



# Emergency Aid in Brazil:

Challenges in the implementation  
of a datafied social  
protection policy

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This report was prepared by Clarice Tavares, Juliana Fonteles, Bárbara Simão y Mariana Valente from InternetLab, under the direction of Derechos Digitales, with support from the International Development Research Centre (IDRC).



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## INTRODUCTION

The InternetLab is an independent, interdisciplinary research center that produces knowledge and fosters debate in different areas involving technology, rights and public policy. We are a non-profit organization based in São Paulo, acting as a bridge between researchers and representatives from public and private sectors and civil society. We start from the idea that good public policymaking depends on more accurate assessments of the relationship between new information and communication technologies—such as the Internet—and individual rights.

## EXECUTIVE SUMMARY

This report seeks to contribute to the debate over the right to privacy in social protection programs, particularly the cash transfer policy implemented during the pandemic in Brazil: the Emergency Aid Transfer (EAT). We wish to identify specific vulnerabilities for the beneficiaries that need to be taken into consideration when implementing social rights through datafied policies.<sup>1</sup> We proposed to identify and highlight the main gaps in the protection of rights which arise from the use of a technological interface in the implementation of social policy and from the collection and processing of personal data from the people whose rights are most susceptible to violation, especially in a country characterized by inequalities. The following are the report's main conclusions.

The EAT is a cash transfer policy inaugurated with Law 13.982/2020, whose goal is to mitigate the economic and social effects of the COVID-19 pandemic, enabling the most vulnerable segment of the population to maintain access to consumer goods and, above all, food.

The three main actors responsible for the EAT's development, management and implementation are the Ministry of Citizenship (Ministério da Cidadania, MC); the Caixa Econômica Federal bank (CEF); and the Social Security Technology and Information Company (Empresa de Tecnologia e Informações da Previdência, Dataprev).

The MC defined three target populations: 1) beneficiaries of the Bolsa Família [Family Allowance] Program (BFP) ; (ii) people registered with the Single Registry for Social Programs (CadÚnico) who are not BFP beneficiaries; and (iii) ExtraCad, comprising citizens who are not registered with CadÚnico. For the first two groups, the granting of Emergency Aid was automatic, with no need to apply or register, provided that the eligibility conditions were met. For citizens not registered with CadÚnico (the ExtraCad population), three ways of applying for access to the benefit were set up: using the website, using the CEF's Emergency Aid app or via the Post Office.

It must be noted that the EAT is a datafied program, involving a heavy flow of data through all stages of the program. Beneficiary selection is automated and handled by Dataprev, which cross-references multiple databases from various government agencies with CadÚnico data and with the ExtraCad population's benefit requests on the Emergency Aid app.

One important finding from this investigation is that the decisions made by the algorithm developed by Dataprev involve automatically granting or denying the benefit without any human decision-making. Due to the absence of administrative means to review automated decision-making, the main way to file a dispute and request a human analysis of benefit award took place via the legal system.

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1 VALENTE, Mariana G., NERIS, Natália and FRAGOSO, Nathalie. Presa Na Rede De Proteção Social: Privacidade, gênero e justiça de dados no Programa Bolsa Família. Novos estudos CEBRAP. 2021, v. 40, n. 1. Accessed November 8, 2021, pp. 11–31. Available at: <https://doi.org/10.25091/s01013300202100010001>.



In terms of access difficulties, four obstacles were found in the EAT: **(i)** lack of required documentation; **(ii)** digital exclusion; **(iii)** limited access to justice; and **(iv)** out-of-date databases and registry errors.

Despite these access limitations and difficulties stemming from the EAT's automation, its automated, datified system made it possible for the benefit to quickly reach a large segment of the population. Research suggests that, at least in terms of the first rounds of the EAT, the benefit had a positive impact on the income levels of the most vulnerable Brazilians.

Finally, the policy's design and its implementation based on personal data processing—exhibiting vulnerabilities in terms of transparency, data quality, free access by data owners and accountability, and also characterized by excessive and unequal exposure in the Brazilian population—reveal the potential for violations of the rights to data protection and privacy.

### 3. THE PANDEMIC AND THE BRAZILIAN CONTEXT

#### 3.1. *The coronavirus pandemic in Brazil*

The first case of COVID-19 was recorded in Brazil on February 26, 2020. Since then, the country has seen the rapid spread of both the disease and the public health crisis. In November 2021, a total of 21.8 million cases and 608,000 deaths attributed to COVID-19 were reached in the country.<sup>2</sup> In an attempt to control the pandemic, in February 2020 the Quarantine Act (Law 13.979/2020) was passed, authorizing the adoption of confinement measures for infected persons and the restriction of activities and services to prevent the virus's spread.<sup>3</sup>

Social distancing measures such as quarantine, lock downs and mask use were some of the policies adopted to mitigate transmission of the virus and flatten the curve of cases.<sup>4</sup> In Brazil, these measures were incorporated in an irregular and highly controversial manner,<sup>5</sup> especially in light of the decentralized implementation of such policies, which fell to state and municipal governments. As a general rule, all levels of public administration published decrees announcing the implementation of quarantines and stipulated which activities and services would be considered essential, i.e., activities that could remain in operation even during the pandemic.<sup>6</sup>

Social distancing measures led to the dismissal of many people from their workplaces. In Brazil, 41.6% of workers are informal.<sup>7</sup> The need for social confinement rendered this population even more vulnerable. In an attempt to mitigate the socioeconomic effects of the pandemic and confinement, a cash transfer social protection policy was implemented: the Emergency Aid Transfer.

