



WE NEED TO DO BETTER

ENHANCING LAWS AND REGULATIONS
TO PROTECT CHILDREN IN DISASTERS

Case Study from Brazil

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We Need To Do Better: Enhancing Laws and Regulations to Protect Children in Disasters
Case Study from Brazil

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Terminology

Access to education are actions that enhance children's ability to attain education, such as the (re)construction or renovation of education facilities or of water and sanitation facilities; the distribution of education supplies or of meals and food in education facilities; education-related cash programming; the provision of psychosocial support; the provision of safe transportation services from, to or around education facilities; and the tracing of education-related documents.¹

Best Interests of the Child is a foundational principle to the United Nations Convention on the Rights of the Child. It means that in all actions concerning children, the best interests of the child shall be a primary consideration. This principle should guide the design, monitoring and adjustment of all humanitarian programmes and interventions.²

Child is a human being below the age of 18 years.³

Child marriage is any formal or informal union where one or both parties are under 18 years.⁴ It is a human rights violation.

Child protection is the prevention of and response to abuse, neglect, exploitation and violence against children.⁵

Child trafficking is the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation.⁶

Climate change means a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.⁷

Disaster refers to a serious disruption of the functioning of a community that exceeds its capacity to cope using its own resources. There are many potential causes of such disruption, including natural and technological hazards, industrial accidents, mass movements of populations and infectious and contagious diseases, as well as various factors that influence the exposure and vulnerability of communities.⁸

1 IFRC. (2019). *Strategic Framework on Education*.

2 Alliance for Child Protection in Humanitarian Action. (2019). *Minimum Standards for Child Protection in Humanitarian Action* (2019 edition). <https://alliancecpha.org/en/cpms>

3 IFRC. (2013). *Child Protection Policy*.

4 OHCHR. (2019). *Child, Early and Forced Marriage, Including in Humanitarian Settings*. <https://www.ohchr.org/EN/Issues/Women/WRGS/Pages/ChildMarriage.aspx>

5 Alliance for Child Protection in Humanitarian Action. (2012). *Minimum Standards for Child Protection in Humanitarian Action* (2019 edition). <https://alliancecpha.org/en/cpms>

6 OHCHR. (2000). *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*.

7 UN. (1992). *United Nations Framework Convention on Climate Change*. https://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf

8 IFRC. (2019). *Disaster Risk Management Policy: From Prevention to Response and Recovery*.

Disaster management refers to the organization, planning and application of measures preparing for, responding to and recovering from disasters.⁹

Disaster preparedness refers to the knowledge and capacities developed by governments, response and recovery organizations, communities, and individuals to effectively anticipate, respond to and recover from the impacts of likely, imminent or current disasters.¹⁰

Disaster preparedness and response activities is an umbrella term for any facilities, services, processes, distributions, resources, training, education or information that are conducted or provided for the purpose of preparing for and/or responding to disaster.¹¹

Disaster response refers to actions taken directly before, during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected.¹²

Disaster risk reduction refers to measures aimed at preventing new and reducing existing disaster risk.¹³

Disaster risk management refers to the application of policies, strategies and other measures to prevent new disaster risk, reduce existing disaster risk and manage residual risk (through disaster preparedness, response and recovery), contributing to the strengthening of resilience and reduction of disaster losses.¹⁴

Discrimination consists of treating differently persons whose needs or vulnerabilities are the same, based—whether or not it is said—on criteria such as gender, age, social standing, religion, ethnicity, disability, nationality, HIV/AIDS status, skin colour, sexual orientation, political affiliation.¹⁵

Inter-country or international adoption is where a child habitually resident in one Contracting State (“the State of origin”) has been, is being, or is to be moved to another Contracting State (“the receiving State”) either after his or her adoption in the State of origin by spouses or a person habitually resident in the receiving State, or for the purposes of such an adoption in the receiving State or in the State of origin.¹⁶

Orphan is a child under 18 years of age who has lost one or both parents to any cause of death.¹⁷

9 Ibid.

10 United Nations Office for Disaster Risk Reduction. (2017). *Terminology*. <https://www.unisdr.org/we/inform/terminology>

11 Ibid.

12 Ibid.

13 IFRC. (2019). *Disaster Risk Management Policy: From Prevention to Response and Recovery*.

14 Ibid.

15 IFRC. (2010). *Thematic Issues: Non-discrimination and Respect for Diversity; Concept Paper*.

16 HCCH. (1993). *Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption*. <https://www.hcch.net/en/instruments/conventions/full-text?cid=69>.

17 UNICEF. (2019). *Orphans*. <https://www.unicef.org/media/orphans>

Persons with disabilities are those who have physical, mental, intellectual or sensory impairments, which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.¹⁸

Separated children are children separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.¹⁹

Sexual and gender-based violence is an umbrella term for any harmful act that results in, or is likely to result in, physical, sexual or psychological harm or suffering to people on the basis of their gender. Sexual and gender-based violence is usually a result of gender inequality and abuse of power. It includes but is not limited to sexual violence, domestic violence, trafficking, forced or early marriage, forced prostitution, and sexual exploitation and abuse.²⁰



18 United Nations. (2006). *Convention on the Rights of Persons with Disabilities*.
<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>.

19 ICRC. (2004). *Inter-agency Guiding Principles on Unaccompanied and Separated Children*.
<https://www.icrc.org/en/publication/1101-inter-agency-guiding-principles-unaccompanied-and-separated-children>.

20 IFRC and ICRC. (2015). *Background Report: Sexual and Gender-based Violence: Joint Action on Prevention & Response*.

Acronyms and Abbreviations

CASRED	Children and Adolescents in Disaster Risk Situations (Crianças e Adolescentes em Situações de Riscos de Desastres)
CEPDEC	State Secretariat of Civil Defense (Coordenadoria Estadual de Proteção e Defesa Civil)
COMPDEC	Municipal Coordination body of Civil Defense (Coordenadoria Municipal de Proteção e Defesa Civil)
CONPDEC	National Council for Protection and Civil Defense (Conselho Nacional de Proteção e Defesa Civil)
CRC	United Nations Convention on the Rights of the Child
CRED EM-DAT	Centre for Research on the Epidemiology of Disasters - Emergency Events Database
DRM	Disaster Risk Management
ECA	Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente)
FASE	Socio-Educational Service Foundation (Fundação de Atendimento Sócio-Educativo)
NUPDEC	Community Center for Civil Protection and Defense (Núcleo Comunitário de Proteção Defesa Civil)
PNEA	National Policy on Environmental Education (Política Nacional de Educação (Ambiental))
PNMC	National Climate Change Policy (Política Nacional sobre Mudança do Clima)
PNPDEC	National Policy of Protection and Civil Defense (Política Nacional de Proteção e Defesa Civil)
SDH	Secretariat of Human Rights of the Presidency of the Republic (Secretaria de Direitos Humanos da Presidência da República)
SFDRR	Sendai Framework for Disaster Risk Reduction 2015–2030
SDU	Secretary of Urban Development (Secretaria do Desenvolvimento Urbano)
SEDEC	National Secretariat of Civil Defense (Secretaria Nacional de Proteção e Defesa Civil)
SINPDEC	National System of Protection and Civil Defense (Sistema Nacional de Proteção e Defesa Civil)
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund

Executive Summary

The current report reviews how Brazil addresses child protection in disaster management legislation. It is part of a global initiative led by the International Federation of Red Cross and Red Crescent Societies seeking to identify ways of improving the protection of children in disasters worldwide. Children are often neglected or at risk of facing many serious difficulties in disaster situations, including violence, trafficking and exploitation.

The Brazilian case reveals that floods are the leading natural hazard the country faces (65.2%), followed by landslide (11.3%), drought (8.7%) and storm (7.8%). Additionally, the country has in recent years experienced two serious disasters linked to its extractive industry (mining).

Brazil has in place a system of law and policy for child protection, ranging from constitutional provisions to the Statute of the Child and Adolescent which regulates in considerable depth child protection in general in the country. The country has in place specialized institutions on child protection, ranging from judicial to non-judicial bodies.

In Brazil the child protection normative framework is designed to continue operating during disasters. Disaster-related bodies are meant to share relevant information with child protection bodies, and this seems to be a common practice observed in the country. Moreover, it is not rare that communities organize themselves in volunteer initiatives to provide first response in disasters.

Brazil has national laws, policies and strategies setting up and regulating institutions regarding disaster risk management. Brazil's main legislation on disaster risk management is Law 12.608/2012, which outlines the key provisions and institutions on disaster risk management (DRM). However, this law is yet to be regulated by decree, which shall further enhance its practical usefulness for public officials and communities alike. There are DRM institutions throughout the country, at all levels of the administration (federal, state and municipal). The country has also adopted legislation on climate change.

In terms of child protection in the DRM system, Brazil has adopted a forward-looking policy document (Joint National Protocol for the Comprehensive Protection of Children and Adolescents, Elderly Persons and Persons with Disabilities in the situation of Risk and Disasters), designed under the leadership at the national level but which was meant to be implemented with engagement of all levels of the administration (including estate and municipal levels). However, recently the institutional framework supporting such initiatives has been considerably restructured, and it is uncertain whether there will be any continuation of the implementation of this Joint National Protocol. A study conducted by UNICEF and other institutions sought to assess the implementation of what has been covered in the policy document. The aim of this exercise was to identify areas that would need greater attention in a plan of action to improve child protection in DRM.

In terms of findings, this case study indicates there were some recent good practices in terms of child protection in DRM. However, how far such practices will be preserved or further developed is unclear.



Introduction and Background

A. Brief introduction to the global project and case study

Children are those most affected by disasters.²¹ They are at risk of facing different forms of violence (i.e. physical and psychological), harmful practices (i.e. trafficking, sexual exploitation,), and becoming unaccompanied or separated from their families in natural disaster situations such as floods, droughts, landslides among others.²² What is more, despite the right of the child to participation children's opinions are largely ignored, and they rarely influence decisions on matters that will have an impact upon them.²³ This is so in spite of acknowledgement by the literature and international normative instruments about the potential that children have to contribute to the reduction of the risk of disasters, especially through their capacity to innovate, and to reach out to the community.²⁴

The present report aims to contribute to address the outlined issues. It focuses on Brazil as a case study part of the global initiative: "We Need To Do Better: Policy Brief for Enhancing Law and Regulations to Protect Children in Disasters," led by the IFRC. The current study aims to identify ways of enhancing protection mechanisms for children as part of disaster risk reduction in Brazil.

B. Main types of disaster risks faced in Brazil

According to data from 2014, Brazil has a population of about 200 million people, 85% of which live in urban areas.²⁵ The leading disasters that mostly affect the country are: flood (65.2%), landslide (11.3%), drought (8.7%) and storm (7.8%), as per CRED EM-DAT of February 2015.²⁶ Moreover, in recent years the country has experienced considerable disasters linked to the mining industry in the state of Minas Gerais, often linked to the failure of tailing dams. Examples occurred in the towns of Mariana (2015),²⁷ with significant environmental impact, and more recently in Brumadinho (2019),²⁸ with considerable human loss.

21 UNHCR (2014), *Global Trends Report 2013*.

22 Child Protection Working Group (2012), *Minimum Standards for Child Protection in Humanitarian Action*.

23 Jabry, A. (Ed). (2005). *After the Cameras Have Gone – Children in Disasters* (second edition). London: Plan International.

24 Chatterjee, Ranit, Koichi Shiwaku, Rajarshi Gupta, Genta Nakano, and Rajib Shaw, "Bangkok to Sendai and Beyond: Implications for Disaster Risk Reduction in Asia", *International Journal of Disaster Risk Science* 6, no. 2 (2015): 177-188, at p. 178.

25 <https://www.preventionweb.net/countries/bra/data/>, accessed 10 August 2019.

26 <https://www.preventionweb.net/countries/bra/data/>, accessed 10 August 2019.

27 For more on this disaster, see, Espindola, H. S., et al. (2019). "Rio Doce: riscos e incertezas a partir do desastre de Mariana (MG)." *Revista Brasileira de História* 39: 141-162; da Costa, K. (2017). "Corporate accountability in the Samarco chemical sludge disaster." *Disaster Prevention and Management: An International Journal* 26(5): 540-552.

28 For more on this disaster, see, de Carvalho, D. W. (2019). "Brumadinho, 2019: Análise das narrativas de uma catástrofe a partir do Direito dos Desastres - *Brumadinho, 2019: Analysis of the narratives of a catastrophe based on Disaster Law*." *Revista dos Tribunais* 1002(108): 87-102.

The first disaster above mentioned refers to the Fundao dam collapse in Mariana (MG) which occurred on November 5, 2015, when approximately 39.2 million cubic meters of tailings reached the Gualaxo do Norte river in Mariana, from where it flowed into the Doce river and continued to the river mouth. Along the way, the mud caused the death of 19 people and a series of impacts, specific in each stretch where it passed, in 39 municipalities from Minas Gerais to Espirito Santo, along 670 kilometers. In addition to the serious environmental impacts, the Mariana disaster has resulted in social and economic damages, and the social component stands out as the driving force behind the challenges that the reparation process must overcome.

