

**CDPU**

Defensoria Pública Da União.



## What is the Public Defender's Office?

- The Federal Public Defender's Office of Brazil provides legal aid in individual and collective cases for all those who cannot afford a private lawyer, or vulnerable groups (e.g. indigenous people, migrants, homeless, victims of trafficking and torture, etc.).
- In addition to individual defense, the Public Defender's Office monitors human rights violations, has ombudsman and advocacy functions, and a continuous dialogue with civil society and local communities.
- The Office is an independent governmental agency made up of 633 Federal Public Defenders. There are special units for assistance of TIP victims and migrants.

# The UASC protocol for border zones

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Joint normative resolution binding migration authorities, child protection bodies and the Public Defender's Office (2017)

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Protocol for identification, family tracing, assistance, documentation and early detection of child trafficking and other forms of abuse

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Inspired by 1951 Refugee Convention, the Conventions of the Rights of the Child and the General Comment n. 06 of its Committee



## Key points of the protocol

- Prevalence of the best interests of the child, adopting the principle of children first.
- When recommended, the determination of possible repatriation by the specialized children's court and not by the migration authority.
- The duty of immediate admission to territory, biographical identification, and communication to child protection bodies and the Public Defender's Office for emergency legal representation.
- Benefit of the doubt for age determination, exclusion of invasive medical assessments, and prevalence of interviews by specialized public defenders.
- The right to qualified, age- and gender-sensitive listening, to detect possible situations of trafficking or other forms of abuse, especially when related to adult companions on the migration route.
- Legal representation for immediate asylum-seeking or temporary protection applications and referral to child protection services and facilities