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2 Ministry of Health. <https://covid.saude.gov.br/>

3 Fragoso, N., Roberto, E., Silveira, J.F., Tavares, C. (2021). Privacy and Data Protection in the Pandemic: report on the Use of Apps and Alternative Measures in Brazil. São Paulo, InternetLab.

4 Da Silva, Lara Livia Santos et al. "Medidas de distanciamento social para o enfrentamento da COVID-19 no Brasil: caracterização e análise epidemiológica por estado." Cadernos de Saúde Pública, 36 n° 9. Rio de Janeiro, September 2020. Available at: <http://cadernos.ensp.fiocruz.br/csp/artigo/1183/medidas-de-distanciamento-social-para-o-enfrentamento-da-covid-19-no-brasil-caracterizacao-e-analise-epidemiologica-por-estado>.

5 While the majority of state and municipal governments tried to implement lock downs and social distancing and to employ technological tools with a wide range of proposals to stem the pandemic, the federal government took a stand against social distancing measures and wagered on herd immunity via uncontrolled infection and the popularization of treatments known to be ineffective.

6 Fragoso, N., Roberto, E., Silveira, J.F., Tavares, C. (2021). Privacy and Data Protection in the Pandemic: report on the Use of Apps and Alternative Measures in Brazil. São Paulo, InternetLab, p. 16.

7 Agência Brasil. IBGE: informalidade atinge 41,6% dos trabalhadores no país em 2019. Accessed on November 12, 2020. Available at: <https://agenciabrasil.ebc.com.br/economia/noticia/2020-11/ibge-informalidade-atinge-416-dos-trabalhadores-no-pais-em-2019>.



### 3.2. General Data Protection Act

In 2020, in parallel with the pandemic, the debate surrounding data protection in Brazil intensified. In the legislative houses, bills were filed, debated and considered to postpone the entry into force of the General Data Protection Act (Law 13.709/2018), approved in 2018 and initially projected to take effect in August 2020. Besides the postponement attempts in the legislature, the Federal Government drafted Provisional Measure 959/2020, which proposed deferring the GDPR until May 2021.

The outcome of this debate hinged on the Federal Supreme Court's decision in the scope of Direct Acts of Unconstitutionality 6387, 6388, 6389, 6390 and 6391, whose test of constitutionality was aimed at Provisional Measure 954/2020, obligating fixed and mobile phone companies to share with the Brazilian Institute of Geography and Statistics (Instituto Brasileiro de Geografia e Estatística, IBGE) the list of their customers' names, telephone numbers and addresses during the pandemic, for producing statistics. The preliminary decision offered by Minister Rosa Weber, and later followed by the Court, recognized the fundamental right to data protection. With this decision, the need for a law able to govern data processing activities in the country became clear, especially given the pandemic context. The GDPR found its comprehensive postponement suspended by the National Congress and took effect in September 2020. The National Data Protection Authority (Autoridade Nacional de Proteção de Dados, ANPD)—the agency responsible for overseeing and monitoring the law—was created in August 2020, and its governing board was appointed in October that year. In early 2021, the ANPD published its regulatory agenda for the coming years.<sup>8</sup>

### 3.3. Internet access

Although the population with internet access in the country has been gradually increasing in recent years, the segment of people with no network connection remains large. According to the Regional Center for Studies on Developing the Information Society (Centro Regional de Estudos para o Desenvolvimento da Sociedade da Informação, CETIC),<sup>9</sup> 20% of Brazil's population has never accessed the Internet. In 2019, 71% of Brazilian households had Internet access, corresponding to 50.7 million households. Access also shows regional inequalities: while 75% of households in urban areas had Internet access, the percentage in rural areas only totaled 51%. The kind of device used is significant as well: 58% of the total population with Internet access uses only a cell phone. Among

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8 BRAZIL. Autoridade Nacional de Proteção de Dados. Portaria 11 de 27 de janeiro de 2021. Torna pública a agenda regulatória para o biênio 2021-2022. Diário Oficial da União. Available at: <https://www.in.gov.br/en/web/dou/-/portaria-n-11-de-27-de-janeiro-de-2021-301143313>.

9 CETIC. TIC DOMICÍLIOS Pesquisa Sobre o Uso das Tecnologias de Informação e Comunicação nos Domicílios Brasileiros. 2019. Available at: <https://cetic.br/pt/publicacao/pesquisa-sobre-o-uso-das-tecnologias-de-informacao-e-comunicacao-nos-domicilios-brasileiros-tic-domicilios-2019/>

the population connected via cell phone, 85% are in Classes D and E.<sup>10</sup> Thus, the setting today is one of inequality not just in terms of access, but also regarding quality: access solely via mobile devices prevails among the lowest economic segments of the population, who face limitations related to poor connection quality, low-coverage plans, high costs and limited possibilities for use.

These inequalities were even more pronounced during the pandemic, once Internet access became essential not only for interpersonal communications but also for leisure, education and resolving aspects of daily life. This is the case for access to public policies—such as the EAT—that became digitalized. The high percentage of people lacking Internet access, quality in access conditions or even digital literacy, also had impact on the exercise of the right to social protection.

