



# ASILE

Global Asylum  
Governance and  
the European  
Union's Role

## Country Note BRAZIL

International protection issues and recommendations  
from international and regional human rights mechanisms  
and bodies

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*This Country Note provides a synthetic overview of key issues and recommendations in the field of international protection put forward by international and regional human rights mechanisms and bodies. In line with the ASILE project research agenda, this Country Note pays specific attention to aspects related to 'containment' of people in need of international protection. The notion of containment is used here to refer to a broad range of policies and practices aimed at preventing access to territory, increasing the expulsion and restricting mobility of asylum seekers and refugees.*

*The Country Note covers documents released by United Nations (UN) human rights mechanisms and bodies. These include the UN Charter-based system of human rights protection, including the Universal Period Review and the Special Procedures of the Human Rights Council, and the UN Human Rights Treaty bodies. The Note also encompasses monitoring bodies established under regional human rights systems to which the country under consideration is party.*



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## 1. International and regional human rights' obligations

Brazil is a signatory party to the two International Covenant on UN human rights, the International Covenant on Civil and Political Rights (CCPR) and the International Covenant on Economic, Social and Cultural rights (CESCR). Brazil has ratified the CCPR's first optional protocol establishing a communication procedure, and the second optional protocol on the abolition the death penalty. Brazil, however, is not party to the CESCR optional protocol, which allows victims of violations of rights under the Covenant to present a complaint to the UN Committee on Economic, Social and Cultural Rights.<sup>1</sup>

Brazil is also party to several other core UN Human Rights instruments: these include the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) and its Optional Protocol establishing a monitoring system to prevent violations of the Convention by State parties, the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Brazil is also party to the Convention on the Rights of the Child (CRC), including its three optional protocols on the involvement of children in armed conflict, on the sale of children, child prostitution and pornography, and on a communication procedure.<sup>2</sup>

Brazil, however, has neither signed nor ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW).<sup>3</sup>

Brazil is party to the relevant international conventions on international protection. It ratified the 1951 Convention relating to the Status of Refugees, including its 1967 protocol, and is also party to the 1954 Convention relating to the Status of Stateless Persons and the 1967 Convention on the Reduction of Statelessness.<sup>4</sup>

As a member state of the Organisation of American States (OAS), Brazil is party of the inter-American human rights system. Brazil is under an obligation to respect human rights as provided in the OAS Charter<sup>5</sup> as well as in the American Declaration of the Rights and Duties of Man.<sup>6</sup> Accordingly, Brazil recognises the functions of the inter-American Commission on human rights, including its competence to formulate recommendations to member states and receive and process individual petitions. Brazil has also ratified the American Convention on Human Rights in 1992 and since 1998 it has recognized the jurisdiction of the

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<sup>1</sup> OHCHR, Status of Ratification of International Human Rights Treaties: Brazil. Last accessed 26 October 2020 [\[online\]](#)

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> United Nations High Commissioner for Refugees, Submission Universal Periodic Review: 3<sup>rd</sup> Cycle, Brazil, 2016 [\[online\]](#)

<sup>5</sup> Charter of the Organization of American States (A-41), [\[online\]](#)

<sup>6</sup> American Declaration of the Rights and Duties of Man (Adopted by the Ninth International Conference of American States, Bogotá, Colombia, 1948) [\[online\]](#)



inter-American Court of Human Rights.<sup>7</sup> This implies that the inter-American Commission can refer to the Court cases regarding Brazil.<sup>8</sup>

The 1984 Cartagena Declaration expanded the Geneva-based definition of refugee to include 'persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order'.<sup>9</sup> The Cartagena Declaration also upholds the principle of *non-refoulement*, including the prohibition of rejection at the border, and reiterates the voluntary and individual character of repatriations of refugees, which should always take place under conditions of safety.<sup>10</sup> Under national Refugee Law 9.474 of 1997, Brazil partially adopted the broad definition of refugee of the Cartagena Declaration, by extending refugee status to people fleeing situations of 'severe and generalized violation of human rights'.<sup>11</sup>

