economic opportunity for LGBTI persons as a concern. According to the NGO Grupo Gay da Bahia, 33 percent of companies avoided hiring LGBTI employees and 90 percent of transgender women survived through prostitution because they could find no other employment alternative.

‘Violence against LGBTI individuals was also a serious concern. The Federal Public Ministry is responsible for registering reports of crimes committed on the basis of gender or sexual orientation but reportedly was slow to respond... Transgender individuals were particularly at risk of being the victims of crime or committing suicide. According to the NGO Grupo Gay da Bahia, the risk of a transgender person being killed was 17 times greater than a gay person. According to the National Association of Transvestites and Transsexuals in Brazil, in partnership with the Brazilian Institute of Trans Education, there were 163 killings of transgender persons in 2018. Police arrested suspects in only 9 percent of the cases.’¹¹⁴

¹¹¹ ILGA, [‘State-Sponsored Homophobia, Global Legislation’](#) (p 33,90, 124 & 140), December 2019

¹¹² FH, [‘2020 Freedom in the World Report-Brazil’](#) (section 4), 4 March 2020

¹¹³ Human Rights Watch, [‘2020 World Report-Brazil’](#), 14 January 2020

¹¹⁴ USSD report, [‘2019 Human Rights Practices Report’](#) (section 6), 13 March 2020

23.1.5 For more information see:

- [Brazil: 420 violent deaths against LGBTQ in 2018](#)
- [The Guardian: Violent deaths of LGBT people in Brazil hit all-time high, January 2019](#)
- [Human Rights Watch, '2020 World Report-Brazil', 14 January 2020](#)
- [CTV News: 'Huge crowds for LGBT pride parade in Brazil's biggest city', 23 June 2019](#)
- [Reuters: 'We stand and we resist' says head of Brazil's first LGBT+ bank', 14 November 2019](#)
- [Transnational Queer Underground, 'LGBT Organisations Brazil', 19 June 2016](#)
- [France24: Homotransphobia: Brazil's LGBT community finds refuge in Portugal, 21 June 2019](#)
- [OASC Brazil: Crime and safety reports](#)

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Section 24 updated: 2 November 2020

24. Women

24.1 Legal and socio-economic position

24.1.1 A report by the Wilson Center from 2019 noted that 'The status of women in Brazil is emblematic of the country's internal tensions. Brazil is a country where a woman can become president; yet it also has one of the highest rates of femicide—the killing of women due to their gender—in the world.'¹¹⁵

24.1.2 The Freedom House 2020 Freedom in the World Report noted that 'The constitution guarantees equal rights without prejudice, but some groups have greater political representation than others. Afro-Brazilians and women and their interests remain underrepresented in electoral politics and in government. As a result of the 2018 elections, women hold 15 percent of seats in the Chamber of Deputies, and 16 percent in the Senate. However, Bolsonaro's cabinet has only 2 of 22 chairs headed by women.'¹¹⁶

24.1.3 Bertelsmann Stiftung's Transformation Index 2020 stated 'The gender gap in terms of economic opportunity seems to be narrowing, but women remain at a substantial disadvantage. In 2017, Brazil had a Gender Inequality Index value of 0.407, ranking it 94 out of 160 countries.'¹¹⁷

24.1.4 For more information see:

- [OECD, 'Social Institutions and Gender Index – Brazil Profile, 2019](#)
- [Wilson Center, 'A Snapshot of the Status of Women in Brazil: 2019'](#)

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¹¹⁵ Wilson Center, '[A Snapshot of the Status of Women in Brazil: 2019](#)' (p3), 2019

¹¹⁶ FH, '[2020 Freedom in the World Report-Brazil](#)' (section B4), 4 March 2020

¹¹⁷ Bertelsmann Stiftung's Transformation Index, '[2020 Brazil Country Report](#)' (p17), 2020.

24.2 Gender based violence

24.2.1 The International Journal for Crime, Justice and Social Democracy featured an article - Facing domestic violence against women in Brazil: Advances and challenges, noting:

‘Intimate partner homicides are epidemic in Brazil: there are four deaths of women per day. In 2006, the Maria da Penha Law (MPL) introduced integrated polices and transformed criminal procedures to deal with the complexities of gender violence. Reforms included the establishment of The House of Brazilian Women, women-only police stations, specialised courts, intervention orders, interdisciplinary experts, and perpetrator programs. In 2015, a new law created the crime of femicide, designed to prevent ‘honor killings’ defenses in cases of intimate partner homicide and to avoid impunity. Despite law reform, structuring and articulating the network of services remains a challenge. The MPL led to great social change in Brazil regarding awareness of the violence against women, facilitating a broader discussion about gender equality.’¹¹⁸

