

In the October 2014 general elections, President Dilma Rousseff defeated challenger Aécio Neves to win a second term in office. The presidential election was the closest and most divisive in Brazil's recent history. Rousseff secured victory despite a campaign clouded by slow economic growth, rising living costs, and high inflation. In September, allegations of corrupt dealings between Rousseff's Workers' Party (PT) and state-controlled oil company Petrobras cast more shadows on the ruling party, though the scandal was not enough to dissuade Rousseff's supporters. In concurrent legislative elections, the PT remained the largest party in the lower house, and the PT-allied Brazilian Democratic Movement Party (PMDB) won the most seats in the upper house.

In April, Rousseff signed Brazil's long-debated Marco Civil bill into law. The legislation, which has been called the first civil rights framework for the internet, safeguards user rights through regulations on equal access, privacy protection, and data retention.

Brazil hosted soccer's World Cup during the summer of 2014. While protests—directed mainly against the scale and alleged unfairness of spending for the event—were largely peaceful, some confrontations between protesters and security agents led to injuries and arbitrary arrests. Throughout the demonstrations, law enforcement officials harassed, detained, and attacked journalists. Allegations of excessive force, including the indiscriminate use of rubber bullets and tear gas, were also leveled at police. In addition, Brazil was criticized internationally after eight workers were killed during rushed construction of World Cup venues.

Political Rights and Civil Liberties:

Political Rights: 33 / 40 [Key]

A. Electoral Process: 11 / 12

Brazil is a federal republic governed under a presidential system. Elections are generally free and fair. The president is elected by popular vote for a four-year term and is eligible for reelection to a second term. Rousseff, the incumbent, won the October 2014 election with 51.6 percent in a runoff vote, having also led the first round in a field of 11 candidates. Her primary challenger, Neves of the centrist Brazilian Social Democratic Party (PSDB), received 48.4 percent of the runoff vote.

The bicameral National Congress is composed of an 81-member Senate and a 513-member Chamber of Deputies. Senators serve staggered eight-year terms, with one- to two-thirds coming up for election every four years. Members of the Chamber of Deputies serve four-year terms. In the October 2014 general elections, despite a loss of 16 seats, the PT remained the largest party in the lower house with 70 deputies. While the centrist, PT-allied PMDB claimed only 66 seats in the lower house, it maintained its lead in the Senate, with 18

seats. The PT held only 12 seats in the upper house. The opposition PSDB was the third-strongest party, winning 54 seats in the lower house and 10 in the Senate.

B. Political Pluralism and Participation: 14 / 16

Brazil has an unfettered multiparty system marked by vigorous competition between rival parties. The electoral framework encourages the proliferation of parties, a number of which are based in a single state. Although the PT has been in power since 2003, no single force has been able to dominate both the executive and legislative branches in recent years. A 2007 Supreme Court decision outlawed switching parties after elections, though lawmakers have continued to change on occasion for financial and other inducements. Accordingly, some parties display little ideological consistency; the sheer number of parties means that the executive branch must piece together diverse coalitions to pass legislation. During the 2014 elections, the number of parties represented in the lower house increased from 22 to 28, complicating coalition building.

Afro-Brazilians remain underrepresented in politics. The Senate has one self-identified black representative, and only one of Rousseff's 38 cabinet members is black.

C. Functioning of Government: 8 / 12

In spite of the Rousseff administration's public intolerance of corruption, graft remains endemic in Brazil, especially among elected officials. In September 2014, Roberto Costa, an imprisoned former director of Petrobras, accused more than 40 politicians—including one minister, three governors, six senators, and dozens of deputies—of participating in a massive kickback scheme. Costa alleged that in exchange for supporting the government in congressional votes, the accused had pocketed 3 percent of Petrobras's contracts with third parties between 2004 and 2012. If Costa's claims are corroborated, the scheme would severely undermine the credibility of Brazil's already beleaguered oil company.

Brazil was ranked 69 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Brazil is a cofounder of the Open Government Partnership, a multinational organization seeking to increase governmental transparency and democratic ideals while decreasing corruption. As part of its pledge to support these goals, Brazil enacted an Access to Information Law in May 2012.

