Compilation on Brazil

Report of the Office of the United Nations High Commissioner for Human Rights

I. Scope of international obligations and cooperation with international human rights mechanisms and bodies[[1]](#endnote-1)

1. International human rights treaties[[2]](#endnote-2)

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified/not accepted* |
| *Ratification, accession or succession* | ICERD (1968)  ICESCR (1992)  ICCPR (1992)  ICCPR-OP 2 (2009)  CEDAW (1984)  CAT (1989)  OP-CAT (2007)  CRC (1990)  OP-CRC-AC (2004)  OP-CRC-SC (2004)  CRPD (2008)  ICPPED (2010) |  | ICRMW |
| *Reservations and/or declarations* | CEDAW, art. 29, para. 1  CRC-OP-AC, art. 3, para. 2  ICCPR-OP 2,- art.2 |  |  |
| *Complaints procedures, inquiries and urgent action*[[3]](#endnote-3) | ICERD, art. 14 (2002)  ICCPR-OP 1 (2009)  OP-CEDAW, art. 8 (2002)  CAT, arts. 20-22 (2006)  OP-CRPD, art. 6 (2008)  OP-CRC-IC (signature, 2012) |  | ICCPR, art. 41  ICRMW,  OP-ICESCR  OP-CRC-IC (signature 2012)  ICPPED, arts. 31-32 |

2. Other main relevant international instruments[[4]](#endnote-4)

|  | *Status during previous cycle* | *Action after review* | *Not ratified* |
| --- | --- | --- | --- |
| *Ratification, accession or succession* | Convention on the Prevention and Punishment of the Crime of Genocide,  Rome Statute of the International Criminal Court  Refugees and stateless persons  Geneva Conventions of 12 August 1949 and Additional Protocols I and II thereto  Palermo Protocol  ILO Fundamental Conventions  ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries  UNESCO Convention against Discrimination in Education | Additional Protocol III to the 1949 Geneva Conventions8 | ILO Convention No. 189 concerning Decent Work for Domestic Workers  ILO Convention Nº 87 concerning Freedom of Association and Protection of the Right to Organise |

**II. Cooperation with human rights mechanisms**

A. Cooperation with treaty bodies

1. Reporting status

| *Treaty body* | *Concluding observations included in previous review* | *Latest report submitted since previous review* | *Latest concluding observations* | *Reporting status* |
| --- | --- | --- | --- | --- |
| Committee on the Elimination of Racial Discrimination | -- | -- | -- | Combined eighteenth to twentieth reports overdue since 2008 |
| Committee on Economic, Social and Cultural Rights | June 2009 | -- | -- | Third report overdue since 2014 |
| Human Rights Committee | -- | -- | -- | Third report overdue since 2009 |
| Committee on the Elimination of Discrimination against Women | February 2012 | -- | -- | Eighth report overdue since 2016 |
| Committee against Torture | -- | -- | -- | Second report overdue since 2014 |
| Committee on the Rights of the Child | -- | 2012 | October 2015 / OP-AC, October 2015 | Combined second to fifth to seventh reports due in 2021; initial report to OP-CRC-SC overdue since 2006; |
| Committee on the Rights of Persons with Disabilities | -- | 2012 | September 2015 | Combined second to fourth reports due in 2022 |
| Committee on Enforced Disappearances | -- | -- | -- | Initial report overdue since 2013 |

1. Responses to specific follow-up requests by treaty bodies

|  |  |  |  |
| --- | --- | --- | --- |
| **Concluding observations** | | | |
| *Treaty body* | *Due in* | *Subject matter* | *Submitted in* |
| Committee on the Elimination of Discrimination against Women | 2014 | Trafficking in persons, women’s access to health care, maternal mortality, and criminalization of abortion.[[5]](#endnote-5) | 2014[[6]](#endnote-6); follow-up dialogue ongoing.[[7]](#endnote-7) |
| Committee on the Rights of Persons with Disabilities | 2016 | Equal recognition before the law, revision of Law No. 9263/1996 and prohibition of the sterilization of persons with disabilities.[[8]](#endnote-8) | -- |
| **Views** | | | |
| *Treaty body* | *Number of views* | *Status* | |
|  | -- | -- | |
| **Country visits and/or inquiries by treaty bodies** | | | |
| *Treaty body* | *Date* | *Subject matter* | |
| Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment | 2012[[9]](#endnote-9)  2016[[10]](#endnote-10) | NPM, treatment and situation of persons deprived of their liberty, Impunity, Corruption, Reprisals. | |

B. Cooperation with special procedures[[11]](#endnote-11)

|  | *Status during previous cycle* | *Current status* |
| --- | --- | --- |
| *Standing invitation* | YES | YES |
| *[Visits undertaken]* |  | Independent Expert on human rights and international solidarity (25-29 June 2012)  Working Group on Arbitrary Detention (18-28 March 2013)  Working Group of Experts on People of African Descent (4-14 December 2013)  Special Rapporteur on the human right to safe drinking water and sanitation (9-19 December 2013)  Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (3-14 August 2015)  Special Rapporteur on minority issues (14-24 September 2015)  Working Group on the issue of human rights and transnational corporations and other business enterprises (7-16 December 2015)  Special Rapporteur on the rights of indigenous peoples (7-17 March 2016) |
| *[Visits agreed to in principle]* | -- | -- |
| *[Visits requested]* | -- | -- |
| *Responses to letters of allegation and urgent appeals* | During the period under review, 48 communications were sent. The Government replied to 29 of these communications. | |
| *[Follow-up reports and missions]* | -- | |

1. Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Brazil from the previous cycle (A7HRC/WG.6/13/BRA/2). [↑](#endnote-ref-1)
2. The following abbreviations have been used in the present document:

   ICERD International Convention on the Elimination of All Forms of Racial Discrimination

   ICESCR International Covenant on Economic, Social and Cultural Rights

   OP-ICESCR Optional Protocol to ICESCR

   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

   OP-CRC-IC Optional Protocol to CRC on a communications procedure

   ICRMW International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

   CRPD Convention on the Rights of Persons with Disabilities

   OP-CRPD Optional Protocol to CRPD

   ICPPED International Convention for the Protection of All Persons from Enforced Disappearance. [↑](#endnote-ref-2)
3. Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30. [↑](#endnote-ref-3)
4. Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Brazil before the Human Rights Council, as contained in the note verbale dated 4 April 2016 sent by the Permanent Mission of Brazil to the United Nations addressed to the President of the General Assembly. [↑](#endnote-ref-4)
5. CEDAW/C/BRA/CO/7, para. 40. [↑](#endnote-ref-5)
6. CEDAW/C/BRA/CO/7/Add.1. [↑](#endnote-ref-6)
7. Letter from CEDAW to the Permanent Representative of the Federative Republic of Brazil to the United Nations at Geneva, dated 16 December 2014, available from: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BRA/INT\_CEDAW\_FUL\_BRA\_19245\_E.pdf. [↑](#endnote-ref-7)
8. CRPD/C/BRA/CO/1, para. 61. [↑](#endnote-ref-8)
9. CAT/OP/BRA/1. [↑](#endnote-ref-9)
10. CAT/OP/BRA/R.2. [↑](#endnote-ref-10)
11. For the titles of special procedure mandate holders, see www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx.

    [↑](#endnote-ref-11)