



Report name

Mega-sporting events in Brazil: Human rights risk areas

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Overview

Hosting mega sporting events of the scale of the FIFA World Cup and the Olympic and Paralympic Games requires the mobilization of a country's enormous and varied resources. To receive the mass influx of tourists and athletes, host venues need to deploy substantial amounts of private and public capital for the construction of sports arenas and improvements to urban infrastructure, including public transportation, hotels and other tourist facilities.

Major public works performed simultaneously typically require, the employment of tens of thousands of workers, in the main construction workers. This was the case during the preparations for the London (2012) and Sochi (2014) Olympics, and can be seen now in Brazil as it gets ready to host the FIFA World Cup and the 2016 Olympics in Rio de Janeiro.

At the same time however, the host city populations are affected in other ways. The organizers of the MSEs often speak of the "legacy" they will leave. They highlight positive aspects, such as rehabilitation of degraded urban areas, upgrades to public transportation (including new subway lines and stations), and projects to boost tourism in run-down urban areas. But this is only part of the story.

Beneath these rationale for carrying out the projects, however, many families lose their homes and are forcibly displaced. This takes many forms, including mechanisms such as expropriation, or denial of official and formal recognition of the customary rights of existing communities and home ownership. In cities such as Rio de Janeiro, where the housing deficit is big, and 22%¹ of the population lives in favelas (slums), the problem becomes even more acute.

Similarly, there are major concerns regarding workers' rights. To be sure, while the hosting of a mega-sporting event creates many jobs and raises incomes, there are serious issues concerning the quality of those jobs and work conditions.

In the case of Brazil, at least eight workers have died in accidents during the construction of new arenas for the World Cup, which according to the authorities were due to irregularities and lack of security at the construction sites. The situation is considerably worse in Qatar

¹ Newspaper article: <http://oglobo.globo.com/pais/rio-a-cidade-com-maior-populacao-em-favelas-do-brasil-3489272>

² Report: <http://www.ituc-csi.org/international-trade-union-14520?lang=en>

³ <http://www.theguardian.com/world/2013/sep/25/revealed-qatars-world-cup-slaves>

which will host the World Cup in 2022. A report from the International Trade Union Confederation² (ITUC), released in March 2014, reported that 1200 migrant workers, majority among them coming from India and Nepal, have already lost their lives in work-related accidents since 2010, the year the World Cup was awarded to Qatar. Although all such deaths were not at constructions sites related to the Cup, they raise serious concerns about the context in which this work will take place. Reports³ by human rights groups and journalists suggest at least 44 Nepali migrant workers have died due to illness or accidents, at sites connected with sports infrastructure.⁴

Sustainability in the supply chains, especially of the private sector, is another critical area. As is the case of the labour market, mega-sporting events are strong drivers for businesses and encourage varied productive sectors, such as industries of construction materials, food, beverages, merchandise and apparel. However, if the levels of social and environmental compliance within these supply chains does not reach basic international standards, conducting a World Cup or an Olympic Games may indirectly contribute towards greater iniquities.

In January 2014, in an operation⁵ of Brazil's *Ministério do Trabalho e Emprego* (MTE) (Ministry of Labour and Employment) inspectors freed 34 people working under conditions analogous to slavery in coal factories in municipalities located around 100km from São Paulo. There was also child labour. Such conditions prevailed because the companies were working at an intense pace to meet project deadlines.

The coal was sold to well-known supermarket chains, butchers and steakhouses in the city of São Paulo. These companies are not directly involved with the World Cup and neither are they sponsors of the event, but in their marketing and advertising they used colours and historical symbols of Brazilian football team to increase their sales.⁶

Such problems link human rights issues to the hosting of mega-sporting events. Besides being great sports events, the sheer scale of the World Cup and the Olympics can offer many opportunities in various economic sectors of a country. But they also carry risks. This report concentrates on the latter.

In the Brazilian case, what rights have been, are, and may still be at risk by the mega sporting events in 2014 and 2016? Is it possible to draw lessons that might be useful to other countries hosting these sports events in the future?

² Report: <http://www.ituc-csi.org/international-trade-union-14520?lang=en>

³ <http://www.theguardian.com/world/2013/sep/25/revealed-qatars-world-cup-slaves>

⁴ https://www.amnesty.org.uk/sites/default/files/the_dark_side_of_migration_-_spotlight_on_qatars_construction_sector_ahead_of_the_world_cup.pdf

⁵ Article: <http://reporterbrasil.org.br/2014/01/paulistano-usa-carvao-feito-com-trabalho-escravo-e-infantil/>

⁶ Throughout Brazil, 67 workers were freed in 2013 from conditions analogous to slavery in coal factories. This sector was surpassed only by the livestock sector, with 282 workers released; the extraction plant sector, with 102; and the reforestation sector, with 68. The data are provided from the Comissão Pastoral da Terra (Pastoral Land Commission).

Methodology

Reporter Brasil used recognized methodologies to produce human rights risk analysis, employed both by civil society organizations and companies. The process comprises the following steps:

1) Identification

In the first stage of research we identified the risks to human rights brought by the mega sporting events. This was done by investigating:

- A) Public policies related to events;
- B) Human rights framework in the country;
- C) Other studies already done by civil society organizations and governments;
- D) Media publications;
- E) Vulnerable groups that could be directly or indirectly affected.

2) Validation

We then interacted with representatives of the government, companies, experts, civil society organizations and communities directly or indirectly affected by the mega sporting events. Reporter Brasil conducted the interviews in person or by telephone. IHRB and its partners organized two seminars on this topic in March 2014, in São Paulo and Rio de Janeiro.

3) Review

We then examined the risks identified and the policies in place to minimize the risks, in order to assess the impacts that MSEs have on human rights. We relied on credible studies previously carried out by civil society organizations and the government as well as through informed observations made by individuals interviewed by Reporter Brazil. As benchmark for the analysis, we took international human rights standards which are largely reflected in the Brazilian legal framework. Finally, the work focused on the impacts of human rights occurring within the national territory.

Introduction

Over the next two years, Brazil will host the two biggest sporting events on the planet: the FIFA World Cup and the Olympic and Paralympic Games. The World Cup matches will occur in 12 Brazilian cities⁷ between June 12th and July 13th, 2014. The Olympic Games are scheduled from August 5th to 21st of and the Paralympics from September 7th to 18th, 2016. Both will be held in Rio de Janeiro.

Hosting these mega-sporting events in Brazil is the result of former President Luiz Inácio Lula da Silva's (2003-2010) administration's efforts to advance the country's presence in the world. Seen as an emerging economy with the world's seventh largest gross domestic product (GDP) and being the "B" of the BRICs⁸, Brazil is projecting itself as a modern nation welcoming foreign visitors and offering them culture and products 'made in Brazil' in cities with new infrastructure.

To make it work successfully, Brazil had to raise billions of dollars and mobilize various institutions, starting with the Federal Government and the Congress. To comply with the requirements of the organizers, FIFA and the International Olympic Committee (IOC), a number of specific laws were amended, among them the guarantees document between the Brazilian government and FIFA (2007), the Olympic Act (Law 12.035/2009), the Municipal Decree in Rio de Janeiro 30.379/2009, the Law 12.464/2011, which established the Differential Regime for Government Procurement, and the General Law of the World Cup (2012).

This entire complex legal framework aims to facilitate public and private governance of the MSEs. New dispensations, for example, mean that government guarantees can be given for loans taken by private entities, as well as allowing greater flexibility for procurement processes and for execution of infrastructure works. Moreover, these new laws in many ways serve the interests of the sports governing bodies and organisers by offering special conditions for obtaining visas, professional practice of accredited personnel, assignment/cession of public real estate properties, protection of games' trademarks and symbols and exclusivity in the sale of advertising space⁹.