24.2.2 The Human Rights Watch 2020 World Report noted:

‘Brazil made important progress in fighting domestic violence with the adoption of the 2006 “Maria da Penha” law [criminalizes physical, psychological, and sexual violence against women], but implementation is lagging. Only 8 percent of municipalities had police stations specializing in violence against women and about 2 percent operated women’s shelters in 2018. One million cases of domestic violence were pending before the courts in 2018, including 4,400 femicides, defined under Brazilian law as the killing of a women “on account of being persons of the female sex.”’¹¹⁹

24.2.3 The USSD Human Rights report 2019 noted:

‘The law criminalizes rape of men or women, including spousal rape. In addition, the Maria da Penha Law criminalizes physical, psychological, and sexual violence against women, as well as defamation and damage to property or finances by someone with whom the victim has a marriage, family, or intimate relationship. Persons convicted of killing a woman or girl in cases of domestic violence may be sentenced to 12 to 30 years in prison.

‘According to NGOs and public security data, domestic violence was widespread. According to the 13th Public Safety Yearbook released annually by the Brazilian Public Security Forum, there were 66,000 cases of rape in 2018. In cases of femicide, the killer was a partner or former partner of the victim 89 percent of the time.

‘...The federal government maintained a toll-free nationwide hotline for women to report instances of intimate partner violence. Hotline operators have the authority to mobilize military police units to respond to such reports and follow up regarding the status of the case.

¹¹⁸ IJCJ&SD, Avila TP, ‘[Facing domestic violence against women in Brazil: Advances and...](#)’, 2018

¹¹⁹ Human Rights Watch, ‘[2020 World Report-Brazil](#)’, 14 January 2020

‘NGO and public security representatives claimed that culturally, domestic violence was often viewed as a private matter. Oftentimes bystanders either did not report cases of violence or waited until it was too late.

‘...Each state secretariat for public security operated police stations dedicated exclusively to addressing crimes against women. State and local governments also operated reference centers and temporary women’s shelters, and many states maintained domestic violence hotlines. Despite these protections, allegations of domestic violence were not always treated as credible by police; a study in the state of Rio Grande do Sul found 40 percent of femicide victims had previously sought police protection.

‘The law requires health facilities to contact police regarding cases in which a woman was harmed physically, sexually, or psychologically and to collect evidence and statements should the victim decide to prosecute.

‘During the first half of the year, Congress introduced more than 150 bills related to domestic violence and other issues concerning gender equality. The record number of proposals sought to strengthen criminal penalties, prohibit convicted abusers from taking public office or carrying firearms, and criminalize conduct such as stalking and psychological violence. On October 9, President Bolsonaro approved a law that allows authorities to seize firearms registered to those accused of domestic violence.’¹²⁰

24.2.4 For more information see:

- [Inter-American Commission on Human Rights \(IACHR\) – IACHR Expresses deep concern over alarming prevalence of gender-based killings of women in Brazil.](#)
- [International Journal for Crime, Justice and Social Democracy, Avila TP, ‘Facing domestic violence against women in Brazil: Advances and challenges, 2018](#)

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24.3 Sexual harassment

24.3.1 The USSD Human Rights report 2019 noted:

‘Sexual harassment is a criminal offense, punishable by up to two years in prison, but it was seldom pursued. A law that went into effect in September 2018 broadens the definition of sexual harassment to include actions performed outside the workplace. NGOs reported sexual harassment was a serious concern, and perpetrators were infrequently held accountable. A study conducted by research institutes Patricia Galvao and Locomotiva with support from Uber found that 97 percent of women had experienced sexual harassment on public transportation, in taxis, or while using a rideshare application.

‘Sexual harassment was also prevalent at public events such as concerts and during Carnival street festivals. The 2019 Carnival celebration was the first one in which sexual harassment was illegal, and police departments

¹²⁰ USSD report, [‘2019 Human Rights Practices Report’](#) (section 6), 13 March 2020

throughout the country distributed rape whistles and informed Carnival-goers of the women-only police stations and the sexual assault hotline.’¹²¹

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24.4 Maternity and abortion

24.4.1 The Wilson Center report noted:

‘Brazil’s maternal mortality rate (MMR) is forty-four maternal deaths per 100,000 live births, far above the rate of twenty maternal deaths per 100,000 live births that the World Health Organization (WHO) deems acceptable.