Right after the disaster, the communities of Bento Rodrigues, Paracatu de Baixo and Gesteira had to be relocated to temporary houses in the city of Mariana, where they still wait for the definitive resettlement, which is expected to be finished by May 2020. The disaster affected the children of those communities in many ways including increased stress and depression.²⁹

In the case of Brumadinho, due to the amount of human loss (249 deaths and 21 missing people³⁰), children suffered from different human rights violations as highlighted in the document sent by the NGO Instituto Alana to Vale, the Federal Government and the Government of Minas Gerais in order for them to take all possible measures to remedy the situation. Based on some preliminary studies, Instituto Alana describes a series of human rights violations such as: violation of the absolute priority of children; violation of the right to life and to well-being; violation of the right to health (from respiratory problems, and skin infections, together with an increase of child mortality rate); access to water (the water of Paraopeba River that supplies the region has been contaminated by the remnants of the dam collapse); violation to psychological integrity and of the right to assistance; violation of right to a healthy and safe environment and the violation of the right to social participation³¹.

29 The study reveals the occurrence of post-traumatic stress in 82% of the children and adolescents directly affected by the disaster. "It feels as if the memory of the disaster would be always coming back". With regards to the educational system, the children are called "muddy feet" and usually come back crying from the school. In Lourenco das Neves, Maila; Roque, Marco; Freitas, André Augusto; Garcia, Frederico (orgs). PRISMA – Pesquisa sobre Saúde Mental das Famílias Atingidas pelo Rompimento da Barragem de Fundão, Mariana, UFMG, 2018.
https://ufmg.br/storage/3/5/1/4/3514aa320d36a17e5d5ec0ac2d1ba79e_15236492458994_644662090.pdf

30 Brumadinho: sobe para 249 o número de mortos no rompimento da barragem. <https://g1.globo.com/mg/minas-gerais/noticia/2019/08/31/brumadinho-sobe-para-249-o-numero-de-mortos-no-rompimento-de-barragem.ghtml>

31 Instituto Alana. Projeto Prioridade Absoluta. Communication: "Dever Legal de Garantia da Prioridade Absoluta a crianças e adolescentes (Artigo 227, CF) diante da gravidade das violações de direitos no município de Brumadinho, em Minas Gerais, em função do notório rompimento da Barragem 1 da empresa de mineração Vale S/A, no Córrego da Mina do Feijão. https://prioridadeabsoluta.org.br/wp-content/uploads/2019/05/prioridade-absoluta-_brumadinho.pdf

C. The general situation regarding child protection specifically in terms of main child protection concerns and statistics

Child protection is an issue of relevance in Brazil. In recent years, the country has experienced significant improvement in what regards child mortality, with a decrease of 239,000 deaths between 1995-2005 compared to the prior decade of 1985-1995.³²

However, there is a long way to go in order to achieve greater child protection. According to UNICEF, areas of serious concern relates to homicides in Brazil, with 31 children being killed every day in the country. Since 2012, the number of adolescents killed in the country has surpassed the number of the rest of the general population. Male adolescents are 12 times more at risk of being killed than female adolescents. Black male adolescents are 3 times more at risk to be killed than white male adolescents.³³ Most adolescents killed are male, black, poor, live in the periphery of urban centres, and most were out of school for at least six months before being killed. This suggests a deeply entrenched pattern of social exclusion in the country. Besides, about 18.000 adolescents are facing socio educative measures in a semi-closed regime, with considerable deprivation of their liberty.

Regarding sexual violence, in 2016 over 15,000 complaints by children were registered in the country.³⁴



32 <https://www.unicef.org/brazil/ptecao>

33 <https://www.unicef.org/brazil/ptecao>. For more information about the killing of children and adolescents and public policies to address them, see *Ministério dos Direitos Humanos/Secretaria Nacional de Proteção dos Direitos da Criança e Adolescente, Letalidade infanto-juvenil: dados da violência e políticas públicas existentes, elaboração de Thaís Cristina Alves Passos, Brasília: Ministério dos Direitos Humanos, 2018, 110 p., available at <http://pfdc.pgr.mpf.mp.br/atuacao-e-conteudos-de-apoio/publicacoes/crianca-e-adolescente/letalidade-infanto-juvenil-dados-da-violencia-e-politicas-publicas-existentis-mdh-2018>*

34 <https://www.unicef.org/brazil/ptecao>

Part 1 - Law, policy and institutions on child protection in normal times

In terms of laws, child protection is a topic included in the legal system of the country. According to the Brazilian Constitution, namely article 227: "It is the duty of the family, the society and the State to ensure children and adolescents, with absolute priority, the right to life, health, nourishment, education, leisure, professional training, culture, dignity, respect, freedom and family and community life, as well as to guard them from all forms of negligence, discrimination, exploitation, violence, cruelty and oppression."³⁵

The Federal Constitution contains further provisions aiming at providing special protection to children and adolescents, including on the following subjects:

- On the **protection of orphaned or abandoned minors**:
Art. 227, paragraph 3: "The right to special protection shall include the following aspects:" (...)
"Government fostering, by means of legal assistance, tax incentives and subsidies, as provided by law, of the protection, through guardianship, of orphaned or abandoned children or adolescents";
- On **violence, sexual exploitation and abuse of minors**:
Art. 227, paragraph 4: "The law shall severely punish abuse, violence and sexual exploitation of children and adolescents."
- On **adoption**:
Art. 227, paragraph 5: "Adoption shall be assisted by the Government, as provided by law, which shall establish cases and conditions for adoption by foreigners."
- On **criminal liability**:
Article 228. Minors under eighteen years of age may not be held criminally liable and shall be subject to the rules of the special legislation.

These provisions are further developed by ordinary laws, in different fields such as criminal law, civil law, administrative law and etc. Furthermore, the leading normative instrument is the Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente - ECA),³⁶ which covers in detail how children are to be considered an absolute priority by the State, the society and their families and how they shall be protected by each of these actors. ECA does not mention any protection related to disasters.

³⁵ For the 1998 Brazilian Constitution in English, see <http://english.tse.jus.br/arquivos/federal-constitution>

³⁶ Federal Law no. 8.069, of 13 July 1990, Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente): http://www.planalto.gov.br/ccivil_03/leis/l8069.htm

ECA recognizes the peculiar stage of development of childhood, as well as acknowledges the vulnerability of children which therefore justifies their special and integral protection. Article 4 establishes guidelines for child protection including: a) priority in receiving protection and help under whatever the circumstances; b) priority in receiving public services or services of public relevance; c) priority in both the formulation and the accomplishment of social public policies; and d) privileged allocation of public resources in the areas related to child protection.

