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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Joint written statement* submitted by Conectas Direitos Humanos, Instituto de Estudos Socioeconômicos, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[04 June 2020]

* Issued as received, in the language(s) of submission only.

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Obstacles to the proper implementation of the Emergency Basic Income in Brazil during the pandemic

In April 2020, the President of Brazil, Jair Bolsonaro, signed the law 13.982/2020 that creates the Emergency Basic Income (RBE) in response to the crisis caused by the pandemic of COVID-19. The emergency basic income benefits from the payment of 600 reais per month or 1,200.00 reais for a single mother, for three months. However, this policy is facing serious implementation problems by the Bolsonaro government and leaving those who need it most in a situation of great vulnerability.

There are several obstacles that demand immediate action from the institutions responsible for the effectiveness of the aid. Emergency Basic Income is an important achievement of the Brazilian people, the result of strong popular mobilization, and access to it needs to be guaranteed to everyone who is entitled.

According to a document published during the pandemic by the then United Nations Independent Expert on the effects of foreign debt on human rights, Juan Pablo Bohoslavsky, emergency basic income policies must be designed to urgently reach those in need (whether they have access or not to a banking system) and benefit all those with financial difficulties.

The fully digitalized way to access the program disregards that at least 25% of the Brazilian population does not have access to the internet, according to data from IBGE (2018). In addition, the requirement for a smartphone to access the application to request it does not take into account the needs of the most vulnerable population, who so much need access to the resource.

The systematization of obstacles and difficulties in implementation were organized in the three items below. All of these elements are accompanied by the lack of transparency in the data of families able to receive, denied or under evaluation, by the regions of the country, which could allow the evaluation of the implementation and mobilization measures.

Implementation and operationalization strategy

Emergency Basic Income was sanctioned and regulated to be implemented considering three groups: Cad.Unico, Bolsa Família and Applications; requiring telephone, internet connection and e-mail for all people to qualify for assistance; the exclusive use of applications for registration and payments, which are inaccessible and intuitive to a large part of the population; the lack of a service channel for the population, with only a digital and automatic channel available, which does not dialogue with the needs of the population; and the conditioning of complete and updated documents, even when the agencies responsible for this are closed. The difficulties faced by people who have lost or had their documents stolen, and are unable to obtain a duplicate during the pandemic, even so, continue without access to assistance.

A special concern is the lack of articulation with states and municipalities, in a perspective of the federative pact and decentralization of public policies, as well as the lack of efforts at the local level to actively search for the most vulnerable people in the municipalities. Therefore, making services that are already references of the population, such as CRAS, alien to the process and information.

Data crossing, evaluation of eligibility criteria and more than 40 million denied requests

The program that was born with the proposal to evaluate the data of the applicants in 5 days and make the payment of the aid in another 3 days, completes 60 days in which thousands of families (10 million according to official data), continue in the condition of analysis. It is worth mentioning that more than 40 million people who applied for emergency assistance were considered ineligible.

The reasons for being considered ineligible are not recognized by a good part of the people who were denied the right and when looking for information on the bases of data crossings, we identified that they have errors or distortions of time, which cannot be used as a justification to punish the most vulnerable population. For example: benefit denied because people ran in the last three elections and are analysed by the databases as if they had assumed an elected position; or have a working relationship and RAIS, with the RAIS database of 2018 and the analysis of the work cards of at least 6 months difference; more than one person in the family receiving the aid, without saying who they are and not making the two aid per family possible; CPF blocks, which means that many solo mothers could not prove the family composition to receive the R\$1,200.00 or even complete the request. All of these situations, without having a dispute channel accessible to everyone in case of disapproval, explaining the reason for which the benefit was denied.

Invisibility of vulnerable population and judicialization of public policy

The immense difficulties of single mothers in receiving the R\$1,200.00; the denial of aid to migrants, regardless of their migratory status; denial of assistance to relatives of prisoners, without this being stated in law; veto amendments to the law, which would have increased access to the aid in particular to family farmers. At the same time that there is no public justification for the undue receipt of assistance by 189,695 military personnel, as well as a set of public complaints about the use of the CPF of businessmen and children of journalists, who were considered apt to receive, demonstrating the fragility of the crossing of databases. While thousands of people remain unassisted.

The harmful implementation of the program with the beneficiaries of the Bolsa Família Program, especially those who did not automatically migrate to emergency assistance, as well as changes in values and conditions of access from the 1st to the 2nd instalment, with numerous reports and denunciations of terminations of the program in period prevented by law, due to the pandemic.

The impossibility of access faced by people who are awaiting the release of retirement via the INSS, but have not yet been released because the INSS is closed, have been left without retirement and without assistance.

It is also worth mentioning that the action of the Public Defender's Office of the Union and the Federal Public Ministry has shown how much the path of judicialization of public policy can be adopted. However, the delay in providing care has led to the worsening of people's livelihood and life conditions. Once again, we ask the Brazilian government and the responsible authorities to immediately resolve the problems highlighted in this document and ensure the full implementation of the public policy and effective social protection for the Brazilian population in the current context.

The organizations that subscribe to this statement would like to draw attention to the identified obstacles and request immediate action by the Federal Government of Brazil regarding the difficulties of fully implementing the emergency basic income. We also draw the attention of the Brazilian National Congress, and we hope that the points presented here will be taken into account by parliamentarians who debate new bills in order to guarantee the extension of the current policy.

Campanha pela Renda Básica Emergencial NGO(s) without consultative status, also share the views expressed in this statement.