



BRAZIL

MODERATE ADVANCEMENT

In 2023, Brazil made moderate advancement in efforts to eliminate the worst forms of child labor. The government published two updates to the national “Dirty List” in April and October with the total addition of 336 new employers. The “Dirty List” contains data on employers that the Ministry of Labor and Employment finds to be using slave labor, including that of children. The Ministry of Labor and Employment also developed a manual on child labor and the protection of adolescent workers that includes information about national and international standards on child labor, types of work permitted for adolescents, and how to identify child labor and its risks. In addition, the government conducted a preliminary assessment of the third National Action Plan to Combat Human Trafficking and presented the results to the National Committee to Combat Trafficking in Persons. Lastly, in March 2023, it relaunched the *Bolsa Família* cash program, which included the highest increase in the amount paid to participating families in the program’s history. The new monthly amount provided to participating families increased to a minimum of \$121, with families of children under age 18 or younger receiving an additional supplement of \$10 to \$30 per child. Although the government made meaningful efforts in all relevant areas during the reporting period, its laws do not meet international standards on the prohibition of child trafficking because they require the use of threats, violence, coercion, fraud, or abuse be established for the crime of child trafficking to have occurred. Furthermore, the reported number of labor inspectors is likely not sufficient to provide adequate coverage of the workforce, and local governments lack the capacity to fully implement and monitor the National Program to Eradicate Child Labor and other social protection programs.



PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	2.1% (619,654)
Boys		2.7%
Girls		1.5%
Urban		1.2%
Rural		7.2%

Children	Age	Percent of Population
Hazardous Work by Children	15 to 17	16.3% (1,484,274)
Boys		20.2%
Girls		12.3%
Urban		14.3%
Rural		27.2%
Attending School	5 to 14	98.6%
Combining Work and School	7 to 14	2.5%

Children in Brazil are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in child labor in agriculture, including in the production of coffee.

Overview of Children’s Work by Sector and Activity



Agriculture

Production of bananas, cocoa, coffee, corn, cotton,† manioc, pineapples,† rice, sisal,† sugarcane,† tobacco,† and the harvesting of açaí. Fishing. Raising cattle and livestock, including poultry, hogs, and sheep. Working in forestry, including logging, and producing charcoal.



Industry

Slaughtering animals,† including for beef production. Processing manioc flour† and cashews.† In the production of ceramics,† bricks,† and footwear. Construction† and work in stone quarries.†



Services

Street work,† as vendors,† beggars, car washers,† recycling† collectors, garbage scavengers.† Working in

supermarkets, markets, and fairs, including hauling fruits and vegetables and transporting heavy loads. Working in restaurants and other food and drink establishments, including as food deliverers by bicycle and selling alcoholic beverages. Working in cultural work, including artistic and sports-related activities. Domestic work,† including childcare, housekeeping, and eldercare. Maintaining and repairing automobiles.



Categorical Worst Forms of Child Labor‡

Commercial sexual exploitation, sometimes as a result of human trafficking. Forced labor in agriculture, begging, and domestic work. Use by gangs to perform illicit activities, including drug trafficking, sometimes as a result of human trafficking.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Brazil's implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Ensure that laws do not require the use of threats, violence, coercion, fraud, or abuse to establish the crime of child trafficking.

Criminally prohibit the recruitment of children under age 18 by non-state armed groups.

Raise the minimum age for work from 16 to 17 to align with the compulsory education age.

Enforcement

Significantly increase the number of labor inspectors from 1,951 to 7,192 to ensure adequate coverage of the labor force of approximately 108 million workers.

Publish information related to criminal law enforcement efforts, such as the number of investigations conducted, prosecutions initiated, convictions obtained, and whether penalties were imposed for child labor crimes.

Ensure that relevant enforcement agencies coordinate their efforts to collect and share data on cases of human trafficking for sexual exploitation and ensure that the data are disaggregated by victims' ages.

Hold perpetrators of child labor crimes accountable in accordance with the law.

Government Policies

Implement the Federal Pact for the Eradication of Forced Labor and publish results from activities implemented on an annual basis.

Social Programs

Remove barriers to education, including by ensuring an adequate number of trained teachers, building a sufficient number of schools, improving school infrastructure, and taking steps to enroll children in rural areas.

Provide funding to local governments so they can implement and monitor the National Program to Eradicate Child Labor.

Provide adequate resources to state governments to ensure that child trafficking victims receive appropriate social services and ensure the availability of specialized shelters for child victims of commercial sexual exploitation.

