

Part III: Latin American Perspective

Putting People First: How Brazil’s Minimum Income Program Promotes Human Rights

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I. Introduction

Brazil experienced a period of economic and social progress between 2003 and 2014, when over 29 million people were lifted out of poverty and inequality significantly declined.¹ During this time, the income level of the poorest 40% of the country increased by an average of 7.1%, compared to a 4.4% increase in the income of the population as a whole.² Cash transfer

1 T.F.L. do Nascimento and B.J.B. Silva, ‘A Dívida Pública Brasileira (2003–2014)’ *Revista Economia e Políticas Públicas* 8 (2020)1, p. 73.

2 The World Bank, ‘Brazil Poverty and Equity Assessment’ (2022) <<https://documents1.worldbank.org/curated/en/099230007062256153/pdf/P1746910e33a8407d0b0850b8f0f5bcf18c.pdf>> accessed 14.10.2024.

policies and other social programs lifted tens of millions out of poverty. Since 2015, however, the pace of poverty and inequality reduction has stagnated because of a severe recession lasting from 2014 to 2016.³ While recovering from the economic recession, the country continued to face a serious economic crisis with around 8 million of its citizens unemployed in 2023.⁴ Poverty and income inequality remain high; the Northeast, North, and Center-West, along with women, and black, mixed race, and indigenous populations, are all disproportionately affected.⁵

The COVID-19 pandemic significantly worsened the conditions of the most vulnerable people in Brazil, increasing power asymmetries and social inequalities⁶. For instance, due to the pandemic, Brazil had in 2020 and 2021 the worst unemployment rates in its history, with 13.4 million people unemployed in 2020 and a staggering 15.2 million in the first trimester of 2021.⁷ There were some attempts by government and civil society to minimize the worst socioeconomic effects of the pandemic. The most relevant of such policy measures was the expansion of Brazil's flagship conditional cash transfer program, the *Bolsa Família* (Family Grant),⁸ which grew both in terms of coverage (eligibility criteria were expanded) and in the amount paid to families.

There is consensus that such measures have been crucial and partly effective in avoiding the worst effects of the pandemic, even reducing poverty levels for some periods.⁹ There is also some consensus, however, that a significant part of the most vulnerable population was either not reached by

3 Ibid.

4 J.R. de Souza Gentil, T.F. do Nascimento Melo, et al., 'Modelos com erros das variáveis: estudo de simulação e aplicação à dados de taxa de desemprego no Brasil' Peer Review 5 (2023)11, p. 260.

5 A. Salata, 'Race, Class and Income Inequality in Brazil: A Social Trajectory Analysis' (2020) <<https://doi.org/10.1590/dados.2020.63.3.213>> accessed 14.10.2024.

6 M.G. Corrêa, S. Rego, et al. 'Os impactos sociais da Covid-19 no Brasil: populações vulnerabilizadas e respostas à pandemia', in: Fiocruz, *Série Informação para ação na Covid-19* (Rio de Janeiro 2021).

7 Agência Senado, 'Segue para a Câmara seguro-desemprego extra durante epidemias' (22 November 2022) <<https://www12.senado.leg.br/noticias/materias/2022/11/22/segue-para-a-camara-seguro-desemprego-extra-durante-epidemias>> accessed 08.11.2024.

8 The name of the program was changed by the 2019-2022 government to Brazil Aid and renamed back to *Bolsa Família* by the current government (2023-2026).

9 L.H. Paiva, P.H.G. Ferreira de Souza, et al. 'Evitando a pandemia da pobreza: possibilidades para o programa Bolsa Família e para o Cadastro Único em resposta à COVID-19' Revista de Administração Pública 54 (2020)4, pp. 1097-1110.

these measures or not sufficiently protected by them.¹⁰ After the pandemic, federal cash transfer programs continue to play a key role in providing income to the poorest segments of society and reducing poverty rates.¹¹

II. Overview

1. Normative Background

a) National Provisions

Following a 21-year-long authoritarian dictatorship with a track record of severe human rights violations, Brazilians placed human dignity at the centre of the country's re-democratization process. Adopted in 1988, the current Brazilian Constitution is anchored on the principle of the prevalence of human dignity. The Constitution determines that human dignity is one of the five foundations of the Republic, along with sovereignty, citizenship, "the social values of labour and free enterprise", and political pluralism (Article 1). This means that the right to live a dignified life shall guide all actions of the Brazilian state, constituting both a beacon and a limit for decision-making, policy, and practice.