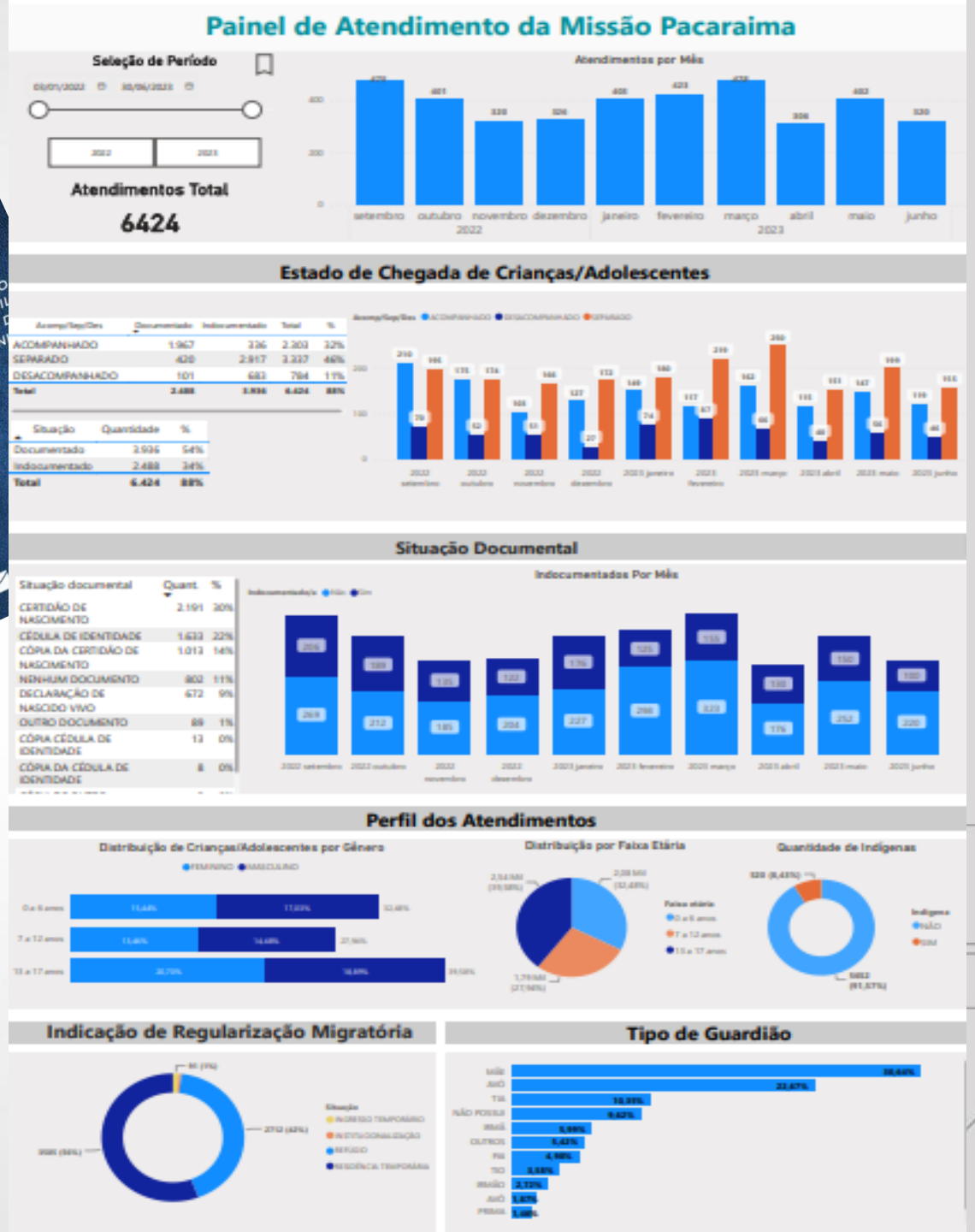


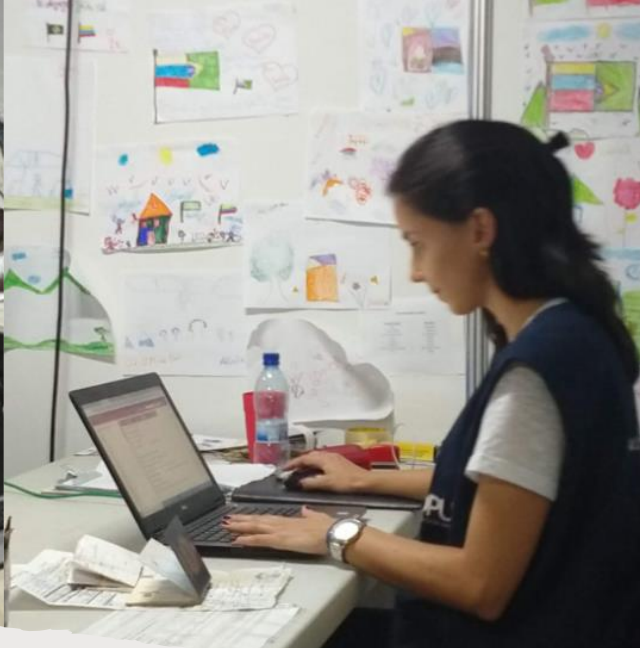
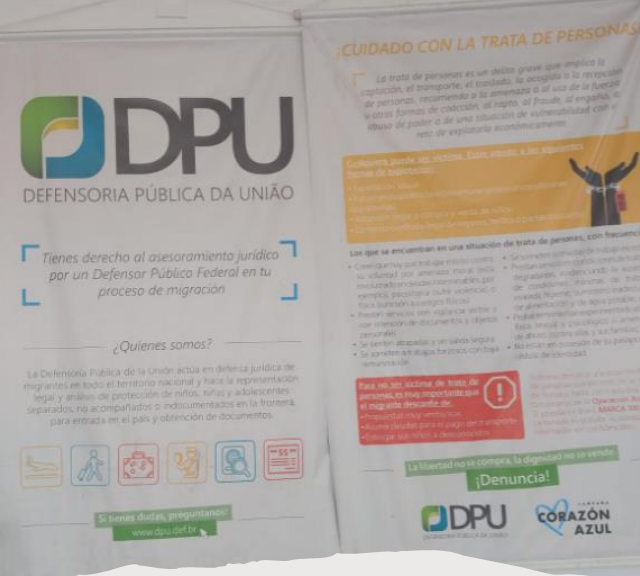
# Pacaraima Mission

- Special field office within Operation Welcome humanitarian task force structures
- Prevention of pushbacks and child trafficking
- Legal representation for migratory applications and other requirements
- Age- and gender-sensitive interviews with unaccompanied, separated or undocumented children. Public Defenders conduct interviews without police officers' participation

# 16,607 interviews (07/2018 - 06/2023)

- Suspension of new entries due to border closures for most of the COVID-19 pandemic
- High prevalence of undocumented and separated children (88% of cases)
- Large number of separated children with grandmothers as companions or *de facto* guardians (the *abuelización* phenomenon)
- Adolescent marriage and pregnancy as a focus of attention for child trafficking prevention





# Findings and lessons learned

- The lack of national ID cards for Venezuelan children under the age of 10 was a high-risk factor for child trafficking
- Need for a specific strategy for indigenous children based on cultural respect and the risks posed by poverty and long-term vulnerability
- Importance of strengthening the capacities of child protection actors (social workers, childhood community counselors, prosecutors, judges)
- Possibilities of regional integration and standardization of procedures in different local border contexts
- The principle of children first in border zones should be enforced through a national regular pathway for child protection, beyond humanitarian emergencies



# The UNODC Brazil support

- GloACT and Track4TIP initiatives (2017-2022)
- Production of toolkits, leaflets, and other materials
- Training activities on TIP prevention and detection for local actors
- Information sessions for migrants in different settings
- Monitoring visits and assessments for the development of support networks



## Call for action

States Parties should consider within their national legal frameworks the adoption of multilateral action protocols for the interviewing and referral of unaccompanied, separated, and undocumented migrant children in border zones, to guarantee legal representation, to prevent both pushbacks and child trafficking and to ensure the right of access to common national child protection structures, regardless of their migratory status.

**João Chaves**  
Federal Public Defender

joao.chaves@dpu.def.br  
direitoshumanos.dpu.def.br

All photos were taken with the consent of the individuals represented or their legal representants and in accordance with Brazilian law on the protection of children's images. Source: <https://www.flickr.com/photos/dpuoficial/>