The Cartagena Regime has evolved through subsequent regional frameworks of cooperation, in particular as laid down the 2004 Mexico Declaration and related Plan of Action and the 2014 Brazil Declaration and its Plan of Action. In 2004, Brazil approved the Mexico Declaration, which affirmed the commitment of Latin American States to keep their borders open in order to guarantee the protection and security of those who have a right to enjoy international protection. In December 2014, Brazil adopted the Brazil Declaration and Plan of Action (BPA), which aims, among other things, to strengthen national bodies for the determination of refugee status, including in border areas, so as to provide dignified treatment to persons in need of international protection with full respect for their human rights.<sup>12</sup>

Brazil is a member of the regional cooperation framework of the Southern Common Market (MERCOSUR).<sup>13</sup> The MERCOSUR residency agreement, which was signed in 2002 and came into force in 2009, guarantees that nationals from a member country can acquire a temporary residence (and after two years, permanent residence) in any of the countries of the regional organization, and that such individuals are entitled to receive the same treatment as nationals, including in the labour market.<sup>14</sup>

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<sup>7</sup> American Convention on Human Rights, "Pact Of San Jose, Costa Rica", Signatories and Ratifications [\[online\]](#)

<sup>8</sup> Inter-American Court of Human Rights, ABC of the Inter-American Court of Human Rights: What, How, When and Why of the Inter-American Court of Human Rights. Frequently Asked Questions [\[online\]](#).

<sup>9</sup> Colloquium on the International Protection of Refugees in Central America, Mexico and Panama. *Cartagena Declaration on Refugees*. Cartagena de Indias, 22 November 1984 [\[online\]](#).

<sup>10</sup> UNHCR submission for the UPR, 3<sup>rd</sup> cycle, 2016, p. 1 [\[online\]](#)

<sup>11</sup> Brazil, Law No. 9.474 of 1997, establishing arrangements for the implementation of the 1951 Status of Refugees and related provisions [\[online\]](#)

<sup>12</sup> Mexico Declaration and Plan of Action to Strengthen the International Protection of Refugees in Latin America. Mexico City, 16 November 2004 [\[online\]](#); Brazil Declaration: A Framework for Cooperation and Regional Solidarity to Strengthen the International Protection of Refugees, Displaced and Stateless Persons in Latin America and the Caribbean. Brasilia, 3 December 2014. [\[online\]](#). See also Gilberto M. A. Rodrigues, South America and the Cartagena Regime: a comprehensive approach to forced migration responses, ASILE Blog contribution, 2020 [\[online\]](#);

<sup>13</sup> See MERCOSUR countries, <https://www.mercosur.int/en/about-mercosur/mercosur-countries/>

<sup>14</sup> Acuerdo Sobre Residencia para Nacionales de los Estados Partes del MERCOSUR. 6 December 2002 [\[online\]](#).



## 2. Scope of international protection and quality of asylum procedures

### 2.1. Scope of international protection

Brazil's asylum system is regulated by Law 9.474/97 which, in conjunction with Law No. 13.445/17 (the so-called 'Migration law'), establishes substantial protection safeguards for irregular migrants, asylum-seekers, refugees and stateless persons in line with regional and international standards.<sup>15</sup>

The Venezuelan crisis drastically changed the demographic of people in search of international protection in Brazil. In its 2016 submission for the 3<sup>rd</sup> UPR cycle, UNHCR noted that since 2015 Brazil has seen a decrease in the number of requests submitted by Haitians and an increase in the applications from Venezuelans, who started to arrive in Brazil in large numbers fleeing the instability and violence in their country. As of September 2020, Brazil hosted 164,500 asylum seekers, Venezuelans being the largest group (46,141).<sup>16</sup>

Since 2015, Brazil has offered two pathways of protection to Venezuelans: the MERCOSUR Residence Agreement or the standard refugee status determination process.<sup>17</sup> In the first case, and despite the fact that Venezuela is not party to the MERCOSUR Residence agreement, Brazil has allowed Venezuelans to apply for a temporary residency permit of two years, which may be indefinitely renewed contingent on proof of livelihood and lack of criminal records.<sup>18</sup>

On June 2019, acknowledging the situation in Venezuela as 'one amounting to serious and generalized human rights violations', Brazil's National Refugee Committee (CONARE) introduced a simplified and accelerated asylum procedure for Venezuelans fleeing their country, drawing on the 1984 Cartagena Convention on Refugees. Between December 2019 and August 2020, Brazil recognised Venezuelans as *prima facie* refugees and granted refugee status to 46,000 Venezuelans persons of concern (POCs).<sup>19</sup>

Local integration of refugees represents a key challenge for Brazil. In 2016, UNHCR noted that Brazil had adopted several good practices to enhance protection and integration of refugees and asylum-seekers at the federal, state and municipal levels.<sup>20</sup> At the same time, UNHCR reported that refugees and asylum-seekers were facing administrative barriers

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<sup>15</sup> Natália Medina Araújo, ASILE Country Fiche Brazil, 2020.

