



Promoting and strengthening  
the Universal Periodic Review

## Recommendations & Pledges

### BRAZIL

#### Second Review Session 13

Review in the Working Group: 25 May 2012  
Adoption in the Plenary: 20 September 2012

#### Brazil's responses to recommendations (as of 20.09.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	The delegation accepted 159 recs. fully, 10 in parts (underlined in blue), and rejected 1	No additional information provided	Accepted: 169 Rejected: 1 No clear position: 0 Pending: 0 Total: 170

*Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.*

#### List of recommendations contained in Section II of the Report of the Working Group A/HRC/21/11:

**119. The following recommendations will be examined by Brazil, which will respond in due course, but no later than the twenty-first session of the Human Rights Council in September 2012. These responses will be included in the outcome report adopted by the Human Rights Council at its 21st session:**

[A - 119.1. Continue with the implementation of recommendations related to the ratification of human rights international instruments \(Burkina Faso\);](#)

[A - 119.2. Take more steps towards full implementation of CEDAW recommendations \(Egypt\);](#)

[A - 119.3. Consider withdrawing reservations to the core international human rights instruments, in particular to the Second Optional Protocol to ICCPR \(Turkey\);](#)

A - 119.4. Fully align the national legislation with all obligations arising out of the Rome Statute of the International Criminal Court (ICC)(Slovakia);

A - 119.5. Fully align the national legislation with all obligations under the Rome Statute of the ICC, including incorporating the Statute's definition of crimes and general principles, as well as adopting provisions enabling cooperation with the ICC (Slovenia);

A - 119.6. Establish mechanisms to monitor and evaluate the compliance with its human rights obligations (Costa Rica);

A - 119.7. Consider becoming a State party and ratify the International Convention for the Protection of the Rights of All Migrant Workers and their Families to protect the human rights of these migrant workers (Philippines);

A - 119.8. Consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile);

A - 119.9. Signs and ratify as soon as possible the optional protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

A - 119.10. Ratify the ILO conventions No. 189 and 87 regarding, respectively, decent conditions of work for female and male domestic workers and freedom of association and protection of the right to organise (Chad);

A - 119.11. Expedite the implementation of an efficient and autonomous National Preventive Mechanism, as stipulated in the OP-CAT and ensure that it enjoys the independence, resources and other conditions needed to fulfil its task (Sweden);

A - 119.12. Prompt adoption of Bill no. 2442 with amendments that guarantee the independence and autonomy of the National Preventative Mechanism members, in conformity with Brazil's OPCAT obligations (United Kingdom);

A - 119.13. Swiftly implement the proposed National System to Prevent and Combat Torture to address concerns over abuse in prisons (Australia);

A - 119.14. Adopt Bill No. 2442 in order to guarantee the independence and autonomy of the members of the National Preventive Mechanism, in conformity with Brazil's obligations under OPCAT (Denmark);

A - 119.15. Request the Sub-committee on the Prevention of Torture to publicly release the report of its September 2011 visit (Switzerland);

A - 119.16. Step up the necessary processes for the creation of the National Council for Human Rights (Mozambique);

A - 119.17. Encourage and facilitate relevant human rights institutions to be accredited by the International Coordinating Committee of NHRIs in line with the Paris Principles in order to create a space for independent monitoring of human rights, particularly on abusive military and police activities (Namibia);

A - 119.18. Conclude the process for the adoption of the draft law that creates a national human rights institution in compliance with the Paris Principles (Peru);

A - 119.19. Give further impetus to the creation of a national human rights institution in accordance with the Paris Principles (Portugal);

A - 119.20. Establish a national human rights institution in accordance with the Paris Principles (Senegal);

A - 119.21. Ensure that the establishment of a national human rights institutions be in conformity with the Paris Principles (France);

A - 119.22. Accelerate efforts toward the establishment of a Brazilian National Human Rights Council in accordance with the Paris Principles, including through passing a Bill on converting the Council for the Defence of the Rights of the Human Person into the National Human Rights Council which is currently in the agenda of the National Congress (Indonesia);

A - 119.23. Expedite effort to establish a national human rights institution in conformity with the Paris Principles (Malaysia);

A - 119.24. Amend its legislation for the legal recognition of same-sex couples (Finland);