The Brazilian Constitution directly protects a comprehensive set of human rights, dedicating a chapter to individual and collective rights (including the prohibition of torture, freedom of thought, religious freedom, the right to privacy, the right to access information, freedom of association, the right to property, and due process of law). Social rights have been part of Brazil's Constitution since its promulgation in 1988, covering education, healthcare, social security, and labour rights (Article 6) as fundamental rights. In 2021, the social rights chapter has been amended to include a specific provision on the *right to a basic family income*, which shall be guar-

10 R.P. de Barros and L. Muller Machado, 'A pandemia e o início do fim da invisibilidade', in: L. Muller Machado, *Legado de uma Pandemia: 26 Vozes Conversam Sobre os Aprendizados Para Política Pública* (Autografia 2021).

11 C.B. Silva, L. Hasenclever, R.P.S. Marcia, 'O programa Bolsa Família e seus efeitos na pobreza e na desigualdade socioeconômica no Brasil' Editora Científica Digital 9 (2022), p. 1072.

anteed by a *permanent cash transfer program* encompassing every Brazilian in a condition of social vulnerability (Article 6, § 1º).¹²

Significantly, the Constitution expressly clarifies that the list of rights provided in the constitutional text is non-exhaustive, and that there may be other constitutional rights which – even if not textually included in the Constitution – derive from its principles or from the international treaties to which Brazil is a party (Article 5, § 2º). Therefore, one of the defining features of the Brazilian constitutional order is its openness to human rights norms, including those formulated in international treaties.

There is therefore a human rights nucleus within the Constitution, encompassing the human dignity principle, the rights expressly listed in the constitutional text, and those rights indirectly protected by the Constitution, including the rights established by international treaties. These human rights norms are the axiological centre of the Brazilian legal system, guiding the interpretation and application of all its norms.

b) International Provisions

In Brazil, human rights treaties that have been ratified by the country hold the status of constitutional norms. This means that these treaties are incorporated into the Brazilian legal system with the same legal weight as the Federal Constitution. Therefore, Brazilian courts, including the Supreme Federal Court (STF), must abide by and apply these treaties as if they were an integral part of the Constitution, ensuring that the human rights established in them are fully protected and respected on a national level. In other words, internationally proclaimed fundamental rights have normative force and are immediately enforceable in Brazil.

As mentioned above, Brazil has joined the international community in repeatedly proclaiming and reaffirming the human dignity principle. In the very first article of the Universal Declaration of Human Rights, the foundational basis of the modern international human rights regime, the international community declared that “[a]ll human beings are born free

12 Constitution of The Federative Republic of Brazil, Article 6, § 1º: “Every Brazilian in a situation of social vulnerability is entitled to a basic family income, guaranteed by the government in a permanent income transfer program, whose rules and access requirements will be determined by law, in compliance with fiscal and budgetary legislation”, < <https://legis.senado.leg.br/norma/579494/publicacao/33296461> > accessed 23.04.2025.

and equal in dignity and rights". With the further development of international norms, states unpacked the meaning of *dignity*, making a clear stance that it included both civil and political rights and economic, social, cultural, and environmental rights. The latter category includes provisions assuring that every individual shall have access to adequate standards of living (see, e.g., the International Covenant on Economic, Social and Cultural Rights, Article 11).

The right to an adequate standard of living is also protected by the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, which Brazil signed and ratified. The protocol is known as Protocol of San Salvador and it recognizes in particular the right to minimum income as a key aspect of the right to an adequate standard of living (Article 9).¹³ The right to minimum income is defined as the right of every person to receive an income that provides for their basic needs and those of their family, without discrimination. This includes not only financial resources, but also access to social security systems and other forms of assistance. The Protocol recognizes that the right to minimum income is closely linked to other economic, social, and cultural rights, such as the right to work, the right to health, and the right to housing.