Several legal and human rights experts have expressed serious concerns over the fact that provisions in the new laws regulating the MSEs may contradict Brazil's Constitution, and may in fact restrict or undermine already guaranteed rights. The events also pose a risk to central pillars of Brazil's national legal framework, such as the sovereign rights of the people and the impediment to social regression. The result of which is that the new laws adversely affect historical advances in the field of human rights.¹⁰

⁷ The World Cup will be hosted in Rio de Janeiro (RJ), São Paulo (SP), Belo Horizonte (MG), Porto Alegre (RS), Brasília (DF), Cuiabá (MT), Curitiba (PR), Fortaleza (CE), Manaus (AM), Natal (RN), Recife (PE) and Salvador (BA).

⁸ Brazil, Russia, India, China

⁹ Dossier "Mega Events and Human Rights Violations". National Articulation of Popular Committees of the World Cup. June 2012; World Cup 2014 in Brazil: an analysis of its economic and legal impacts April, 2014.

¹⁰ The Brazilian Constitution of 1988 provides that popular sovereignty in the country is carried through plebiscites, referendum and popular initiatives projects (Article 14), or through open public consultations (Article 58). The City Statute (Law 10.257/2001) specifies the application of these principles. As the basis for urban policy it urges "democratic management through the participation of the population and associations representing various segments of the community in the formulation, implementation and monitoring of plans, programmes and projects of urban development"(Article 2). None of this, however, has

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Consider the example of street vendors - a segment of Brazilian workers who will be impacted by the MSEs legislation. In the case of the World Cup, FIFA controls the sales of food, drink and souvenirs around the stadiums, even if the street vendors have the necessary municipal authorization or licences to conduct their trade, FIFA has demanded that only its sponsors have access to sell their goods and services within a 2km perimeter around World Cup arenas. Companies which have successfully bid to become sponsors argue that they will not relinquish their right, unless compensated by FIFA.

In light of this situation, workers whose primary source of income is the sale of products in or around stadiums will not be able to work for the duration of the World Cup, and will thus have their livelihoods affected. Other Brazilian football leagues will be stopped too. If any trader violates the rules and tries to sell products in the FIFA World Cup commercial exclusion zone, then the General Law of the World Cup would apply. Articles 32 and 33 of the General Law provides punishments such as arrest, fine and even imprisonment for between three months and 1 year to the offender.

In the preparatory effort for the MSEs, the issue of human rights was inserted at various levels and stages¹¹, but without the expected considerations. For example, one of the key demands of the *National Articulation of Popular Committees of the World Cup and Olympic Games*¹² was that the new legislation should be assessed by permanent congressional chambers, which is the authoritative body to give advice on subjects such as constitutional and human rights matters. In addition, they requested more space for democratic participation in the preparatory phase of the World Cup, including public consultations.

When defining its governance structure for the World Cup, for example, the Federal Government set up two groups: GECOPA¹³ is on the front-line and has executive functions, and includes, among others, the Office of the Chief of Staff and the Ministries of Justice, Tourism

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¹¹ For example, The General Law of the World Cup mentions the importance of decent work (Article 29). However the Ministry of Labour and Employment, who centralizes the decent work agenda in Brazil has not had a central role in the World Cup preparation.

¹² This is a coalition of civil society groups, academics and grassroots movements seeking to raise awareness around, and combat, adverse human rights impacts associated with the MSEs.

http://www.portalpopulardacopa.org.br/index.php?option=com_content&view=article&id=366&Itemid=279

¹³ Grupo Executivo da Copa do Mundo

and Cities; and GCCOPA¹⁴, a broader group with a supervisory role, which includes the Secretariat of Human Rights of the Presidency, and the Ministry of Labour and Employment¹⁵.

The Federal Government also announced the creation in 2010 of nine thematic chambers for the World Cup, composed of members of federal, state and municipal public administration, in order to improve the connections among different levels of the government on public policies essential to the MSEs. However just five of them were in fact created: Health; Environment and Sustainability; Tourism Development; Transparency; and Education, Labour and Social Action.

The objectives of the chambers are as follows:

Chamber of Health –

- To develop plan for organizing the operation of hospitals and other health care facilities during the event period
- To ensure qualified health care services for tourists
- To produce bilingual materials; to improve health surveillance system, with intensified health inspection at entry points of the country.

Chamber of Environment and Sustainability –

- To ensure that arenas have incorporated best practices for construction and work under sustainable management standards
- To encourage waste collection and recycling.

Chamber of Tourism Development –

- To evaluate priority attractions of each host city
- To improve the reception of tourists
- To map the hotel sector
- To expand and modernize hotels, including through subsidized governmental funding
- To offer courses in English and Spanish for MSEs-related workers.

Chamber of Education, Social Action and Labour –

- To promote actions involving accessibility, assisting the homeless, protecting human rights, and combatting the exploitation of children and youth people.

Chamber of Transparency –

- To improve tools that ensure access to information on public investments needed to hold the World Cup;
- To disseminate the culture of transparency as one of the legacies of the event.

This mobilisation has yielded some tangible results in relation to human rights promotion. The Convergence Agenda Protect Brazil (Agenda Convergência Proteja Brasil), to protect children and adolescents during the World Cup, for example, is led by the Secretariat of Human Rights. Among other initiatives, this has resulted in an integrated effort for the protection of children

¹⁴ Comitê Gestor da Copa

¹⁵ More details: <http://www.copa2014.gov.br/pt-br/brasilecopa/sobreacopa/governanca>.

and adolescents throughout the event, with representatives from the Public Defender's Office, the Childhood and Youth's Courts and the Guardianship Councils all actively involved.

If there are complaints or concerns, these cases can be addressed urgently by the integrated action, accelerating investigation, punishment and reparation. The Secretariat for Human Rights of the Presidency has also launched a phone service to receive anonymous complaints about violations of rights of children and adolescents through an easy-to-remember 24x7 number (100) which is toll free from any part of the country, including mobile phones.

Also complaints can be made or concerns raised through a smartphone application, or App, developed for Android and iOS systems. Its software lets any individual identify and report violations of the rights of children and adolescents. These initiatives are focused on the World Cup, but the government intends to repeat them in other large Brazilian events such as the 2016 Olympics and Carnival.

By March 2014, the Ministry of Labour and Employment had organised eight workshops on Employment and Decent Work in several Brazilian cities, such as Rio de Janeiro and Fortaleza. These aimed at alerting companies, directly or indirectly, associated with the World Cup on how to promote best labour practices.

The goal of the Ministry is to secure private sector commitments on decent work practices. According to the Brazilian government, decent work is defined as adequately remunerated work, performed under conditions of freedom, equity, security and capable of ensuring a dignified life. Prosecutors and judges of the Labour Court also have attended the workshops in order to disseminate information on issues related to MSE supply chains.

However, Central Única dos Trabalhadores - CUT, the largest union federation in Brazil, criticized the results of the workshops. In a public announcement during the workshop held in Rio, the CUT representative warned that signing an agreement doesn't guarantee that the decent work framework will be executed in the field. It would depend on more inspections of the government in arenas and infrastructure works.

The government initiatives are creditable, but one problem stands out: the near absence of space for dialogue – let alone participation – for civil society and community organizations with the organizers of MSEs in the country. On this matter, speaking at a seminar in Rio de Janeiro on April 24th of this year, the Secretary General of the Presidency, Gilberto Carvalho, admitted that the Federal Government did not prioritize dialogue with civil society. He said: " I can't deny that the government started the dialogue (with civil society) too late. Given this situation, we admit that the people were unable have total access to information about World Cup."¹⁶

The prospect of conducting MSEs with a "top-down" approach, without dialogue with civil society organisations over foreseen human rights violations, encouraged a number of groups within Brazilian society to mobilize against the established government. The so-called June Journeys (Jornadas de Junho) in 2013, led thousands of Brazilian to take the streets. What

¹⁶ News article: <http://oglobo.globo.com/pais/gilberto-carvalho-diz-que-governo-demorou-para-dialogar-com-grupos-anti-copa-12285365>

began as a student protest against the rise of public transportation fares, was soon fuelled by the dissatisfaction of a wider portion of society over the costs of the MSEs' – including both far-left political parties and middle-class groups. Protesters carried sarcastic signs where activists claimed that public health or public education standards in Brazil had not reached FIFA standards, referring to the luxurious setting of some of the arenas. These were ironic remarks, such as "this service does not reach FIFA standards" or "imagine at the World Cup" made to express indignation.

