The Government of Brazil does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Brazil remained on Tier 2. These efforts included increasing investigations and prosecutions of traffickers, identification of more victims, increased interagency cooperation to improve data sharing, and creating a new list to make public the name of convicted labor traffickers. However, the government did not meet the minimum standards in several key areas, protection mechanisms for victims of trafficking remained disjointed and inadequate, authorities did not report the final number of convictions, and officials continued to punish the majority of labor traffickers with administrative penalties instead of jail time. The government penalized victims of trafficking for crimes committed as a result of their trafficking situation, and authorities in populous states did not proactively identify victims of sex trafficking, including among highly vulnerable populations, such as children and LGBTI persons.

PRIORITIZED RECOMMENDATIONS:

Provide shelter and specialized assistance to victims of sex trafficking and forced labor. • Proactively identify and vigorously investigate cases of sex trafficking, including child sex tourism. • Prosecute and convict labor traffickers in criminal courts and end the use of low impact remedies for human trafficking offenses by punishing traffickers with significant prison terms. • Train law enforcement officials on victim identification to prevent the penalization of victims for unlawful acts that traffickers compelled them to commit. • Increase the number of anti-trafficking offices, mainly in states where vulnerabilities are high and trafficking is prevalent or increasing, such as Mato Grosso do Sul, Piauí, Rondônia, Roraima, and Santa Catarina. • Prosecute and convict officials complicit in trafficking. • Improve interagency, federal, and state coordination efforts to combat trafficking, including among law enforcement. • Amend the 2016 anti-trafficking law to criminalize child sex trafficking without elements of force, fraud, or coercion in accordance with the 2000 UN TIP Protocol. • Allocate resources to local guardianship councils to increase specialized services for child trafficking victims, including case management assistance. • Develop a victim identification protocol for law enforcement officials on trafficking indicators and proactive identification of victims and train them on its use. • Increase and fund efforts to raise awareness of trafficking on television, social media, and in print form, as well as campaigns including child sex tourism along highways where any human trafficking is prevalent. • Compile comprehensive data on the identification of victims, the assistance provided, investigations, prosecutions, and convictions at the federal and state level, disaggregated between sex and labor trafficking cases. • Implement the third national action plan. • Strengthen the mandate of the National Committee to Combat Human Trafficking.
(CONATRAP) to assist in the development of anti-trafficking offices in every state, including those with limited funding and high prevalence of trafficking. • Update referral mechanism guidance to reflect the provisions covered under the 2016 trafficking law.

**PROSECUTION**

The government maintained mixed law enforcement efforts. Law 13.344 criminalized some forms of sex trafficking and all forms of labor trafficking and prescribed penalties of four to eight years’ imprisonment and a fine, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Inconsistent with international law, Article 149a of Law 13.344 required force, fraud, or coercion for child sex trafficking cases and therefore did not criminalize all forms of child sex trafficking. However, Article 244a of the child and adolescent statute criminalized inducing a child to engage in sexual exploitation without the need to prove the use of force, fraud, or coercion and prescribed penalties of four to 10 years’ imprisonment and a fine, which were sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Article 149 of Law 13.344 prescribed penalties of two to eight years’ imprisonment and a fine. It prohibited slave labor, or reducing a person to a condition analogous to slavery, defining forced labor to include degrading work conditions and exhausting work hours, going beyond situations in which people are held in service through force, fraud, or coercion.