<sup>16</sup> UNHCR. Fact Sheet: Brazil. September 2020 [\[online\]](#)

<sup>17</sup> Macklin Audrey. Brazil's humane refugee policies. Good Ideas can travel north. The Conversation. 11 February 2020. [\[online\]](#)

<sup>18</sup> ILO. MERCOSUR Residence Agreement. Last accessed: 16 December 2020. [\[online\]](#); Liliana Lyra Jubilut & João Carlos Jarochinski Silva. 'Group recognition of Venezuelans in Brazil: an adequate new model?' *Forced Migration Review* 65, pp. 42-44. November 2020 [\[online\]](#)

<sup>19</sup> UNHCR. Fact Sheet: Brazil. September 2020. [\[online\]](#); UN. ONU elogia Brasil por reconhecer pedidos de refúgios para venezuelanos. 29 June 2019. [\[online\]](#)

<sup>20</sup> UNHCR, Submission for the Universal Periodic Review, 3rd Cycle, 27th Session, 2016, p. 2-3.



when accessing social security assistance.<sup>21</sup> UNHCR recommended Brazil to increase cooperation among federal, state and municipal actors in order to achieve durable solutions and eliminate legal and practical barriers for refugees and asylum-seekers to access public programmes and services.<sup>22</sup>

In November 2018, the Inter-American Commission on Human Rights (IACHR) carried out an *in loco* visit to Brazil. In its observations, IACHR noticed a heightened level of xenophobia towards homeless Venezuelan refugees and documented reported instances of exploitation and discrimination at work.<sup>23</sup> The IACHR provided a number of recommendations to Brazilian authorities: grant refugee status to Venezuelans based on the Cartagena Regime, fight discrimination and xenophobia towards migrants, identify vulnerable groups in need of special protection and ensure that migrants and refugees have equal and non-discriminatory access to economic, social and cultural rights.<sup>24</sup>

## 2.2. Quality of asylum procedures

In its 2016 submission for the 3<sup>rd</sup> UPR cycle, UNHCR further noted that the Brazilian Refugee Status Determination (RSD) system was unable to process asylum claims in a fair and efficient manner due to the increase in the number of asylum applications over the previous years. Despite positive developments, such as Brazil's participation in the regional Quality Assurance Initiative (QAI) programme,<sup>25</sup> UNHCR reported that the lack of adequate human resources, of an Age Gender and Diversity (AGD) sensitive case management strategy, and of an independent appeal body, risk jeopardising due process of law and the achievement of international protection standards.<sup>26</sup>

UNHCR recommended that Brazil implement the QAI programme, create a case management mechanism for the identification of persons with specific needs and establish special procedural guarantees for these persons. UNHCR further called on CONARE to increase its number of eligibility officers to adequately respond to the new asylum trends, create an independent body of appeal and guarantee due process of law standards throughout RSD procedures.<sup>27</sup>

UN treaty-bodies have in the past identified shortcomings in the Brazilian protection procedures for children. In 2015, the Committee on the Rights of the Child noted the absence of prioritised registration procedure for asylum cases involving children, which

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<sup>21</sup> *Ibid.*, p. 5.

<sup>22</sup> *Ibid.*

<sup>23</sup> Preliminary Observations of Inter-American Commission on Human Rights' *In Loco* Visit to Brazil (November 5-12 2018). November 2018, p. 30.

<sup>24</sup> *Ibid.*, p.54.

<sup>25</sup> The Quality Assurance Initiative programme, launched in 2012, is a joint review programme aimed at increasing fairness and efficiency of refugee status determination processes involving a group of Latin American and Caribbean countries. For more information see the UNHCR's Concept Note [\[online\]](#)

<sup>26</sup> Submission by the UNHCR for UPR, 2016 p. 2-6.