In a more organized way, civil society activists created the Local Popular Committees for the World Cup. Established in the twelve host-cities of the World Cup. These were the outcome of mobilization initiatives from social movements, universities and other civil society entities. Activists have sought to systematise the reporting of human rights violations through portals like the World Cup Popular Gateway (www.portalpopulardacopa.org.br) as well as social networks, where they also create and promote resistance strategies.

Committees such as the one in Rio de Janeiro organizes open plenaries at least twice a month, in order to discuss strategies and share information. Funds for conducting activities and studies were obtained through donations from various institutions in Brazil and from abroad. These are mass-based movements with no single leader, but several key representatives who already are involved under the banners of other social movements and NGOs.

The work of this group has been critical in analysing the impact of MSEs and has been instrumental in organising the next section of this report. In the following pages, we identify several risk areas for human rights violations related to mega-sporting events in Brazil. Each of them has a brief contextual analysis to highlight these key issues for the development of Brazilian society. Each of the following human rights related sections have been identified by Reporter Brazil based on the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

A) Right to decent work

Brazil is committed to promoting decent work through an agreement between the federal government and the International Labour Organization since June, 2003. The country has had strong labour legislation since 1943, which Parliament has several times tried, but failed, to amend. The labour court system works separately from civil justice, with specific judges and prosecutors. Although the Ministry of Labour and Employment has been engaged in overseeing the sports and infrastructure construction works for the MSEs, as well as in awareness raising for companies over how to improve their management mechanisms of labour rights, a number of problems have occurred in recent years. These include the tragic deaths of seven workers¹⁷ on MSE-related projects. The last such fatal case occurred on May 8, 2014, when Mohamed Ali Maciel Afonso, 32, died. He was the victim of an electrical discharge while working on construction of Arena Pantanal in Cuiaba. This was the second such case this

¹⁷ News article: <http://copadomundo.uol.com.br/noticias/redacao/2014/02/07/morre-operario-que-sofreuacidente-na-arena-da-amazonia.htm>

year. The first occurred on February 7, when a technician José Antonio Pita Martins, 55 - a Portuguese national - died in an accident while dismantling a crane in Arena Amazônia in Manaus.

Five other workers have died in accidents at construction sites for the World Cup. On June 11, 2012, the assistant carpenter José Afonso de Oliveira Rodrigues, 21, fell from a ledge on the Mané Garrincha stadium in Brasília. On November 27, 2013, two workers died after falling from a crane that lifted a piece of the rooftop at the Corinthians stadium in São Paulo: the operator Fábio Luiz Pereira, 42, and the assembler Ronaldo Oliveira dos Santos, 44.

Also in Manaus, on March 28, 2013, the body of bricklayer, Raimundo Nonato Lima Costa, 49, was found by night shift workers at the construction site. According to witnesses, Costa fell while walking on a 4 meter high beam. Two other accidents happened in Amazonas on December, 14. Marcleudo de Melo Ferreira, 22, who worked on the installation of a stadium roof during the early morning shift also suffered a fall and died.

There were also cases of slave labour.¹⁸ In September 2013, an inspection by the Ministry of Labour and Employment and the Public Labour Prosecutor's Office rescued 111 victims of slavery in the expansion works being done at the Guarulhos International Airport, which is located in the metropolitan region of São Paulo and is the busiest airport in Latin America¹⁹. Concessionaires responsible for the airport plan on increasing the airport's complex capacity from 32 million to 44 million passengers per year by World Cup in 2014.

Recruited from poor cities in four northeastern states of the country, many of the victims had been waiting for over a month (at the time of the inspection) to commence work, having already undergone medical examinations for the contracting company, OAS – one of the largest contractors in the country. The workers had to pay for the costs of the long journey to São Paulo and were told to show as proof of residence documents of rented houses in the vicinity of the airport, and not of their homes in the cities from where they came. The strategy would save OAS the required accommodation costs, since the company was responsible for the transportation of the employees.

In October 2013, the works of one of the World Cup stadiums was suspended due to the "imminent risk of death" to workers.²⁰ This disruption to activities at the Arena da Baixada, Paraná, occurred only after a court order issued at the request of the Public Labour Prosecutor's Office.

¹⁸ Brazilian legislation to combat forced labour is considered an international example, according to the International Labour Organisation (ILO). Since 2003, working conditions can be considered analogous to slave labour if at least one of the four elements is present in the workplace: forced labour, exhausting work, degrading conditions and debt servitude. Slave labour in Brazil is, therefore, understood as a result of extreme precariousness of working conditions. Since Brazil recognized the existence of this problem in its territory in 1995, over 44,000 workers have been rescued. An ever increasing portion of these 'rescues' occur in urban areas - particularly in the textile and construction sectors. In most of these cases, labour is outsourced, a practice singled out by the Public Labour Prosecutor's Office as one of the causes for the deterioration of labour relations and illegal labour in Brazil, especially if it used for the employment of workers who are in the same core activity of the outsourced services.

¹⁹ News article: "Inspectors find slave labour in the work of OAS to expand Guarulhos International Airport (SP)" – <http://reporterbrasil.org.br/2013/09/fiscais-flagram-trabalho-escravo-em-obra-da-oas-para-ampliacao-do-aeroporto-internacional-de-guarulhos-sp/>

²⁰ News article: "Justice embargoed reform of Arena da Baixada and points out serious risk to workers" – <http://reporterbrasil.org.br/2013/10/justica-embarga-reforma-da-arena-da-baixada-e-aponta-grave-risco-a-trabalhadores/>

In another incident, there was a dispute involving an attempt to remove the power of the labour inspectors. Following a venue visit by the Ministry of Labour and Employment inspectors, the auditors of the Ministry of Labour and Employment requested the suspension of works. However, the superintendent of the local office of the Ministry of Labour and Employment downplayed the problem, and only highlighted the need for workers to use safety equipment. The superintendent denied the MTE auditors' suspension request, which had been mandatory since August that year²¹ when the government changed the norm withdrawing autonomy from the inspectors in Paraná to interrupt works without authorization of the state superintendent of the MTE. The new rules were implemented in at least three other Brazilian states, before these were overturned by the courts in February 2014.²²

Other proposed changes in legislation also presented risks to workers. The Federal Government is currently preparing²³ an interim measure, initially planned for the 2014 World Cup in 2014 but now on hold, that exempts employers from the obligation of registering workers in temporary jobs lasting 14 days, renewable (with an interval of seven days) up to 60 days per year. According to the proposal, workers' rights which are already guaranteed, would in theory be maintained, but unions have pointed out the risks of increased outsourcing and job insecurity.²⁴

In general, under tight deadlines for the projects, the MSEs in Brazil pose risks to workers when the pressure for completion of construction works leads to non-compliance of health and safety standards at construction sites. The investigations and judicial process related to the deaths of workers are still in progress, and there are allegations that some accidents were induced by fatigue. The superintendent of the local office of the Ministry of Labour in Sao Paulo, Luiz Antonio de Medeiros²⁵, said that workers in the arena were at risk because they were working excessive overtime. There are also allegations that workers have not received specific training for certain tasks, according to the President of the Federal Council of Engineering and Agronomy of Brazil (Confea), José Tadeu da Silva²⁶. The search for higher profit margins by companies can also lead to non-compliance of the legal standards for hiring workers.