A - 119.25. Ensure that federal and state authorities work more efficiently together to produce statistics and regular human rights reports (Belgium);

A - 119.26. Continue to prepare reports in order to enhance and promote the human rights situation (Qatar);

A - 119.27. Continue its efforts to strengthen human rights, particularly within the framework of the family (Saudi Arabia);

A - 119.28. Encourage initiatives fostering social and inter-community harmony (Algeria);

A - 119.29. Share with other countries good practices and achieved developments (Guatemala);

A - 119.30. Share its best practices within poverty reduction and the promotion of social equality at the bilateral and multilateral level (Lebanon);

A - 119.31. Pay particular attention to seek even more effective results in the implementation of policies addressing the following issues: protection of the rights and promotion of the socio-economic situation of indigenous peoples and Afro-descendent Quilombo communities; access to justice and combating impunity; extra-judicial executions, torture in detention and; protection of human rights defenders (Cape Verde);

A - 119.32. Continue in its effort to eliminate extreme poverty and include in its social policies those who are most vulnerable, especially women, children, Afro-descendants, indigenous peoples, the elderly and persons with disabilities (Ecuador);

A - 119.33. Continue advancing in the creation of the National Plan for Infancy and Adolescence (Colombia);

A - 119.34. Continue with the proper implementation of the Convention on the Rights of Persons with Disabilities, particularly with regard to the exercise of their political rights (Mexico);

A - 119.35. Formulate programmes for the effective implementation of the National Plan on the Rights of Persons with Disabilities (Nepal);

A - 119.36. Continue its efforts to implement the national plan for the human rights of persons with disabilities and exert further efforts to eliminate discrimination against them and integrate them into society (Palestine);

A - 119.37. Ensure an effective non-discrimination for persons with disabilities as well as recognition of all persons with disabilities as persons before the law (Slovakia);

A - 119.38. Ensure that people with disabilities in situations of abandonment or without family support are able to live in the community in a non-segregated way, providing for their access to services such as health, education or social security (Slovakia);

A - 119.39. Adopt legislation to implement the Convention on the Rights of Persons with Disabilities (Spain);

A - 119.40. Adopt measures and safeguards to ensure the exercise, in conditions of equality, of the legal capacity and recognition before the law of persons with disabilities (Costa Rica);

A - 119.41. Continue promoting cooperation and dialogue in addressing situations of concern in the Human Rights Council (Pakistan);

A - 119.42. Inform the Council about results achieved and lessons learnt in their mid-term UPR Report on the "Living Without Limits" plan (Hungary);

A - 119.43. Adoption of the principle of equal pay for equal work, regardless of any differences (Iraq);

A - 119.44. Intensify efforts to enhance the participation of women in socioeconomic activities (Nepal);

A - 119.45. Continue its efforts to guarantee full equality, opportunities and treatment for women and continue implementing national development plans (Palestine);

A - 119.46. Continue its efforts to consolidate greater representation of women in decision-making positions, both in public administration and the private sector (Peru);

A - 119.47. Continue to promote gender equality in all fields (Qatar);

A - 119.48. Consider the possibility of implementing affirmative action policies in order to achieve a larger representation of women in the executive, legislative and judiciary branches (Ecuador);

A - 119.49. Continue to prioritize policy aimed at promoting equality and repairing social distortions and disparities (South Africa);

A - 119.50. Follow up on the recommendation of ILO to continue efforts to ensure full equality of opportunity and treatment for women, persons of African Descent and indigenous persons (Turkey);

A - 119.51. Continue combating inequalities in access to employment and in working conditions based on gender and race as noted by CESCR (Turkey);

A - 119.52. Adopt effective measures in the structured labour market in order to accelerate the elimination of occupational segregation (Honduras);

A - 119.53. Continue its efforts to eradicate all forms of discrimination against the elderly (Argentina);

A - 119.54. Encourage employment opportunities programmes for the elderly and strengthen measures to prevent and punish discrimination against them (Mexico);

A - 119.55. Address discrimination and prejudice against leprosy in line with the Principles and Guidelines for the Elimination of Discrimination against Persons Affected by Leprosy and Their Family Members and the relevant General Assembly resolution (Japan);