<sup>27</sup> *Ibid.*



resulted in unaccompanied children remaining undocumented for long periods.<sup>28</sup> The Committee recommended that Brazil adopt special procedures to register unaccompanied children, ensure that RSD are in line with international standards for unaccompanied children, provide legal representation and assistance throughout the process, and establish a human-rights compliance overall mechanism to ensure irregular migrants' rights.<sup>29</sup>

### 3. Admission to the territory and safeguards against removal of asylum seekers and refugees

Brazil has generally maintained an open door policy towards Venezuelans and reports from human rights monitoring bodies reviewed for this Country Note have not registered instances of *refoulement*.

The 2017 Migration Law (No. 13.445/17) improves access to documentation and enhances humanitarian protection of migrants whose lives or personal integrity would be at risk if deported.<sup>30</sup> The law contains specific provisions establishing procedural guarantees for the protection of refugees, asylum seeking and stateless persons in the context of expulsion procedures. Article 181 of the regulatory decree 9199/17 states that refugee, asylum-seeking or stateless person shall not be repatriated, deported or expelled during status determination procedures.<sup>31</sup>

In recent years, civil society organisations have reported attempts by the Brazilian Federal Government to undermine the protection standards granted by the 2017 migration law through a number of legislative amendments, such as *Projeto de Lei* (Bill) 1928/19 and Ordinance 666 in 2019, which drew criticisms from UNHCR and were contested before the Brazil Supreme Federal Court.<sup>32</sup>

During the 3<sup>rd</sup> UPR cycle, civil society organisations reported that migrants and asylum seekers arriving in Brazil via *Espaço Conector* in Terminal 3 of Guarulhos International

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<sup>28</sup> Committee on the Rights of the Child. Concluding observations from the combined second to fourth periodic reports on Brazil, 2015. CRC/C/BRA/CO/2-4, para. 77.

<sup>29</sup> Committee on the Rights of the Child, CRC/C/OPAC/BRA/CO/1, 2015, para. 31; Committee on the Rights of the Child. CRC/C/BRA/CO/2-4, 2015 para. 78.

<sup>30</sup> Eduardo Soares, Brazil: New Immigration law Enacted, Global Legal Monitor, Library of the Congress, 8 June 2017. [\[online\]](#); Pablo Ceriani Cernades. Immigration Detention through the Lens of International Human Rights: Lessons from South America. Global Detention Project Working Paper No. 13. September 2017, p. 6 [\[online\]](#)

<sup>31</sup> Presidency of the Republic. Decree No. 9.199 of 20 November 2017 regulates Law No. 13,445 of 24 May 2017, which established the Law on Migration [\[online\]](#)

<sup>32</sup> Gilberto M. A. Rodrigues. South America and the Cartagena Regime: a comprehensive approach to forced migration responses. 10 November 2020 [\[online\]](#); Article 1 of Ordinance 666 states that its purpose is to regulate “the prevention of entry, repatriation, summary deportation, reduction or cancellation of the period of stay of a person dangerous to the security of Brazil or of a person who has committed an act contrary to the principles and objectives laid down in the Federal Constitution [...]”. A joint note from more than 60 civil society organizations stated that the above-mentioned ordinance “ignores the presumption of innocence in preventing entry into the country - including for the purpose of requesting refuge - and in determining repatriation and even summary deportation based on mere suspicion of involvement in crimes, based on information still not proven”. See Instituto de Desenvolvimento e Direitos Humanos – IDDH, Mid-Term Report. Civil Society UPR 3<sup>rd</sup> Cycle Brazil (2017-2019), p. 15.