Given these work-related problems, unions held strikes and protests in at least eight of the twelve arenas of World Cup. The arena that faced more strikes during construction was Maracanã, where workers stopped for 24 days in total. The claims were diverse, from wage increase to improve working conditions. Many of the demands were eventually accepted by employers, who were concerned about the delays in work.²⁷

²¹ Page 70 of the Official Federal Gazette of 1st/08/2013 with the ordinance concerning the need for permission to embargo works by labour inspectors – <http://pesquisa.in.gov.br/imprensa/jsp/visualiza/index.jsp?jornal=2&pagina=70&data=01/08/2013>

²² News article: "Justice ensures auditors labour power to interdiction and embargo into works" – <http://reporterbrasil.org.br/2014/02/justica-garante-a-audidores-do-trabalho-poder-de-interdicao-e-embargo-em-obras/>

²³ News article: "Temporary work can be made more flexible" – <http://www.estadao.com.br/noticias/impreso,trabalho-temporario-pode-ser-flexibilizado,1124687,0.htm>

²⁴ News article: "Discussion of interim measure for temporary hiring will resume in February" – <http://www.redebrasilatual.com.br/trabalho/2014/01/medida-provisoria-para-contratacao-de-servicos-temporarios-sera-discutida-em-fevereiro-8514.html>

²⁵ <http://agenciabrasil.ebc.com.br/geral/noticia/2014-04/ministerio-do-trabalho-pretende-fiscalizar-obras-do-itaquerao-diariamente>

²⁶ <http://www.creams.org.br/Default.aspx?Tabid=308&ItemID=1264>

²⁷ For example, after strike in August 2011, the Maracanã workers received health insurance and R\$ 160 in food vouchers <http://www.copa2014.pr.gov.br/modules/noticias/article.php?storyid=285>.

In comparison, the organization of the Olympics Games in Rio de Janeiro has been praised for an initiative of social and environmental management, although it has yet to be tested in practice. As a way of raising the sustainability indicators of the Olympics, it released a Plan for Sustainable Management²⁸. Focused on environmental issues, and defining rules for the emissions of greenhouse gases and waste, the plan also aims to influence thousands of product and services suppliers involved with the games in the issues of human rights, through assessments of labour conditions in supply chains. How this will function is yet to be seen.

B) Rights of children and adolescents

According to the latest National Sample Survey (PNAD)²⁹, Brazil had, in 2012, 3.5 million working children and adolescents between the ages of 5 and 17³⁰. The number is equivalent to 8.3 % of the population in this age group. In Brazil, any form of work is prohibited for anyone under 13, while for adolescents between 14 and 16 years, work is only allowed with an apprentice status.³¹

One crucial concern relates to the worst forms of child labour. A Federal Government decree from 2008 lists 89 activities considered degrading in rural areas and in the city,³² and outlines the occupations prohibited to any children and adolescents under 18 years old in the country. The list was based on the ILO Convention 182.³³ Since this was adopted, the Ministry of Labour and Employment alone has helped 41,400 children and adolescents that fell victim to risky labour activities established under the list³⁴. In a commitment undertaken in 2010 with the ILO on the 2nd Global Conference on Child Labour, Brazil has accepted the goal of eradicating the worst forms of child labour by 2016. However, the ILO's regional director for Latin America, Elizabeth Tinoco, declared in 2013 that it would be difficult for that goal to be reached before 2022³⁵.

During the World Cup and the Olympics, the Brazilian government's main priority will be to prevent the sexual exploitation of children and adolescents in the states that will host the

²⁸ Available at: http://rio2016.com/sites/default/files/parceiros/plano_gestao_sustentabilidade_ago2013.pdf

²⁹ The National Sample Survey (PNAD) is a sample survey conducted annually by the Brazilian Institute of Geography and Statistics (IBGE).

³⁰ News article: "Child labour decreases, but there are still 3.5 million children working, shows Pnad" - <http://memoria.ebc.com.br/agenciabrasil/noticia/2013-09-27/trabalho-infantil-diminui-mas-ainda-ha-35-milhoes-de-criancas-ocupadas-mostra-pnad>

³¹ Renato Mendes, coordinator of the Programme for the Eradication of Child Labour at the International Labour Organisation (ILO) in Brazil, highlighted a change in the profile of child labour: "Almost 40% of children and young people who are working do not come from families living below the poverty line," he said. In his opinion, this shows a change in the motivation to work. "Before, children and adolescents worked to complement the basic family income. Today, they work to have access to goods resulting from the development, such as a cellphone, or a clothing brand. Often child and youth work is more related with the need for social inclusion and less for survival", he said. See News article: "A profile of child labour" - <http://reporterbrasil.org.br/trabalho infantil/brasil-enfrenta-nova-fase-do-combate-ao-trabalho-infantil/>

³² Learn more about the worst forms of child labour at: <http://reporterbrasil.org.br/trabalho infantil/as-piores-formas-de-trabalho-infantil/>

³³ Check out the full text of ILO's Convention 182 at:

<http://portal.mj.gov.br/services/DocumentManagement/FileDownload.EZTSvc.asp?DocumentID=%7BB66D771F-4C80-4A73-B9FB-36BF664E34DF%7D&ServiceInstUID=%7B166ABD3B-D529-491E-B238-57F4FB577D50%7D>

³⁴ Data obtained from the Information System on areas of Child Labour (SITI), Ministry of Labour and Employment - <http://sistemasiti.mte.gov.br/>

³⁵ News article: "Latin America will hardly end the worst forms of child labour by 2016, says ILO Director" - <http://memoria.ebc.com.br/agenciabrasil/noticia/2013-10-08/america-latina-difícilmente-acabara-com-piores-formas-de-trabalho-infantil-ate-2016-diz-diretora-da-o>

events³⁶. Thus, the Secretariat for Human Rights of the Presidency initiated in 2011 a programme focusing on major construction sites – including (but not limited to) the MSEs³⁷. In coordination with the Child Protection Councils [Conselhos Tutelares] of the municipalities, the Secretariat seeks to empower counselors who are not always aware of all the legislation concerning child and adolescents labour³⁸.

In 2012, the Ministry of Labour and Employment has promised to step up surveillance to curb child labour in football clubs, after the death of a 14-year-old boy during trials to join the youth academy of a football team in Rio de Janeiro. The concern was related to the fear that the World Cup and the Olympics would increase the number of exploited youth in the country³⁹.

Another example of the child labour situation in Brazil, which is likely to intensify during the MSEs, is in the itinerant sale of food and beverages (including alcohol) carried out by young people aged between 8 to 17 years old around the Fonte Nova Arena. The stadium was built in Salvador for the World Cup and Reporter Brazil witnessed the case on a match day towards the end of 2013⁴⁰. There was no supervision, and those attending the match and the children's parents considered the situation normal where children continued to work. Both the children and their families saw the occasion an opportunity to increase the family income.