‘In Brazil, 68 percent of maternal deaths are due to unspecified obstetric conditions; hypertensive disorders due to pregnancy, delivery, and postpartum; and labor and delivery complications. Another 13 percent of maternal deaths are due to complications predominantly related to the postpartum period, and complications from unsafe abortions contribute to up to 12 percent of maternal deaths.

‘These numbers can be explained in part by delays that slow women’s access to care: the delay in deciding to seek care, the delay in traveling to a care facility, and the delay in receiving quality care once at a facility. Poor women and women living in remote areas face the greatest challenges in seeking and receiving quality care. Brazil’s high rate of CS [Caesarian Section] and unsafe abortions contribute to high rates of maternal death.

‘...Caesarian deliveries, in Brazil, are associated with an almost threefold higher risk of postpartum maternal death compared with vaginal delivery mainly due to deaths from postpartum hemorrhage and anesthesia complications.

‘Yet in stark contrast, some women are dying in Brazil due to a lack of access to medical professionals who can perform a CS. Women in remote areas or poorer women are less able to procure a CS even when medically necessary because they cannot pay for travel to or deliveries in private hospitals.

‘Brazil’s strict anti-abortion laws allow abortions in only certain cases of rape, fetal abnormality, or life-threatening pregnancy. Illegal abortions, which tend to be unsafe, accounted for the majority of the over 200,000 hospitalizations that were due to abortion-related complications in 2015. Since abortion is restricted, it is hard for women to receive proper post-abortion care, which can affect the severity of post-abortion complications.’¹²²

24.4.2 The Human Rights Watch 2020 World Report noted:

‘Abortion is legal in Brazil only in cases of rape, to save a woman’s life, or when the fetus suffers from anencephaly, a fatal congenital brain disorder. Article 19, an NGO, contacted the hospitals the government lists as performing legal abortions in 2019, and found the majority did not, in fact, perform them.

¹²¹ USSD report, ‘[2019 Human Rights Practices Report](#)’ (section 6), 13 March 2020

¹²² Wilson Center, ‘[A Snapshot of the Status of Women in Brazil: 2019](#)’ (p.8, 9 and 10), 2019

'Women and girls who have clandestine abortions not only risk injury and death but face up to three years in prison, while people convicted of performing illegal abortions face up to four years.

'An outbreak of the Zika virus in 2015-2016 caused particular harm to women and girls. When a pregnant woman is infected, Zika can cause complications in fetal development, including of the brain. In September, the government established a lifelong monthly payment to low-income children affected with Zika whose families agree not to file Zika-related suits against the government.

'In July, the Federal Council of Medicine published a resolution giving doctors the power to conduct procedures on pregnant women without their consent, even if no imminent risk of death exists. Federal prosecutors argued that the rule may lead to unnecessary cesarean deliveries, and to procedures not recommended by the World Health Organization when performed on a routine basis, such as episiotomy.'¹²³

24.4.3 See also CPIN [Brazil: Actors of Protection](#)

24.4.4 For more information on Women see:

- [Freedom House – 2020 Freedom in the World Report - Brazil](#)
- [HRW – 2020 World Report – Brazil.](#)
- [IRCB National documentation packages: Brazil](#)
- [Inter-American Commission on Human Rights \(IACHR\) – IACHR Expresses deep concern over alarming prevalence of gender-based killings of women in Brazil.](#)
- [International Journal for Crime, Justice and Social Democracy, Avila TP, 'Facing domestic violence against women in Brazil: Advances and challenges, 2018](#)
- [OECD, 'Social Institutions and Gender Index – Brazil Profile, 2019](#)
- [USSD, '2019 Human Rights Practices Report', 2020](#)
- [Wilson Center, 'A Snapshot of the Status of Women in Brazil: 2019'](#)

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¹²³ Human Rights Watch, '[2020 World Report-Brazil](#)', 14 January

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the country information section. The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- History
- Geography and demography
- Constitution
- Political system
- Socio-economic indicators
- Media and telecommunications
- Citizenship and nationality
- Corruption
- Freedom of movement
- Official documents
- Returns
- Children
- Religious minorities
- Sexual orientation and gender identity and expression
- Women
- Crime/gangs
- Journalists/bloggers
- Political opposition
- Prison conditions
- Ethnic groups
- Civil society
- Covid-19

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Foreign Commonwealth and Development Office,

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[‘Brazil Travel Advice-Health’](#), 31 July 2020. Last accessed: 3 August 2020

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The Guardian, [‘Brazil gangs impose strict curfews to slow coronavirus spread’](#), 25 March 2020. Last accessed: 8 September 2020

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Version control

Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **11 November 2020**

Changes from last version of this note

First version

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