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**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE  
ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Brazil\***

The present report is a compilation of the information contained in the reports of treaty bodies, special procedure, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the High Commissioner for Human Rights (OHCHR) other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. The information included herein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being four years, most of the documents used as reference are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have also been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty, and/or to a low level of interaction or cooperation with international human rights mechanisms.

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\* The information and references contained in the present document have not been verified by United Nations editors prior to submission for translation.

## I. BACKGROUND AND FRAMEWORK

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	27 Mar. 1968	None	Individual complaints (art. 14): Yes
ICESCR	24 Jan. 1992	None	-
ICCPR	24 Jan. 1992	None	Inter-State complaints (art. 41): No
CEDAW	1 Feb. 1984	Art. 29 (1)	-
OP-CEDAW	28 June 2002	None	Inquiry procedure (arts. 8 and 9): Yes
CAT	28 Sept. 1989	None	Inter-State complaints (art. 21): No Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
OP-CAT	12 Jan. 2007	None	-
CRC	24 Sept. 1990	None	-
CRC-OP-AC	27 Jan. 2004	Art. 3 (2)	-
CRC-OP-SC	27 Jan. 2004	None	-
<i>Core treaties to which Brazil is not a party: ICCPR-OP1, ICCPR-OP2, ICRMW, CED (signature only, 2007), CPD (signature only, 2007), OP-CPD (signature only, 2007).</i>			
<i>Other main relevant international instruments<sup>3</sup></i>	<i>Ratification, accession or succession</i>		
Rome Statute of the International Criminal Court	Yes		
Palermo Protocol <sup>4</sup>	Yes		
Refugees and stateless persons <sup>5</sup>	Yes		
Convention on the Prevention and Punishment of the Crime of Genocide	Yes		
Geneva Conventions and the Additional Protocols <sup>6</sup>	Yes, except Protocol III		
ILO fundamental treaties <sup>7</sup>	Yes, except Nos. 87, 98, 29 and 105		
UNESCO Convention against Discrimination in Education	No		

1. The Committee on the Elimination of Discrimination against Women (CEDAW) encouraged the State to consider ratifying ICRMW.<sup>8</sup> In its voluntary pledges to the Human Rights Council,<sup>9</sup> Brazil committed to consider adhering to ICCPR-OP1 and OP2.

### B. Constitutional and legislative framework

2. The Committee on Economic, Social and Cultural Rights (CESCR) noted with appreciation that the Constitution incorporates a wide range of human rights, including a number of the economic, social and cultural rights enshrined in ICESCR, as also noted by UNESCO.<sup>10</sup> The Special Rapporteur on the sale of children, child prostitution and child pornography noted that the

Constitution gives absolute priority to children's rights.<sup>11</sup> The Committee on Rights of the Child (CRC) welcomed the fact that the Constitution also criminalizes acts of racism.<sup>12</sup> UNHCR noted as a positive development the adoption of Constitutional Amendment No. 54 of 20 September 2007, which grants Brazilian nationality to children born to a Brazilian parent living abroad once they are registered with a Brazilian consulate.<sup>13</sup> In 2005, the Human Rights Committee (HR Committee) was concerned about the ineffectiveness of a new mechanism in the Constitution allowing the Prosecutor-General of the Republic to seek the transfer of certain human rights violations from State to federal jurisdiction. Brazil should ensure that the constitutional safeguard of federalization of human rights crimes becomes an efficient and practical mechanism.<sup>14</sup>

3. Two treaty bodies welcomed the adoption of laws by Brazil in favour of the principle of equality between men and women, such as the new Civil Code<sup>15</sup> and Law 11340 of 2006 on Domestic and Family Violence against Women.<sup>16</sup> It was also noted in a United Nations Development Fund for Women (UNIFEM) document that the latter law resulted from an extensive process of consultation.<sup>17</sup> The Committee on the Elimination of Racial Discrimination (CERD) noted that Law No. 7716 of 1989 was amended to expand its scope to acts arising not only from discrimination based on race or colour, but also on ethnicity, religion or nationality.<sup>18</sup> The Committee against Torture (CAT) noted with satisfaction the 1997 Torture Act criminalizing torture.<sup>19</sup>

### **C. Institutional and human rights structure**

4. Five committees welcomed the establishment of bodies intended to enhance respect for human rights,<sup>20</sup> such as the National Human Rights Secretariat.<sup>21</sup> However the HR Committee regretted in 2005 the proposed significant reduction in the budget of the Secretariat. It recommended that the State strengthen the Secretariat and provide it with adequate resources.<sup>22</sup> The HR Committee and CAT welcomed institutional measures to protect human rights in Brazil.<sup>23</sup> CERD and the HR Committee noted the establishment of specialized institutions to combat racial discrimination<sup>24</sup> and slave labour.<sup>25</sup> CRC and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommended establishing an independent and effective mechanism in accordance with the Paris Principles.<sup>26</sup>

### **D. Policy measures**

5. The Special Representative of the Secretary-General on the situation of human rights defenders appreciated the initiatives that the Government has taken to give prominence to the promotion and protection of human rights.<sup>27</sup> Five treaty bodies welcomed policies and programmes in Brazil in critical areas of women's lives,<sup>28</sup> in the fields of combating discrimination<sup>29</sup> and child labour.<sup>30</sup> CRC encouraged Brazil to ensure that the National Plan of Action for 2004-2007 covers all areas of the rights of the child.<sup>31</sup> CEDAW recommended that Brazil fully implement its National Policy for Fighting Trafficking in Persons and complete, without delay, the elaboration of the national plan on trafficking in persons, which should include a gender, race and age dimension.<sup>32</sup> While noting the adoption of various programmes and plans to promote human rights, the HR Committee regretted the general absence of specific data to permit evaluation of their practical enjoyment.<sup>33</sup>

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>34</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2003	Mar. 2004		Eighteenth to twentieth reports due in 2008
CESCR	2001	May 2003		Second report received in 2007
HR Committee	2004	Nov. 2005	Overdue since 2006	Third report due in 2009
CEDAW	2006	July 2007		Seventh report due in 2009
CAT	2000	May 2001		Second to fifth reports overdue since 1994, 1998, 2002 and 2006 respectively
CRC	2003	Oct. 2004		Second to fourth periodic reports due in 2007
CRC-OP-AC		-		Initial report overdue since 2006
CRC-OP-SC		-		Initial report overdue since 2006