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10 INSTITUTO BRASILEIRO DE DEFESA DO CONSUMIDOR. Acesso Fixo à Internet. Série Desafios para a universalização da internet no Brasil. p. 6.

## 4. CASE DESCRIPTION: THE EMERGENCY AID TRANSFER AND PROGRAM IMPLEMENTATION

The EAT is a cash transfer policy instituted by Law 13.982/2020, whose goal is to mitigate the economic and social effects of the COVID-19 pandemic, enabling the most vulnerable segment of the population to maintain access to consumer goods, especially food.

The benefit is the fruit of a legislative branch initiative. On March 25, 2020, leaders from parties in opposition to the federal government (PCdoB [Communist Party of Brazil], PDT [Democratic Labor Party], PSB [Brazilian Socialist Party], PSOL [Socialism and Liberty Party], PT [Workers' Party] and Rede [Sustainability Network]) filed 22 amendments to Bill 9.236/2017, proposing the creation of the EAT.<sup>11</sup> The proposal projected a monthly stipend of R\$ 600.00 for informal workers and of R\$ 1,200.00 for single mother heads of household, for a period of three months.

Passed quickly through legislative chambers, the program was approved by President Jair Bolsonaro on April 1, 2020, becoming [Law 13.982/2020](#). The legislation creating the EAT amends [Law 8.742/1993](#), which covers the organization of social assistance in Brazil. The 2020 law proposes additional parameters for characterizing conditions of social vulnerability that define eligibility for the continuous cash benefit and establishes social protection measures to address the COVID-19 pandemic.

In the first three months, Emergency Aid valued at R\$ 600.00 was granted monthly to workers over 18 years of age, who had no active formal employment or were informal workers, who were not receiving other benefits (pensions, welfare, unemployment insurance or federal cash transfer programs) and whose monthly per capita family income was up to half the minimum wage. Mothers in single parent families, responsible for maintaining the family, had the right to receive two aid grants, totaling R\$ 1,200.00 (art. 2(3), Law 13.982/2020). For families who were beneficiaries of the Bolsa Família Program, the EAT temporarily replaced the BFP benefit when the value of the aid was higher than what the family was already receiving (art. 2(2), Law 13.982/2020).

With the implementation of the EAT and the beginning of aid payments, new bills were proposed, and new laws were enacted seeking to expand the categories of people who would be eligible to receive the benefit. [Law 13.998/2020](#) added mothers under 18 years old to the list of EAT beneficiaries. [Law 14.171/2020](#), arising from Bill 2508/2020, written by legislator Fernanda Melchionna (PSOL), included the possibility for single parents to receive two aid payments. However, if both the mother and the father requested the double aid amount, claiming they are a single-parent family, the mother was prioritized, even if her registration came after the father's (art. 2(3A) and (3C)).

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11 Proposed amendments to Bill 9.236/2017 are available at: [https://www.camara.leg.br/proposicoesWeb/prop\\_emendas?idProposicao=2163972&subst=0](https://www.camara.leg.br/proposicoesWeb/prop_emendas?idProposicao=2163972&subst=0).

The continuation of the economic and public health crisis led to two extensions of the program: the first (Residual Emergency Aid), instituted by Provisional Measure 1.000, extended the benefit payment through December 31, 2020 and established the value at 300 reais; and the second, introduced by Provisional Measure 1.039 (Emergency Aid 2021), set the payment of four monthly installments of 250 reais for those who were eligible in the month of December 2020.<sup>12</sup>

	Emergency Aid (EA)	Residual Emergency Aid (REA)	Emergency Aid 2021 (EA2021)
Legislation	Law 13.982/2020 Decree 10.316/2020	Provisional Measure 1.000/2020	Provisional Measure 1.039/2021
Value of benefit	R\$ 600.00, basic grant; R\$ 1,200.00, for single-parent family providers	R\$ 300.00, basic grant; R\$ 600.00, for single-parent family providers	R\$ 250.00, basic grant; R\$ 375.00, for single-parent family providers; R\$ 150.00, for a single-person family
Duration of benefit	April 2020 – August 2020 (05 installments)	September 2020 – December 2020 (04 installments)	March 2021 – October 2021 (07 installments)
Who was entitled?	Beneficiaries of the Bolsa Família Program; people registered in CadÚnico; workers over 18 years old, who had no active formal employment; individual micro-entrepreneurs; informal workers who were not receiving other benefits (pensions, welfare, unemployment insurance or federal cash transfer programs) and whose monthly per capita family income was up to half the minimum wage	Those who received EA	Those who received EA or REA

The program is inspired by and related to other public cash transfer and social protection policies already being implemented in Brazil, but it is new both in proposing remote application using the Caixa Econômica Federal bank app as the principal means of accessing the benefit and by including informal workers among its beneficiaries.

<sup>12</sup> In this report we use the term “Emergency Aid” or EAT to refer to the general aspects of the program, which are shared by all rounds of the benefit.