Publish the results of the National Forced Labor Survey conducted in 2019.



CHILDREN AT HIGHER RISK

Afro-descendant children and children from rural communities are particularly vulnerable to child labor. In remote rural areas, particularly in the north and northeast, children begin working in agriculture from an early age, including performing dangerous tasks. The high rate of poverty and extreme poverty in these regions makes children increasingly vulnerable to child labor. In addition, children in the states of Espírito Santo, Ceará, Pará, Mato Grosso, and the Federal District are at higher risk for being subjected to commercial sexual exploitation. Child sex tourism is particularly common in tourist and coastal areas, but reports indicate that child trafficking for sexual exploitation occurs throughout the country.















BARRIERS TO EDUCATION ACCESS

Some schools, particularly those in rural areas, are overcrowded, have poor infrastructure, and lack basic resources and teachers. These barriers to education access may leave children vulnerable to child labor.



LEGAL FRAMEWORK FOR CHILD LABOR

Brazil has ratified all key international conventions concerning child labor. However, Brazil's laws prohibiting child trafficking do not meet international standards.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 16 Years		Article 403 of the Labor Code
Minimum Age for Hazardous Work, 18 Years		Article 2 of the Hazardous Work List
Identification of Hazardous Occupations or Activities Prohibited for Children		Hazardous Work List
Prohibition of Slavery, Debt Bondage, and Forced Labor		Articles 149 and 149-A of the Penal Code; Article 13 of Law 13.344 amending Penal Code
Prohibition of Child Trafficking		Article 149-A of the Penal Code; Article 244-A of the Child and Adolescent Statute
Prohibition of Commercial Sexual Exploitation of Children		Articles 218-A, 218-B, 227, and 228 of the Penal Code; Articles 240, 241, and 244-A of the Child and Adolescent Statute
Prohibition of Using Children in Illicit Activities		Articles 33 and 40 of the National System of Public Policies on Drugs; Article 244-B of the Child and Adolescent Statute
Minimum Age for Voluntary State Military Recruitment, 17 Years		Article 127 of the Military Service Regulation
Prohibition of Compulsory Recruitment of Children by (State) Military		Article 5 of the Military Service Law
Prohibition of Military Recruitment by Non-state Armed Groups		
Compulsory Education Age, 17 Years		Article 4 of the National Education Law
Free Public Education		Article 4 of the National Education Law

The national “Dirty List” containing information on employers found to be using slave labor, including that of children, was updated in April 2023 with 132 new names and again in October 2023 with a record number of 204 new names. Employers and companies added to the List pay fines and unpaid labor taxes, are prevented from receiving any credit from government or private banks, and are kept on the list until they prove that they are making concerted efforts to clean up their supply chains. However, Brazil’s laws prohibiting child trafficking do not meet international standards because they require the use of threats, violence, coercion, fraud, or abuse to be established for the crime of child trafficking to have taken place. Furthermore, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Brazil took actions to address child labor. However, insufficient human resources and impunity for violators of the law hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor and Employment (MTE): Oversees the Secretariat of Labor Inspection, which is responsible for organizing, evaluating, and monitoring labor inspection activities, including those related to child labor and forced labor. Labor inspectors carry out actions outlined in the Labor Prosecution Office’s Normative Instruction No. 02 of 2021, including by conducting unannounced inspections at sites where child labor is suspected, identifying and removing children from child labor situations, and issuing penalties. Its Special Mobile Group to Combat Child Labor carries out inspections of greater technical and operational complexity, including in isolated geographical areas and for cases classified as the worst forms of child labor according to Decree 6.481. In 2023, the MTE created a manual titled “Child

Labor and the Protection of Adolescent Workers,” which includes best practices from its Labor Inspectorate. The manual is structured in a Q&A format and includes information about how to identify child labor and its risks, international and national standards, descriptions of work activities permitted to adolescents, and past activities implemented by the Labor Inspectorate to address child labor in the country.