To fulfil its obligations under the Protocol of San Salvador, states are required to adopt measures to ensure that everyone has access to a minimum income that provides for their basic needs. This includes measures to eliminate discrimination and other forms of exclusion that may limit the access to minimum income. States are also required to ensure that their social security systems and other forms of assistance are available to everyone who needs them.¹⁴

The Inter-American Court of Human Rights has issued several important decisions regarding the right to minimum income as recognized in the Protocol of San Salvador. These decisions have established strong precedents on the interpretation and application of this right in the Americas.¹⁵

13 Protocol of San Salvador (1988), Art. 9, OAS Treaty Series No. 69, <<https://www.oas.org/juridico/english/treaties/b-32.html>> accessed 25.09.2024.

14 Ibid.

15 Inter-American Court of Human Rights, *Yakye Axa Indigenous Community v. Paraguay*, 17 June 2005, Series C No. 125, para. 141; *Case of the Girls Yean and Bosico v. Dominican Republic*, 8 September 2005, Series C No. 130, para. 144; *Case of the Kaliña and Lokono Peoples v. Suriname*, 25 January 2010, Series C No. 214, para. 140.

For example, in the case of the *Street Children vs. Guatemala*, the Inter-American Court found that the state has an obligation to provide adequate protection for children, including those living in poverty, and to take measures to guarantee their right to minimum income. The Court held that the state must take steps to ensure that these children have access to adequate food, housing, health care, and education, and that the state has a positive obligation to provide these necessities where necessary to ensure that the right to minimum income is fulfilled.¹⁶

The Inter-American Court's jurisprudence on the right to minimum income serves as an important reference for states, civil society organizations, and individuals seeking to protect and promote this right in the Americas.

c) The Brazilian Supreme Court and the Right to Minimum Income

In 2021, the Brazilian Supreme Court issued a decision ordering the federal government to take all appropriate measures to effectively implement the right to minimum income, including by updating the value of *Bolsa Família* payments (*Supremo Tribunal Federal, Mandado de Injunção 7300 ED / DF, 2021*). The decision resulted from a legal suit filed by the Public Defender's Office (DPU) on behalf of a citizen who lacked the resources needed to maintain a dignified existence. According to the DPU, the government was failing to implement the claimant's constitutional rights. In his opinion, Justice Gilmar Mendes wrote that, given the poor implementation of the law on universal basic income, in practice this law had nothing but "symbolic effects". Considering that 9 million Brazilians live in extreme poverty, he concluded that "[n]o great argumentative effort is needed to demonstrate the indispensability of welfare programs in a booming but extremely unequal economy such as Brazil's". The Court agreed, mandating the federal government to take measures to improve minimum income policies.

2. Social Benefits

a) Schemes Relevant for Minimum Income Protection

Brazil has implemented several programs aimed at protecting vulnerable populations and ensuring that they are able to live in dignity. These pro-

16 Inter-American Court of Human Rights, *Case of the "Street Children" (Villagrán Morales et al.) v. Guatemala*, 19 November 1999, Series C No. 63.

grams not only provide financial assistance to families in need, but also aim to break the cycle of poverty by promoting education, health, and employment.

aa) Bolsa Família

Bolsa Família is a Brazilian social welfare program that provides financial assistance to low-income families, focusing on poverty alleviation and promoting education and healthcare through conditional cash transfers. As of June 2024, the program covers approximately 20.8 million families.¹⁷ Conditions include requirements for children to attend school and for families to participate in preventive healthcare programs. The impact on minimum income is significant, helping to reduce extreme poverty and promoting social and economic inclusion.¹⁸ As explained below, this program will be the main focus of this analysis, as it represents the largest and most comprehensive minimum income scheme in Brazil.

bb) Minha Casa, Minha Vida

Minha Casa, Minha Vida is a housing program in Brazil that offers affordable housing options to low-income families, addressing housing instability and promoting economic stability. Since its inception, the program has financed over 4 million housing units, benefiting about 10 million people. Conditions include income verification and prioritization of families in vulnerable situations. While the program does not directly guarantee a minimum income, it indirectly supports economic stability by reducing housing costs and improving living conditions.¹⁹

17 Secretaria de Comunicação Social, 'Bolsa Família de julho chega a 20,8 milhões de famílias a partir desta quinta' (18 July 2024) <<https://www.gov.br/secom/pt-br/assuntos/noticias/2024/07/bolsa-familia-de-julho-chega-a-20-8-milhoes-de-familias-a-partir-desta-quinta-18>> accessed 25.09.2024.