Civil Liberties: 48 / 60

D. Freedom of Expression and Belief: 15 / 16

The constitution guarantees freedom of expression, but politicians and influential businessmen made use of existing laws to curtail critical reporting throughout 2014. Despite

the Supreme Court's 2009 repeal of a 1967 press law dictating harsh penalties for libel, defamation remains a crime and carries a minimum sentence of three months in prison. Journalists, especially those who focus on organized crime or corruption, are frequently subjected to violence. Three journalists—a cameraman, a newspaper owner, and a blogger—were killed during 2014. Police also attacked at least 38 reporters during the 2014 World Cup. Between May 2013 and March 2014, the Brazilian Association of Investigative Journalism documented 163 violations of press freedom. In more than 100 of these cases, journalists were deliberately attacked after identifying themselves as members of the press.

In a positive step in September 2014, the Supreme Court overturned a ban on the distribution of *ISTOÉ*, a popular weekly newspaper. The ban had been requested by Cid Gomes, the governor of Ceará, after the paper alleged that he was involved in the Petrobras corruption scandal. While the ruling was a victory for press freedom, judges in provincial areas continued to interfere with media coverage of specific stories during 2014, specifically those involving politicians. The news media are privately owned, and there are dozens of independent papers and broadcast stations across the country. Financial dependence on state advertising, however, sometimes renders the press vulnerable to manipulation.

Brazil has been praised as a champion of internet user rights. In April 2014, Rousseff signed the Marco Civil da Internet, a so-called bill of rights for the internet. The new law, which went into effect in June, guarantees universal internet access and establishes strong privacy protections for Brazilian users.

The constitution guarantees freedom of religion, and the government generally respects this right in practice. Academic freedom and private discussion are likewise unrestricted.

E. Associational and Organizational Rights: 10 / 12

Freedoms of association and assembly are generally respected, as is the right to strike. Several instances of police brutality were documented during the largely peaceful World Cup protests in June and July 2014. The International Trade Union Confederation noted examples of government and corporate interference in collective labor rights during the year, which in some instances extended to denials of the right to strike. Despite these reported disruptions, various police strikes took place, with officers demanding better pay and bonuses. Industrial labor unions are well organized, and although they are politically connected, Brazilian unions tend to be freer from political party control than their counterparts in other Latin American countries. Labor issues are adjudicated in a system of special labor courts.

F. Rule of Law: 10 / 16

The judiciary, though largely independent, is overburdened and plagued by corruption. The courts are often subject to intimidation and other external influences, especially in rural areas, and public complaints over inefficiency are common. Access to justice also varies

greatly due to Brazil's high level of income inequality. Despite these shortcomings, the country's progressive constitution has resulted in an active judiciary that often rules in favor of citizens over the state.

During the last 10 years, Brazil has maintained an average annual rate of 26 homicides per 100,000 residents, compared with a global average of approximately 7 per 100,000. This culture of violence is perpetuated by impunity and corruption; violent crime has also expanded due to Brazil's ties to the illegal drug trade. Highly organized and well-armed drug gangs frequently clash with military police or with private militias comprising off-duty police officers, prison guards, and firefighters.

The long-term presence of special Pacifying Police Units (UPP) has successfully quelled violence in several urban *favelas*, or slums, though the sustainability of this peace remains to be seen, as does the government's ability to successfully expand the program to other impoverished areas. Moreover, allegations of violence by the UPP continue to raise concerns about their tactics.

In early 2014, Rio de Janeiro and São Paulo were plagued by a crime wave targeting public transport systems. In April, a 48-hour police strike in Bahia State led to a spike in crime, with 39 murders and numerous incidents of looting and car theft in the state capital of Salvador.

According to UN figures, Brazil's police force remains entrenched in corruption and violence and is responsible for the deaths of more than 2,000 people each year. Torture is used systematically to extract confessions from suspects, and extrajudicial killings are portrayed as shootouts with dangerous criminals. Police officers are rarely prosecuted for abuses, and those charged are almost never convicted. No police officers were held accountable in connection with the widely reported abuses that occurred during a wave of protests in 2013.

A 2013 law created a watchdog body known as the National Mechanism to Prevent and Combat Torture. It consists of 11 experts with unprecedented power to visit any civilian or military facility where torture or ill-treatment has been documented. Despite this positive step, torture remained a serious problem in 2014. Brazilian law does not require that detainees be brought before a judge promptly after arrest, which increases opportunities for abuse in custody.