6. In 2008, CAT made public the documents related to the procedure engaged with Brazil under article 20 of the Convention. Brazil fully cooperated with the Committee during the visit that took place in July 2005. It replied to the Committee in 2006 and updated it on steps undertaken to implement the recommendations of the Committee.<sup>35</sup> In 2006 and 2007, CERD sent letters to the Government in relation to the situation of indigenous peoples in the Indigenous Land of Raposa Serra do Sol of the State of Roraima.<sup>36</sup> In its letter dated 24 August 2007, CERD thanked Brazil for its responses but remained extremely concerned about the issue. It requested the Government to provide information on recommendations made in this respect no later than 30 November 2007, in order to decide further on any action to be taken under its early warning and urgent action procedure.<sup>37</sup>

#### 2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes
<i>Latest visits and mission reports</i>	Special Rapporteur on toxic wastes (20-28 June 1998); <sup>38</sup> Special Rapporteur on the question of torture (20 August-12 September 2000); <sup>39</sup> Special Rapporteur on the right to food (1-18 March 2002); <sup>40</sup> Special Rapporteur on the sale of children, child prostitution and child pornography (2003); <sup>41</sup> Special Rapporteur on extrajudicial, summary or arbitrary executions (16 August-8 October 2003); <sup>42</sup> Special Rapporteur on adequate housing (30 May-13 June 2004); <sup>43</sup> Special Rapporteur on the independence of judges and lawyers (13-22 October 2004); <sup>44</sup> Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance (13-20 October 2005); <sup>45</sup> Special Representative of the Secretary-General on the situation of human rights defenders (5-12 December 2005) <sup>46</sup>
<i>Follow-up to visits</i>	The Special Rapporteur on adequate housing was invited by Brazilian officials to undertake a follow-up mission during the interactive dialogue at the fifth session of the Human Rights Council. The Special Rapporteur on extrajudicial, summary or arbitrary executions made a follow-up visit from 4 to 14 November 2007. <sup>47</sup>

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<i>Facilitation/cooperation during missions</i>	<p>The Special Rapporteur on the sale of children, child prostitution and child pornography thanked the Government for the commendable support provided in the organization of his visit.<sup>48</sup></p> <p>The Special Rapporteur on adequate housing was impressed by the dedication, preparedness and mobilization demonstrated by the authorities during his mission.<sup>49</sup></p> <p>The Special Rapporteur on the independence of judges and lawyers thanked the Brazilian authorities for their cooperation, and particularly for the assistance provided by the Special Secretariat for Human Rights, during his official visit.<sup>50</sup></p> <p>The Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance was able to carry out his visit in very good conditions thanks to the cooperation and excellent logistical support of the Brazilian authorities.<sup>51</sup></p> <p>In 2003, the Special Rapporteur on extrajudicial, summary or arbitrary executions thanked the Government for its unprecedented cooperation. She noted with appreciation that the President of Brazil took a personal interest in her mission and met with her at its end. However, she deeply deplored the killing of two witnesses whom she interviewed during her visit. She expressed serious concerns over what could be considered as acts of reprisals.<sup>52</sup> In 2007, during a follow-up visit, the Special Rapporteur stated that the Government's invitation reflects a clear commitment to transparency and to living up to its human rights obligations.<sup>53</sup></p>
<i>Responses to letters of allegation and urgent appeals</i>	<p>In 2004, 2005, 2006 and 2007, special procedures sent respectively 16, 21, 12 and 1 communications (letter of allegations and urgent appeals). A total of 69 individuals were covered by these communications, including 17 women. In 2004 and 2005, Brazil responded to two letters each year, in 2006 to three letters and in 2007 it responded to the only letter sent. Brazil replied to 12.5 per cent of the communications sent in 2004, 9.5 per cent in 2005, 25 per cent in 2006 and 100 per cent in 2007.</p>
<i>Responses to questionnaires on thematic issues<sup>54</sup></i>	<p>The Government of Brazil responded to 3 of the 12 questionnaires sent by special procedures mandate-holders since 1 January 2004,<sup>55</sup> within the time limit.<sup>56</sup></p>

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### **3. Cooperation with the Office of the High Commissioner for Human Rights**

7. In December 2007, the High Commissioner for Human Rights undertook an official visit to the country.<sup>57</sup> Brazil has been financially contributing to the three humanitarian trust funds<sup>58</sup> and to OHCHR. In July 2006, Brazil hosted the Regional Conference of the Americas on the progress and challenges of the Durban Declaration and Programme of Action. Brazil also presented its candidature to host the 2008 preparatory regional conference for the 2009 Durban Review Conference.<sup>59</sup>

#### **B. Implementation of international human rights obligations**

##### **1. Equality and non-discrimination**

8. CESCR was concerned about widespread discrimination against women.<sup>60</sup> CEDAW expressed concern about the persistent gap between the de jure and de facto equality between women and men<sup>61</sup> and about the fragile capacity of the gender equality mechanisms in some States in terms of coordination and monitoring.<sup>62</sup> Recommendations included strengthening those mechanisms,<sup>63</sup> ensuring full implementation of laws, plans and policies and providing regular, effective monitoring and impact assessment.<sup>64</sup> CESCR also requested that relevant policies be adopted on the basis of equal pay for work of equal value and that the wage gap between men and women be reduced.<sup>65</sup>

9. Discrimination faced by some ethnic groups raised concerns for CESCR in 2003, and CERD and CRC in 2004. The latter was concerned about some cultural and social practices and by the persistence of unequal social development in regions, specifically in the north and north-east.<sup>66</sup> CESCR expressed concerns about the widespread and deeply rooted discrimination against Afro-Brazilians, indigenous peoples and minorities.<sup>67</sup> CRC urged Brazil to ensure the implementation of existing laws and policies guaranteeing the principle of non-discrimination, and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.<sup>68</sup> Recommendations included providing statistical information on racist crimes<sup>69</sup> and taking urgent measures to ensure equal opportunity for Afro-Brazilians, indigenous peoples and minority groups such as Gypsies and the Quilombo communities, especially in the fields of employment, health and education.<sup>70</sup>