Airport in São Paulo were prevented from entering the country or continuing their journey on connecting flights.<sup>33</sup> In most cases, people were effectively blocked at the airport's transit area for an indefinite period of time, ranging from days, to weeks and even months, with no access to basic services or food. Civil Society reports also indicate instances of attempted repatriation of asylum seekers, in violation of the principle of *non-refoulement*.<sup>34</sup>

#### 4. Detention and restriction to freedom of movement

In 2014, following its visit to Brazil, the Working Group on Arbitrary Detention reported that Brazilian national law does not foresee detention for irregular migrants and asylum seekers, and in practice foreigners detained for immigration purposes were immediately released if they declared their will to apply for political asylum in Brazil. However, the Working Group also noted that refugees may be intercepted as irregular migrants, especially in the Amazon region, due to the inability of border agents and migratory authorities to identify persons with international protection needs, which may lead to the detention of asylum seekers, prevention from entering the territory or return to their country of origin.<sup>35</sup>

The Working Group did not issue specific recommendations concerning the treatment of migrants and asylum seekers but called on Brazil to take appropriate measures to ensure that deprivation of liberty is only used as a measure of last resort and for the shortest possible period of time.<sup>36</sup>

Human rights bodies have not reported specific issues concerning detention of irregular migrants, refugees, asylum seekers or stateless persons and they rather focused on the poor conditions of detention facilities in the country and the allegations of torture at the hands of law enforcement and detention personnel.<sup>37</sup>

Following its country visit in 2018, the IACHR noted that the deplorable conditions of detention included overcrowding, deficient infrastructure, a failure to separate charged and convicted inmates and a conspicuous shortage of correctional officers. IACHR recommended that Brazil reduce overcrowding, promote alternatives to incarceration and ensure a dignified treatment of persons under State custody.<sup>38</sup>

Following his country visit, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment was concerned by the numerous credible testimonies

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<sup>33</sup> Summary of stakeholders' submissions on Brazil, Report of the Office of the United Nations High Commissioner for Human Rights, 24 February 2017, A/HRC/WG.6/27/BRA/3, par. 102

<sup>34</sup> Conectas Derechos Humanos and Misión Paz, Submission JS16 for 3<sup>rd</sup> Cycle of the UN Universal Periodic Review, 2016, pp. 15-16.

<sup>35</sup> Report of the Working Group on Arbitrary Detention. Addendum. Mission to Brazil. 30 June 2014. A/HRC/27/48/Add.3, paras. 51-52-57.

<sup>36</sup> *Ibid.*, para. 91 (b).

<sup>37</sup> See Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his mission to Brazil. January 2016; Report of the Working Group on Arbitrary Detention. Addendum. Mission to Brazil. June 2014, p. 5-10.

<sup>38</sup> Preliminary Observations of Inter-American Commission on Human Rights' *In Loco* Visit to Brazil, 2008, pp. 26, 52, 53.



of inmates pointing to the frequent use of torture and ill-treatment by police and prison personnel in the context of arrest and interrogation.<sup>39</sup> The Special Rapporteur recommended that the Government of Brazil define and implement a more rigorous approach to legitimate arrests and establish effective means to monitor and sanction inappropriate use of force by law enforcement and detention personnel.<sup>40</sup>

## 5. Other key protection issues

### 5.1. Trafficking in human beings

Trafficking in human beings is a serious issue in Brazil and several UN-treaty bodies were concerned by the trafficking of children, particularly girls, and women for sexual exploitation and forced labour. UNCHR registered asylum applications from people who were victims of trafficking and consider refugees and asylum seekers in Brazil particularly exposed to smuggling and trafficking due to their vulnerable situation.<sup>41</sup>

The Committee on the Elimination of Discrimination against Women, in its 2012 Concluding observations, recommended Brazil to adopt a comprehensive law against trafficking in person to fully implement Article 6 of the CEDAW Convention, prosecute the perpetrators and protect the victims of trafficking. The Committee also called on Brazil to ensure the systematic and periodic monitoring of the phenomenon, provide information and training on how to identify and deal with victims of trafficking as well as on anti-trafficking provisions in the domestic law.<sup>42</sup>

A similar recommendation was made by the Committee on the Rights of the Child in 2015: the Committee called on Brazil to strengthen its anti-trafficking preventive efforts, including at the regional level, establish specialised centres for victims with adequate resources, and amend its Penal Code to criminalise trafficking for the purpose of economic exploitation.<sup>43</sup>

In 2016, UNHCR recommended the creation of a mechanism for the early identification, referral, assistance and support to refugees and asylum seekers who are victims of trafficking, including the establishment of a referral mechanism between CONARE and CONATRAP (National Committee against the trafficking of persons).<sup>44</sup>

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<sup>39</sup> Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his mission to Brazil, 29 January 2016, A/HRC/31/57/Add.4, paras. 50, 51.

