

## NATIONAL REPORT

# PUBLIC DEFENDER'S OFFICE - BRAZIL

**André Luís Machado de Castro**

Public Defender in the State of Rio de Janeiro,  
Master in Law (UERJ)

**Cleber Francisco Alves**

Professor at Universidade Federal Fluminense (UFF),  
Public Defender in the State of Rio de Janeiro,  
PhD in Law (PUC-Rio)



# 2023 International Forum on Legal Aid

- 26 States and the Federal District (Capital)
- Population: 213,317,639 people
- 1,920,10 billion USD - GDP – World Bank report 2022
- People with per capita household income of up to USD 100 per month reached 62.9 million Brazilians in 2021, which represents 29.6% of the country's total population.
- The richest 10%, with an income of 82 thousand USD (in PPP), represent 58.6% of the country's total income.

**Brazil is in 10th position in the ranking of the most unequal countries in the world**



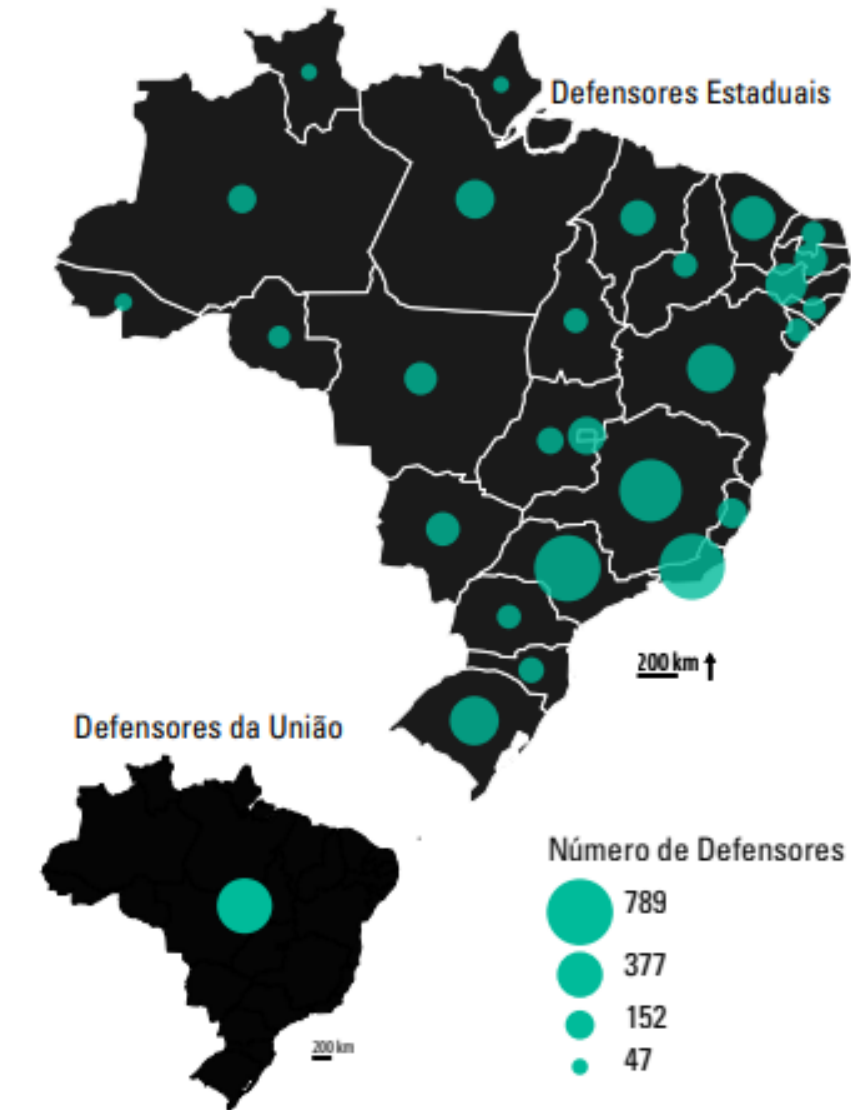
## Public Defender's Offices (PDO)

26 State Public Defender's Offices  
+ 1 Public Defender's Office of the Federal District (Capital)  
+ 1 Federal Public Defender's Office;

6,956 Public Defenders in Brazil (in 2023)

Administrative and budgetary autonomy (since 2014)

In 2022: 21,881,913 services provided to the population, representing an increase of 33.1% in comparison to 2021 and a growth of 516.9% compared to the volume recorded in 2003.