In December 2013, the National Council of Justice [Conselho Nacional de Justiça] (a body of the Brazilian Justice⁴¹ system) released a regulation given effect in law regarding the labour of children and adolescents during the World Cup. The measure, valid until the end of July 2014, was refuted by the Public Labour Prosecutor's Office of Paraná, for authorizing children over 12 years to work as ball-boys, activity considered by the entity as one of the worst forms of child labour, due to the possibility of moral harassment.⁴²

The temporary regulation is intended to allow for the implementation of the FIFA Youth Programme, which gives children and teenagers positions as standard-bearers, accompanying players and ball boys. The activities are offered by FIFA as an opportunity for the children to be "as close to the players as is physically possible."⁴³ As well as going against Brazilian law, the

³⁶ Some argue that there is no data that shows a relationship between the occurrence of MSEs and human trafficking or sexual exploitation and, therefore, this relationship could be considered a rumor. For more information on this, read the study "What's the Cost of a Rumour?" Global Alliance Against Traffic in Women, available in English at:

http://www.gaatw.org/index.php?option=com_content&view=article&id=666&Itemid=73

³⁷ For more information on the Programme of Integrated Actions and References for Combating Sexual Violence against Children and Youth in Brazil (PAIR) check: <http://www.sdh.gov.br/assuntos/criancas-e-adolescentes/programas/programa-de-aco-es-integradas-e-referenciais-de-enfrentamento-a-violencia-sexual-infanto-juvenil-no-territorio-brasileiro-pair>

³⁸ In 2013, Reporter Brazil reported a case of labour performed by children below 14 years who began working after a misguided guidance from the Guardianship Council in the municipality. Check out the article "From Oyapock to Chuy: child labour across borders" - <http://reporterbrasil.org.br/trabalhoinfantil/do-oiapoque-ao-chui-o-trabalho-infantil-nas-fronteiras/>

³⁹ News article: "Federal government promises to tighten the siege against child labour in football" -

<http://reporterbrasil.org.br/2012/02/governo-federal-promete-apertar-cerco-contra-trabalho-infantil-no-futebol/>

⁴⁰ News article: "Children work as street vendors around the Fonte Nova Arena in Salvador" -

<http://reporterbrasil.org.br/trabalhoinfantil/criancas-trabalham-como-ambulantes-nos-arredores-da-arena-fonte-nova-em-salvador/>

⁴¹ The recommendation No. 13/2013 of the National Council of Justice [Conselho Nacional de Justiça] is available in its entirety at: <http://www.cnj.jus.br/recomendacoes-corregedoria/27173-recomendacao-n-13-de-10-de-dezembro-de-2013>

⁴² This risk is felt to exist because at football matches in Brazil, ball-boys are often bullied by players, coaches and fans to either speed up or slow down the return of the ball to the field of play depending on the score.

⁴³ News article: "Youth Programme makes dreams come true" – <http://www.fifa.com/confederationscup/news/newsid=2115732/>

court rule by the National Council of Justice also goes against a Brazilian Football Confederation statute which prohibits the employment of ball boys under 18 years old.⁴⁴

C) Right to protest

Since the start of the Real Plan [*Plano Real*] in 1994, Brazil has been experiencing a period of economic stability, boosted by the policies of wage valuation carried out from 2003 onwards. As part of Brazil's desire to declare its emergence as a major global economy, it bid to host MSEs, and in 2007 Brazil won the right to host the 2014 FIFA World Cup. Two years later, Rio de Janeiro, Brazil's second largest city, was elected as the host city for the 2016 Olympic Games. Despite these positive developments and an emerging middle-class, Brazil also still has enormous income disparities and many unresolved social issues.

In Brazil, freedom of expression is a right guaranteed in the Federal Constitution, drawn up after the return of democracy in the country in 1988.⁴⁵ During the years of military dictatorship between 1964 and 1985, protests were banned and violently repressed. As a result of this legacy, the right to protest is highly cherished, and any repressive policing of protests in Brazil today is a highly sensitive and contentious matter.

In June 2013 a live broadcast across Brazil's television showed the brutal police repression of a protest by about five thousand people against increases in bus fares in São Paulo⁴⁶. This broadcast of police repression was a major catalyst in the growth of the social rights demonstrations across the country. The street demonstrations and level of mass mobilisation had not been seen in Brazil for at least two decades.

Since the mass demonstrations of 2013⁴⁷, politicians that are keen to introduce legislation against terrorism have been strengthened in their attempts. Four bills have been presented in Congress with the aim of regulating the crime of terrorism. Although the crime of terrorism has been established in the current Constitution (which dates back to 1988) it has never been regulated.⁴⁸

The first proposal was presented at the Senate in November 2011⁴⁹ and a year proceeded for deliberation along with another project (which had been submitted three weeks later).⁵⁰ Both proposed to reform of the Brazilian Penal Code⁵¹. A third proposal, also presented in

⁴⁴ News article: " Council of Justice authorizes children 12 years old to work in the World Cup" - <http://copadomundo.uol.com.br/noticias/redacao/2014/03/18/orgao-federal-autoriza-que-criancas-de-12-anos-trabalhem-de-gandula-na-copa.htm>

⁴⁵ Article 5, section IX of the Constitution, available at: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm

⁴⁶ News article: "'City Hall cannot submit to the game of all or nothing', Haddad says" – <http://g1.globo.com/sao-paulo/noticia/2013/06/prefeitura-nao-pode-se-submeter-ao-jogo-de-tudo-ou-nada-diz-haddad.html>

⁴⁷ What began as a student protest in June 2013 against the rise of public transportation fares, was soon fuelled by the dissatisfaction of a wider portion of society over the costs of the MSEs' – including both far-left political parties and middle-class groups.

⁴⁸ Terrorism is treated in section XLIII of the Article 5 of the Constitution, which defines the act as a non-bailable offense and for which the offender can not be amnestied, nor his punishment may be extinct.

⁴⁹ IPLS 707/2011, authored by Senator Maggi (PR-MT). The process and full text are available at:

http://www.senado.gov.br/atividade/materia/Consulta.asp?Tipo_Cons=6&str_tipo=PLS&txt_num=707&txt_ano=2011

⁵⁰ PLS 762/2011, from Senator Aloysio Nunes (PSDB-SP). The process and full text are available at:

http://www.senado.gov.br/atividade/materia/Consulta.asp?Tipo_Cons=6&str_tipo=PLS&txt_num=762&txt_ano=2011

⁵¹ The proposed reform of the Brazilian Penal Code is authored by Senator José Sarney (PMDB-AP), number 236/2012, and has 145

November 2011, described as part of its justification the need to honour "the commitments made when accepting the guarantees before FIFA for the opportunity of choosing the country to host the competitions"⁵². In November 2013, a fourth draft of the law was presented with the same goal, albeit not mentioning the MSEs⁵³.

The latest legislation on the statutes designed to tackle terrorism was the National Security Act instituted in 1983⁵⁴, which was passed under the military government. It is partly because this was enacted before the return of democracy that critics have called for it to be updated. But 'terrorism' has not been defined clearly in any law, and this concerns social movements who fear the criminalization of protests and potential punishment for activists.⁵⁵ Moreover, they argue that the Brazilian Penal Code already covers all crimes that could be classified as terrorism and, therefore, there are already penalties for the offenses mentioned in the proposals that deal with terrorism.

In a case that was not widely reported, a young couple was indicted under the National Security Act on the crime of terrorism in October 2013. They had participated in a demonstration in Sao Paulo in support of a higher wages campaign for teachers in Rio de Janeiro. However, according to police allegations, the couple spray painted public buildings, incited violence, and helped a group to turn a police car upside-down⁵⁶. The couple had their bail decreed, but still face the charge and have to answer in court for the alleged crime. A verdict has yet to be determined.

According to a report in the O Globo newspaper in February 2014, before the June demonstrations a preview of the bill introduced in November 2013 contained an article explicitly excluding participation in social movements and street demonstrations from possibly being considered as a crime of terrorism. However, the newspaper said, this article was removed after the protests⁵⁷ June began.

The events of June 2013 also exposed the performance of Brazil's military police. A resource heavily used during the military dictatorship, the arrest "for questioning" is still used in police tactics. This process consists of holding a person suspected of committing a crime and taking him/her to the police station for questioning. Although the law signed in 1989 that regulates this type of arrest for investigation under the name of "temporary detention", the regulation is

joined projects. The process and full text are available at:

http://www.senado.gov.br/atividade/materia/Consulta.asp?Tipo_Cons=6&str_tipo=PLS&txt_num=236&txt_ano=2012

⁵² The process and full text of the PLS 728/2011, from Senator Marcelo Crivella (PRB-RJ) - are available at:

http://www.senado.gov.br/atividade/materia/Consulta.asp?Tipo_Cons=6&str_tipo=PLS&txt_num=728&txt_ano=2011

⁵³ The project was presented by the joint committee of congressmen and senators created in March 2013 by the ATN no. 2/2013.