## **2. Right to life, liberty and security of the person**

10. In 2007, the Special Rapporteur on extrajudicial, summary or arbitrary executions noted that homicide is the leading cause of death for persons aged 15 to 44, with 45,000 to 50,000 homicides committed every year. Victims are overwhelmingly young, male, black, and poor. Main problems included high rates of impunity; violent killings by individuals; lethal confrontations between drug traffickers and other gangs; killings by vigilante groups, death squads, extermination groups and militias; killings in prison; and killings of police and by police.<sup>71</sup> The Special Rapporteur stressed the distinction between extrajudicial executions by on-duty and off-duty police.<sup>72</sup> The HR Committee was concerned about the widespread use of excessive force by law enforcement officials.<sup>73</sup> It also expressed concern at widespread reports of threats against and murders of rural leaders, human rights defenders, witnesses, police ombudsmen and judges,<sup>74</sup> as well as about the extrajudicial execution of suspects.<sup>75</sup> Furthermore, CRC remained extremely concerned at the number of children murdered.<sup>76</sup> The Special Representative of the Secretary-General on the situation of human rights defenders was perturbed by the numerous accounts of assassinations, attempts on their lives and threats.<sup>77</sup> Recommendations included implementing witness protection programmes.<sup>78</sup> The Special Rapporteur on extrajudicial, summary or arbitrary executions stressed that the police forces require genuine external and internal oversight as the police ombudsmen lack true independence in many States.<sup>79</sup>

11. While noting in 2004 that the 1997 Law on Torture, the Penal Code and the Statute of the Child and Adolescent strongly prohibit torture and ill-treatment, CRC expressed deep concern regarding the gap between the law and its implementation, as a significant number of cases of torture, inhuman and degrading treatment have been reported over the last years, including by the Special Rapporteur on the question of torture.<sup>80</sup> In 2005, CAT stated that tens of thousands of persons were still held in *delegacias* (police stations) and elsewhere in the penitentiary system where torture and similar ill-treatment continues to be “meted out on a widespread and systematic basis”, according to the Special Rapporteur on the question of torture in 2001.<sup>81</sup> The HR Committee was concerned about the use of torture to extract confessions from suspects and the ill-treatment of detainees in police custody.<sup>82</sup> CAT also stated in 2005 that judges do not apply the law on the crime of torture and prefer to classify cases as bodily harm or abuse of authority.<sup>83</sup> CAT recommended that the law on torture be interpreted in conformity with article 1 of the Convention<sup>84</sup> and that complaints alleging torture by public officials should be promptly, fully and impartially investigated and offenders prosecuted.<sup>85</sup>

12. While commending Brazil for the enactment of legislation against domestic violence, CEDAW was concerned in 2007 that violence against women and girls is widespread and underreported.<sup>86</sup> The HR Committee, in 2005, expressed concern about the lack of information on the incidence of domestic violence.<sup>87</sup>

13. In 2004, CRC expressed its concern that corporal punishment is widely practised and that no explicit legislation exists to prohibit it. It recommended that the State prohibit corporal punishment in the family, school and penal institutions, and that it undertake campaigns that educate parents on alternative forms of discipline.<sup>88</sup> CRC was also deeply concerned at the high number of child victims of violence, abuse and neglect, including sexual abuse, in schools and other institutions, public places and in the family. Recommendations included establishing effective child-sensitive procedures and preventive mechanisms to receive, monitor and investigate complaints, in addition to existing procedures.<sup>89</sup> According to the Special Rapporteur on the sale of children, child prostitution and child pornography, strategies focus more on the areas of the national plan to fight sexual violence against children and adolescents where there has been less achievement, namely prevention, defence and accountability, and child participation.<sup>90</sup>

14. The situation of street children and the absence of information and measures needed to remedy their plight raised the concern of the HR Committee.<sup>91</sup> In 2004, CRC expressed grave concern at the significant number of street children and their vulnerability to extrajudicial killings, various forms of violence, including torture, sexual abuse and exploitation; at the lack of a systematic and comprehensive strategy to address the situation and protect these children; and at the very poor registration of missing children by the police.<sup>92</sup>

15. The Special Rapporteur on extrajudicial, summary or arbitrary executions noted in 2007 that the occupancy rate in prisons was often three or more times as many prisoners as the facility was designed to hold.<sup>93</sup> The Special Rapporteur on the question of torture stressed on several occasions that the appalling overcrowding in some detention facilities and prisons needs to be brought to an immediate end.<sup>94</sup> CAT found in 2005 endemic overcrowding, filthy conditions of confinement, extreme heat, light deprivation and permanent lock-ups (factors with severe health consequences for inmates), along with pervasive violence.<sup>95</sup> The HR Committee was also concerned about inhuman conditions of detention in jails.<sup>96</sup> Further, CRC expressed concern about the large number of persons below the age of 18 who are in detention, and at the very poor conditions of detention. CRC was also concerned at the numerous reports of ill-treatment of young inmates, the very limited possibilities for the rehabilitation and reintegration into society of juveniles following judicial proceedings; and the sporadic training of judges, prosecutors and prison staff in children's rights.<sup>97</sup> In 2007, the High Commissioner for Human Rights noted that the widespread use of pretrial detention called for special attention.<sup>98</sup> CAT expressed concern about the long periods of pretrial detention and delays in judicial procedure.<sup>99</sup> CAT in 2001 and the HR Committee in 2005 recommended that Brazil take urgent measures, inter alia, to improve conditions of detention.<sup>100</sup> CAT also recommended establishing a systematic and independent system to monitor the treatment in practice of persons arrested, detained or imprisoned,<sup>101</sup> including in places where juveniles are detained, according to the Special Rapporteur on the question of torture.<sup>102</sup>

16. The HR Committee and CESCR were concerned about trafficking in women and children for the purpose of sexual exploitation.<sup>103</sup> CRC was also deeply concerned at the wide occurrence of sexual exploitation and related issues.<sup>104</sup> Recommendations included encouraging and facilitating reporting of incidents of sexual exploitation; investigating, prosecuting and imposing appropriate sanctions on perpetrators; and providing protection to victims of sexual exploitation and trafficking.<sup>105</sup> According to the Special Rapporteur on the sale of children, child prostitution and child pornography, addressing the root causes of sexual exploitation is essential. He recommended that the Government strengthen social programmes aimed at the reduction of poverty and social inequalities and assess their impact with indicators related to children's rights.<sup>106</sup> CESCR in 2003 and CEDAW in 2007 recommended that Brazil adopt specific legislation against trafficking in persons and ensure its effective implementation.<sup>107</sup>