18 F.V. Soares, 'Brazil's Bolsa Família: A Review' *Economic and Political Weekly* 46 (2011)21, pp. 50-60.

19 C. Krause, R. Balbim, V. Correia Lima Neto, 'Minha Casa Minha Vida, nosso crescimento: Onde fica política habitacional?', in: Instituto de Pesquisa Econômica Aplicada (IPEA), *Texto para Discussão No. 1853* (Rio de Janeiro 2013).

cc) Programa de Aquisição de Alimentos (PAA)

This program supports family farming and food security by purchasing produce from local farmers to distribute to vulnerable populations, ensuring access to nutritious food. In 2023, the PAA benefited around 300,000 farmers and provided food for approximately 10 million people. This program helps to stabilize the income of family farmers and enhance food security among the poorest segments of the population. The impact on minimum income is more indirect, through supporting farmers' livelihoods and providing food to those in need.²⁰

dd) Programa Saúde da Família

It provides primary healthcare services to poor populations, enhancing healthcare access and improving overall health outcomes. The program serves more than 70% of the Brazilian population, focusing on preventive care and health education. While the program does not directly influence minimum income, it reduces healthcare costs and improves quality of life, which can have a positive impact on the economic stability of families.²¹

ee) Programa de Proteção e Atendimento Integral à Família (PAIF)

This program focuses on protecting and assisting families, especially those facing social vulnerabilities, by providing a range of support services, including healthcare, education, and social assistance. The PAIF aims to strengthen family ties and improve the social and economic conditions of the most vulnerable families. Although it does not directly guarantee a minimum income, it provides critical support that helps families achieve greater stability and resilience, indirectly supporting economic security.²²

20 R.A. de Medeiros Hespagnol, 'Programa de Aquisição de Alimentos: limites e potencialidades de políticas de segurança alimentar para a agricultura familiar' *Sociedade & Natureza* 25 (2013)3, pp. 469-483.

21 M.C.M. Senna, 'Equidade e política de saúde: algumas reflexões sobre o Programa Saúde da Família' *Cadernos de Saúde Pública* 18 (2002), pp. 203-211.

22 V.R.S. Ferreira, 'Fatores influenciadores do comportamento de decisão e ação dos implementadores do serviço de Proteção e Atendimento Integral à Família (PAIF)' (Universidade de Brasília, 2016).

b) Bolsa Família in Particular

The legal basis for the *Bolsa Família* program has been established by Law No. 10.836, enacted on 9 January 2004. This law consolidated various social programs into a single framework to provide financial assistance to low-income families, aiming to reduce poverty and promote social inclusion. Additionally, Decree No. 5.209 of 17 September 2004 regulates *Bolsa Família*, outlining the program's objectives, eligibility criteria, and operational guidelines. The policy design of *Bolsa Família* is based on targeting the poor, cutting complexities, and requiring health checks and school attendance for children. This scheme shares with the above-mentioned programs the common goal of reducing poverty and improving the well-being of low-income families through various means, such as financial assistance, healthcare access, housing stability, and support services.

However, the chapter will focus only on *Bolsa Família*. This program stands out as the largest and most comprehensive one, both in terms of value and the number of people it serves. In term of number of beneficiaries, *Bolsa Família* reaches a significant portion of Brazil's low-income population. The program was recently expanded and, in 2024, covers 20.8 million families in Brazil, compared to the 13.9 million covered in 2020.²³ As for its benefits, *Bolsa Família* provides financial assistance to families facing various economic challenges. While the other above-mentioned social programs in Brazil are also extremely important, their impact is not as broad as *Bolsa Família*'s. This is because the other programs cover only specific needs, target smaller segments of the population and do not have the same scale or financial resources as *Bolsa Família*. *Bolsa Família* is therefore considered the focal point in discussions of social assistance in Brazil. Moreover, the program aims not only to address immediate needs like food but also imposes conditionalities, which require families to meet certain conditions related to education and healthcare, which are supposed to allow a transition out of poverty.²⁴

23 Secretaria de Comunicação Social, 'Bolsa Família de julho chega a 20,8 milhões de famílias a partir desta quinta' (18 July 2024) <<https://www.gov.br/secom/pt-br/assuntos/noticias/2024/07/bolsa-familia-de-julho-chega-a-20-8-milhoes-de-familias-a-partir-desta-quinta-18>> accessed 25.09.2024.