Being processed under the PLS 499/2013, the full text and its proceedings are available at:

http://www.senado.gov.br/atividade/materia/Consulta.asp?Tipo_Cons=6&str_tipo=PLS&txt_num=499&txt_ano=2013

⁵⁴ The National Security Act, established under no. 7.170/1983 is available in its entirety at:

http://www.planalto.gov.br/ccivil_03/leis/l7170.htm

⁵⁵ News article: "Struggles and social movements in the sight of the anti-terrorism law" -

<http://www.brasildefato.com.br/node/26069>

⁵⁶ News article: "Couple arrested in protests in São Paulo is indicted on National Security Law" -

<http://www1.folha.uol.com.br/cotidiano/2013/10/1353782-casal-presos-em-protesto-em-sp-e-indiciado-na-lei-de-seguranca-nacional.shtml>

⁵⁷ The news article says that "The first draft discussed at a joint committee in Congress said that 'is not a crime of terrorism the individual or collective behavior of people motivated by social or reclaiming purposes': "Counterterrorism Project excluded protests of social movements" - <http://oglobo.globo.com/rio/projeto-antiterrorismo-excluiu-protestos-de-movimentos-sociais-11613712>

deemed contradictory to the Constitution⁵⁸, which stipulates that arrests can only be made with proper evidence about the act being committed or by a written determination of the Judiciary⁵⁹.

On February 22, 2014, the "arrest for questioning" was widely used in the protests against Sao Paulo hosting the World Cup that were organised by number of left-wing political parties and social movements. The Military Police arrested 262 demonstrators, out of an estimated 1000 to 1500 total protestors. They used a tactic known as 'kettling', which consists of surrounding protesters in the street and so keeping them there until everyone can be brought to police stations. All were released the next day.⁶⁰ The Military Police were accused of preventing the detainees from accessing their lawyers.⁶¹

Another strategy adopted by the police is the removal of protesters from the acts. On the same day they arrested 262 people in São Paulo, the Civil Police called "dozens" to testify at the same time as the protest was supposed to take place⁶². The interviews were part of investigations that examine how the "black bloc"⁶³ acts in the demonstrations⁶⁴. In Minas Gerais, the police went to ask the Judiciary, before the World Cup, to seek preventive arrest of at least 176 people who have been previously arrested and now face charges. Six games of the World Cup will be played in the state, in the city of Belo Horizonte⁶⁵.

D) Rights of stakeholders

The 'rights to the city' is a concept widely used in Brazil that takes in the right of stakeholders. It implies the right of people to enjoy their cities, the services it provides, and to enjoy leisure and cultural experiences. According to the geographer David Harvey, the 'right to the city' is fundamentally different from individual liberty to access urban resources: "it is a right to change ourselves by changing the city."⁶⁶ It is, moreover, a common and collective right, rather than an individual right since this transformation inevitably depends upon the exercise of a collective power to reshape the processes of urbanization. The freedom to make and

⁵⁸ The constitutionality of the law 7.960/1989 is discussed in the lawsuit filed by the Brazilian Labour Party since 2008 and, until now, has not been res judicata - <http://www.stf.jus.br/portal/cms/verNoticiaDetalhe.asp?idConteudo=93345>] and is also questioned by the Public Defender's Office of the State of Sao Paulo - <http://www1.folha.uol.com.br/cotidiano/2013/06/1296463-defensoria-entra-com-acao-para-barrar-prisao-por-averiguacao-em-protesto.shtml>

⁵⁹ Article 5, section LXI of the Constitution.

⁶⁰ News article: "All 262 protesters arrested in the anti-World Cup act were released, says SSP" - <http://www1.folha.uol.com.br/cotidiano/2014/02/1416621-todos-os-230-manifestantes-detidos-em-ato-anti-copa-foram-soltos-diz-ssp.shtml>

⁶¹ News article: "Police detained protesters without charging and prevented lawyers from working" - <http://copadomundo.uol.com.br/noticias/redacao/2014/02/23/pm-deteve-manifestantes-sem-acusacao-formal-e-impediu-trabalho-de-advogados.htm>

⁶² News article: "Subpoenaed criticize call to testify at the time of act in São Paulo" - <http://g1.globo.com/sao-paulo/noticia/2014/02/intimados-criticam-convocacao-para-depor-na-hora-de-ato-em-sao-paulo.html>

⁶³ A black bloc is a tactic for protests and marches where individuals wear black clothing and face-protecting items. The clothing is used to conceal marchers' identities and hinder criminal prosecution, by making it difficult to distinguish between participants. It is also used to protect their faces and eyes from items such as pepper-spray which law enforcement often uses to stun. Further information at the link: <http://www.infoshop.org/amp/bgp/BlackBlockPapers2.pdf>

⁶⁴ News article: "The Black Bloc's 'investigation'" - <http://www.apublica.org/2014/02/inquerito-black-bloc-2/>

⁶⁵ News article: "Demonstrators considered dangerous 'will be arrested' in BH before the World Cup" - <http://www.fojeemdia.com.br/minas/manifestante-perigoso-sera-presos-em-bh-antes-da-copa-1.225807>

⁶⁶ David Harvey (2008). "The Right to the City". *New Left Review* 53. pp. 23–40.

remake our cities and ourselves is one of the most precious yet most neglected of our human rights according to this theory.

On the opposite side of the spectrum, the term "gentrification", also translated as "urban impoverishment", explains how the city can become exclusionary towards those who are not part of the elite or the ruling class. If cities pursue public policies driven by special and/or individual interests, they eventually oust the poor to the peripheries and hinder their access to central areas – which are then typically reserved for the elites. During MSEs, this happens through new legislation like the General Law of the World Cup⁶⁷, which create zones of exception to meet FIFA requirements. Through a stipulation that regulates the so-called area of trade restriction⁶⁸, FIFA can determine perimeters with a radius of up to two kilometers around stadiums, hotels, media centres and more that the authority considers necessary to ensure a "security perimeter".⁶⁹

In its initial conception, the specific regulation should concern only commercial operations of establishments around the stadiums, so they would not promote their sales using the entity's brand. The street vendors' sales within these areas of trade restriction would also be restricted only to those who are authorized by the authorities. This activity is the primary source of income, or a major supplement to family incomes living in the city outskirts. However, during FIFA's Confederations Cup, held in June 2013 in Brazil, sales were not suppressed around some places, like in the Fonte Nova stadium in Salvador, Bahia⁷⁰.

In that state, the sales a traditional local dish, acarajé, was the subject of disputes with FIFA. Acarajé is a local delicacy and part of an intangible heritage of Brazil. It is traditionally made and sold around and inside the stadiums in Bahia. FIFA, however, tried to ban this activity as part of its prohibition on street trading, so as to protect and secure the sales of its food-related sponsors. The authorities decided not to pursue the matter after the state prosecutor threatened to sue. But only six sellers of acarajé were permitted at the stadium entrance, and the sales within the site remained prohibited.⁷¹

There were other problems related to mobility restrictions. In Rio de Janeiro, the population living in the vicinity of the Maracanã Stadium had trouble getting home during the Confederations Cup, a dress-rehearsal FIFA event for the World Cup. Several streets were blocked; schools declared holiday and local residents were frisked by the police. Unless a car had a sticker from the municipality, issued days earlier, to indicate that it belonged to a local resident, it could not access the restricted areas. The inspection was even more rigid in the

⁶⁷ Law No. 12.663 enacted in June 2012 in its entirety at: http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/Lei/L12663.htm

⁶⁸ Article 11 of the General Law of the World Cup.