Compared to the Bolsa Família program (BFP), the country's main cash transfer program, the EAT has various similarities and draws on its structure. The BFP, like the EAT, is a datafied program and the beneficiary selection process is automated. Both programs are managed and implemented by the same agencies: the Ministry of Citizenship and the Caixa Econômica Federal bank. However, there are some differences between the programs, and some adaptations were undertaken on account of the EA's scale.<sup>13</sup>

For the Bolsa Família program, the main database used to select beneficiaries is CadÚnico. CadÚnico, which was created in 2001 and has handled management of the BFP since 2003, is a database for the identification and socioeconomic classification of low-income Brazilian families. In addition to the BFP, CadÚnico is used for more than 30 public policies in Brazil and is the main instrument for selecting low-income families for federal social assistance programs.<sup>14</sup> It is characterized by decentralization; although CadÚnico is federal, responsibility for registration falls to municipalities. Data for soliciting the benefit are gathered by the municipality using CadÚnico forms. These data are consolidated and passed on to the Ministry of Citizenship, where they are then processed by the Ministry's information technology division. The MC defines who is eligible, with no input from the municipality. After data processing, the list of eligible persons is sent on to the Caixa Econômica Federal bank, which handles BFP payments.<sup>15</sup>

Emergency Aid was granted automatically to BFP beneficiaries and to people registered in CadÚnico if they met the eligibility criteria. In terms of public policies already established in the country, EA took advantage of the pre-existing structure for cash transfer programs; however, to reach a new segment of people who were not beneficiaries of any social policy (known as the Extracad population), new measures and technologies were deployed.

For the Extracad population (i.e., those not registered in CadÚnico), a remote request form was implemented using the Caixa Econômica Federal bank's app. Digitalized registration was an innovation with respect to other social protection policies. The justification for this type of registration was to avoid having people go to Social Assistance Referral Centers (Centros de Referência de Assistência Social, CRAS) during the public health emergency. **Unlike CadÚnico and the BFP, Emergency Aid is centralized at the federal level, and municipalities have no involvement in registration.**

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13 In December 2020, the EAT had 67.8 million beneficiaries, whereas Bolsa Família covered 14.2 million families in July 2020.

14 INTERNETLAB (2020). Bolsa família: pensando a privacidade das titulares <https://www.internetlab.org.br/pt/privacidade-e-vigilancia/bolsa-familia-pensando-a-privacidade-das-titulares/>.

15 Mariana G. Valente, Natália Neris and Nathalie Fragoso. "Presença na rede de proteção social: privacidade, gênero e justiça de dados no Programa Bolsa Família." *Revista Novos Estudos*, ed. 119, 2021, p. 17.

### 4.1. Institutional design

The EAT is managed by the Ministry of Citizenship (Ministério da Cidadania, MC), which was already charged with the organization and definition of other social protection policies, such as the BFP. In accordance with Decree 10.316/2020, the regulatory scheme for the law instituting the Emergency Aid, the MC is responsible for managing expenditures to implement the policy; sharing CadÚnico and BFP beneficiary databases with the operating agent (Dataprev); and suspending BFP benefits in cases where the Emergency Aid is identified as being more advantageous.

It could be said that the MC focuses on the core of the EAT's governance, and due to the program's high level of complexity, it created the Emergency Aid Steering Committee.<sup>16</sup> This Committee is responsible for planning and coordinating actions for the program's implementation; approving work flows and eligibility guidelines in its operationalization; determining responses to requests for information; monitoring execution risks; and deciding on measures to improve governance. The following divisions of the MC make up the Committee: Executive Secretary, Secretary for Evaluation and Information Management, National Secretary for the Single Registry, Secretary for Funds and Transfers Management, Special Counsel for Internal Monitoring, Legal Services, Undersecretary for Planning, Budget and Governance, and Undersecretary for Information Technology.<sup>17</sup>

Ordinance 408/2020<sup>18</sup> regulates the EAT's procedures. Art. 6 establishes Dataprev's jurisdiction to act as operating agent, whose responsibilities include processing information provided for (i) verifying eligibility criteria by crosschecking databases, (ii) authorizing and granting assistance, (iii) monitoring, verifying and returning to the Ministry of Citizenship the payment operations executed by the paying agent, and (iv) determining, based on criteria defined in the law, whether the emergency aid payment is more advantageous than BFP financial benefits, managing a database with this information for the Ministry of Citizenship. Procurement of Dataprev's technology and information system took place through no-bid administrative contracts, justified by the emergency nature of the procurement (art. 24(IV) of Law 8.666/1993) and federal public financing via the MC.<sup>19</sup>

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16 BRAZIL. Ministério da Cidadania. Portaria 408/2020. Institui o Comitê Gestor do Auxílio Emergencial no âmbito do Ministério da Cidadania. Diário Oficial da União. Published on: JUN/10/2020, edition: 110, Section 1, p. 6. Available at: <https://www.in.gov.br/web/dou/-/portaria-n-408-de-8-de-junho-de-2020-261041463>

17 Response to request for access to information sent to the Ministry of Citizenship. Protocol No. 71003.083435/2021-32.

18 BRAZIL. Ministério da Cidadania. Portaria 408/2020. Institui o Comitê Gestor do Auxílio Emergencial no âmbito do Ministério da Cidadania. Diário Oficial da União. Published on: JUN/10/2020, edition: 110, Section 1, p. 6. Available at: <https://www.in.gov.br/web/dou/-/portaria-n-408-de-8-de-junho-de-2020-261041463>.