24 M. Morgandi, K. Fietz, L. Superti, 'Beneficiary Dynamics in the Bolsa Família Conditional Cash Transfer-Capabilities, Constraints and the Local Labor Market' (Washington D.C. 2023).

III. Analysis

As illustrated above, Brazil has codified its cash transfer policy as a permanent program, protected by the Constitution (as mentioned above), as well as by legislation (see Law 10.836/2004, establishing the right to minimum income, and Provisional Measure 1164/23, which recreates the *Bolsa Família* program). However, with the right to minimum income guaranteed in the books, it is important to analyse how the Brazilian state implements such a right.

1. Eligibility and Conditionalties

In order to receive *Bolsa Família*, the beneficiary families must meet at least one of the following socio-economic criteria:

- (i) live below the poverty line, if family members include pregnant women and children or adolescents between the ages of 0 and 17; or
- (ii) live below the extreme poverty line.

The poverty line is calculated based on household income per capita. The government establishes thresholds that categorize households into different poverty levels. These thresholds are typically updated periodically to reflect changes in the cost of living and economic conditions. The poverty lines are defined as follows: the extreme poverty line is defined as a monthly per capita income that is insufficient to meet basic food needs. The threshold for extreme poverty is R\$ 200 (reais, around 33 euros) or less, per month per person. The poverty line is a higher threshold than the extreme poverty line and includes those who can meet basic food needs but may struggle with other essential expenses such as housing, education, and healthcare. The poverty line is set at R\$ 637.00 (reais, around 105 euros), per month per person.

The calculation method for determining the poverty status involves several steps. First, household income data is collected through surveys and administrative records, encompassing all sources of income such as wages, pensions, social benefits, and any other earnings. Next, the total household income is divided by the number of household members to calculate the per capita income. Finally, this per capita income is compared with the established poverty and extreme poverty thresholds to determine the household's poverty status.

For the eligible recipients, cash transfers are conditioned on school attendance for children and adolescents between 6 and 17 years old, health checks and timely vaccination on all children aged 0-5, and prenatal and postnatal health checks for pregnant women.²⁵

The program is designed to provide long-term support; thus, its duration is not fixed, but is contingent on the family's compliance with the eligibility criteria and conditionalities. If families fail to meet the program's requirements, their benefit is suspended or terminated. However, the program provides warnings and opportunities for families to rectify issues before benefits are cut off.

The conditions of *Bolsa Família* implicitly reflect a definition of a dignified life by ensuring that families have the financial support to meet their basic needs while promoting long-term improvements in education and health. Utilizing conditionalities related to school attendance and health-care encourages families to prioritize their children's education and ensure they receive essential medical care. This generates long-term benefits by breaking the cycle of poverty through improved access to education and enhanced health outcomes. Additionally, by establishing conditionalities, the program ensures that financial assistance is used for its intended purpose, reducing the risk of misuse or dependency. This promotes responsible resource utilization and contributes to a more sustainable path towards self-sufficiency. Therefore, the program empowers families, promotes social inclusion, and aligns with the principles of dignity and self-reliance.

2. Benefit Amounts and Adaptation

The minimum benefit, or basic bonus, is non-variable and is R\$ 600 for each family, but additional payments of R\$ 50 are given to families with children and young people aged between 7 and 18 years and pregnant or breastfeeding women. Families with children aged up to 6 years receive an extra R\$ 150 per child.

Bolsa Família also includes an adaptation mechanism to address changing economic conditions and evolving beneficiary needs. This mechanism is not automatic, but it encompasses regular updates to the benefit amount to keep pace with inflation and the cost of living.

The program also recognized the importance of directing cash transfers to women, since the money goes directly to the families, preferably to the

25 Ibid.

mothers, or other women in charge of the household, through so-called Citizen Cards. By prioritizing payments to the female members of the household, the government aimed to foster the autonomy of women and reduce gender inequalities.