<sup>40</sup> Ibid. paras. 147 (g), (n).

<sup>41</sup> UNHCR Submission for the UPR, 3<sup>rd</sup> cycle, 2016, p. 5; Committee on the Elimination of Discrimination against Women. Concluding observations, 23 March 2012. CEDAW/C/BRA/CO/7, par. 20; Committee on the Rights of the Child, Concluding observations from the combined second to fourth periodic reports on Brazil. 30 October 2015. CRC/C/BRA/CO/2-4, par. 85 .

<sup>42</sup> Committee on the Elimination of Discrimination against Women. Concluding observations, 23 March 2012. CEDAW/C/BRA/CO/7, par. 21 (a), (d) and (e).

<sup>43</sup> Committee on the Rights of the Child. Concluding observations from the combined second to fourth periodic reports on Brazil. 30 October 2015. CRC/C/BRA/CO/2-4, par. 86 (a), (b) and (c)

<sup>44</sup> Submission by the UNHCR for the Universal Periodic Review, 3<sup>rd</sup> cycle, 2016, p. 5.



## 5.2. Stateless persons

Brazilian nationality law is based on the *jus soli* principle, whereby every person born in Brazil automatically acquires Brazilian nationality. According to UNHCR, this is the reason why Brazil is believed to host a low number of stateless persons, despite the lack of official statistics and the absence of a formal statelessness determination procedure.<sup>45</sup>

The 2017 Migration Law (Law No. 13.445/17) addressed this gap in Brazilian legislation by granting stateless persons in Brazil the same rights as those applicable to migrants and prohibiting discrimination in relations to nationals. Under Article 26, the law establishes a stateless determination procedure, following which a person recognised as stateless is offered the possibility either to acquire Brazilian citizenship or receive permanent residence in Brazil. On 4 October 2018, the Ministry of Justice of Brazil granted for the first time Brazilian citizenship to two sisters who had been previously recognized as stateless.<sup>46</sup>

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<sup>45</sup> Ibid., p. 2.

<sup>46</sup> UNHCR. First stateless persons recognized by Brazil receive Brazilian nationality. October 4, 2018 [[online](#)].



## Annex 1. Methodological Note

Human rights systems at the international and regional levels have established a range of mechanisms and bodies to monitor and promote states' compliance with their treaty obligations.

This Country Note describes key issues and recommendations in the field of asylum and international protection highlighted by international and regional human rights bodies in the context of existing monitoring and reporting procedures. In so doing, this Country Note complements research conducted under the ASILE project, in particular Country Fiches as well as the Catalogue of International and Regional Legal Standards.<sup>47</sup>

The Country Note is based on desk research covering reports, documents and observations provided for by the following human rights monitoring mechanisms and bodies:

- The United Nations Charter-based system of human rights protection, including the Universal Periodic Review Process (UPR)<sup>48</sup> and the Special Procedures of the UN Human Rights Council;<sup>49</sup>
- UN human rights Treaties Bodies tasked with monitoring the implementation of provisions of the core international human rights treaties;<sup>50</sup>
- Human rights monitoring bodies established under relevant regional human rights systems to which the Country under consideration is party. These may include, depending on the country under consideration, bodies of the Council of Europe Human Rights system,<sup>51</sup> the Inter-American Human Rights System,<sup>52</sup> the African Human Rights system,<sup>53</sup> and the League of Arab States human rights system.<sup>54</sup>

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<sup>47</sup> See ASILE, Our research [\[online\]](#)

<sup>48</sup> OHCHR, Basic facts about the UPR [\[online\]](#)

<sup>49</sup> OHCHR, Special Procedures of the Human Rights Council [\[online\]](#)

<sup>50</sup> OHCHR, Monitoring the core international human rights treaties [\[online\]](#)

<sup>51</sup> See the website of the Council of Europe [\[online\]](#)

<sup>52</sup> See Inter-American Commission on Human Rights [\[online\]](#)

<sup>53</sup> See African Commission on Human and Peoples' Rights [\[online\]](#)

<sup>54</sup> See Arab Human Rights Committee [\[online\]](#)