19 Administrative Contracts 12/2020; 21/2020; 26/2020; 38/2020; and 04/2021.



Although the Ordinance does not stipulate who the paying agent is, art. 7 defines a federal public financial institution as responsible for playing such a role, through a contract. The MC signed a contract with the Caixa Econômica Federal bank, which was set up as the paying agent for the EAT, in addition to CadÚnico and the BFP. Thus, there was a reutilization of the pre-existing structure, arrangements and social assistance instruments to implement the basic emergency income policy.<sup>20</sup> The CEF's activities include: **(i)** providing the digital platform for registering people who apply for emergency aid, following up on the applications and paying the aid installments; **(ii)** managing the file containing the link between the emergency aid and corresponding processing returns; **(iii)** effecting payment operations to emergency aid beneficiaries, with processing return to the Ministry of Citizenship; **(iv)** informing applicants, using the platform, of their eligibility situation pursuant to criteria established in Law 13.982 of 2020; and **(v)** making automated telephone assistance available to guide citizens, using an interactive voice response.

In light of the responsibilities of these three central actors—the Ministry of Citizenship, Dataprev and the Caixa Econômica Federal bank—the Ministry of the Economy (ME) played a residual role in operationalizing the EAT. Despite the existence of a legal ruling that established among the ME's responsibilities joint action with the MC to define criteria for identifying beneficiaries and authorizing the public enterprise to use certain databases, the agencies stated that their scope of action was limited.<sup>21</sup> It was up to the ME to guarantee the program's financial viability through the drafting of Provisional Measures 937/2020 and 1.056/2021, whose objective was to extend extraordinary credit to the Ministry of Citizenship in 2020 and 2021.

Furthermore, the ME was responsible for entering into loan agreements between the Brazilian government and international cooperation organizations in the scope of the “Emergency Income Support Program for Vulnerable Populations Affected by COVID-19 in Brazil.” Financing came from the following organizations: **(i)** New Development Bank (NDB), for US\$ 1 billion, targeted to the partial reimbursement of Emergency Aid payment to the group of beneficiaries who were not registered in the Single Registry as of April 2, 2020 and who applied for the benefit using the Caixa Econômica Federal bank's digital platforms—ExtraCad; **(ii)** InterAmerican Development Bank (IADB), for US\$ 400 million, targeted to the partial reimbursement of Emergency Aid to the group of beneficiaries registered in the Single Registry, who are not eligible for the Bolsa Família Program; and **(iii)** the French Development Agency (FDA), for € 130 million, targeted to the partial reimbursement of Emergency Aid payment to the Bolsa Família Program beneficiaries group.<sup>22</sup>

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20 Cardoso, B. (2020). A implementação do Auxílio Emergencial como medida excepcional de proteção social. *Revista de Administração Pública*. Rio de Janeiro 54(4): 1052-1063, Jul. -Aug. 2020, p. 1056.

21 Reply to access to information request sent to the Ministry of the Economy. Protocol 03005.174575/2021-10

22 Reply to access to information request sent to the Ministry of Citizenship. Protocol No. 36783.047102/2021-17.

## 4.2. Applying for the benefit

The MC identified three target populations to receive the EAT: **(i)** BFP beneficiaries; **(ii)** people registered in CadÚnico who are not BFP beneficiaries; and **(iii)** ExtraCad, covering citizens not registered with CadÚnico. For the first two groups, Emergency Aid was granted automatically, with no need to apply or register, provided that the eligibility conditions were met. For citizens not registered with CadÚnico (the ExtraCad population), three ways of applying for the benefit were set up: on the website,<sup>23</sup> using the CEF’s **Emergency Aid** app or via the Post Office. Remote application, implemented on the grounds of avoiding crowds of people in bank agencies or in Social Assistance Referral Centers, was an important development compared to the federal government’s other social aid programs, which did not offer this option.<sup>24</sup> In December 2020, the EAT had 67.8 million beneficiaries, of whom approximately 56% were registered using the app or on the CEF website.<sup>25</sup> It bears mentioning that the Bolsa Família Program covered 14.283 million families in June 2020.<sup>26</sup>

When the Caixa Econômica Federal bank’s Emergency Aid app registers people for the benefit, it requires personal data (full name, taxpayer ID number—which must be legalized—and date of birth); personal information regarding family composition; work situation (the options given by the app are Agriculture and Fishery, Extractive Activity/Fishing, Business, Commodities Production, Service Provision, Domestic Work and Others); income; and information on the preferred method of receiving the benefit (in an existing account or whether it is necessary to create a digital savings account).<sup>27</sup>

## 4.3. Beneficiary profile

In 2020, there were 68.3 million people eligible for the EAT. Of these, 19.5 million were eligible through the Bolsa Família Program; 10.5 million through the Single Registry (CadÚnico); 38.2 million people were eligible through the Caixa Econômica Federal bank’s Emergency Aid app; and 60 thousand eligible via judicial ruling. According to the Ministry of Citizenship, a total of 118,706,565 people received aid in Brazil (68.3 million eligible people plus family members). This

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23 <https://auxilio.caixa.gov.br/#/inicio>. Access november 8 2021.