3. Ministerial Oversight

The Ministry of Development and Social Assistance (*Ministério do Desenvolvimento e Assistência Social*) is responsible for overseeing *Bolsa Família*. Its evaluation process is comprehensive and involves several steps to ensure accuracy and effectiveness. First, families must update their information in the Unified Registry (*Cadastro Único*) regularly, typically every two years. This registry includes details about income, household composition, and other relevant factors.

The information provided by families is then cross-checked with various government databases, such as social security, tax records, and employment databases, to prevent fraud. Additionally, social workers or authorized personnel may conduct home visits to verify the living conditions of beneficiary families and ensure the accuracy of the information provided.

Schools report attendance data to the Ministry of Education, while health units report compliance with vaccination schedules and health check-ups to the Ministry of Health. This approach ensures the accuracy of information and the effectiveness of the *Bolsa Família* in reaching and supporting eligible families.

4. Assessment

a) Positive Impacts

Bolsa Família has significantly reduced poverty and income inequality in the country. Already in the decade following the launch of the program, the poverty rate in Brazil had declined by nearly 20 percentage points, from 42.7% in 2003 to 23.8% in 2014.²⁶ During the same period, the income of

26 The World Bank, 'Strengthening Conditional Cash Transfers and the Single Registry in Brazil: A Second-Generation Platform for Service Delivery for the Poor' (22 April 2020) <<https://www.worldbank.org/en/results/2020/04/22/strengthening-conditional-cash-transfers-and-the-single-registry-in-brazil>> accessed 28.10.2024.

the poorest 40% of households in Brazil increased by 56%.²⁷ According to a study published by the Institute for Applied Economic Research (IPEA) in 2019, *Bolsa Família* contributed to raising 3.4 million people out from under the extreme poverty line, and 3.2 million out from under the poverty line.²⁸

Moreover, *Bolsa Família* has also been documented to yield positive impacts on food availability: in a study based on a representative sample of the Brazilian population, it was observed that the Program contributed for higher per capita expenditure on food, higher per capita availability of total calories and higher availability of *in natura* or minimally processed foods and processed culinary ingredients among low-income households.²⁹ The increase in food availability is positive both because the energy availability among low-income families in Brazil is below the national average (1,611 kcal) and because the increased availability of food items such as meat, roots, tubers, and vegetables can diversify and improve the nutritional quality of the diet.³⁰

Several studies have also demonstrated a trend of increasing gains in education associated with the *Bolsa Família* program. A 2014 study shows that *Bolsa Família* contributed to improvements in school performance in test scores and pass grades, as well as reductions in dropout rates for 4th grade children.³¹ Another analysis suggests that, among girls, the *Bolsa Família* program significantly increased school attendance (by 8 percentage points) and grade progression (by 10 percentage points), with large, significant

27 P.H.G. de Souza, R.G. Osório, et al. 'Os efeitos do Programa Bolsa Família sobre a pobreza e a desigualdade: um balanço dos primeiros quinze anos', in: Instituto de Pesquisa Econômica Aplicada (IPEA), *Texto para Discussão No. 2499* (Rio de Janeiro 2019).

28 Ibid.

29 A.P.B. Martins and C.A. Monteiro, 'Impact of the Bolsa Família Program on Food Availability of Low-Income Brazilian Families: A Quasi Experimental Study' *BMC Public Health* 16 (2016)827, pp 1-11.

30 Ministério da Saúde, 'Guia alimentar para a população brasileira' (2nd ed. Brasília 2014), pp. 26-30.

31 A.A. Simões and R. Sabates, 'The Contribution of Bolsa Família to the Educational Achievement of Economically Disadvantaged Children in Brazil' *International Journal of Educational Development* 39(2014), pp. 151-166.

effects across both younger and older girls in rural areas.³² In urban areas, a positive impact was documented among girls aged 15-17 years.³³

Bolsa Família also significantly increased women's decision-making power in spheres related to children's school attendance and health expenses, household durable goods purchases, and contraception use.³⁴ In this regard, *Bolsa Família* increased the share of women who report exclusive control over contraception decisions by 10 percentage points.³⁵

The program has also had a positive impact on health-related indexes. By conditioning cash transfers to health checks, *Bolsa Família* increased children's visits to preventive health services.³⁶ In children under age 7, it was also associated with increases in the number of growth monitoring visits, check-ups, and vaccination.³⁷ It also had an impact on dental hygiene: children who received *Bolsa Família* for a period up to two years had substantially lower odds of having dental caries than those who had never received *Bolsa Família*.³⁸

b) Bolsa Família as an International Benchmark

Brazil's cash transfer policy has been instrumental in poverty reduction, becoming a model for other countries.