# 2023 International Forum on Legal Aid

1988- 2023

- celebrating 35 years  
of the **constitutionalization** of  
the Public Defender's Office  
in Brazil -

Link to an institutional video prepared by  
ANADEP – National Association of  
Public Defenders:

<https://youtu.be/tFxb5TQaloA>





# 2023 International Forum on Legal Aid

## Impact of the COVID-19 pandemic in lives

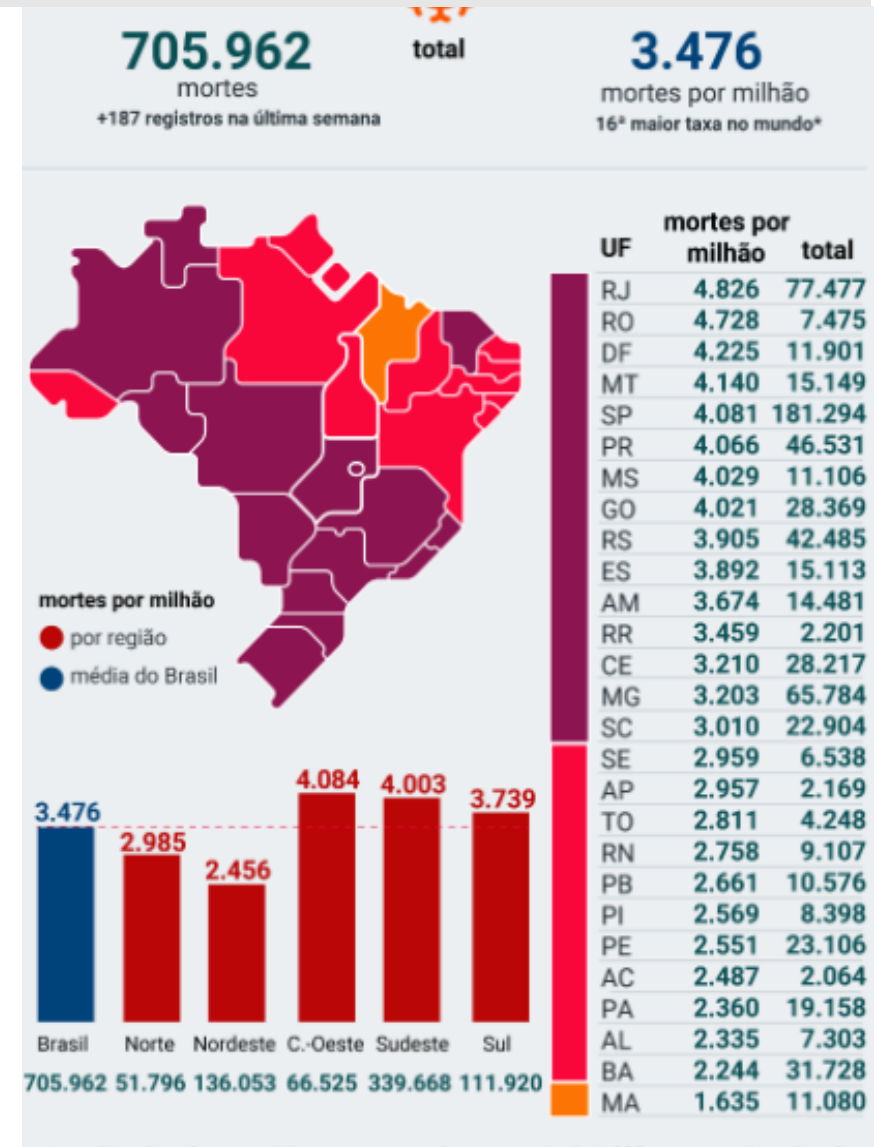
- In May 2023, the World Health Organization (WHO) recorded 6,921,614 global deaths due to the disease, of which 705,962 victims were Brazilian.
- Globally, the country ranked second in terms of absolute numbers of deaths from the COVID.

