Good practices of the Brazilian Federal Public Defender’s Office in dealing with human trafficking

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Presentation

Good morning ladies and gentlemen, it is an honor to be participating in this event and share some Brazilian actions in the fight against human trafficking.

I am a member of the Federal Public Defender's Office (FPDO), which is an institution created by the Brazilian Federal Constitution to provide free and full legal assistance to economically needy people.

In order to guarantee the independence for Public Defenders, the Brazilian Constitution expressly assigned functional, administrative and financial autonomy to the Public Defender’s Office.

In addition to traditional legal aid services, such as in the criminal and civil areas, the Federal Public Defender’s Office has a constitutional duty to promote human rights from a collective perspective, with an emphasis on democratizing the access to justice and rights education.

I made this brief introduction to justify the relationship between the functions of the Federal Public Defender’s Office and the fight against human trafficking. I emphasize that the institution acts in all branches to confront human trafficking, namely prevention, repression and assistance to victims.

With regard to prevention, the Federal Public Defender’s Office promotes trainings and awareness raising through legal guidance, dissemination of knowledge, special projects and educational campaigns.

As regards the repression, the Institution acts in criminal cases for the defense of victims or as an assistant to the prosecution, initiates legal proceedings

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for award of damages, and assists in integrating victims into the coping human trafficking network and the federal victim and witness protection program - PROVITA. I emphasize the importance of the Federal Public Defender's Office participation in this branch in order to prevent victims of trafficking from being criminalized.

In relation to the protection and reception of victims, the Federal Public Defender's Office provides individual legal assistance to Brazilians and foreigners, as well as acts collectively, in the judicial and extrajudicial sphere, issuing recommendations, technical notes, conducting inspections and monitoring surveillance operations along with other government bodies. The work done in this area always seeks multidisciplinary care, integrated with the medical, social and therapeutic care network.

In addition, the Federal Public Defender's Office provides assistance on the process to regularize the migratory situation in Brazil of economically disadvantaged foreigners, as well as to promote the human rights of nationals and foreigners in the social security, welfare, health and housing fields, among others.

Now I will present some projects to exemplify its performance:

I will initially highlight projects carried out between 2016 and 2019 by Federal Public Defender's Office in partnership with UNODC (United Nations Office on Drugs and Crime), as part of the GLO.ACT, funded by the European Union. The missions were concentrated in cities like Pacaraima, Boa Vista, Manaus, Belém and Corumbá, all near the northern border of the country that recently received a large number of migrants.

These projects helped to raise the main needs of these migrants, aiming at the guarantee of the rights and social integration of these people in Brazil. Besides that, the mission sought to foster public policies and measures to prevent human trafficking; development of workshops to train local public officials and civil society on issues related to migration, refuge and assistance to victims of human trafficking.

I would like to mention that other Brazilian public institutions also have implemented other projects in this area with UNDOC as part of the GLO.ACT.
Our Institution also participates in the Welcoming Operation, which began in March 2018. It is an instrument of action of the Brazilian State aimed at welcoming people in vulnerable situations resulted from the migratory flow to the state of Roraima.

In this operation, the Federal Public Defender's Office acted in the legal guidance and full assistance in the process of migratory regularization, especially of children and adolescents, with the purpose of preventing cases of human trafficking, illegal adoption or sexual and labor exploitation. The focus were the under 18, separated from their parents but accompanied by other relatives, the undocumented minors even with their parents present, and the unaccompanied minors.

Another action of the Federal Public Defender's Office that affects the prevention of human trafficking is the work of the International Advisory Office of our Institution, which clarifies frequently asked questions, as well as articulates actions to provide full and free legal assistance to every individual, Brazilian or foreigner, in situation of legal and economic vulnerability.

Some examples of fields that the International Advisory Office act upon are: assistance for conducting civil registration; international adoption; travel of Brazilian children and adolescents abroad; employment and social security protection; agreements between Brazil and other countries; location of Brazilians abroad; international child support; document translation center.

The Federal Public Defender's Office also disseminates educational campaigns in schools, local communities, airports and prisons, as well as prepares booklets for workshops and awareness raising events, such as the ‘Practical Information Guide on Human Trafficking’, the ‘Guide on Brazilian rights when abroad’, the ‘Rights Guide’ and ‘Resources for the Migrant’, among others.

Our Institution have also recently articulated before the Specialized Meeting of Official Public Defenders (REDPO) the creation of a regional commission of Mercosur Public Defenders working on the topic of human trafficking.
There are several challenges to be faced by the Federal Public Defender’s Office in order to fulfill its constitutional mission in addressing human trafficking. Among them:

- the ignorance on the part of the victim of his situation of vulnerability and exploitation;
- the invisibility and shame of the victim and his family members;
- the absence of qualitative and quantitative data;
- lack of systematization of information;
- the need to strengthen cooperation between the public and private care network to the needy.

Notwithstanding the severity of the challenges, it is certain that tackling human trafficking depends on coordinated action by public and private agents and the strengthening of care networks.

Thus, the exchange of experiences in events of this nature certainly inspires new actions and brings hope in the search for the eradication of human trafficking.

Thank you very much for your attention and for the opportunity.