According to the World Bank, *Bolsa Família* is a form of investment in human capital. It notices how "[c]onditional cash transfers provide money directly to the poor, via a 'social contract' with the beneficiaries – for example, keeping children in school, or taking them regularly to health

32 A. de Brauw, D.O. Gilligan, et al., 'The Impact of Bolsa Família on Schooling' World Development 70 (2015), pp. 303-316.

33 Ibid.

34 A. de Brauw, D.O. Gilligan, et al., 'The Impact of Bolsa Família on Women's Decision-Making Power' World Development 59 (2014), pp. 487-504.

35 Ibid.

36 A. Shei, F. Costa, et al., 'The Impact of Brazil's Bolsa Família Conditional Cash Transfer Program on Children's Health Care Utilization and Health Outcomes' BMC International Health and Human Rights 14 (2014)10, pp. 1-9.

37 Ibid.

38 P. Calvasina, P. O'Campo, et al., 'The Association of the Bolsa Familia Program with Children's Oral Health in Brazil' BMC Public Health 18 (2018)1186, pp. 1-10.

centers. For the extremely poor this money provides emergency relief, while conditionals promote long-term investment in human capital.”³⁹

The United Nations has recognised the potential of the program to address poverty and inequality on a global scale better than other interventions.⁴⁰ Additionally, the Inter-American Development Bank has expressed strong support for the program, further validating its effectiveness and importance. The positive outcomes associated with *Bolsa Família* have transformed it into an international reference point, frequently cited as an exemplary model of good practice. Countries facing poverty challenges similar to those in Brazil are encouraged to look to *Bolsa Família* for inspiration and guidance in developing their own social assistance programs.⁴¹

c) Addressing Inefficiencies and Non-Take-Up

Although *Bolsa Família* has admittedly been instrumental in addressing the poverty issue in Brazil, the delivery system of this scheme as well as of other social benefits in Brazil faces several challenges that hinder the effective implementation of the right to minimum income. These challenges include bureaucratic inefficiencies, lack of coordination among different levels of government, and difficulties in targeting and reaching the most vulnerable populations.

First, bureaucratic inefficiencies can result in delays in benefit distribution and create obstacles for those in need to access the programs. Streamlining administrative processes and reducing unnecessary paperwork can help mitigate these issues, ensuring that benefits reach recipients more promptly and efficiently.

The lack of coordination among federal, state, and municipal governments is also an issue, as it can lead to gaps in service delivery and overlapping program implementations. Improving communication and collaboration between these levels of government is crucial. Establishing clear roles and responsibilities, as well as integrating databases and information

39 A. Fiszbein, N. Schady, et al., ‘Conditional Cash Transfers: Reducing Present and Future Poverty’, in: The World Bank, *World Bank Publications* (Washington D.C. 2009).

40 UNICEF, ‘The Role of Child Benefits in Enabling Family-Friendly Policies to Achieve the Triple Bottom Line’ (2019), pp. 2-3 and 7-8, <<https://www.unicef.org/sites/default/files/2019-07/UNICEF-Child-Benefits-Family-Friendly-Policies-2019.pdf>> accessed 08.11.2024.

41 Ibid.

systems, can enhance the efficiency and effectiveness of social benefit programs.

Second, there are difficulties in reaching all potential recipients. Accurately identifying and including the most vulnerable populations, such as those in remote areas or those without proper documentation, is a significant challenge. Enhancing data collection methods and employing technologies like geographic information systems (GIS) can improve targeting accuracy. Additionally, outreach initiatives and partnerships with local organizations can help identify and reach those who are often excluded.