ECA is divided into two parts: the first part refers to the protection of the fundamental rights of children. The second covers institutional bodies and protective measures for child protection.

Establishing children as a priority, the Federal Constitution has elevated childhood a priority project for the Brazilian Nation. As a consequence, it is possible to engage authorities in their civil and administrative liability, as foreseen in Articles 208 e 216 of ECA. This may occur when there is an omission in breach of authorities' legal and constitutional duties or when their practices violate the rights of children.

Since 1990, Brazil is also a State Party to the 1989 UN Convention on the Rights of the Child, which indicates its commitment to the protection of children. According to the Brazilian legal procedures for internalizing international conventions, this Convention was first approved by the National Congress, by the Legislative Decree n° 28 of September 14th, 1990, and then internalized within the Brazilian legislation through a Decree n° 99.710, of November 21st, 1990. Internally, ECA reflects the majority of the provisions present in the Convention on the Rights of the Child.

In regard to policies on child protection, Brazil has in recent years adopted different federal initiatives, especially policies and Programs, such as the two identified below. Such initiatives aim to strengthen synergies among different ministries and also across different levels of administration (federal, regional and municipal).

A. Bem-me-quer (“beloved” or “forget-me-not”): This program, initially created through a partnership between the Ministry of Education and the former Ministry of Social Development, aims at improving the protection of child victims of sexual violence and violence inside and outside their families.³⁷ It encompasses cultural and after-school sport initiatives, and it seeks to strengthen institutions in charge of child protection. It is executed in some federal states such as Sao Paulo and Rio de Janeiro through a partnership between the federal government and the Secretariats of Public Security, Public Health and Social Development of both states.

³⁷ http://pfdc.pgr.mpf.mp.br/atuacao-e-conteudos-de-apoio/publicacoes/crianca-e-adolescente/agenda_social_SEDH_CriancaeAdolescente

B. Na medida certa (“just right”): This program, implemented by the Special Secretariat of Social Development of the Ministry of Citizenship, aims at improving education for children that are placed under socio-educative measures (with restriction of their liberty).³⁸ It includes the set-up of multimedia rooms and libraries, and the organization of cultural and sport initiatives.

These initiatives have been classified as child protection best practices by the World Bank.³⁹

Key government institutions responsible for child protection:

A. Conselho tutelar (Guardian/Tutelary council): This is an autonomous, non-judicial body charged with enforcing the rights of children and adolescents, established by the *Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente)*.⁴⁰ Among other tasks, the Guardian/Tutelary Council receives reports of maltreatment of children conducts investigation proceedings and refers cases of abused children to further competent authorities. It can also act preventing violations and abuses.

B. Justiça da Infância e da Juventude (Judiciary unit for children and youth): This is a division of the Judiciary at the State level represented throughout Brazil which is in charge of deciding on issues regarding the protection of children. The competence of this body is set in the *Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente)*,⁴¹ notably in article 148 (see Portuguese version for authoritative text):

- I To receive representations filed by the Public Prosecution Service, and to decide on the infraction attributed to the adolescent, applying the appropriate measures;
- II Grant remission as a form of suspension or termination of the proceedings;
- III Receive adoption requests and petitions on related incidents;
- IV Receive and decide on civil actions based on individual, diffuse or collective interests of children and adolescents, subject to the provisions of art. 209;
- V Receive and decide on legal complaints arising from irregularities in service entities, applying the appropriate measures;
- VI Apply administrative penalties in cases of violations against norm of protection to children or adolescents;
- VII Receive and decide on cases referred by the Guardian Council, applying the appropriate measures.

38 http://pfdc.pgr.mpf.mp.br/atuacao-e-conteudos-de-apoio/publicacoes/crianca-e-adolescente/agenda_social_SEDH_CriancaeAdolescente

39 <http://www.saopaulo.sp.gov.br/sala-de-imprensa/release/sp-ganha-premio-do-banco-mundial-por-programa-de-apoio-a-vitima-de-violencia-sexual/>

40 Federal Law no. 8.069, of 13 July 1990, *Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente)*; available at http://www.planalto.gov.br/ccivil_03/leis/l8069.htm

41 Federal Law no. 8.069, of 13 July 1990, *Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente)*; http://www.planalto.gov.br/ccivil_03/leis/l8069.htm, accessed 10 August 2019.

It is up to the judicial authority to regulate, by order, or to authorize, by permit, *the entry and stay of a child or adolescent, unaccompanied by parents or guardian,* in stadium, gym and sports field, dances or promotions dancing, nightclub or similar, house that commercially explore electronic entertainment, movie, theater, radio and television studios, as well as child and teen participation in public shows and their rehearsals and beauty shows.”

C. Ministério Público Estadual e Federal (Regional and Federal Public Prosecution Offices): This is a legal body which has specialized representatives covering issues relating to childhood. It promotes civil inquiry and public civil action to protect the interests of children, such as the rights to life, health, education, family and community life, among others. It is therefore in charge of conducting legal investigations and requesting police investigation on illicit acts or violations of child protection rules; it also supervises public and private entities regarding programs aimed at children; it furthermore supervises the selection process and the performance of the members of the Guardian/Tutelary Councils; and finally, it is also in charge of promoting and following-up on procedures relating to infringing acts attributed to children.⁴²

D. Defensoria Pública (Public Defender’s Office): This is a legal body which provides specialized services to promote and defend the rights of children. In the field of protection, the Public Defender’s Office is entitled to propose judicial or extrajudicial measures to protect the collective or individual interests of children and it may also represent children before international protection mechanisms. In the socio-educational field, the Public Defender’s Office has a legal duty to ensure that children in conflict with the law fully exercise their fundamental rights and guarantees.

E. SINASE – National System of Socioeducational Measures: This is a National System specialized in the exclusive care of children who committed infractions with judicial measures of internment or semi-liberty.⁴³

Since the disaster that culminated in more than 800 deaths in the Mountain Region of the State of Rio de Janeiro in 2010 (mainly in the cities of Teresopolis and Petropolis), apart from the SINASE, all other institutions above mentioned started playing a very important role regarding the protection and defense of the fundamental rights of children directly affected by such episodes. Once a disaster occurs, the Tutelary Council, the Regional Public Prosecutors Office, the Regional Public Defenders Office and the Judiciary Power are immediately called upon by the municipalities to act. Although in most of the cases, the situations are kept under “secret of justice”, the main issues that are treated by those bodies refer to the guarantee of basic human rights of children, such as: access to food, water and sanitation and hygiene, access to education and mobility to schools, family reunion, avoidance of illegal adoption, providence of psychological assistance and protection against post-traumatic stress.