A - 119.56. Take into consideration the provisions of HRC resolution A/HRC/RES/13/27 relating to sport and racism, when preparing and organizing the 2014 football World Cup and the 2016 Olympic Games, in order to promote understanding, tolerance and peace and strengthen the efforts in the struggle against racism, racial discrimination, xenophobia and related intolerance (Morocco);

A - 119.57. Ensure that urban restructuring in advance of the 2014 World Cup and the 2016 Olympics be properly regulated to prevent displacements and forced evictions, and that residents in affected areas are given full and timely information about proposals affecting them; engage in a genuine negotiation with the communities to explore alternatives to eviction; and, where necessary, offer compensation or alternative adequate housing close to the existing communities (Canada);

A - 119.58. Make every effort to ensure that the forthcoming World Cup and Olympics will bring lasting benefits to the poorest and most marginalized urban inhabitants (Ukraine);

A - 119.59. Establish measures for greater accountability to prevent loss of life (Namibia);

R - 119.60. Work towards abolishing the separate system of military police by implementing more effective measures to tie State funding to compliance with measures aimed at reducing the incidence of extrajudicial executions by the police (Denmark);

A - 119.61. Take stronger action, at the federal government level, to counter “death squads” (Republic of Korea)

A - 119.62. That other state governments consider implementing similar programmes to Rio de Janeiro’s UPP Police Pacifying Unit (Australia);

A - 119.63. Implement further measures to combating and preventing torture, as well as strengthen existing mechanisms for the implementation of the recommendations of the United Nations Committee Against Torture and other international bodies (Uzbekistan);

A - 119.64. Continue the authorities’ efforts to prevent and combat torture both at the federal and state levels (Indonesia);

A - 119.65. Revise the human rights training programmes for the security forces, emphasizing the use of force according to the criteria of necessity and proportionality and putting an end to extra-judicial executions (Spain);

A - 119.66. Make sure prisoners and detainees have access at all times to their rights and descriptions of proper treatment, including those laid down in the Standard Minimum Rules and the Body of Principles for the Protection of Detainees and make sure that they have access to effective procedures to realize these rights (Netherlands);

A - 119.67. Make further efforts to improve conditions in detention facilities according to international standards, especially including developing gender-sensitive policies and programmes for women (Republic of Korea);

A - 119.68. Take action to improve prison conditions, in particular to improve the conditions of women’s detention facilities in accordance with international standards, and ensure protection of human rights of all detainees, including guarantees of due process and protection against cruel and inhumane treatment (Slovenia);

A - 119.69. Reform the penitentiary system to reduce the level of overcrowding and to improve the living conditions of persons deprived of their liberty (Spain);

A - 119.70. Address the high rate of homicides in Brazil’s overcrowded prisons (Turkey); 1

A - 119.71. Reduce prison overcrowding and pre-trial detention periods by enforcing the 2011 Law on Precautionary Measures (United States);

A - 119.72. Take action to improve prison conditions (Czech Republic);

A - 119.73. Exert further efforts to improve prison conditions (Egypt);

A - 119.74. Undertake effective measures to improve prison conditions (Hungary);

A - 119.75. Closely monitor the effectiveness of, and review if necessary, the National Programme to Support the Prison System and the Law on Precautionary Measures (Japan);

A - 119.76. Pay extra attention to the special needs of women prisoners by considering implementing the Bangkok rules (Thailand);

A - 119.77. Make more efforts to improve the situation in detention facilities especially in women’s prisons (Greece);

A - 119.78. Prioritize the reform of the prison system and ensure respect for and protection of the human rights of all detainees (Italy);

A - 119.79. Adopt a policy of taking an explicit and published decision on instituting a federal investigation and prosecution in all cases involving violence against human rights defenders (Netherlands);

A - 119.80. Pass legislation, without undue delay, to confirm the official status of the National Programme for the Protection of Human Rights Defenders, and give priority to its wide implementation (Norway);

A - 119.81. Ensure that the National Programme for the Protection of Human Rights Defenders be implemented in all states of the nation (Spain);

A - 119.82. Ensure the protection of human rights defenders, notably the leaders of indigenous communities fighting for their rights (Switzerland);