Moreover, the complexity of the eligibility criteria and the requirement for extensive documentation can be barriers for the poorest families. Simplifying the application process and offering assistance to applicants can help overcome these barriers. Providing clear information and support through community centres or mobile units can also ensure that more families can navigate the system successfully.

To enhance the delivery and management of social programs, a multi-faceted approach is necessary. First, developing user-friendly digital platforms for the application and management of benefits is crucial. This reduces paperwork and processing times, making the process more efficient and accessible for beneficiaries. Additionally, providing comprehensive training programs for local officials is essential for improving their capacity to manage and deliver social programs efficiently. Well-trained staff can significantly enhance the effectiveness of these programs.

Launching public awareness campaigns to inform eligible populations about their rights and how to access benefits is also vital. Utilizing various media channels and community networks will help reach a broad audience and ensure that information is widely disseminated. Furthermore, establishing decentralized assistance points in remote and underserved areas is necessary to ensure that all eligible individuals have access to the support they need.

Conducting regular monitoring and evaluation of the programs is also important. This process helps identify bottlenecks and areas for improvement, ensuring continuous optimization of the delivery system and better outcomes for beneficiaries. Implementing these strategies can help the social programs to become more efficient, effective, and accessible to those who need them most.

IV. Conclusions

The right to minimum income in Brazil is recognized as a fundamental right under the Brazilian Constitution (Article 6), and the country has implemented several programs and initiatives aimed at reducing poverty and ensuring that vulnerable populations live with dignity. These programs include the *Bolsa Família* program, which provides financial support to low-income families, as well as other initiatives aimed at creating job opportunities and improving access to education and health services.

However, despite these efforts, significant challenges remain in effectively implementing the right to minimum income in Brazil. One of the main challenges is ensuring continued adequate funding for these policies. The cost of implementing a minimum income policy can be substantial, and finding the resources necessary to provide adequate support to vulnerable populations can be difficult. Additionally, the delivery of the policy must be efficient, transparent, and equitable. If the delivery system is bureaucratic, cumbersome, or prone to corruption, it can undermine the effectiveness of the policy and discourage people from participating.⁴²

In some circumstances, political opposition to the policy may also be a challenge. Some groups may view a minimum income policy as an undeserved handout or a threat to their own financial stability, and addressing these concerns and building support for the policy is essential to its success. It is important to note that Brazil has been able to create a political consensus to overcome this challenge. Despite initial resistance from some groups who perceive a minimum income policy as an unjustified giveaway, the country has been successful in addressing these concerns and building support for the policy. This has been an important factor in the *Bolsa Família* program success and continued implementation.⁴³

Economic constraints, especially in times of economic uncertainty or recession, can also make the implementation of a minimum income policy challenging, as resources are scarce and governments are under pressure to balance their budgets.⁴⁴

Having accurate data and information systems in place is critical to effectively implementing a minimum income policy. These systems are

42 M. Morgandi, K. Fietz, L. Superti (n 24).

43 T.L.S Pinto, B.M. Tabak, D.O. Cajueiro, 'How Politics can Influence the Allocation of Social Program Benefits: A Case Study of the Brazilian Poverty Reduction Program Bolsa Família' *Economic Analysis and Policy* 80 (2023), pp. 77-89.

44 M. Morgandi, K. Fietz, L. Superti (n 24).

necessary to target support to those who need it most and ensure that resources are being used effectively.

To address these challenges, a strong political commitment is essential, along with the establishment of an efficient delivery system, the building of support among key stakeholders, economic stability, and accurate data and information systems. It requires consistency in the public budget allocation for these programs. Additionally, the government must ensure that financial support and social services are adequate to meet the basic needs of families and that these programs are accessible to all those in need.

Looking to the future, there is still much work to be done in terms of effectively implementing the right to minimum income in Brazil. Some potential areas of improvement include increasing the amount of financial support provided to families, expanding eligibility criteria to reach more individuals in need, and strengthening the monitoring and evaluation of the program to ensure that it is achieving its goals. Additionally, there are opportunities to collaborate with other social programs to provide more comprehensive support to families, such as access to healthcare, education, and job training.

Investing in programs and initiatives that address poverty and support vulnerable populations allows the country to progress towards ensuring that all individuals have access to a dignified life. The right to minimum income is a crucial component of a society that values equality, justice, and human dignity.