42 <http://www.mprj.mp.br/conheca-o-mprj/areas-de-atuacao/infancia-e-juventude>

43 <http://www.fase.rs.gov.br/wp/institucional/historico/>

Part 2 - Disaster resilience of law, policy and institutional systems for child protection

The normal systems of child protection are meant to continue operating during disasters. In what regards the normative level, constitutional provisions and national laws such as the Statute of the Child and Adolescent continue applying in disasters. Similarly, in what regards the institutional level, namely in disasters child protection bodies continue operating - such as the Conselho Tutelar, Ministério Público, Defensoria Pública and SINASE. In addition, disaster bodies indicate they do share information with institutions normally in charge of child protection, especially in what regards children placed in temporary shelters (see Part 4 of the current report).

One institution that may play a very important role with regards to child protection in disaster settings are the municipal schools. Disaster risk communication is essential to prevent and mitigate violations of the rights of children once a disaster occurs.

For example, the program Schooling Brigades (Programa Brigadas Escolares⁴⁴) was launched by the State of Parana in 2013 and is responsible for articulating the systems of Civil and Protection Defense and the Educational System towards preventing disaster risk as well as building a more resilient schooling community. The program is implemented in many cities along the state of Parana such as Curitiba, Londrina, Guarapuava, Cascavel, among others.

Another best practice regarding disaster prevention and risk communication in schools comes from the city of Petropolis in the State of Rio de Janeiro. Following the National Law that rules the National Policy on Civil Defense and Protection (Law 12.608/2012) and establishes that "the curricula of the schooling system shall include the principles of civil defense and protection as well as environmental education integrated to the obligatory contents"⁴⁵, the city of Petropolis issued the Law n. 6.754/2018 which establishes the Municipal Policy on Principles of Civil Defense and Protection as well as environmental education integrated to the obligatory curricula of the municipal schooling system and provides other rules".⁴⁶ The schools shall do at least one practical activity per semester and in the end of the school calendar, they receive a certification of those activities.

As a result of the implementation of this law, in 2018, 112 Schools in the city developed 170 activities regarding different types of natural disasters that may occur in the region: landslides, floods, storms, among others.⁴⁷

44 Governo do Estado do Paraná, Coordenadoria Estadual de Defesa Civil. Programa Brigadas Escolares. (2013). http://www.defesacivil.pr.gov.br/sites/defesa-civil/arquivos_restritos/files/documento/2018-12/Modulo_1_O_Programa_Brigadas_Escolares_Final.pdf

45 Article, 39, §7º Lei nº 12.608/2012. http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2012/Lei/L12608.htm

46 Law n. 6.754/2018.

47 For more information, please check the document: Venha fazer parte da Turma do Pedrinho. Defesa Civil nas Escolas. Prefeitura de Petropolis, 2018.

Part 3 - Climate and disaster risk management system

Regarding **disaster risk management** in Brazil, the key legislation is Law 12.608 of 10 April 2012, establishing the National Policy of Protection and Civil Defense⁴⁸ (Política Nacional de Proteção e Defesa Civil - PNPDEC), assigning responsibilities and competences to all levels of administrative bodies responsible for risk and disaster management in Brazil. For example, its Article 2 assigns responsibilities to all level of public entities, that is, federal/national, state/regional and municipal levels; Article 6 focuses on the national level; Article 7 covers state/regional levels, thus applying to each federate state; and Article 8 applies to municipalities. This law has not yet been regulated by decree, which makes some of its application defective, as not all of its provisions are detailed, making it sometimes difficult for public officials to operate.

Law 12.608/2012 establishes the National System of Protection and Civil Defense (Sistema Nacional de Proteção e Defesa Civil - SINPDEC). At the national level, the National Secretariat of Civil Defense (Secretaria Nacional de Proteção e Defesa Civil - SEDEC) of the Ministry of Regional Development (which has been created by the new federal government, closing down the previous body in charge of this, namely the Ministry of National Integration) is the body responsible for risk and disaster management in Brazil.

At the state level, there are the State Secretariats of Civil Defense (Coordenadoria Estadual de Proteção e Defesa Civil - CEPDEC), one in each state of Brazil (26 states + 1 Federal District). Finally, Municipal Coordination bodies of Civil Defense (Coordenadoria Municipal de Proteção e Defesa Civil - COMPDEC) may be set up at the municipal level (in 2014 such bodies were estimated to exist in about 2000 out of 5,570 municipalities of Brazil).⁴⁹

A recent joint study by UNICEF, SEDEC, the Federal University of Ceará, and the then existent body Secretariat of Human Rights of the Presidency of the Republic (SDH),⁵⁰ drew upon online questionnaires answered by a representative sample across the country of both CEPDECs and COMPDECs, on the topic of the protection of children in disasters. Despite drawing on voluntary information provided unilaterally by CEPDECs and COMPDECs, and thus not triangulated with further actors, the UNICEF

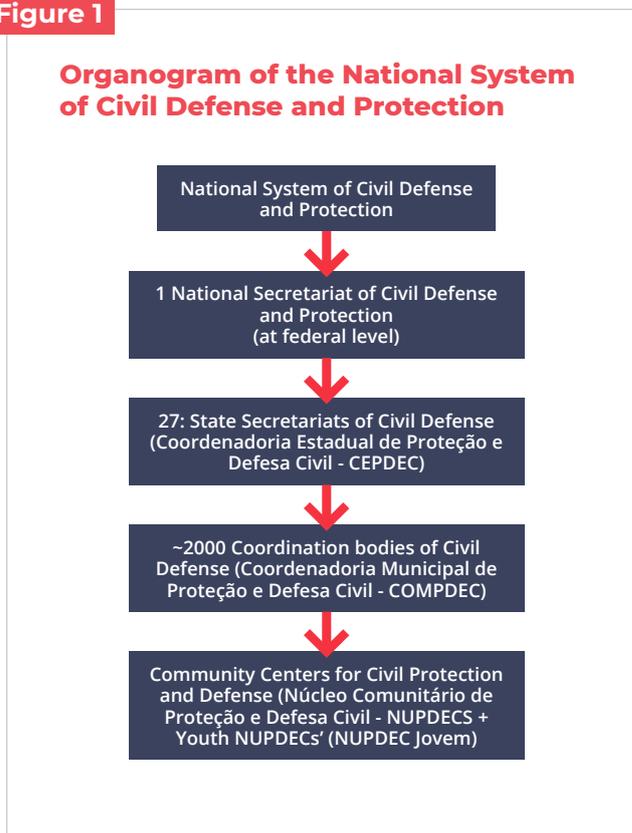
48 For the text of the law, see http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2012/Lei/L12608.htm

49 UNICEF et al., *Levantamento das ações de redução de risco e desastres e das condições de atendimento às crianças e adolescentes*, Brasília, 2014. Available at <https://www.unicef.org/brazil/media/3096/file>. Hereinafter "UNICEF et al., *Levantamento das ações de redução de risco e desastres*."