17. In 2005, the HR Committee raised concerns about the persistence of slave labour and forced labour and the absence of effective criminal sanctions against these practices.<sup>108</sup> It noted that Brazil should reinforce its measures to combat them.<sup>109</sup>

18. In 2004, CRC was deeply concerned at the high rates of informal employment of children.<sup>110</sup> Among other measures, it recommended that Brazil strengthen its Programme to Eradicate Child Labour and to improve the labour inspection system.<sup>111</sup>

### **3. Administration of justice and the rule of law**

19. While noting efforts undertaken to reform the judiciary and increase its efficiency,<sup>112</sup> the HR Committee remained concerned in 2005 about interference with the independence of the judiciary and judicial corruption.<sup>113</sup> It was further disturbed by the failure of the judiciary in some States of the Federation to act against human rights violations. It recommended the creation of appropriate mechanisms to monitor the performance of the judiciary at the State level.<sup>114</sup> In 2007, the Special Rapporteur on extrajudicial, summary or arbitrary executions noted that the criminal justice system is in desperate need of large-scale reform and that such reform is feasible.<sup>115</sup> Further, the Special Rapporteur on the question of torture recommended the creation of a programme of awareness-raising within the judiciary.<sup>116</sup>

20. In 2004, CRC noted the establishment of juvenile courts, but was concerned at the lack of clear guarantees for a fair and speedy trial and at the lack of enforcement of rules governing pretrial detention. CRC recommended that the State continue its efforts to improve the system of juvenile justice in line with the Convention and other United Nations standards.<sup>117</sup>

21. Threats and acts of violence against judges, lawyers and defence attorneys working on cases that involve indigenous, environmental and land issues were a source of serious concern for the Special Rapporteur on the independence of judges and lawyers.<sup>118</sup>

22. Concerns regarding impunity were raised by CAT in 2001<sup>119</sup> and by the Special Rapporteur on the independence of judges and lawyers in 2005.<sup>120</sup> Similarly, the HR Committee noted with concern the climate of impunity regarding gross human rights violations committed by law enforcement officials.<sup>121</sup> During her recent visit to Brazil, the High Commissioner highlighted the need to foster accountability among law enforcement officials and to improve the administration of justice.<sup>122</sup> The Special Rapporteur on the question of torture recommended on several occasions the need to take vigorous measures to make clear that the culture of impunity must end.<sup>123</sup> The Special Representative of the Secretary-General on the situation of human rights defenders strongly recommended a review of existing mechanisms for the monitoring and accountability of the State security apparatus, particularly the military police.<sup>124</sup> The HR Committee recommended that the State ensure prompt and impartial investigations into all allegations of human rights violations committed by law enforcement officials, prosecute perpetrators and ensure that they are punished in a manner proportionate to the seriousness of the crimes committed, and grant effective remedies to the victims.<sup>125</sup> Regarding past abuses, the HR Committee, while noting in 2005 that the State had created a right to compensation for victims of human rights violations committed during the military dictatorship, observed that there has been no official inquiry or direct accountability for these violations.<sup>126</sup>

#### **4. Participation in public and political life**

23. The Special Rapporteur on the independence of judges and lawyers noted that the low level of women's representation in the judiciary is striking, with women occupying only 5 per cent of the top posts in the judiciary and the Public Prosecutor's Office. The situation is even worse for people of African descent and indigenous people, who occupy less than 1 per cent of the posts.<sup>127</sup> The HR Committee expressed similar concerns in 2005.<sup>128</sup> In 2004, CERD reiterated its concern at the fact that illiterate citizens, who are found especially among the indigenous, black or mestizo groups, do not have the right to be elected to public office.<sup>129</sup>

#### **5. Right to social security and to an adequate standard of living**

24. CESCR welcomed the creation within the State of independent special rapporteurs responsible for monitoring economic, social and cultural rights.<sup>130</sup> While taking into account the high priority given to fighting hunger and poverty, CRC noted that Brazil is a country with a relatively high level of development, and shared the concerns of CESCR related to the persistent and extreme inequalities and imbalances in the distribution of wealth and resources.<sup>131</sup> It was concerned that the lives of a great number of children are marked by poverty and difficult access to, and deficient quality of, public services.<sup>132</sup> CESCR recommended that the State take immediate remedial action to reduce those inequalities and imbalances, including speeding up the processes of agrarian reform and of granting land titles.<sup>133</sup> Furthermore, the Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance, while acknowledging the commitment of the Government to the recognition of the Quilombos communities, recommended that Brazil guarantee them the provision of fundamental goods and services such as food, health, housing and education.<sup>134</sup> FAO noted the Food Security Framework Law approved in 2006, which establishes adequate food as a basic human right and indispensable to the realization of the rights established by the Constitution. It contains provisions for the establishment of a national food and nutrition security system.<sup>135</sup>

25. CRC welcomed the State's efforts to improve the level of health, in particular the establishment of the Minimum Healthcare Allocation in 1998. It noted the reduction in child mortality as well as the positive changes observed in the child profile and in the incidence of HIV/AIDS. CRC remained concerned at the low percentage of the population covered by at least one health plan; at the inequality in access to health services; and about health conditions, particularly of children in rural areas, resulting in marked disparities in the quality of health services, and of the lower socio-economic segments of the population in the north and north-east regions.<sup>136</sup>

26. CRC was concerned at the high rates of early pregnancy that mainly affect the socially underprivileged segments of the society.<sup>137</sup> CESCR<sup>138</sup> and CEDAW<sup>139</sup> noted with concern the high rate of maternal mortality due to illegal abortions, particularly in the northern regions. CESCR was concerned about the persistence of forced sterilization.<sup>140</sup> It requested the adoption of legislative and other measures, including a review of the present legislation, to protect women from the effects of clandestine and unsafe abortion.<sup>141</sup> CRC recommended that Brazil further improve the adolescent health programme addressing, specifically, reproductive health issues, sex education and mental health.<sup>142</sup>