In 2014, Brazil had the largest prison population in Latin America. With more than 549,000 inmates, its prison system, which is known to be anarchic, overcrowded, and largely unfit for human habitation, held 75 percent more prisoners than its intended capacity. Extreme overcrowding sometimes results in men and women being held in the same facilities. Pretrial detention can last for months or even years, and a chronic backlog in court cases routinely results in substantial trial delays.

Brazilian law prohibits discrimination on the basis of race, gender, disability, or social status, but the country continues to struggle with racial discrimination. On average, Afro-Brazilians, who make up 7–8 percent of the population, bring home only 43 percent of the earnings of their white counterparts and suffer from higher rates of homicide, poverty, and illiteracy; an estimated 50 percent of Afro-Brazilians are illiterate. Government policies that have begun to

change these trends include the 2010 Statute of Racial Equality, which granted land rights to inhabitants of *quilombos*, communities of descendants of escaped slaves. In 2013, the first beneficiaries of a 2012 affirmative action law on education began taking classes. The law requires public universities to reserve 50 percent of admission spots for students coming from public schools, most of whom are poor, and dictates that the number of students of African descent must increase in accordance with the racial composition of each state. In June 2014, Congress passed a law requiring that at least 20 percent of its civil service employees be of African descent.

Indigenous peoples make up less than 1 percent of the population. Despite increased governmental spending on social welfare programs, many indigenous communities are mired in poverty and lack adequate sanitation and education services. Unresolved and often violent land disputes between indigenous communities and farmers continued in 2014, as the latter frequently refused to vacate land that the constitution has demarcated for indigenous use. In the face of court processes that further delay already lengthy procedures, tribes in 2014 occasionally resorted to forceful evacuation of those inhabiting their protected lands.

Although Brazil has a largely tolerant society, violence against members of the LGBT (lesbian, gay, bisexual, and transgender) community continued during 2014.

G. Personal Autonomy and Individual Rights: 13 / 16

While Brazilians generally enjoy freedom of movement and choice of residence, the owners of the largest estates control nearly 60 percent of the country's arable land. The poorest 30 percent of the population hold less than 2 percent of the farmland. Land invasions are organized by the grassroots Landless Workers' Movement, which claims that the seized land is unused or illegally held. Progress on land reform has been slow, due in part to a strong farm caucus and the economic importance of large-scale agriculture.

A 2003 update to the legal code granted women rights equal to those of men for the first time in the country's history. Upon entering office, Rousseff vowed to push women's rights onto the national and international agendas. Women make up almost one-third of her cabinet. Some 27 percent of senior managers in Brazil are female, compared with a global average of 21 percent, and Petrobras is the only major oil company worldwide with a female leader. In 2013, Congress approved a constitutional amendment extending the same rights that all regulated workers enjoy to household workers, many of whom are women.

Brazil's law on domestic violence, under which each state has a special force dedicated to addressing crimes against women, stands out in the region. Nevertheless, violence against women and children is commonplace, and protective laws are rarely enforced. While contraception is available, abortion is illegal, with rare exceptions. Approximately one in four women who have illegal abortions are eventually hospitalized due to complications.

After a 2011 Supreme Court ruling that same-sex couples should benefit from the same rights as married couples, a 2013 law legalized same-sex marriage throughout the country.

Although Brazil abolished slavery in 1888, slavery-like conditions pose a significant problem in rural—and increasingly in urban—zones. Measures to fight the impunity of employers, such as mobile inspection units and a public “black list” of offending companies and landowners, have proved effective in reducing forced labor in rural Brazil to some extent. A 2012 constitutional amendment allows the government to confiscate all property of landholders found to be using slave labor. Landowners who enslave workers also face fines and sentences of two to eight years in prison. Government investigators conduct rescue operations; in 2013, more than 2,000 people were freed from slavery-like working conditions.

Approximately 3 million minors aged 10 to 17 are victims of child labor in Brazil. The government has sought to address the problem by cooperating with various nongovernmental organizations, increasing inspections, and offering cash incentives to keep children in school. Legislation enacted in May 2014 classifies the sexual exploitation of minors as “a heinous crime,” with penalties of four to ten years in prison without eligibility for bail or amnesty. Human trafficking—primarily for the purpose of forced labor and commercial sexual exploitation—is a problem in Brazil.

Scoring Key: X / Y (Z)**X = Score Received****Y = Best Possible Score****Z = Change from Previous Year****Full Methodology**