50 UNICEF et al., *Levantamento das ações de redução de risco e desastres*.

study does present an invaluable source on the issue of child protection in disasters in Brazil. According to the study, some COMPDECs have created a further body, called NUPDECs, namely Community Centers for Civil Protection and Defense (Núcleo Comunitário de Proteção e Defesa Civil). Some municipalities have gone further and set up also 'Youth NUPDECs' (NUPDEC Jovem), aiming at the participation specifically of children in matters pertaining to disasters. Although numerically these bodies may not be so relevant,⁵¹ their existence signals some progress in the conceptualization of disaster risk management in relation to children and adolescents in the country. It also suggests small but important steps towards a better implementation of this agenda.

Figure 1



⁵¹ According to UNICEF et al., *Levantamento das ações de redução de risco e desastres*, a total of 32.7% of municipalities suggested there was a NUPDEC set up in the area under their jurisdiction. A Youth NUPDEC was reported to exist in 7.8% of the municipalities. See p. 26.

The national framework of DRM, the PNPDEC encompasses actions of prevention, mitigation, preparation, response and recovery aimed at protection and civil defense (Law 12.608, Article 3). It further envisages to promote sustainable development, which shall take place in a multisectoral way and in all spheres of government, that is, federal, state/district, and municipal levels.

In order to achieve its objectives, the PNPDEC provides for a series of actions to be implemented individually, by each of the federated entities (that is, federal, state/district, and municipal entities), as well as actions to be jointly implemented by them.⁵²

On climate change, Brazil adopted the National Climate Change Policy (Política Nacional sobre Mudança do Clima - PNMC), which formalizes the country's voluntary commitment to the United Nations Framework Convention on Climate Change to reduce greenhouse gas emissions. It was instituted in 2009 by Law No. 12.187, known as the National Policy on Climate Change with the aim to ensure that economic and social development contribute to the protection of the global climate system. This Law was originally regulated by Decree 7,390 of 2010, which has been later replaced by Decree 9,578, of 22 November 2018.⁵³

According to the PNMC sectoral mitigation and adaptation plans are to be established at local, regional and national levels, in order to help achieve the reduction targets.

The objectives envisaged by the PNMC shall be harmonized with sustainable development seeking economic growth, poverty eradication and reduction of social inequalities. In order to achieve these goals, the text establishes some guidelines, such as fostering practices that effectively reduce greenhouse gas emissions and encouraging the adoption of low-emission activities and technologies, as well as sustainable production and consumption patterns.⁵⁴

52 For an overview of both the exclusive competences assigned to the Union, the Federate States, the Federal District and the Municipalities, as well as areas of their shared competences, see the table in Christiana Galvão Ferreira de Freitas, *Direito da Gestão de Riscos e Desastres no Mundo e no Brasil* (Lumen Juris 2017), pp. 167-170.

53 http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2018/Decreto/D9578.htm#art25

54 <https://www.mma.gov.br/clima/politica-nacional-sobre-mudanca-do-clima.html>

Part 4 - Child protection in the DRM system

A key document adopted by Brazil that touches upon the issue of child protection in disasters is the *Joint National Protocol for the Comprehensive Protection of Children and Adolescents, Elderly Persons and Persons with Disabilities in the situation of Risk and Disasters* (Protocolo Nacional Conjunto para Proteção Integral a Crianças e Adolescentes, Pessoas Idosas e Pessoas com Deficiência em Situação de Riscos e Desastres), Inter-Ministerial Ordinance (Portaria Interministerial) n. 2, of 6 December 2012.⁵⁵ This is a framework document that was adopted at the federal level, and is meant to be further implemented through subsequent agreements adhered by states and municipalities, which would then lead to concerted actions by different levels of administrative authorities, under the auspices of key federal bodies working on this topic.⁵⁶

However, it needs to be seen how recent restructuring of institutions will impact child protection systems in disasters.

A similar restructuring move may also affect institutional bodies in charge of disaster management in Brazil. The new federal government announced the merging into one single body of the institution that used to be in charge of Protection and Civil Defense (SEDEC-Ministry of National Integration) and the entity in charge of Urban Development (Secretary of Urban Development - Secretaria do Desenvolvimento Urbano/SDU-Ministry of the Cities), the latter body was in charge of administering federal investments in disaster prevention works. The argument is that by having federal risk management and disaster response activities centralized in the same agency matters will be optimized.⁵⁷ With such restructuring many issues are not entirely clear. For example, the key statute on disasters, Law 12,608/2012, established a collegiate body named National Council for Protection and Civil Defense (Conselho Nacional de Proteção e Defesa Civil - CONPDEC), which was part of the then Ministry of National Integration. CONPDEC was in charge, among other tasks: "IV. To propose procedures addressing children, adolescents, pregnant women, the elderly and people with disabilities in a disaster situation (according to a specific protocol)".⁵⁸ With the extinction of the Ministry of National Integration, it is likely that CONPDEC shall function under the new Ministry of Regional Development, but further information is not yet available on how is this change going to be implemented.

⁵⁵ For the full text, in Portuguese, see http://www.portaisgoverno.pe.gov.br/c/document_library/get_file?uuid=f20e67f6-d0c6-4736-afc4-28863dd22dcc&groupId=81019, also <https://www.preventionweb.net/english/professional/policies/v.php?id=36432>.

⁵⁶ These subsequent agreements were regulated under Inter-ministerial ordinance (Portaria Interministerial no. 2, of 5): http://www.in.gov.br/materia/-/asset_publisher/Kujrw0TZC2Mb/content/id/31051305/do1-2013-09-09-portaria-interministerial-n-2-de-5-de-setembro-2013-31051301

⁵⁷ http://mi.gov.br/area-de-imprensa/todas-as-noticias/-/asset_publisher/YEkzDUSRvZi/content/conheca-o-novo-ministerio-do-desenvolvimento-regional-mdr-?inheritRedirect=false

⁵⁸ See Law No. 12.608, of 2012, Art. 12.

Despite the fact that the standing and future of the 2012 *Joint National Protocol for the Comprehensive Protection of Children and Adolescents, Elderly Persons and Persons with Disabilities in the situation of Risk and Disasters* is unclear, there are key provisions that highlight how issues on child protection could serve as inspiration to a similar or better document to be adopted in Brazil or elsewhere.