## Annex 2 - Brazil: Selected documents from International and Regional Human Rights Monitoring Bodies

### 1. United Nations Charter-based bodies

#### Universal Periodic Review 3rd cycle (2017)

- National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 Brazil, 27 February 2017, A/HRC/WG.6/27/BRA/1 [[online](#)]
- Compilation of UN information on Brazil, Report of the Office of the United Nations High Commissioner for Human Rights, 24 February 2017, A/HRC/WG.6/27/BRA/2 [[online](#)]
- Summary of stakeholders' submissions on Brazil, Report of the Office of the United Nations High Commissioner for Human Rights, 24 February 2017, A/HRC/WG.6/27/BRA/3 [[online](#)]
- Mid-Term Report. Civil Society UPR 3<sup>rd</sup> Cycle Brazil (2017-2019) [[online](#)]

#### UN Special Procedures

- Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his mission to Brazil. Note by the Secretariat. 29 January 2016. A/HRC/31/57/Add.4 [[online](#)]
- Report of the Working Group of Experts on People of African Descent on its fourteenth session. Addendum. Mission to Brazil. 23 September 2014. A/HRC/27/68/Add.1 [[online](#)]
- Report of the Working Group on Arbitrary Detention. Addendum. Mission to Brazil. 30 June 2014. A/HRC/27/48/Add.3 [[online](#)]

### 1. UN Treaty Bodies

#### Human Rights Committee (CCPR)

- Considerations of reports submitted by States Parties under Article 40 of the Covenant. Concluding observations of the Human Rights Committee. 1 December 2005, CCPR/C/BRA/CO/2 [[online](#)]

#### Committee on Economic, Social and Cultural Rights (CESCR)

- Considerations of reports submitted by State Parties under Articles 16 and 17 of the Covenant. Concluding observations of the Committee on Economic, Social and Cultural Rights, 12 June 2009, E/C.12/BRA/CO/2 [[online](#)]

#### Committee on the Elimination of Racial Discrimination (CERD)

- Considerations of Reports submitted by States Parties under Article 9 of the Convention. Concluding observations of the Committee on the Elimination of Racial Discrimination, 28 April 2004. CERD/C/64/CO/2 [[online](#)]

**Committee against Torture (CAT)**

- Report of the Committee against Torture. Twenty-fifth session, 13-24 November 2000, A/56/44, pp. 49-51 [[online](#)]
- Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Visit to Brazil undertaken from 19 to 30 October 2015: observations and recommendations addressed to the State party. Report of the Subcommittee. 16 February 2017. CAT/OP/BRA/3 [[online](#)]

**Committee on the Rights of the Child (CRC)**

- Concluding observations from the combined second to fourth periodic reports on Brazil. 30 October 2015. CRC/C/BRA/CO/2-4 [[online](#)]
- Concluding observations on the report submitted by Brazil under article 8(1) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. 28 October 2015. CRC/C/OPAC/BRA/CO/1 [[online](#)]

**Committee on the Elimination of Discrimination against Women (CEDAW)**

- Concluding observations of the Committee on the Elimination of Discrimination against Women, 23 March 2012, CEDAW/C/BRA/CO/7 [[online](#)]

**2. Other UN Bodies****UNHCR**

- Submission for the Universal Periodic Review: 3rd Cycle, 27th Session. Brazil. September 2016 [[online](#)]
- First stateless persons recognized by Brazil receive Brazilian nationality. October 4, 2018. [[online](#)]
- ONU elogia Brasil por reconhecer pedidos de refúgios para venezuelanos. 29 June 2019. [[online](#)]
- Fact Sheet Brazil. September 2020 [[online](#)]
- Global Focus: Brazil. [[online](#)]

**3. Regional Human Rights Bodies****Inter-American Commission on Human Rights**

- Preliminary Observations of Inter-American Commission on Human Rights' *In Loco* Visit to Brazil (November 5-12 2018). [[online](#)]



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Global Asylum  
Governance and  
the European  
Union's Role

#### **4. Civil society organisations**

- Instituto de Desenvolvimento e Direitos Humanos (IDDH). Colectivo RPU Brasil. Mid Term Report. Civil Society – UN Universal Periodic Review 3<sup>rd</sup> Cycle. Brazil (2017-2019) [[online](#)]

Conectas Derechos Humanos and Misión Paz. Submission JS16 for 3<sup>rd</sup> Cycle of the UN Universal Periodic Review, October 2016 [[online](#)]