27. According to UNHCR, Brazil hosts approximately 3,500 refugees, of whom some 25 per cent are women. While asylum-seekers and refugees are documented and have equal access to work, health care and education, refugees face particular difficulties in finding housing and employment, which hampers their ability to become self-reliant and integrate into society.<sup>143</sup>

## **6. Right to education and to participate in the cultural life of the community**

28. In 2004, CRC expressed concern about the remarkable disparities of access, regular attendance, dropouts and retention of children in schools across the country, affecting in particular the poor, mestizo children, children of African descent and children in remote areas. The Committee was also concerned about the low quality of education in many schools<sup>144</sup> and about the limited educational opportunities of indigenous children.<sup>145</sup> It recommended, inter alia, that Brazil increase its expenditure on education and ensure that budgets are allocated at all levels, and strengthen its efforts to improve the quality of education.<sup>146</sup> Recommendations by CRC and CERD also included pursuing measures to effectively address the gap in life opportunities of indigenous children<sup>147</sup> and adopting adequate measures to combat illiteracy.<sup>148</sup>

29. CERD noted insufficient information on the cultural rights of persons belonging to minorities, in particular on their right to receive education in their own languages, and requested further information in this regard.<sup>149</sup> CRC recommended that Brazil take adequate measures to provide protection for the rights of indigenous children, in particular their right to preserve their historical and cultural identity, customs, traditions and languages.<sup>150</sup> The Special Rapporteur on racism, racial discrimination, xenophobia and related intolerance recommended that appropriate resources be allocated to allow the implementation of a differentiated indigenous educational system, as provided for in regulation 3 of the National Council for Education.<sup>151</sup>

## **7. Minorities and indigenous peoples**

30. In 2006, the Special Representative of the Secretary-General on the situation of human rights defenders noted that, although the Constitution provides for the right to land, the implementation of this provision has largely been initiated by rural communities themselves, with powerful forces resisting its implementation.<sup>152</sup> While taking note of Brazil's goals of completing the demarcation of indigenous lands by 2007, CERD remained concerned at the fact that effective possession and use of indigenous lands and resources continue to be threatened and restricted by recurrent acts of aggression against indigenous peoples.<sup>153</sup> Concerns were also expressed by the HR Committee about the slow pace of demarcation of indigenous lands, forced evictions of indigenous populations from their land, and the lack of legal remedies to reverse these evictions and compensate the victimized populations for the loss of their homes and means of subsistence.<sup>154</sup> CERD remained extremely preoccupied by the issues of non-indigenous illegal occupants and cases of violence against members of the indigenous communities in a specific indigenous area.<sup>155</sup> In 2007, it expressed concern about the confirmation that amendments to the Constitution are being considered by the Chamber of Representatives with a view to decreasing the constitutional protection of indigenous lands.<sup>156</sup> The HR Committee and CERD recommended that measures regarding the demarcations of indigenous land and related rights be adopted.<sup>157</sup> CERD further recommended that Brazil accelerate the process of identification of Quilombo communities and lands, and of distribution of the respective title deeds to all such communities.<sup>158</sup> Its recommendations also included completing the removal of all illegal non-indigenous occupants from the specific indigenous area and ensuring the security of all members of the indigenous communities, as well as ensuring that they can exercise their rights under the Convention.<sup>159</sup>

## **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

31. In December 2007, the High Commissioner for Human Rights noted Brazil's demonstrated leadership at the international level in the field of human rights and its significant achievements in the fights against poverty and HIV/AIDS.<sup>160</sup> In September 2006, the Law No. 11.346 was enacted, recognizing the right to food and the obligations of the Government in this regard.<sup>161</sup> UNICEF,

WHO and the World Bank reports noted that Brazil's national response to HIV/AIDS has often been cited as exemplary.<sup>162</sup> According to a 2005 UNICEF report, Brazil is one of the only developing countries to make antiretrovirals widely available.<sup>163</sup> More generally, a 2005 UNDP report stated that Brazil has saved lives thanks to vigorous public health policies that improve access to medicines.<sup>164</sup> The Special Rapporteur on the independence of judges and lawyers considered that the Statute of the Child and Adolescent provided an exemplary system of guarantees; this was also noted by UNICEF and UNFPA.<sup>165</sup> Furthermore, the Special Rapporteur on the sale of children, child prostitution and child pornography pointed out that the First Court of Childhood and Youth of Rio de Janeiro was a "best practice".<sup>166</sup>

32. The High Commissioner for Human Rights also stated that challenges remained, particularly in the administration of justice and the enforcement of other rights enshrined in the Constitution, and especially with regard to indigenous rights.<sup>167</sup> The Special Rapporteur on extrajudicial, summary or arbitrary executions recognized that the cities face enormous challenges in keeping their residents safe from the violence of gangs.<sup>168</sup> Referring to the situation analysis undertaken for the United Nations Study on Violence against Children, which demonstrated that violence in every age group in Brazil has increased over the last decade, UNICEF noted that this was one of the most serious challenges in the country.<sup>169</sup> While acknowledging the federal structure of Brazil, the HR Committee was also disturbed by the failure of the judiciary in some States to act against human rights violations.<sup>170</sup> The issue of inequalities was highlighted by UNICEF.<sup>171</sup> A United Nations Development Assistance Framework (UNDAF) document stressed that inequality remains a central national characteristic and thus set it as one of the main priorities for the current 2007-2011 United Nations programming cycle.<sup>172</sup>

#### **IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS**

##### **A. Pledges by the State**

33. Brazil committed to engage with international protection mechanisms, consider the ratification of international human rights instruments that it has not yet ratified and strengthen regional systems for the promotion and protection of human rights such as the inter-American system.<sup>173</sup>

##### **B. Specific recommendations for follow-up**

34. In 2005, Brazil was requested by the HR Committee to provide, within one year, relevant information on the assessment of the situation and the implementation of the Committee's recommendations relating to the forced eviction of the indigenous population from their land, extrajudicial killing, torture and other forms of ill-treatment and abuse committed by law enforcement officials, overcrowding and inhuman conditions of detention in jails at the State and federal levels, and the question of impunity for human rights crimes committed under the military dictatorship.<sup>174</sup> The follow-up response has been overdue since 2006.