⁶⁹ News article: "The street vendors and FIFA's exclusion zones" – <http://www.apublica.org/2012/04/copa- nao-e-para-pobre-os-ambulantes-zonas-de-exclusao-da-fifa/>. The text explains that "by e-mail, FIFA's press office confirmed that areas of trade restriction extend to hotels, media centers, etc. and what else is understood as the security perimeter. But ensures that regular trade within these perimeters 'can work with the brands they already work if they are not targeting the event or the viewers' - something very difficult to prove".

⁷⁰ News article: "Street vendors 'break' FIFA's area of trade restriction in Nova Fonte" - http://www.lancenet.com.br/minuto/Ambulantes-restricao-comercial-Fifa-Fonte_0_943105738.html

⁷¹ News article: "Public Prosecutor's Office contradicts FIFA's rules and threatens to go to court to ensure baianas of acarajé in the World Cup" - <http://copadomundo.uol.com.br/noticias/redacao/2012/11/02/ministerio-publico-recomenda-que- apenas-baianas-do-acaraje-vendam-produto-na-fonte-nova-e-entorno.htm>

days when there were demonstrations in the city, which erupted with great support at the same time as the tournament in June 2013⁷².

E) Right to housing

Housing has been a longstanding source of tension in Brazil. During the first Republican period (1889-1930) in Brazil, in 1904, a violent wave of popular dissatisfaction took the streets of Rio de Janeiro, the country's capital at the time. The mandatory vaccination against smallpox was the trigger for the protests, called the Vaccine Uprising. It was led by a group that had been evicted from the city center due to an urban reform, which was undertaken without any assurances for those affected by the expropriations⁷³.

Decades later, in 1948, housing became one of the rights in the Universal Declaration of Human Rights⁷⁴. In the Brazil's Constitution, housing was included in 2000 as a social right⁷⁵. This means that, along with eight others, housing is a fundamental right and it has precedence over any other law that may threaten it. In the context of the MSEs, those guarantees have served, in many cases, to compensate the families, move them elsewhere or for payment of rent by the state until new housing projects are completed. However, the amounts are generally low and the new housing made available is far from where those affected used to live. Often communities are rehoused in areas that do not enjoy the same level of public services or amenities. The problem has become even more acute with the steeply rising prices as a direct result of the process of ongoing expansion in the Brazilian real estate sector in recent years⁷⁶. Those who live near the new stadiums also experienced a boom in property values and rents, which has led to serious conflicts of struggles for housing⁷⁷.

According to the National Articulation of Popular Committees of the World Cup [Articulação Nacional dos Comitês Populares da Copa]— which brings together social movements from all over the country campaigning to protect human rights during the mega-sporting events — 170,000 people had been affected by 2011 by the forced removals as a result of policies aiming for the accomplishment of the World Cup and the Olympics, in 2016⁷⁸. The figure has been updated to 220,000, according to research conducted by Amnesty International in Brazil⁷⁹.

⁷² News article: "Confederations Cup complicates residents around Maracana and brings fear of protest" - <http://copadomundo.uol.com.br/noticias/redacao/2013/06/22/copa-das-confederacoes-complica-moradores-do-maracana-e-traz-temor-de-protesto.htm>

⁷³ See "A Revolta da Vacina". Sevcenko, Nicolau.

⁷⁴ Article XXV of the Universal Declaration of Human Rights - http://portal.mj.gov.br/sedh/ct/legis_intern/ddh_bib_inter_universal.htm

⁷⁵ According to the writing of article 6 of the Constitution and by the Constitutional Amendment No. 26/2000 – http://www.planalto.gov.br/ccivil_03/constituicao/Emendas/Emc/emc26.htm

⁷⁶ News article: "After boom, real estate market shows signs of slowing down the prices" – <http://economia.terra.com.br/apos-boom-mercado-imobiliario-da-sinai-de-desaceleracao-de-precos,60701759be134410VgnCLD2000000dc6eb0aRCRD.html>

⁷⁷ News article: <http://economia.terra.com.br/apos-boom-mercado-imobiliario-da-sinai-de-desaceleracao-de-precos,60701759be134410VgnCLD2000000dc6eb0aRCRD.html>

⁷⁸ National Dossier "Mega Events and Human Rights Violations in Brazil", launched in 2011 by the National Articulation of Popular Committees of the World Cup and available at: http://www.portalpopulardacopa.org.br/index.php?option=com_content&view=article&id=396&Itemid=294.

⁷⁹ News article: <http://agenciapulsar.org/brasil2013/dd-hh/anistia-internacional-lanca-campanha-contra-remocoes-rio-e-cidade-mais-afetada-pelos-megaeventos-esportivos/>

The situation has led the urban planner Raquel Rolnik, until recently the UN Special Rapporteur on the right to housing, to request a statement from the city and regional governments involved in hosting the World Cup in Brazil. At the federal level, the Executive branch has committed itself, in May 2011, "to establish a Working Group to monitor the process of removals and also a federal protocol on this topic"⁸⁰. The promise, however, was only met in May 2012 – thirteen months before the Confederations Cup – with the creation of the Working Group on the Human Right to Adequate Housing under the Secretariat of Human Rights of the Presidency.

One focus of this working group has been the monitoring of issues involving evictions in the host-cities of the World Cup. After visiting six of the twelve host-cities, a number of specific recommendations were made to the executives' branches of states and municipalities after the completion of the report in September 2013. Beyond that, general recommendations – such as changes in legislation to meet the needs of affected families and to ensure access to information about the evictions – were submitted to the Federal Government⁸¹. The situation in the cities was defined as "extremely serious" by one of the working group directors⁸².

An emblematic case among those raised by the Secretariat of Human Rights and the social movements refers to the Vila Autódromo community. Located on the shores of Lagoa Jacarépaguá, in Rio de Janeiro, its first residents moved to that area in the 1960s and formed a fishing village that grew with the construction of a race-track. The surroundings (Barra da Tijuca) has over the years become an upper-middle class neighbourhood.

Since 1990, municipal authorities have attempted to remove Vila Autódromo's inhabitants on several occasions. Among the reasons given are the damage to the natural environment and the "aesthetic and visual" aspect of the city – all denied in judicial disputes⁸³. Also in the early 1990s, the State Government granted tenure to families in the area, which strengthened the possibility of security to the residents of Vila Autódromo. Nevertheless, the community claimed that most of the time it had not been consulted properly.

In 2009, new statements from the mayor pointed out the need to remove the residents to accommodate the Olympic Park works, as the city will host the Olympics in 2016. The initial plan was to build a Media Centre and other facilities on the site. Later, the authorities claimed that the Vila Autódromo area would fall within the security perimeter surrounding the Olympic Park. More recently, the authorities have said that part of the Vila Autódromo should be removed to construct access ways to a nearby boulevard, which will be expanded for the Olympics.

⁸⁰ News article: "Brazil ignores recommendations of independent UN Rapporteur in preparations for the World Cup and the Olympics" – <http://www.onu.org.br/brasil-ignora-recomendacoes-de-relatora-independente-da-onu-nos-preparativos-da-copa-e-olimpiadas/>

⁸¹ The full report "WG on Adequate Housing" is available on the Secretariat of Human Rights of the Presidency website at <http://www.sdh.gov.br/sobre/participacao-social/cddph/relatorios/relatorios>

⁸² News article: "The situation is very serious", says the Secretariat of Human Rights on the expropriations for the World Cup" – <http://www.apublica.org/2012/11/a-situacao-e-muito-grave-diz-sdh-sobre-remocoes-da-copa>

⁸³ Check the arguments presented over the years by the city for the removal of houses and the community's advocacy in the "Rio without Removals" website, linked to Ancopa – <http://www.portalpopulardacopa.org.br/vivaavila/index.php/argumentos/109-argumentos-que-nao-se-sustentam>

Some residents have agreed to leave and live in apartments built by the government in a nearby area⁸⁴. The process was only possible after the State's Public Defender Office (advocating in defence of Vila Autódromo community) relinquished part of the claims, reconciling a request from the mayor's office and allowed for the demolition of some of the houses. The process, however, is severely criticized by a former public defender, accusing the Executive branch of political interference in the office⁸⁵. The case is ongoing.⁸⁶

F) Rights of temporary and migrant workers

Since the 1950s, Brazil has seen intense internal migration from the Northeast to other areas that are economically advanced, like São Paulo and Rio de Janeiro. The nine states in the Northeast region have 27.75% of the Brazilian population⁸⁷ but they rank "medium" according to the Municipal Human Development Index (IDHM), and are among the twelve poorest in the country⁸⁸. In 2011, the Northeast had the lowest GDP per capita of the five Brazilian regions.⁸⁹

Due to poverty and the lack of development, people from the Northeast gravitate towards the big urban centres for jobs. Construction work for the World Cup and Olympics has attracted many people to the cities where these events will be held. For example, all 111 workers rescued slavery-like conditions in September 2013 were from the Northeast and were working for a major construction company in the country, to complete the expansion of Guarulhos International Airport, the busiest in Latin America, located in the metropolitan region of São Paulo.⁹⁰ The rescued workers included six indigenous people from the ethnic tribe, Pankararu, a community whose poverty is often attributed to the lack of land demarcation.