A - 119.83. Consider the development of a comprehensive policy to address the problem of human rights violations against its defenders founded on strategies for strengthening the independence of the judiciary and increasing the awareness of the population and public authorities as to the important role of these defenders (Timor-Leste);

A - 119.84. Ensure adequate safeguards are in place to ensure protection of human rights defenders, including those working within indigenous communities (United Kingdom);

A - 119.85. Increase funding to provide human rights advocates with adequate protection (Australia);

A - 119.86. Adopt a law to confirm the official status of the national programme for the protection of human rights defenders (Belgium);

A - 119.87. Respect the rights of Human Rights Defenders and protect them in their everyday struggle (Poland);

A - 119.88. Intensify efforts for the security of human rights defenders and reinforce cooperation with all stakeholders, in particular, the states and military police (Czech Republic);

A - 119.89. Take all necessary measures to ensure the physical integrity of journalists and human rights defenders (France);

A - 119.90. Provide systematic training to judges, prosecutors and lawyers on women's rights and violence against women, including on the implementation of the Maria da Penha Law on domestic and family violence against women (Canada);

A - 119.91. Increase its efforts to fully implement the Maria da Penha Law regarding the rights of women victims of domestic violence (Portugal);

A - 119.92. Continue fighting violence against women (Senegal);

A - 119.93. Continue its efforts to implement policies to enhance the protection of women against violence (Singapore);

A - 119.94. Take effective steps to ensure gender equality and counteract violence against women (Uzbekistan);

A - 119.95. Take further steps in order to promote gender equality and eliminate domestic and family violence in the country (Azerbaijan);

A - 119.96. Take legal and practical measures to eliminate violence and discrimination against women particularly in the rural and remote areas of Brazil (Iran);

A - 119.97. Take measures to address homo- and trans-phobic crime, including by establishing a system for recording such crimes (Finland);

A - 119.98. Strengthen domestic cooperation between relevant actors, as well as international cooperation, in order to combat both internal and international trafficking and sexual exploitation of women and children (Sweden);

A - 119.99. Adopt and implement, in accordance with relevant international law, national legislation to combat trafficking in women and children which will prosecute and convict traffickers, and take effective measures to prevent sexual tourism (Switzerland);

A - 119.100. Step up prosecutions of individuals who traffic in persons and increase funding for specialized services, including shelters, for trafficking victims (United States);

A - 119.101. Combat human trafficking, "death squads", violence and related sexual exploitation (Holy See);

A - 119.102. Adopt more comprehensive legislation to combat trafficking in persons (Iraq);

A - 119.103. Focus on developing a system allowing effective collaboration between the health, social security, education, and tourism sectors with the aim of adequately tackling all forms of sexual exploitation in the country (Hungary);

A - 119.104. Continue with its efforts to eradicate child labour with a particular focus on children in highly vulnerable situations (Singapore);

A - 119.105. Intensify the programmes to combat child labour (Algeria);

A - 119.106. Take effective legislative measures for special protection and integration mechanisms for victims of slave labour (Iran);

A - 119.107. Give greater importance to the recommendations made by the Committee of the ILO Experts as regards the combat of slavery labour (Iraq);

A - 119.108. Strengthen measures concerning the many children who continue to live on the street where they remain vulnerable to abuse (Turkey);

A - 119.109. Improve the protection of children by fighting against child labour, providing for children living in the streets and ensuring education for them (Holy See);

A - 119.110. Accelerate the improvement of the judicial, police and prison systems in line with international human rights standards (Holy See);

A - 119.111. Continue the implementation of the policy aimed at improving the judicial system, reforming the law enforcement bodies and reducing the crime rate and corruption (Russian Federation);

A - 119.112. Facilitate access to justice through additional measures, which could reduce structural obstacles such as the cost and the cumbersome nature of the procedures (Morocco);

A - 119.113. Strengthen the judiciary by combating slowness as well as addressing corruption and the repressive treatment of adolescents (Spain);

A - 119.114. Continue its endeavours to contribute to improving the criminal justice system in the country (Azerbaijan);

A - 119.115. Continue to promote reforms to the Judicial System which incorporate the prioritization of the respect for human rights (Chile);

A - 119.116. Further develop the legislation that would allow women to exercise their rights to privacy and confidentiality during police investigations and guarantee the right to presumption of innocence, due process, and legal defence (Estonia);