24 Ibidem, p. 1057/1057.

25 According to official data from the Caixa Econômica Federal. Available at: <https://caixanoticias.caixa.gov.br/noticia/22125/auxilio-emergencial-clique-aqui-para-ver-os-ultimos-numeros-2>.

26 According to federal government data. Available at: <https://www.gov.br/pt-br/noticias/assistencia-social/2020/07/bolsa-familia-alcancou-mais-de-14-2-milhoes-de-lares-em-julho>

27 Information on requested data was obtained at the Sebrae site. Available at: <https://www.sebrae.com.br/sites/PortalSebrae/artigos/saiba-como-para-solicitar-o-auxilio-emergencial-pelo-app-da-caixa,3794c1662ab51710VgnVCM1000004c00210aRCRD>. Access november 8 2021.

number represents 55.6% of Brazil's population.<sup>28</sup>

Only people 18 years old and above were eligible for the benefit. Exceptionally, adolescent mothers (i.e., any woman between 12 and 17 years old who had at least one child) were also entitled to the Aid. According to Ministry of Citizenship data, 34,384 mothers under 18 were eligible for the benefit.<sup>29</sup>

Ministry of Citizenship data show that, in 2020, the population eligible for the benefit by sex consisted of 30.4 million men and 37.8 million women.<sup>30</sup> The agency reports that these data do not represent the entire eligible population, since there are people whose sex it was not possible to identify using the database.

The EAT has a gendered component, already present in the Bolsa Família Program.<sup>31</sup> Law 13.982/2020 provides that single-parent families are entitled to receive two emergency aid payments, regardless of the sex of the person responsible for the family unit (art. 2(3)). At the time of the law's publication, these two payments would be worth R\$ 1,200.00.

Nonetheless, cases were recorded of single mothers responsible for raising their children who were not entitled to the double benefit because their ex-partners had already used the child's data to request the aid, despite not being responsible for the family unit.<sup>32</sup> After documenting these cases, the Caixa Econômica Federal bank held a press conference in May 2020 to publicize the mechanisms for single mothers affected by their ex-partners' registration to file a complaint and request correction of the data in the Ministry of Citizenship's system.<sup>33</sup>

Proof of the fraud affecting single mothers in situations of vulnerability led to changes in legislation. Law 14.171/2021 added a mechanism to Law 13.982/2020 stipulating that in situations where a mother and father did not represent a single family unit, and there was duplication in the number of dependents in the records used for requesting the double benefit, the woman's registration would be given priority, even if it had been submitted after the man's.

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28 Data available at: <https://aplicacoes.mds.gov.br/sagi/vis/data3/index.php?g=2>.

29 See Annex I.

30 Data available at: <https://aplicacoes.mds.gov.br/sagi/vis/data3/index.php?g=2>.

31 Article 2(14) of Law 10.836/2004 stipulates that the payment through the Bolsa Família Program shall be made, preferentially, to the woman.

32 Pauluze, Thaiza. Mães solo têm auxílio emergencial de R\$1.200 negado e acusam ex-companheiros de fraude. *Folha de São Paulo*, April 29, 2020. Available at: <https://www1.folha.uol.com.br/cotidiano/2020/04/maes-solo-tem-auxilio-emergencial-de-r-1200-negado-e-acusam-ex-companheiros-de-fraude.shtml>.

33 Sé, Letícia. Mães solo podem denunciar ex-companheiros que usam CPF dos filhos em auxílio. *IG Economia*. May 19, 2020. Available at: <https://economia.ig.com.br/2020-05-19/maes-solo-podem-denunciar-ex-companheiro-que-usa-cpf-dos-filhos-em-auxilio.html>.

Law 14.171/2021 also establishes that the Center for Attention to Women must make a service channel available for reporting violence, including patrimonial violence, related to the Emergency Aid benefit.

Immigrants were included among beneficiaries of the income transfer policy. According to data from the National Secretariat for the Single Registry (Secretaria Nacional do Cadastro Único, Senarc), Emergency Aid (the first round of the benefit) aided 39,175 foreigners; Residual Emergency Aid benefited 30,224 foreigners; and, finally, Emergency Aid 2021 reached 17,332 foreigners.<sup>34</sup>

Data obtained via the Access to Information Act (Law 12.527/2011) show that there were no criteria at all taking people's color/race into consideration for Emergency Aid, and there are no data on the color/race distribution among program beneficiaries.

#### 4.4. Data infrastructure

It must be noted that the EAT is a datafied program, involving a heavy flow of data that runs through all stages of the program. The process for selecting beneficiaries is automated and conducted by Dataprev, which crosschecks multiple databases, from different government agencies, with CadÚnico data and with the ExtraCad population benefit requests made on the **Emergency Aid** app.

The Ministry of Citizenship is responsible for defining the databases to be processed by Dataprev. For the 2021 round, Ordinance 620 of March 26, 2021 of the Ministry of Citizenship listed 34 databases (Annex III) for crosschecking and verification of the eligibility criteria stipulated in art. 4 of Decree 10.661 of 2021. Therefore, the public enterprise Dataprev is responsible for building the program's algorithms and for processing recognition of applicants' rights.