According to the *Joint National Protocol for the Comprehensive Protection of Children and Adolescents, Elderly Persons and Persons with Disabilities* in the situation of Risk and Disasters, an objective is: "I - to ensure the full protection of the rights of the child and the adolescent, the elderly and the disabled, in a situation of risk and disaster, in order to reduce the vulnerability to which they are exposed; and II - to guide public agents, civil society, the private sector and international cooperation agencies that act in a risk and disaster situation in the development of preparation, prevention, response and recovery actions at all levels of the Federation." The Protocol provides for general and specific guidelines and intersectoral actions for prevention, preparation and response relating to civil protection and defense, health, social assistance, education, public safety, temporary shelters and camps for vulnerable groups.

The protocol further touches upon issues such as child separation, access to education in disasters, together with gender-responsive DRM, and child participation in DRM-related institutions. The protocol provides for the following measures, especially regarding the sheltering and treatment of children in disaster situations:

1. To identify and evaluate, together with agencies involved in the management of temporary shelters or camps, the possibility of alternative forms of shelter for families with children and adolescents that lost their homes; this may include social rent or shelter in the homes of friends, relatives, or host families, with the aim of safeguarding disaster affected families;
2. To avoid the use of schools as a place of shelter in order to ensure their educational function, while preserving the continuity of school activities for children and adolescents;
3. To indicate the forms of provisional reception of children, adolescents and their families, with communication to the Public Ministry and Guardianship Council;
4. Accept in temporary shelters or camps only children and adolescents accompanied by family members or legal guardians, upon presentation of documents;
5. To keep close families who were already neighbors before the disaster, whenever possible, respecting the right to family and community living;

6. Indicate the reception service previously enabled in the social assistance network and intended exclusively for the care of children and adolescents as a place of reception of those unaccompanied by their relatives or other legally entitled persons, upon presentation of documents issued by a judicial authority;
7. Maintain updated listing of children and adolescents, with the provision of an identification bracelet for each of them, including also the name of the responsible person and the place of reception;
8. Ensure that information about children and adolescents in host institutions can be shared with the competent work teams, ensuring adequate protection of their personal data;
9. Designate a protection agent in each temporary shelter or camp that can be recognized by the children and adolescents and even chosen by them, with a view to the daily monitoring of the situation of these groups and their immediate activation in case of need;
10. Prohibit the movement of children and adolescents unaccompanied by their parents, unless they require medical treatment, always with the authorization of the coordination of the host unit in the case of transfer of premises, communicated to the Public Prosecutor's Office and the Guardianship Council;
11. Ensure that the physical environment of the temporary shelter or housing has satisfactory health and accessibility conditions, with sanitary facilities for bathing and personal hygiene with privacy, spaces for meals, living and socializing, ensuring, where possible, that each hosted child and adolescent has its own space to keep personal belongings, as well as space for meals, living and socializing;
12. Assign cleaning staff to the temporary shelters and camps in order to ensure the hygiene of the entire environment, reservoirs, water tanks and the adequate disposal of garbage, to avoid the proliferation of vectors and diseases;
13. Identify the need for special food for children and adolescents, articulating the areas of protection and civil defense, health, and food and nutritional safety;
14. Ensure, as a matter of priority, the individuality and privacy of family members, with distinction as to the dormitory space of couples and children;
15. Distribute the internal spaces of the temporary shelters or camps so as to minimize the risks of sexual violence or any other violation of the rights of children and adolescents, and ensuring the vigilance of the specially trained and appointed public agent;

16. To report immediately to the competent authorities, especially the Guardianship Councils and the police station, cases of suspicion or evidence of mistreatment or violations of the rights of children and adolescents within temporary shelters and camps, as established by the Statute of the Child and Adolescent;
17. Ensure that there is no media exposure of children and adolescents hosted or victimized;
18. Promote, whenever necessary, activities by technical teams specialized in mediating conflicts involving children and adolescents and their families, or refer them to the specific service network;
19. Encourage the participation of families, including adolescents, in maintenance activities of temporary shelters or camps;
20. Provide clear information to families, children and adolescents on the length of time in temporary shelters or camps and on measures being taken to relocate them elsewhere including in permanent housing;
21. To set coexistence rules with the participation of children and adolescents, including provisions about living with animals, when possible;
22. To accommodate pets outside the collective spaces of families, so as to ensure the salubrity of temporary shelters or encampments and to avoid contamination by zoonoses;
23. To display, in a place visible to all, the rules of coexistence and other information, including on the prohibition of the use of alcohol and psychoactive substances in all refuge areas;
24. Promote playful and socialization activities aimed at children and adolescents during the day and weekends in secure spaces, with special attention to those unaccompanied of parents or guardians, encouraging collective games and curbing the use of toys that incite violence;
25. Organize educational workshops in temporary shelters or camps, with the support of health and social assistance teams, addressing the prevention of violence and of the violation of rights, as well as health education, covering topics such as personal hygiene and cleaning of facilities, among other topics;
26. To ensure that educational, recreational and religious assistance to families and individuals is preferably provided outside temporary shelter or camp sites, in places considered appropriate, wherever possible; and
27. To provide the gradual return of children and adolescents, as soon as possible, to daily activities prior to the disaster, such as school attendance and cultural and leisure activities.

Regarding implementation of such policies, we refer to the UNICEF et al. study of 2014,⁵⁹ according to which the situation at estate and municipal levels on key areas covered in this research is as follows:

Are there initiatives in place to protect Children and Adolescents in Disaster Risk Situations (Crianças e Adolescentes em Situações de Riscos de Desastres - CASRED)?⁶⁰

At the estate level:

- Yes: 62.5%

At the municipal level:

- Yes: 36.3%

Is there in place an information centre with indication of the missing/unaccompanied CASRED?⁶¹

At the estate level:

- Yes: 33.3%

At the municipal level:

- Yes: 50%

Regarding **temporary shelters**:

Are schools used as temporary shelter for disasters?⁶²

At the estate level:

- Always: 45.8%
- Sometimes: 54.2%

At the municipal level:

- Always: 11.8%
- Sometimes: 35.9%
- Never: 52.3%

Do temporary shelters offer play/leisure activities for children and adolescents?⁶³

At the estate level:

- Yes: 45.8%

At the municipal level:

- Yes: 31.4%

Is there free distribution of (male and female) condoms?⁶⁴

At the estate level:

- Yes, of male and female condoms: 16.7%
- Yes, of male condom only: 20.8%
- No, none of them: 8.3%