Law enforcement data provided by the government reflected efforts made under federal jurisdiction. Authorities reported initiating 296 new investigations (40 for sex trafficking and 256 for slave labor), compared with 273 investigations in 2018 (32 for sex trafficking and 241 for slave labor). The government prosecuted 56 new cases of suspected trafficking in lower courts (four for sex trafficking and 52 for slave labor), compared with 47 new prosecutions in 2018 (one for sex trafficking and 46 for slave labor). The government did not report the final number of convictions or provide details on the length of sentences traffickers received. Many sex and labor traffickers convicted by lower courts appealed their convictions; authorities reported 320 cases under appeal courts in 2019 (44 for sex trafficking and 276 for slave labor), compared with 212 in 2018 (12 for sex trafficking and 200 for slave labor). Media reports showed that adjudication of cases could take anywhere from four to 10 years. Brazil allowed lengthy appeals in criminal cases, including trafficking, before a final conviction and sentence could be issued. Traffickers sometimes served their sentence under house arrest or in prison work release programs, working during the day and spending nights in prison; punishments that were not commensurate with the seriousness of the crime and likely led to impunity in cases of trafficking. In one instance, a federal judge ordered traffickers to pay compensation to a seven-year-old victim in lieu of criminal charges, despite evidence that traffickers exploited the child into domestic service by forcing her to work for no pay, prohibiting her from attending school, and making her carry debts. While in another case of slave labor, courts sentenced a trafficker to five years and six months in prison for subjecting victims to exhausting workdays, withholding their documentation, restricting their freedom, housing them in precarious and unhealthy conditions, and not providing them with proper pay. In a notable case of sex trafficking involving vulnerable transgender women, press reports indicated that traffickers were ordered to pay fines and indemnities to 13 victims after forcing them into commercial sex when they were unable to pay debts they had incurred for surgical procedures using low quality or second hand implants injected with industrial grade silicone not suitable for human use.
Authorities indicated that criminal charges were moving forward at the end of the reporting period.

The government treated forced labor as a distinct crime from human trafficking. Labor inspectors and labor prosecutors could apply civil penalties while the federal police and public ministry had the authority to pursue criminal charges. Authorities in populous states, such as Rio de Janeiro, had a limited understanding of sex trafficking and mostly focused on cases of transnational sex trafficking. Law enforcement officials in the state did not have a protocol to help them identify victims and did not receive any training on proactive identification. Many of this state’s government authorities had difficulty conceptualizing individuals in commercial sex as potential trafficking victims, a concept that inhibited law enforcement action against traffickers and likely led to authorities overlooking potential victims. In some cases, when authorities identified exploitation of individuals in commercial sex, some who may have been victims of sex trafficking, they sometimes considered them victims of slave labor, and referred them to the Public Labor Ministry (MPT) or the Special Secretariat for Social Security and Labor. Labor inspectors handled administrative cases of slave labor, and the federal police and public ministry handled the investigation and prosecution of cases with evidence of serious violations. According to some government officials, judges did not identify some individuals as trafficking victims who had initially consented to perform a certain job or service in which they were later coerced or forced to provide labor or services against their will.

In 2019, authorities conducted 45 labor inspections and identified 1,054 victims of slave labor, including 20 child victims of slave labor, compared with 44 labor inspections, the identification of 1,745 victims of slave labor, including 28 child victims of slave labor in 2018. Officials issued administrative penalties to 106 employers guilty of slave labor, compared with 100 employers in 2018. The government did not report the total number of cases of forced labor as defined under international law.

Interagency coordination and data collection efforts were inadequate. Data remained spread across multiple databases at the federal and state level, making it difficult to obtain and analyze comprehensive data. The Brazilian Federal Police (PF) had a unit in every state and was involved in the investigation of most trafficking crimes; however, in states like Rio de Janeiro, law enforcement cooperation and communication among the PF and state and municipal entities was generally insufficient. Observers reported trafficking cases were often under-reported and, in some instances, misclassified by police as other crimes. Law enforcement units at all levels had insufficient funding, expertise, and staff to investigate trafficking. The government did not report any new investigations, prosecutions, or convictions of complicit officials; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. Cases of official complicity from previous years remained open, including the October 2016 investigation of an elected official who was arrested and removed from his position in Parana state after allegations surfaced of his involvement in a child sex trafficking ring. Similarly, there were no updates on the prosecution’s appeal of an inadequate sentence given to a civil police investigator in 2016 for his involvement in a sex trafficking ring involving children. During the reporting period, 76 new labor judges received training on ways to identify slave labor and human trafficking. Authorities participated in a bilateral meeting with Bolivia to strengthen anti-trafficking cooperation and signed an agreement with the state of Mato Grosso on law enforcement cooperation, awareness raising, and victim protection.
PROTECTION