A - 119.117. Increase the total number of Public Defenders and to secure a constant presence of Public Defenders in all detention institutions (Netherlands);

A - 119.118. Ensure the availability of public defenders in all detention locations in order to enhance guarantees of due process (Canada);

A - 119.119. Secure what is prescribed in Article 149 of the Brazilian Penal Code, relating to the criminal prosecution of the crime of slavery (Paraguay);

A - 119.120. Ensure that all killings by law enforcement personnel are properly registered and thoroughly, independently investigated (Slovakia);

A - 119.121. Combat impunity on crimes against judges by creating a protection system for judges under threat (United States);

A - 119.122. Ensure that all members of the police and prison officers that commit human rights violations and abuses, such as torture and ill-treatment, are held accountable (Czech Republic);

A - 119.123. Effectively fight against arbitrary and on-duty police killings, in particular by creating a strong framework for impartial investigation (Germany);

A - 119.124. Continue working for the strengthening of the process of truth-seeking (Paraguay); 2

A - 119.125. Continue its efforts to guarantee the right to the truth for victims and families of serious human rights violations and for all Brazilian society, ensuring proper functioning of the Truth Commission (Argentina);

A - 119.126. Ensure that the Truth Commission created in November 2011 be provided with sufficient resources to recognize the right of victims to justice, in particular for crimes with no statute of limitation (France);

A - 119.127. Protect the natural family and marriage, formed by a husband and a wife, as a basic cell of society as it provides the best conditions for raising children (Holy See);

A - 119.128. Study the possibility of having campaigns for registering girls, boys and adolescents in the North and North-east of Brazil, with the cooperation of the universal system of human rights (Uruguay);

A - 119.129. Regularly foster awareness on birth registration at national and local levels, particularly through the organization of public campaigns to highlight the importance of birth-registration (Uruguay);

A - 119.130. Consider freedom of expression concerns when drafting cybercrime legislation (Estonia);

A - 119.131. Examine the possibility of expanding the scope of application and the target population of the "Bolsa Familia" programme aimed at reducing poverty and redouble its efforts to reduce social inequalities (Morocco);

A - 119.132. Continue efforts to reduce poverty and increase, if possible, the necessary resources for current programmes, such as the "Bolsa Familia" (Greece);

A - 119.133. Continue strengthening social security to cover all segments of society (Nepal);

A - 119.134. Continue implementing and strengthening social inclusiveness, equality and non-discriminatory public practices, among which "Brazil without Poverty" (Nicaragua);

A - 119.135. Continue its efforts to combat poverty and social disparities (Pakistan);

A - 119.136. Pursue strategies fighting against poverty and social inequalities (Senegal);

A - 119.137. Continued action in eradicating extreme poverty (Sri Lanka);

A - 119.138. Continue to address the grievance of and empower vulnerable groups – particularly women, children, indigenous people, and people of African descent – by reducing urban-rural

discrepancies and promoting equal access to opportunities for all, especially access to health care, education, employment, housing and social security (Thailand);

A - 119.139. Strengthen measures in poverty eradication as well as in reducing socio-economic development gaps among regions and social groups (Viet Nam);

A - 119.140. Continue its favourable policies with concrete initiatives aimed at the most vulnerable groups such as women, children and minorities (Viet Nam);

A - 119.141. Improve the struggle against poverty, improve the fate of individuals and communities fighting for access to land in rural zones, and protect them against evictions, intimidations, threats and killings (Belgium);

A - 119.142. Concentrate on the poorest and most vulnerable (Burkina Faso);

A - 119.143. Continue to move forward its poverty reduction strategy and protect the rights of vulnerable groups so as to achieve sustainable economic and social development (China);

A - 119.144. Ensure equal access to poverty reduction programmes, particularly for indigenous families (Egypt);

A - 119.145. Continue programmes and measures aimed at eliminating poverty and increasing the socio-economic development of the country (Cuba);

A - 119.146. Continue advancing in the development and implementation of the "Stork Network" and the national system for registration, monitoring and accompanying for pregnant women in order to prevent maternal mortality, in the context of the policy for integral assistance to woman's health (Colombia);

