

Working Group on Trafficking in Persons

Measures to strengthen procurement policies at the national, regional and international levels

Brazilian intervention

Thank you, Madam Chair,

I would like to start this intervention by noting the strong Brazilian commitment to combating human trafficking and smuggling of migrants, whether at national or international level.

With reference to measures to prevent trafficking in persons, forced labour and the exploitation of migrants, I would like to stress that the new migration law (law number 13.445) guarantees the migrant compliance with labour legal and contractual obligations and the application of worker protection standards, without discrimination on grounds of nationality and migratory condition. It also facilitates, together with its regulatory decree (decree number 9199), the obtaining of a residence permit for the victim of human trafficking, slave labour or violation of the law, aggravated by their migratory status.

In the international level, Brazil was also one of the countries that, in the United Nations Human Rights Council, during its tenure in 2011, participated in the unanimous adoption of the Guiding Principles on Business and Human Rights.

With respect to public procurement, Brazil has had positive results in the use of public procurement for fostering sustainable development and technological innovation. The current normative takes into account emerging international standards. The new public procurement law (law number 14.133), enacted this year, includes incentive mechanisms for bidders to comply with socio-environmental standards. It also forbids individuals or legal entities of competing in public bids if they have been convicted of employing people in conditions analogous to that of slavery or of exploiting child labour.

I am therefore pleased to say that Brazil, as per operational principle number six of the Guiding Principles on Business and Human Rights, mentioned above, promotes the respect for human rights in the production chains of the companies with which it hires.

As a means of enforcing the restrictions in public procurement bidding, Brazil has different systems that publicly and in real time list eligible and ineligible participants to participate in bids and to conclude contracts with different levels of government, federal, state and municipal. Individuals and legal entities such as companies and private non-profit entities are included.

These databases represent a reference source for all public managers in government procurement processes, in order to avoid hiring companies prevented from participating in these events, at any level of the federation. The verification of absence of illicit records has been regularly used by public entities, in the stage of qualification in bidding processes.

Thank you.