To guarantee the achievement of these objectives and protect the proper handling of data, the contracts signed between the MC and Dataprev list the following obligations of the contracted party (i.e., Dataprev):

- I. Ensure the availability, confidentiality and integrity of the data, information and computerized systems, including all their modifications, manuals, source and object programs, databases and other resources, belonging to the Ministry of Citizenship, and archived or under management by Dataprev;
- II. Ensure compliance with obligations related to the secrecy and security of the data, information and systems related to data processing for the Emergency Aid program, so that they are protected against intentional or accidental actions or omissions that may lead to their loss, destruction, insertion, copying, access or modification. The same level

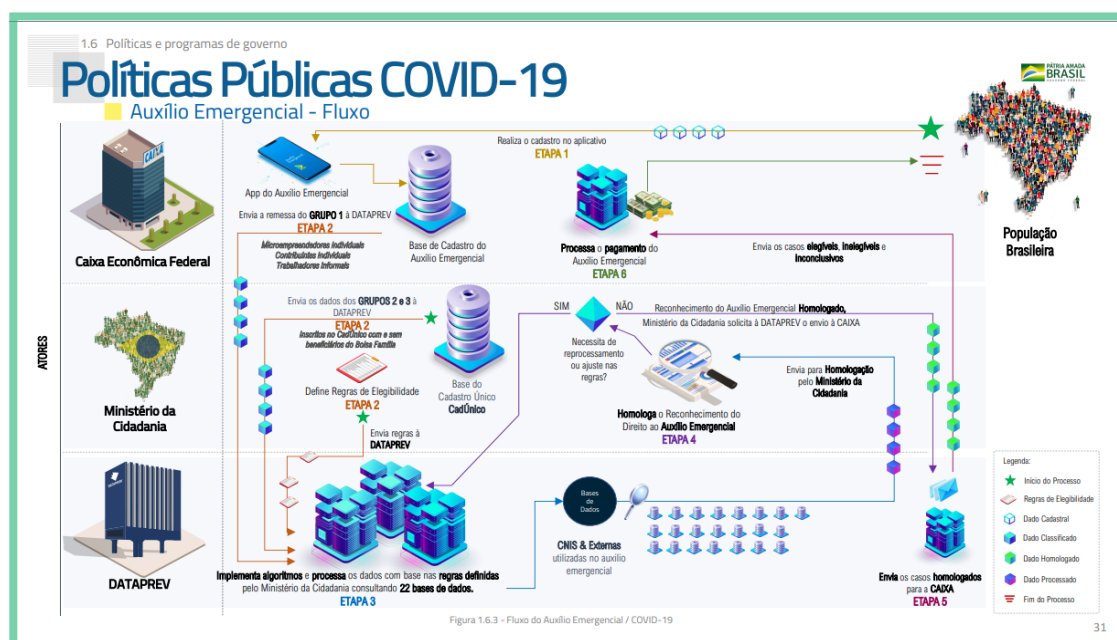
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34 See Annex II.

of protection must be required, regardless of the means by which the data are transferred, whether under storage or in the environments in which they are processed;

- III. Take all possible measures to prevent the information held by the Ministry of Citizenship from being divulged or distributed by Dataprev employees or agents;
- IV. Do not transfer to others, either in whole or in part, the execution of the contract;
- V. Be liable for damages directly caused to Emergency Aid or third parties, resulting from proven guilt or malice in data processing in execution of the contract;
- VI. Present to the Ministry of Citizenship, upon request and with the required frequency, Management Reports on Service Levels which include the results achieved by the CONTRACTEE for National Supplementary Health Agency (Agência Nacional de Saúde Suplementar, ANS) indicators, as well as applicable discounts.

After crosschecking data registered on the Caixa Econômica Federal bank app, from CadÚnico and from the BFP, with the databases made available by other agencies for verification (e.g., the Federal Revenue Service's Natural Person Income Tax return (DIRPF) database) and provided the Ministry of Citizenship approves and recognizes the entitlement to the benefit, it will be included on the payment sheet, as defined in art. 6 of Decree 10.316/2020. The following illustration provides an overview:



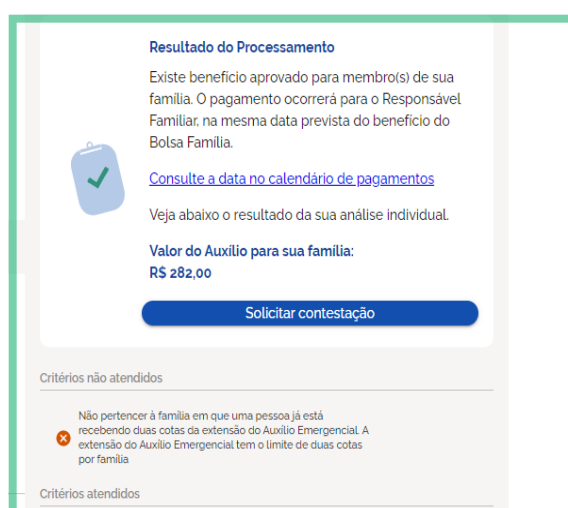
*Dataprev. Relatório Integrado de Gestão, 2020, p. 31.*<sup>35</sup>

35 Available at: [https://portal3.dataprev.gov.br/sites/default/files/arquivos/relatorio\\_integrado\\_de\\_gestao\\_2020\\_cgpg\\_v67.pdf](https://portal3.dataprev.gov.br/sites/default/files/arquivos/relatorio_integrado_de_gestao_2020_cgpg_v67.pdf).