Labor Prosecution Office: Prosecutes child labor and forced labor violations by working with prosecutors from the National Committee to Combat Child and Adolescent Labor, an in-house body that coordinates efforts to address child labor, collects fines for forced labor violations, and allocates funds for initiatives that address child labor and forced labor.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Yes
Routinely Conducted Worksite Inspections	Yes	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Unknown
Unannounced Inspections Permitted	Yes	Imposed Penalties for Worst Forms of Child Labor Crimes	Unknown

In 2023, **1,951** labor inspectors conducted **66,803** worksite inspections, finding **2,564** child labor violations. However, it is **unknown** whether investigations into suspected cases of the worst forms of child labor were conducted, prosecutions were initiated, or perpetrators were convicted.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Brazil established a mechanism to coordinate its efforts to address child labor.</p>	<p>National Commission for the Eradication of Child Labor: Led by the MTE and responsible for the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents, research on child labor, and awareness-raising campaigns. In 2023, the commission was restructured back to its original multipartite composition, including representatives from the federal government, workers’ and employers’ organizations, civil society, the justice system, and international organizations, such as the ILO and UNICEF. With the restructure, all representatives regained their voting rights. In addition, the commission held six meetings and established two working groups to carry out priority activities during the reporting period.</p>
<p>Key Policies Related to Child Labor</p> <p>Brazil established policies related to child labor. However, it failed to implement some of these policies during the reporting period.</p>	<p>National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents III: Led by the National Council for the Rights of Children and Adolescents, prioritized the prevention and eradication of child labor and the protection of adolescent workers by raising awareness of child labor and its worst forms, strengthening enforcement efforts, providing families with employment opportunities, increasing access to quality education, and establishing health support systems for child labor victims. Although the Plan expired on paper in 2022, the government continued to implement the plan while it was drafting its next phase.</p> <p>National Plan to Combat Human Trafficking III: Outlined the government’s strategy to address human trafficking throughout 58 objectives based on 6 themes: policy management, information management, training, accountability, victim assistance and prevention, and public awareness raising. Although this plan expired in 2022, during the reporting period the government conducted a preliminary assessment and presented the results to the members of the National Committee to Combat Trafficking in Persons to be used in the drafting of a new plan.</p>
<p>‡ The government had other policies that may have addressed child labor issues or had an impact on child labor.</p>	<p>Federal Pact for the Eradication of Forced Labor: Aims to establish a database and create state-level commissions to address forced labor and strengthen interagency coordination. Led by the Ministry of Justice and Public Security’s Special Secretariat for Human Rights, and currently signed by 23 of the 27 states. Research was unable to determine whether activities were taken to implement this policy during the reporting period.</p>

Coordination, Policies, and Programs (Cont.)

<p>Key Social Programs to Address Child Labor</p> <p>In 2023, Brazil funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors where child labor has been identified, including in commercial sexual exploitation.</p> <p><i>† Program is funded by the Government of Brazil.</i> <i>‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.</i></p>	<p>National Program to Eradicate Child Labor (Programa de Erradicação do Trabalho Infantil [PETI]):† A nationwide social assistance program that addresses child labor through awareness-raising activities, victim identification and protection, and conditional cash transfers. To receive program benefits, family participants must ensure that children are not working and maintain at least 85 percent school attendance. During the reporting period, the National Forum for the Prevention and Eradication of Child Labor and Protection of the Working Adolescents (FNPETI) Working Group developed a manual with 12 guidelines to help institutions, municipalities, and states to better design their child labor-awareness campaigns. The FNPETI, in partnership with the Labor Prosecutor’s Office, the MTE, the Labor Justice Program to Combat Child Labor, and the ILO conducted a national campaign titled, “Protecting childhood empowers the future of children and adolescents. Let’s come together to end child labor,” aimed at increasing public awareness of the child labor situation in the country and abroad, through social networks.</p>
	<p>Bolsa Família:† A Ministry of Development and Social Assistance, Family and Fight against Hunger cash transfer program that assists families living in poverty and extreme poverty throughout the country. This program was re-launched in March 2023 and its average value increased to the highest amount in the program’s history. The new monthly amount provided to participating families is a minimum of \$121, with families of children under age 6 receiving an additional \$30 per child, and those with children aged 7 to 18 receiving an additional \$10 per child.</p>
	<p>National Flow of Assistance to Victims of Slave Labor:† Creates an integrated network of social services providers and standardizes assistance to victims of slave labor, including child victims, across the country. Led by the Ministry for Women, Family, and Human Rights.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects

 **WORKER RIGHTS SPOTLIGHT**

Brazil also places restrictions on certain bargaining rights. Specifically, bargaining agreements can be voided if the government believes that the agreement does not conform with its economic and financial policies, or if it conflicts with the current wage policy in place. In addition, collective bargaining agreements are only permitted to stand for 2 years before needing to be renegotiated. As freedom of association and collective bargaining rights play a crucial role in identifying, addressing, and preventing child labor, these restrictions may allow violations to go unreported.

For references, please visit dol.gov/ChildLaborReports