The government maintained protection efforts. According to the Ministry of Justice and Public Security (MOJPS), authorities continued to use the victim identification guidance created in 2013 for all federal, state, and local governments to aid victim identification and assistance. However, government officials did not receive training on the use of such guidance, and there was no indication that authorities in most states proactively or consistently identified victims of sex trafficking, forced criminality, or child sex tourism. Officials from the labor inspector’s office identified victims of slave labor while conducting impromptu inspections into businesses or employers suspected of using slave labor. The MOJPS maintained nine posts at airports and bus stations where authorities could encounter potential victims, a decrease from 12 advanced posts in 2019. Several government agencies at various levels provided data on victim identification and assistance; however, lack of a centralized database and inconsistent reporting made year-to-year comparisons difficult. In 2019, authorities in 10 states reported identifying 217 victims, of which 105 were victims of sex trafficking, 85 were victims of slave labor, 12 were victims of forced criminality, and 15 unknown. Identification efforts varied greatly from state-to-state. Nearly 50 percent of the victims reported in 2019 were identified in the tri-border State of Parana, including 89 of the 105 victims of sex trafficking, 20 of the 85 victims of slave labor, and three of the 12 victims of forced criminality, while more populous states, such as Rio de Janeiro, identified only three victims—two for sex trafficking and one for forced labor. Labor inspectors at the federal level indicated that all 1,054 victims of slave labor received information on basic resources available to them and confirmed that 787 possible victims received unemployment insurance. The government did not report what other services victims received.

Law 13.344 mandated the government provide victims with temporary shelter; legal, social, and health assistance; and protection against re-victimization; however, implementation of the law was inconsistent across states. Authorities continued to operate 16 state-level and one municipal level anti-trafficking offices (NETPs). NETPs operated interagency networks that could serve as the first point of contact for victims who have been identified by any means, including NGOs. Most agencies with equities participated in the network, and NETPs could refer victims of adult sex trafficking to Specialized Social Service Centers (CREAS), victims of forced labor to the Secretariat of Labor Inspections (SIT), and child victims of trafficking to guardianship councils. In 2019, ten of the NETPs reported assisting 129 possible victims. Adult victims referred to CREAS could receive assistance from non-specialized psychologists and social workers for the third year in a row; authorities did not report what kind of assistance was provided or how many victims received assistance through these centers. A government official indicated that the NETPs were not distributed in a balanced way across the country. In wealthier states, such as Sao Paulo, the NETP had effective assistance and coordination teams that comprised police officers, prosecutors, labor inspectors, labor prosecutors, and mental health professionals. In contrast, other NETPs were not as well-funded or equipped to refer and assist victims. Many states where trafficking was prevalent and vulnerabilities were high did not have NETPs or CREAS, including many located in border states, where the need was great. In 2019, authorities launched a new initiative to increase the protection of transgender trafficking victims. Federal and labor prosecutors in Sao Paulo state conducted at least two operations accompanied by a civil society organization focused on the protection of transgender rights. According to media reports, authorities identified 30 victims, of which 10 received shelter and assistance by the same NGO that collaborated with law enforcement.
The federal government did not fund specialized or long-term shelters for trafficking victims. Some states placed victims in shelters for migrants, the homeless, or victims of domestic violence. States did not have specialized shelters for child sex trafficking victims, and guardianship councils often lacked the expertise and resources to adequately identify, refer, and support child victims. The state of Sao Paulo had two main shelters where trafficking victims could receive assistance—one was a state government-funded shelter where female victims and their children could receive health benefits, education, food, and housing for three to six months; and the other was an NGO-operated shelter that provided temporary assistance for refugees and trafficking victims. Both shelters were occupied by displaced Venezuelans during the reporting period, and state authorities did not report how many victims of trafficking received assistance. There were no specialized shelters for male victims of trafficking. In addition, authorities indicated there were 87 non-specialized shelters where vulnerable populations, including LGBTI individuals, homeless people, victims of domestic violence, and trafficking victims could receive assistance. It was unclear how many trafficking victims were assisted in those shelters during the reporting period. Despite being the second most populous city in the country, Rio de Janeiro did not have any specialized shelters for victims of sex trafficking, and officials from the MPT used assets forfeited from traffickers to provide care to victims of slave labor. To increase and expedite access to care, some state governments, through MPT, adopted an integrated approach that sought restitution from traffickers for damages caused, assistance with vocational training, and job placements. In 2019, the state governments of Bahia, Ceará, Mato Grosso, and Rio de Janeiro sought to complement assistance for victims of slave labor through this program. MPT officials in Rio de Janeiro State assisted 12 of the victims identified through the program, but authorities at the federal level did not report what services the remaining 215 victims received. Authorities provided training for 242 guardianship council social workers on the worst forms of child labor, including trafficking.