#### **V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE**

35. In 2004, CRC recommended that the State request technical assistance from, among others, OHCHR, UNICEF and the Inter-American Children's Institute in the area of juvenile justice and police training, as well as for the establishment of an independent and effective mechanism in accordance with the Paris Principles.<sup>175</sup> Regarding violence against children, it also recommended that Brazil seek assistance from UNICEF and WHO.<sup>176</sup> UNHCR and UNICEF submitted information regarding their capacity-building programmes and activities.<sup>177</sup>

## Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed below may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://untreaty.un.org>.

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPD	Convention on the Protection of Persons with Disabilities
OP-CPD	Optional Protocol to Convention on the Protection of Persons with Disabilities
CED	Convention on the Protection of Persons from Enforced Disappearance

<sup>3</sup> Information relating to other international instruments, including regional instruments, may be found in the pledges and commitments undertaken by Brazil before the Human Rights Council, as contained in the letter dated 12 April from the Permanent Mission of Brazil to the United Nations Office at Geneva (hereinafter “Voluntary Pledges”), available at <http://www.un.org/ga/60/elect/hrc/brazil.pdf>.

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>6</sup> Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Convention (III) relative to the Treatment of Prisoners of War; Convention (IV) relative to the Protection of Civilian Persons in Time of War; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). Source: Switzerland, Federal department of foreign affairs, <http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html>.

<sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>8</sup> Concluding comments of the Committee on the Elimination of Discrimination against Women: Brazil (CEDAW/C/BRA/CO/6), para. 39.

<sup>9</sup> See Voluntary Pledges, op. cit.

- <sup>10</sup> Concluding observations of the Committee on Economic, Social and Cultural Rights: Brazil (E/C.12/1/Add.87), para. 4. See also, UNESCO, *Education for All Global Monitoring Report 2005 - The Quality Imperative*, Paris, 2004, p. 31.
- <sup>11</sup> E/CN.4/2004/9/Add.2, para. 46.
- <sup>12</sup> Concluding observations of the Committee on the Rights of the Child: Brazil (CRC/C/15/Add.241), para. 29.
- <sup>13</sup> UNHCR, UPR submission on Brazil, p. 2, available at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBrazilUNContributionsS1.aspx>.
- <sup>14</sup> Concluding observations of the Human Rights Committee: Brazil (CCPR/C/BRA/CO/2), para. 13.
- <sup>15</sup> E/C.12/1/Add.87, para. 5.
- <sup>16</sup> CEDAW/C/BRA/CO/6, para. 6.
- <sup>17</sup> See [http://www.unifem.org/news\\_events/story\\_detail.php?StoryID=503](http://www.unifem.org/news_events/story_detail.php?StoryID=503) (accessed on 15 February 2007).
- <sup>18</sup> Concluding observations of the Committee on the Elimination of Racial Discrimination: Brazil (CERD/C/64/CO/2), para. 6.
- <sup>19</sup> Concluding observations of the Committee against Torture, *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 44 (A/56/44)*, para. 118 (d).
- <sup>20</sup> CAT (A/56/44, para. 118 (e)); the HR Committee (CCPR/C/BRA/CO/2, para. 8); CESCR (E/C.12/1/Add.87, para. 6); CEDAW (*Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38 (A/58/38)*, para. 94); CERD (CERD/C/64/CO/2, para. 7).
- <sup>21</sup> CCPR/C/BRA/CO/2, para. 8; A/56/44, para. 118 (e); E/C.12/1/Add.87, para. 6.
- <sup>22</sup> CCPR/C/BRA/CO/2, para. 8.
- <sup>23</sup> *Ibid.*, para. 4; A/56/44, para. 118 (g).
- <sup>24</sup> CERD/C/64/CO/2, para. 7.
- <sup>25</sup> CCPR/C/BRA/CO/2, para. 14.
- <sup>26</sup> Principles relating to the status of national institutions for the promotion and protection of human rights, General Assembly resolution 48/134, annex. CRC/C/15/Add.241, para. 20, and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance: Mission to Brazil (E/CN.4/2006/16/Add.3), para. 72.
- <sup>27</sup> A/HRC/4/37/Add.2, paras. 48 and 49.
- <sup>28</sup> CEDAW/C/BRA/CO/6, para. 7.
- <sup>29</sup> CCPR/C/BRA/CO/2, para. 4; see also E/C.12/1/Add.87, para. 7; CERD/C/64/CO/2, para. 4.
- <sup>30</sup> CRC/C/15/Add.241, para. 60.
- <sup>31</sup> *Ibid.*, para. 18.
- <sup>32</sup> CEDAW/C/BRA/CO/6, para. 24.
- <sup>33</sup> CCPR/C/BRA/CO/2, para. 5.
- <sup>34</sup> The following abbreviations have been used in this document:
- |              |  |
|--------------|--|
| CERD         | Committee on the Elimination of Racial Discrimination        |
| CESCR        | Committee on Economic, Social and Cultural Rights            |
| HR Committee | Human Rights Committee                                       |
| CEDAW        | Committee on the Elimination of Discrimination against Women |
| CAT          | Committee against Torture                                    |
| CRC          | Committee on the Rights of the Child                         |
- <sup>35</sup> Committee against Torture, Report on Brazil produced by the Committee under article 20 of the Convention and reply from the Government of Brazil (CAT/C/39/2), advance unedited version of 23 November 2007 made public by decision of the Committee against Torture adopted on 22 November 2008. The report can be found at [www.ohchr.org](http://www.ohchr.org) and at the request of the Government of Brazil at [www.presidencia.gov.br/estructurapresidencia/sedh](http://www.presidencia.gov.br/estructurapresidencia/sedh).

<sup>36</sup> Letters sent by the Chairperson of CERD dated 18 August 2006, 14 March 2007 and 24 August 2007 to the Permanent Representative of Brazil to the United Nations Office at Geneva, available at <http://www2.ohchr.org/english/bodies/cerd/early-warning.htm> (hereafter “CERD letter(s)”).

<sup>37</sup> CERD letter of 24 August 2007.

<sup>38</sup> E/CN.4/1999/46/Add.1.

<sup>39</sup> E/CN.4/2001/66/Add.2.

<sup>40</sup> E/CN.4/2003/54/Add.1.

<sup>41</sup> E/CN.4/2004/9/Add.2.