A - 119.147. Reduce infant mortality rates and malnutrition in children (Chile);

A - 119.148. Continue its efforts to guarantee free and quality health services (Cuba);

A - 119.149. Continue the process of expanding the possibilities of accessing the voluntary termination of pregnancy in order to ensure the full recognition of sexual and reproductive rights (France);

A - 119.150. Maintain the commitment to poverty reduction (Holy See);

A - 119.151. Reduce maternal, child and infant morbidity and mortality by promoting effective assistance measures during pregnancy and at the moment of birth (Holy See);

A - 119.152. Improve health-care efforts, especially to reduce child mortality and the prevalence rate of HIV and AIDS (Iran);

A - 119.153. Continue its effort in strengthening the protection of the right to food (Iran);

A - 119.154. Take more effective measures to address the problem of social and economic inequality, in particular in the areas of health, education and employment opportunities between the population in the urban and rural areas (Malaysia);

A - 119.155. Keep taking the necessary measures to combat continued deforestation in order to ensure the effective enjoyment of economic, social and cultural rights (Egypt);

A - 119.156. Continue with its religious education programmes in public schools (Namibia);

A - 119.157. Implement strategies to solve problems facing education, particularly at the elementary level (Palestine);

A - 119.158. Take adequate measures to combat illiteracy and guarantee to all citizens the enjoyment of the right to education, especially for poor people, those living in rural areas or indigenous minorities (Holy See);

A - 119.159. Adopt additional measures for access to education, in order to contribute to overcoming the educational gap between the black and white populations (Honduras);

A - 119.160. Continue its educational strategies to ensure that all children enrol in school and receive a quality basic education (Iran);

A - 119.161. Complete the national guidelines for education in the field of human rights and pursue a participatory approach in cooperation with civil society (Iraq);

A - 119.162. Strengthen the awareness campaigns on the rights of indigenous populations and persons of African descent, notably through the implementation of the provisions of the specific laws adopted in this domain (Morocco);

A - 119.163. Further entrench in standard administrative procedures the right of indigenous peoples to be consulted, in accordance with ILO Convention 169 (Netherlands);

A - 119.164. Ensure the rights of indigenous peoples, in particular the rights to traditional lands, territories and resources, and their right to be consulted (Norway);

A - 119.165. Conclude pending demarcation processes, in particular related to the Guaraní Kaiowá (Norway);

A - 119.166. Continue promoting internal debates towards a better regulation of the consultation processes with indigenous peoples on issues that affect them directly (Peru);

A - 119.167. Ensure that indigenous peoples are able to defend their constitutional right to ancestral lands without discrimination and their prior, informed consent is sought in cases of projects that may affect their rights (Slovakia);

A - 119.168. Pay more attention, at all administrative levels, to the rights of indigenous peoples, especially to ensure their land rights (Poland);

A - 119.169. Ensure indigenous peoples adequate consultation as well as full participation in all legislative or administrative measures affecting them (Germany);

A - 119.170. Continue improving the life conditions of migrants and refugees in Brazil (Holy See).

## **Voluntary Pledges & Commitments Made By Brazil in the Framework of the UPR**

### **Document A/HRC/WG.6/13/BRA/1:**

- With a view to integrating and expanding existing human rights databases to ensure continuous monitoring and transparency of government actions, Brazil undertook and maintains before the UN Human Rights Council, the voluntary commitment to implement a National System of Human Rights Indicators in coordination with public agencies, international organizations, and civil society.

- The PNDH-3 institutionalized Brazil's voluntary commitment to prepare annual reports on the situation of human rights in the country, in dialogue with civil society. The State will marshal efforts to effectively develop the reports beginning in 2012.

### *Endnotes*

1 The recommendation as read during the interactive dialogue: Address the high rate of homicides in Brazil's overcrowded prisons where allegations of widespread torture and inhumane conditions are alarming.

2 The recommendation as read during the interactive dialogue: Continue working for the strengthening of the process of truth-seeking and transitional justice.

*Disclaimer: This classification was made by UPR Info based on United Nations documents and webcast. For more information about this document, consult the "Methodology" on our website: [www.upr-info.org](http://www.upr-info.org). For questions, comments and/or corrections, please write to [info@upr-info.org](mailto:info@upr-info.org)*