Authorities penalized victims for unlawful acts that traffickers forced them to commit. Due to a lack of formal identification and screening, officials arrested some foreign women for drug trafficking crimes committed under coercion and as a result of their trafficking situation. The government had measures to encourage victims to testify in the case against their traffickers, including allowing remote live video testimony. However, authorities have never reported using these measures for trafficking cases. Observers continued to express concern about the under-reporting of trafficking crimes, attributing it in part to victims’ lack of awareness of protection services and fear that filing complaints will lead to further exploitation, deportation, or other harm. Foreign trafficking victims were entitled to permanent visa status, but for the fourth consecutive year authorities did not report how many victims received it. The government could assist victims of trafficking with repatriation, but authorities have not reported assisting any victims since 2017.

**PREVENTION**

The government increased efforts to prevent trafficking. The MOJPS continued to oversee the inter-ministerial group responsible for the implementation of the 2016-2022 Third National Action Plan, which received 639,250 reais ($159,020) for its operations. The MOJPS also funded CONATRAP, which included representatives from federal government agencies and NGOs. In 2019, CONATRAP continued to operate; however, following a presidential executive order, it significantly reduced the number of representatives from 26 to seven. Coordination between
agencies at the national and state level remained uneven and varied in efficacy. At the state government level, officials from different agencies in 16 states continued to convene and address trafficking unilaterally and in a decentralized manner through the state NETPs. At the national level, the MOJPS made efforts to increase interagency cooperation by signing a technical agreement on information sharing with the Ministry of Women, Family, and Human Rights and one with MPT. In July, the MPT signed a three-year technical cooperation agreement with the PF focused on increasing information sharing on cases of child labor and slave labor.

Most awareness raising efforts focused on combating child or slave labor more broadly, while efforts to raise awareness of sex trafficking and child sex tourism were deficient. Throughout the year and to commemorate World Day against Trafficking, municipal and state governments hosted workshops, training, art installations, performances, and roundtable discussions. In Sao Paulo, the Department of Justice and Citizenship hosted an anti-trafficking event to educate students on the threat of false employment opportunities, reaching 230 individuals. In Alagoas state, officials from the Federal Highway Police (PRF) held lectures educating 165 people on ways to identify forced labor and where to report it. Together with an NGO, the SIT hosted an event bringing together representatives from the banking and financial sectors, companies, and public authorities to educate on the role of the financial community in the fight against slave labor. In Amazonas, several state agencies initiated a project to map incidents of child labor among the displaced Venezuelan population to connect these communities that are vulnerable to trafficking to social assistance services. PRF officials continued to operate a database to identify critical locations along highways where the commercial sexual exploitation of children was prevalent. In 2019, highway patrol officers increased inspections in areas where there was a high incidence of exploitation. In the first half of 2019, government-operated human rights hotlines received 46 calls for trafficking in persons, 61 calls for slave labor of adults, 1,971 calls involving minors victims of slave labor, and seven calls reporting child sex tourism, compared with 159 reports of trafficking in persons, 156 reports of slave labor, and eight calls reporting child sex tourism in 2018. Hotline operators could refer victims to local resources including but not limited to police, state prosecutor’s offices, social workers, guardianship councils, CRAS, CREAS, and the labor inspectorate. The government did not indicate whether it initiated any investigations from calls to the hotlines.