<sup>42</sup> E/CN.4/2004/7/Add.3.

<sup>43</sup> E/CN.4/2005/48/Add.3.

<sup>44</sup> E/CN.4/2005/60/Add.3.

<sup>45</sup> E/CN.4/2006/16/Add.3.

<sup>46</sup> A/HRC/4/37/Add.2.

<sup>47</sup> Press release of 15 November 2007.

<sup>48</sup> E/CN.4/2004/9/Add.2, paras. 1 and 4.

<sup>49</sup> E/CN.4/2005/48/Add.3, para. 6.

<sup>50</sup> E/CN.4/2005/60/Add.3, para. 3.

<sup>51</sup> E/CN.4/2006/16/Add.3, para. 2.

<sup>52</sup> E/CN.4/2004/7/Add.3, paras. 2 and 3.

<sup>53</sup> Press release of 15 November 2007.

<sup>54</sup> The questionnaires included in this section are those which have been reflected in an official report by a special procedures mandate-holder.

<sup>55</sup> See (i) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006;

(ii) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006;

(iii) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006;

(iv) report of the Special Representative of the Secretary-General on human rights defenders (E/CN.4/2006/95 and Add.5), questionnaire on the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms sent in June 2005;

(v) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007;

(vi) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005;

(vii) report of the Special Rapporteur on the right to education (E/CN.4/2006/45), questionnaire on the right to education for girls sent in 2005;

(viii) report of the Working Group on mercenaries (A/61/341), questionnaire concerning its mandate and activities sent in November 2005;

(ix) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children’s organs sent on July 2006;

(x) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78), questionnaire on child pornography on the Internet sent in July 2004;

(xi) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9), questionnaire on the prevention of child sexual exploitation sent in July 2003;

(xii) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices.

<sup>56</sup> Questionnaire on the right to education of persons with disabilities (A/HRC/4/29, para. 47), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation (E/CN.4/2006/62, para. 24), questionnaire on child pornography on the Internet (E/CN.4/2005/78, para. 4).

<sup>57</sup> United Nations press releases of 30 November 2007 and 5 December 2007.

<sup>58</sup> United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, United Nations Voluntary Fund for Victims of Torture, United Nations Voluntary Fund for Indigenous Populations.

<sup>59</sup> United Nations press release of 25 July 2006.

<sup>60</sup> E/C.12/1/Add.87, para. 22.

<sup>61</sup> CEDAW/C/BRA/CO/6, para. 11.

<sup>62</sup> *Ibid.*, para. 17.

<sup>63</sup> *Ibid.*, para. 18.

<sup>64</sup> *Ibid.*, para. 12.

<sup>65</sup> E/C.12/1/Add.87, para. 22.

<sup>66</sup> CRC/C/15/Add.241, para. 29. See also CERD/C/64/CO/2, paras. 12 and 13.

<sup>67</sup> E/C.12/1/Add.87, para. 20.

<sup>68</sup> CRC/C/15/Add.241, para. 30.

<sup>69</sup> CERD/C/64/CO/2, para. 18.

<sup>70</sup> E/C.12/1/Add.87, para. 44.

<sup>71</sup> Press release of 15 November 2007.

<sup>72</sup> *Ibid.*

<sup>73</sup> CCPR/C/BRA/CO/2, para. 12.

<sup>74</sup> *Ibid.*, para. 13.

<sup>75</sup> *Ibid.*, para. 12.

<sup>76</sup> CRC/C/15/Add.241, para. 34.

<sup>77</sup> A/HRC/4/37/Add.2., para. 15.

<sup>78</sup> Follow-up to the recommendations made by the Special Rapporteur on the question of torture (E/CN.4/2006/Add.2), para. 34.

<sup>79</sup> Press release of 15 November 2007.

<sup>80</sup> CRC/C/15/Add.241, para. 40.

<sup>81</sup> Report on Brazil produced by the Committee against Torture under article 20 of the Convention, *op. cit.*, para. 178. See also E/CN.4/2001/66/Add.2, para. 166.

<sup>82</sup> CCPR/C/BRA/CO/2, para. 12.

<sup>83</sup> Report on Brazil produced by the Committee against Torture under article 20 of the Convention, *op. cit.*, para. 182.

<sup>84</sup> A/56/44, para. 120 (a).

- <sup>85</sup> Report on Brazil produced by the Committee against Torture under article 20 of the Convention, *op. cit.*, para. 196.
- <sup>86</sup> CEDAW/C/BRA/CO/6, para. 21.
- <sup>87</sup> CCPR/C/BRA/CO/2, para. 11.
- <sup>88</sup> CRC/C/15/Add.241, paras. 42 and 43.
- <sup>89</sup> *Ibid.*, paras. 48 and 49.
- <sup>90</sup> E/CN.4/2004/9/Add.2, para. 121.
- <sup>91</sup> CCPR/C/BRA/CO/2, para. 19.
- <sup>92</sup> CRC/C/15/Add.241, para. 64.
- <sup>93</sup> Press release of 15 November 2007.
- <sup>94</sup> E/CN.4/2006/6/Add.2, para. 47
- <sup>95</sup> Report on Brazil produced by the Committee against Torture under article 20 of the Convention, *op. cit.*, para. 178. See also A/56/44, para. 119 (b).
- <sup>96</sup> CCPR/C/BRA/CO/2, para. 16.
- <sup>97</sup> CRC/C/15/Add.241, para. 68.
- <sup>98</sup> Press release of 6 December 2007.
- <sup>99</sup> A/56/44, para. 119 (c).
- <sup>100</sup> *Ibid.*, para. 120 (d) and CCPR/C/BRA/CO/2, para. 16.
- <sup>101</sup> A/56/44, para. 120 (d).
- <sup>102</sup> E/CN.4/2006/6/Add.2, para. 48.
- <sup>103</sup> CCPR/C/BRA/CO/2, para. 15; E/C.12/1/Add.87, para. 30.
- <sup>104</sup> CRC/C/15/Add.241, para. 62.
- <sup>105</sup> *Ibid.*, para. 63. See also CCPR/C/BRA/CO/2, para. 15.
- <sup>106</sup> E/CN.4/2004/9/Add.2, para. 123.
- <sup>107</sup> E/C.12/1/Add.87, para. 54; CEDAW/C/BRA/CO/6, para. 24.
- <sup>108</sup> CCPR/C/BRA/CO/2, para. 14.
- <sup>109</sup> *Ibid.*
- <sup>110</sup> CRC/C/15/Add.241, para. 60.
- <sup>111</sup> *Ibid.*, para. 61.
- <sup>112</sup> CCPR/C/BRA/CO/2, para. 17. See also CRC/C/15/Add.241, para. 6.
- <sup>113</sup> CCPR/C/BRA/CO/2, para. 17.
- <sup>114</sup> *Ibid.*, para. 7.
- <sup>115</sup> Press release of 15 November 2007.
- <sup>116</sup> E/CN.4/2006/6/Add.2, para. 39.
- <sup>117</sup> CRC/C/15/Add.241, paras. 68 and 69.
- <sup>118</sup> E/CN.4/2005/60/Add.3, para. 99.
- <sup>119</sup> A/56/44, para. 119 (e).
- <sup>120</sup> E/CN.4/2005/60/Add.3, para. 30.
- <sup>121</sup> CCPR/C/BRA/CO/2, para. 12.
- <sup>122</sup> Press release of 5 December 2007.