At the municipal level:

- Yes, of male and female condoms: 37.3%
- Yes, of male condom only: 9.8%
- No, none of them: 25.2%

Is information shared among various institutions in charge of child and adolescent protection?⁶⁵

At the estate level:

- Yes: 70.8%

At the municipal level:

- Yes: 75.5%

Regarding **recovery** from disasters:

Are COMPDECs encouraged to promote the participation of children and adolescents in actions for the protection and civil defense?⁶⁶

At the estate level:

- Yes: 83.3%

At the municipal level:

- Yes: 21.6%

In respect to international DRM commitments, Brazil took part in the conference that adopted the *Sendai Framework for Disaster Risk Reduction 2015-2030*, which contains clear provisions regarding the important contribution that children can make in disaster risk reduction, stating that: “(ii) Children and youth are agents of change and should be given the space and modalities to contribute to disaster risk reduction, in accordance with legislation, national practice and educational curricula;” (SFDRR, V. Role of stakeholders, 36 (a)).⁶⁷ In this sense, Brazil is expected to make sure such commitments are implemented in the country.

It may also be relevant to mention that Brazil has adopted a *National Policy on Environmental Education (Política Nacional de Educação Ambiental - PNEA)*, created by Law No. 9,795/1999.⁶⁸ Among other features, it sets environmental education as an essential component within national education. It refers to formal (school - at all levels; and university level education) and also non-formal education (especially through the media), aiming at reaching and informing all sectors of the population on environmental issues. Although this law has not been designed specifically for disasters, some aspects relating to disaster management, including on emergency preparedness could eventually be covered by it, especially when they overlap with environmental issues.

60 Ibid.

61 Ibid.

62 Ibid.

63 UNICEF et al., *Levantamento das ações de redução de risco e desastres.*, pp. 30 and 34.

64 Ibid.

65 Ibid.

66 Ibid.

67 United Nations General Assembly. (2015). A/RES/69/283 - *Resolution Adopted by the General Assembly on 3 June 2015, 69/283. Sendai Framework for Disaster Risk Reduction 2015-2030.* <https://www.unisdr.org/we/inform/publications/43291>

68 http://www.planalto.gov.br/ccivil_03/leis/19795.htm

Part 5 - Annex: Bibliography of main laws, policies and secondary resources

A. Legislation, policies and regulations

Constitution of the Federative Republic of Brazil, of 5 October 1988.

Federal Laws

Law No. 8.069, of 13 July 1990, Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente), which Provides for the STATUTE OF CHILD AND ADOLESCENT, and makes other arrangements

Law No. 9.795, of 27 April 1999, on environmental education, which establishes the National Environmental Education Policy and provides other measures

Law No. 12.187, of 29 December 2009, which institutes the National Policy on Climate Change - PNMC and other measures

Law No. 12.608, of 10 April 2012, which establishes the National Policy of Protection and Civil Defense (PNPDEC); it provides for the National System of Protection and Civil Defense (Sistema Nacional de Proteção e Defesa Civil - SINPDEC) and the National Council for Protection and Civil Defense (Conselho Nacional de Proteção e Defesa Civil - CONPDEC); it authorizes the setting up of a disaster information and monitoring system

Presidential Decrees

Decree 7,390 of 2010, which regulates arts. 6, 11 and 12 of Law No. 12.187, of 29 December 2009, which establishes the National Policy on Climate Change - PNMC, and other measures.

Decree 9,578, of 22 November 2018, which consolidates normative acts issued by the federal executive branch that provides for the National Climate Change Fund, dealt with by Law No. 12,114, of 9 December 2009, and the National Policy on Climate Change, dealt with by Law No. 12,187, of 29 December 2009.

Interministerial Ordinances issued by Ministries

Inter-Ministerial Ordinance (Portaria Interministerial) No. 2, of 6 December 2012. Joint National Protocol for the Comprehensive Protection of Children and Adolescents, Elderly Persons and Persons with Disabilities in the situation of Risk and Disasters (Protocolo Nacional Conjunto para Proteção Integral a Crianças e Adolescentes, Pessoas Idosas e Pessoas com Deficiência em Situação de Riscos e Desastres)

B. Secondary resources

Chatterjee, Ranit, Koichi Shiwaku, Rajarshi Gupta, Genta Nakano, and Rajib Shaw, "Bangkok to Sendai and Beyond: Implications for Disaster Risk Reduction in Asia", *International Journal of Disaster Risk Science* 6, no. 2 (2015): 177-188.

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Jabry, A. (Ed)(2005), *After the Cameras Have Gone – Children in Disasters* (2nd ed), London: Plan International.

Ministério dos Direitos Humanos/Secretaria Nacional de Proteção dos Direitos da Criança e Adolescente, *Letalidade infanto-juvenil: dados da violência e políticas públicas existentes*, elaboração de Thaís Cristina Alves Passos, Brasília: Ministério dos Direitos Humanos, 2018, 110 p.

UNHCR (2014), *Global Trends Report 2013*.

UNICEF et al., *Levantamento das ações de redução de risco e desastres e das condições de atendimento às crianças e adolescentes*, Brasília, 2014.



THE FUNDAMENTAL PRINCIPLES OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

Humanity

The International Red Cross and Red Crescent Movement, born of a desire to bring assistance without discrimination to the wounded on the battlefield, endeavours, in its international and national capacity, to prevent and alleviate human suffering wherever it may be found. Its purpose is to protect life and health and to ensure respect for the human being. It promotes mutual understanding, friendship, cooperation and lasting peace amongst all peoples.

Impartiality

It makes no discrimination as to nationality, race, religious beliefs, class or political opinions. It endeavours to relieve the suffering of individuals, being guided solely by their needs, and to give priority to the most urgent cases of distress.

Neutrality

In order to enjoy the confidence of all, the Movement may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

Independence

The Movement is independent. The National Societies, while auxiliaries in the humanitarian services of their governments and subject to the laws of their respective countries, must always maintain their autonomy so that they may be able at all times to act in accordance with the principles of the Movement.

Voluntary service

It is a voluntary relief movement not prompted in any manner by desire for gain.

Unity

There can be only one Red Cross or Red Crescent Society in any one country. It must be open to all. It must carry on its humanitarian work throughout its territory.

Universality

The International Red Cross and Red Crescent Movement, in which all societies have equal status and share equal responsibilities and duties in helping each other, is worldwide.

The vision of the IFRC is to inspire, encourage, facilitate and promote at all times all forms of humanitarian activities by National Societies, with a view of preventing and alleviating human suffering, and thereby contributing to the maintenance and promotion of human dignity and peace in the world.

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