Authorities did not make efforts to reduce the demand for commercial sex acts. However, authorities made efforts to reduce the demand for forced labor. The SIT published the dirty list or lista suja, which made public the names of individuals and businesses found guilty of using slave labor. In 2019, the dirty list included 69 new employers, compared with 78 in 2018. While individuals and companies listed are prohibited from accessing credit by public or private financial institutions, in May, the MPT filed civil lawsuits against seven banks that continued extending credit to businesses included on the dirty list. At the end of 2019, the dirty list had 190 employers, including two that were listed in 2018. While the dirty list remains one of Brazil’s most effective tools to reduce the demand for slave labor, the inadequate criminalization of these crimes has hindered progress in the fight against labor trafficking. At the end of June, the MPT approved a resolution to create a public list of employers convicted of slave labor. According to the resolution, the MPT had to release the public list 180 days from its approval; however, the government did not release the list by the end of the reporting period. Authorities did not report any new investigations, prosecutions, or convictions of child sex tourists in 2019.
TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Brazil, and traffickers exploit victims from Brazil abroad. Traffickers exploit Brazilian women and children in sex trafficking within the country. Traffickers exploit Brazilian women in sex trafficking abroad, especially in Western Europe and China. Traffickers exploit women and girls from other South American countries, especially Paraguay, in sex trafficking in Brazil. Migrants and people living near any of Brazil’s border areas are vulnerable to trafficking. Gangs and organized criminal groups subjected women and girls to sex trafficking in Rio Grande do Sul and Santa Catarina. Venezuelan migrants in border cities within Brazil and those who have relocated to other parts of the country were highly vulnerable to sex trafficking and forced labor. Traffickers recruited Venezuelans living in Brazil and those still in Venezuela via online advertisements and social media platforms offering fraudulent job opportunities, later exploiting them in sex trafficking in major cities like Sao Paulo and Rio de Janeiro. Transgender Brazilian women are one of the most vulnerable populations in the country. According to a study conducted in 2019, 90 percent of transgender women in Brazil are in commercial sex, and of those in Rio de Janeiro, more than half are in some situation of vulnerability that may amount to trafficking. Transgender women often pay traffickers for protection and daily housing fees. When they are unable to pay they are beaten, starved, and forced into commercial sex. Traffickers exploit transgender Brazilian women, luring them with offers of gender reassignment surgery and later exploiting them in sex trafficking when they are unable to repay the cost of the procedure. Traffickers have exploited Brazilian men and transgender Brazilians in sex trafficking in Spain and Italy. Child sex tourism remains a problem, particularly in resort and coastal areas; many child sex tourists are from Europe and the United States. Traffickers exploited children in sex trafficking along Brazil’s highways, including BR-386, BR-116, and BR-285. Traffickers exploit Brazilian men, notably Afro-Brazilian and to a lesser extent women and children, in situations that could amount to labor trafficking, in rural areas (including in ranching, agriculture, charcoal production, salt industries, logging, and mining) and cities (construction, factories, restaurants, and hospitality). Traffickers exploit Chinese women in sex trafficking in Rio de Janeiro. Traffickers exploit Brazilians in forced labor for some producers of sugar, coffee, and carnauba wax. Traffickers exploit Brazilian women and children, as well as girls from other countries in the region, in forced labor for domestic servitude. Traffickers force some Brazilian victims to engage in criminal activity, including drug trafficking, in Brazil and neighboring countries. Traffickers exploited South African, Venezuelan, and Bolivian victims in forced criminality, including drug trafficking. Traffickers lure Brazilian women to South Korea using false promises of becoming music stars. In 2018, the Cuban government ended its medical missions to Brazil after Brazilian authorities raised significant concerns of exploitation and forced labor associated with these missions. Cuban medical professionals who participated in medical missions in Brazil may have been exploited and forced to work by the Cuban government. Traffickers exploit Brazilians in forced labor in other countries, including in Europe. Traffickers exploit men, women, and children from other countries—including Bolivia, Paraguay, Haiti, and China—in forced labor and debt-based coercion in many sectors, including construction, the textile industry (particularly in Sao Paulo), and small businesses. NGOs and officials report some police officers ignore the exploitation of children in sex trafficking, patronize brothels, and rob and assault women in prostitution, impeding identification of sex trafficking victims.