- <sup>123</sup> E/CN.4/2006/6/Add.2, para. 22.
- <sup>124</sup> A/HRC/4/37/Add.2, para. 105.
- <sup>125</sup> CCPR/C/BRA/CO/2, para. 12. See also CRC/C/15/Add.241, para. 35.
- <sup>126</sup> CCPR/C/BRA/CO/2, para. 18.
- <sup>127</sup> E/CN.4/2005/60/Add.3, para. 98.
- <sup>128</sup> CCPR/C/BRA/CO/2, para. 10.
- <sup>129</sup> CERD/C/64/CO/2, para. 20.
- <sup>130</sup> E/C.12/1/Add.87, para. 12.
- <sup>131</sup> CRC/C/15/Add.241, para. 56 and E/C.12/1/Add.87, para. 17.
- <sup>132</sup> CRC/C/15/Add.241, para. 56; for indigenous children, see also para. 71.
- <sup>133</sup> E/C.12/1/Add.87, para. 40.
- <sup>134</sup> E/CN.4/2006/16/Add.3, para. 79 (d).
- <sup>135</sup> FAO, UPR submission on Brazil, p. 1, available at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRBrazilUNContributionsS1.aspx>.
- <sup>136</sup> CRC/C/15/Add.241, paras. 52 and 53.
- <sup>137</sup> *Ibid.*, para. 54.
- <sup>138</sup> E/C.12/1/Add.87, para. 27.
- <sup>139</sup> CEDAW/C/BRA/CO/6, para. 29.
- <sup>140</sup> E/C.12/1/Add.87, para. 27.
- <sup>141</sup> *Ibid.*, para. 51.
- <sup>142</sup> CRC/C/15/Add.241, para. 55.
- <sup>143</sup> UNHCR, UPR submission on Brazil, *op. cit.*, p. 1.
- <sup>144</sup> CRC/C/15/Add.241, para. 58.
- <sup>145</sup> *Ibid.*, para. 71.
- <sup>146</sup> *Ibid.*, para. 59.
- <sup>147</sup> *Ibid.*, para. 72.
- <sup>148</sup> CERD/C/64/CO/2, para. 20.
- <sup>149</sup> *Ibid.*, para. 21.
- <sup>150</sup> CRC/C/15/Add.241, para. 73.
- <sup>151</sup> E/CN.4/2006/16/Add.3, para. 81 (c).
- <sup>152</sup> A/HRC/4/37/Add.2, para. 17.
- <sup>153</sup> CERD/C/64/CO/2, para. 15.
- <sup>154</sup> CCPR/C/BRA/CO/2, para. 6.
- <sup>155</sup> CERD letter of 24 August 2007, *op. cit.*; see also CERD letter of 14 March 2007.
- <sup>156</sup> *Ibid.*
- <sup>157</sup> CERD/C/64/CO/2, para. 15; CCPR/C/BRA/CO/2, para. 6.
- <sup>158</sup> CERD/C/64/CO/2, para. 16.
- <sup>159</sup> CERD letter of 24 August 2007, *op. cit.*
- <sup>160</sup> Press release of 5 December 2007.

<sup>161</sup> A/61/306, para. 15.

<sup>162</sup> UNICEF, *The State of the World's Children 2005: Childhood under Threat*, New York, 2004, p. 74. WHO, *The World Health Report 2004: changing history*, Geneva, 2004, pp. 11, 23. World Bank, *World Development Report 2007: Development and the Next Generation*, Washington, D.C., 2007, pp. 142-143.

<sup>163</sup> UNICEF, *The State of the World's Children 2005*, op. cit., p. 77.

<sup>164</sup> UNDP, *Human Development Report 2005: International cooperation at a crossroads*, New York, 2005, p. 27.

<sup>165</sup> E/CN.4/2005/60/Add.3, para. 32. See also UNICEF, *The State of the World's Children 2005*, op. cit., p. 34. See also, for specific examples, UNICEF, *The State of the World's Children 2006: Excluded and Invisible*, New York, 2005, pp. 67, 77; UNFPA, *State of World Population 2007: Unleashing the Potential of Urban Growth*, New York, 2007, p. 30.

<sup>166</sup> E/CN.4/2004/9/Add.2, paras. 67 and 68.

<sup>167</sup> Press release of 5 December 2007.

<sup>168</sup> Press release of 15 November 2007.

<sup>169</sup> UNICEF, UPR submission on Brazil, op. cit., p. 3.

<sup>170</sup> CCPR/C/BRA/CO/2, para. 7.

<sup>171</sup> UNICEF, UPR submission on Brazil, op. cit., p. 2.

<sup>172</sup> United Nations Development Assistance Framework 2007-2011, United Nations Country Team Brazil, December 2005.

<sup>173</sup> Voluntary Pledges, op. cit.

<sup>174</sup> CCPR/C/BRA/CO/2, para. 22.

<sup>175</sup> CRC/C/15/Add.241, paras. 68-70 and para. 20.

<sup>176</sup> *Ibid.*, para. 49 (e).

<sup>177</sup> See UNHCR and UNICEF UPR submissions, op. cit.

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