In 2011, 350 workers, including OAS employees and Northeastern migrants, went on strike against what they described as poor working conditions and hygiene at the Arena do Grêmio. This facility is in Rio Grande do Sul, in southern Brazil, and belongs to one of the main Brazilian teams. In the complaint, the workers reported that many of them had no formal contract and the lodging conditions were unhealthy.⁹¹ The Ministry of Labour and Employment suspended work for 19 days.⁹²

⁸⁴ News article: "City of Rio starts demolishing houses of Vila Autódromo" – <http://g1.globo.com/rio-de-janeiro/noticia/2014/03/prefeitura-do-rio-comeca-demolir-casas-da-vila-autodromo.html>

⁸⁵ See "The new struggle of Vila Autódromo and the residents who resist removal: Rebuilding the Public Defender's Office and its autonomy." Mendes, Alexandre – <http://uninomade.net/tenda/a-nova-luta-da-vila-autodromo-e-dos-moradores-que-resistem-a-remocao-reconstruir-a-defensoria-publica-e-sua-autonomia/>

⁸⁶ International Amnesty. Annual Report 2013 (<http://www.amnesty.org/en/annual-report/2013>).

⁸⁷ "Population Estimates for Brazilian municipalities on 01/07/2013", IBGE, available at: <http://www.ibge.gov.br/home/estatistica/populacao/estimativa2013/default.shtm>

⁸⁸ Data available at the Atlas Brazil 2013, at: <http://www.atlasbrasil.org.br/>

⁸⁹ "Regional Accounts of Brazil in 2011", IBGE, available at:

<http://www.ibge.gov.br/home/estatistica/economia/contasregionais/2011/default.shtm>

⁹⁰ News article: "Inspectors find slave labour in the construction works of the OAS to expand the International Airport of Guarulhos (SP)" - <http://reporterbrasil.org.br/2013/09/fiscais-flagram-trabalho-escravo-em-obra-da-oas-para-ampliar-cao-do-aeroporto-internacional-de-guarulhos-sp/>

⁹¹ News article: "Northeasters work in precarious conditions in Arena Grêmio; work is partially interdicted" -

<http://reporterbrasil.org.br/2011/03/nordestinos-trabalham-em-condicoes-precarias-na-arena-gremio-obra-e-parcialmente-interditada/>

⁹² News article: "After strike and embargo, works are resumed in the Arena of Grêmio" -

<http://globoesporte.globo.com/futebol/times/gremio/noticia/2011/03/apos-greve-e-embargo-recomecam-obras-na-arena-do-gremio.html>

Several of the fatal accident victims in the construction of World Cup stadiums have been migrants.⁹³ For example, in the Arena da Amazonia in Manaus, northern region, where there have been four deaths, one was a migrant worker from the Northeast.⁹⁴ The work was stopped⁹⁵, and in an inspection performed immediately after the accident, the Public Ministry of Labour found that the works did not comply with 63 out of 64, standards-related obligations to protect health and safety of workers.⁹⁶

Concern for migrant workers' rights is well-recognised internationally. While most migrant workers in Brazil are internal migrants, i.e. they have travelled within the country, they share the vulnerabilities that migrant workers coming from overseas face. The International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, adopted by the UN in 1990, advocates for equal treatment of migrants in relation to the local population, as well as draws attention to the conditions of vulnerability that might affect many.⁹⁷

⁹³ News article: "Death of worker in Manaus is the seventh fatal accident at World Cup stadiums" - <http://copadomundo.uol.com.br/noticias/redacao/2014/02/07/morre-operario-que-sofreu-acidente-na-arena-da-amazonia.htm>

⁹⁴ News article: "Worker dies falling from height of 35 meters at the World Cup stadium in Amazonas" - <http://g1.globo.com/am/amazonas/noticia/2013/12/operario-morre-ao-despencar-em-obra-na-arena-da-amazonia.html>

⁹⁵ News article: "Justice releases work at the arena, but prohibits night shift" - <http://amazoniareal.com.br/justica-libera-obra-da-arena-mas-proibe-trabalho-noturno/>

⁹⁶ News article: "Work of the Amazonia Arena was disobeying law 63 among 64 labour obligations" - <http://www1.folha.uol.com.br/esporte/folhanacopa/2013/12/1387642-obra-da-arena-amazonia-descumpria-63-de-64-obrigacoes-trabalhistas.shtml>

⁹⁷ Piovesan, Flávia. Migrants under the perspective of human rights. *Diversitas Magazine*, USP. March to September, 2013. Available at: <http://www.revistas.usp.br/diversitas/article/viewFile/58380/61381>

Conclusion

The aim of this study has been to highlight the main human rights at risk in order to stage MSEs in Brazil, and to analyse the situation. It should be emphasized that the issue is not new and that similar analyses have been made by other organisations in other countries that received the FIFA World Cup or the Olympics, as was the case in London in 2012. The aim of this report is not only to warn of serious problems, but also to focus on maximizing positive effects of MSEs, such as job creation and recovery of degraded areas in cities.

Many of these problems predate Brazil's decision to host these MSEs. These problems were not created by the MSEs but were made more visible and explicit, besides amplifying existing processes in our society. Some examples include the "expulsion" of low-income families who live in the cities, and the overexploitation of workers in major construction works, including cases where some companies are accused of benefiting from modern forms of slavery.

In June 2013 thousands of Brazilians took to the streets to protest against the poor quality of public services. General disaffection and dissatisfaction was already growing when the increase in the price of public transport in major Brazilian cities was announced. However, the subject of public investments in the World Cup came to be used in the protests. The dissatisfaction helped create a radicalized movement called "There'll be no World Cup", which has been promoting public events in various cities.

It is remarkable that there has been so much criticism about the World Cup in a country that is as passionate about football as Brazil. This is because the MSEs appear to threaten the realization of human rights in the country. We identified six categories: Right to decent work; Rights of Children and Adolescents; the Right to protest; Rights of Stakeholders; and housing rights, as well as the rights of immigrants and temporary workers. We have analysed these by presenting cases and allegations of violations, in light of international human rights framework.

A crucial issue to highlight in relation to the organization of the MSEs in Brazil, has been the lack of a space for public debate and to give a voice to civil society organizations, social movements, urban communities directly affected by the works, and the general population. On the eve of the start of the World Cup 2014, the Secretary-General of the Presidency, Gilberto Carvalho, regretted and acknowledged that the federal government had failed to prioritize dialogue with civil society. The result was a highly hierarchical, driven "top down" and unsympathetic to any divergence process. That violated the spirit of another set of procedural rights – to participate in political processes and decision-making, and the right to seek, receive, and impart information. At least in this regard, Brazil has lost the World Cup. But like the Olympics, which are two years away, there is still time to change.