## Brazil's Pandemic Response

**Moderate Measures on COVID-19 Social Distancing Restrictions:** The government implemented relatively moderate measures across the five different phases.

**Commencement of Vaccination:** Vaccination efforts began in January 2021.

**Government Aid for Low-Income Families:** In response, the government provided financial assistance of 100 USD per month for low-income families.



## Human Rights Concerns

- Poverty: Resulting from job losses and income reduction.
- Increase in Homelessness: A rise in the number of individuals experiencing homelessness;
- Right to Privacy: The Federal Government made attempts to enforce the mandatory sharing of user data by telecommunications service providers with the Brazilian Institute of Geography and Statistics (IBGE) to support official statistical production during the pandemic;
- Spread of Fake News: This phenomenon was notably characterized by political content and misinformation regarding the number of cases, deaths, and preventive measures and treatments.



## Challenges to Democracy and Rule of Law

- Election system under attack and attempts to destabilize democracy
- Attacks on the judiciary, opposition leaders, and media
- Coordinated response to election denial
- Indigenous people in danger.

*January 8th:* in early 2023, an attempted coup was led by the former president's supporters. In September, the Supreme Court began the trial of the first defendants charged with participating in the January 8 riots.





# 2023 *International Forum on Legal Aid*

## Changes to Legal Aid

- The DPO of the State of Rio de Janeiro has adapted to the COVID-19 outbreak by integrating tech tools and offering remote services, with a small budget increase only in 2021.
- Human rights education and outreach programs are still running, with courses and services offered to community leaders.
- No changes were made to eligibility criteria or service quality control.

## Legal Education and Outreach

- Researches and promotion of rule of law through education and legal information;
- Projects and initiatives targeting specific vulnerable groups;
- Role of legal aid organizations in safeguarding democracy and human rights.





## Research on Legal Needs and Access to Justice

- 23% of respondents reported receiving eviction threats from landlords who did not accept late payment of rent.
- 58% indicated that the "Social Assistance Reference Center" experienced excessive demand and reduced its operating hours.
- Families encountered challenges in providing proper nutrition for children and adolescents enrolled in public schools.
- All respondents reported difficulties in monitoring the academic year, especially in schools that conducted online classes.
- 65% of respondents reported instances of domestic violence against women during the pandemic.
- 65% stated that violent police operations continued to occur in their respective areas despite the ongoing pandemic.

## Strategic Litigation and Class Actions

### Legal aid to vulnerable groups in partnerships with civil society organizations:

- Waives in residential rental contracts;
- Prohibition of cutting water supply to low-income families;
- Prohibition of police operations in favelas during the pandemic, except in exceptional cases;
- Collective actions in criminal and penitentiary cases.

*“I wear a mask,  
but I don’t  
shut up”*

DPO’s campaign  
on violence  
against women.



#JuntasSomosMaisFortes

**Disque 180**

**A Defensoria não para!**

*Eu uso máscara  
mas não me calo!*

Em tempos de isolamento social por conta da pandemia de Covid-19, a Defensoria Pública alerta para o **aumento da violência contra a mulher!**

**Não se cale! Denuncie!**

  
Núcleo de Defesa da Mulher  
**(65) 98463-6782**

## Technology in Legal Aid

- Investments in modern ICTs
- Digital applications (app) for direct communications with clients
- Teleservice (call free) for appointment scheduling and guidance
- Court's software "Electronic Judicial Proceedings" (PJe)
- DPO's software to manage all files and database
- DPO's electronic administrative proceedings

### Challenges include:

- Training and Costs: Approximately a quarter of the budget, excluding salaries, is allocated to communication and information technology.
- Preventing Digital Exclusion from Online Justice ensuring accessibility for all individuals;
- Multiplicity of Systems and Contact Means.