#### 4.5. Disputing automated decision-making and judicialization

Dataprev’s Information Technology services were also contracted by the Ministry of Citizenship to operationalize query and dispute services and receive legal challenges to make activities supplementing the payment process feasible, as established in Contract 21/2020.<sup>36</sup>

In terms of the existence of mechanisms for correcting data or appealing a decision on Emergency Aid benefit award, citizens have up to 10 days to dispute their ineligibility, counted from when the Ministry of Citizenship presents the processing results (for either eligibility or monthly review). On the website, where the data processing result and the denial of the benefit are posted, there is a “Dispute Analysis” button. The platform provides information on the criteria that were or were not met:



Sample images. Screen capture taken on August 13, 2021.

After the dispute, the following month Dataprev conducts a new crosscheck using updated databases. If the citizen is eligible, they receive the current month’s installment and retroactively those of prior months. However, this kind of dispute leads not to a human re-analysis, but rather to a new round of data processing, where it is not possible to include new information to supplement the analysis. Decisions made by the algorithm developed by Dataprev involve the automatic granting or denial of the benefit, without any human decision-making.

**Due to the absence of administrative means for reviewing automated decision-making, the main way to file a dispute and request a human analysis for benefit award took place via the legal system.** Because a federal program is involved, legal challenges occurred using the Federal Justice system. The social and economic vulnerability of the people who applied for access to the benefit means that most of the population whose Emergency Aid was denied or suspended and

36 Ministry of Citizenship, Undersecretary for Administrative Affairs. Process No. 71000.034996/2020-57



who chose the legal path, turned to the Federal Public Defender's office (Defensoria Pública da União, DPU).

However, the DPU's ability to handle all the claims for review is limited. As the institution points out on its official website,<sup>37</sup> the DPU is not able to reach all of Brazil's municipalities (serving just 32% of them). Moreover, the institution does not have enough defenders for tailored individual analysis of each benefit denial or suspension:

(...) the DPU did not receive any federal funds to address emergency aid claims. Due to the lack of structure, we are currently serving around 32% of Brazil's municipalities, since we only have 467 defenders acting in first instance, 122 in the Regional Courts and 50 in the Superior Courts.

From the beginning of the Emergency Aid, all efforts were made to serve the largest number of people. The DPU has already set up more than 160,000 Legal Aid Processes and served over 600,000 people, directly or indirectly benefiting approximately 1.9 million people. Nevertheless, the government analyzed 148 million taxpayer ID numbers and denied assistance to more than 80 million people. With the new criteria adopted for Emergency Aid 2021, it is estimated that more than 15 million people will stop receiving the benefit. These denials are produced by robots that crosscheck the databases; at the DPU, on the other hand, there are defenders who individually provide a tailored analysis of each case, which explains the difficulty of attending to each person.

Thanks to this scenario, if you live in a municipality not served by the DPU, it will not be possible to receive legal recourse. In addition, considering the millions of cases of denied Emergency Aid and the low number of acting public defenders, there is a risk that, even in areas served by the DPU, there could be a delay in initial response to the claim.

Among the scenarios generating review, it is important to mention that CadÚnico's citizen registry is out of date, which meant that many citizens who did meet the eligibility criteria were prevented from receiving the benefit. There were cases of citizens whose family composition had changed, but there was no modification of this information in CadÚnico. Cases must be highlighted of people who were unemployed, lacking formal employment, but where the federal government's systems showed some employment link. This situation contributed to the EAT's high level of judicialization, as the number of suits in the Federal Justice system in September 2020 approached 76,000. This state of affairs led to an agreement between the DPU and the Ministry of Citizenship, so the former could have access to a specific Dataprev system for detailed consultation and presentation of administrative responses in pre-established cases, which would be reviewed automatically, with no human review.

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37 Available at: <https://www.dpu.def.br/auxilio-emergencial-2021>. Accessed on October 22, 2021.

The National Justice Council reported that the Federal Regional Court of the Fifth Region (TRF5) ruled on 16,985 proceedings related to Emergency Aid requests denied by the Federal Government as of January 2021. From July to November 2020, there was a monthly average of 4,800 new suits filed in the Legal Divisions connected to the Fifth Region (Alagoas, Ceará, Paraíba, Pernambuco, Rio Grande do Norte and Sergipe). Among the 12,923 suits settled with a sentence of resolution on the merits, nearly half—6,432 suits—had their assistance request considered legally admissible.<sup>38</sup> As a result of the volume of demand and to guarantee access to justice, the Legal Divisions connected to the Fifth Region created the online “atermação” service for Emergency Aid, an online application allowing the interested party to have a suit judged online without legal representation.<sup>39</sup>

In a ruling in the public civil suit heard by the DPU and by the Federal Public Ministry (Ministério Público Federal, MPF) in Alagoas, the Federal Judiciary determined that the Federal Government, the Caixa Econômica Federal bank and Dataprev must refrain from requiring the lack of active work connection or income identified in the National Registry of Social Information (Cadastro Nacional de Informações Sociais, CNIS) in the last three months as a pre-condition for accessing Emergency Aid:

I understand that the denial of receiving the emergency benefit is reasonable for someone who currently has an active work connection or income but excluding this criterion of the last three months as set forth in the referenced ordinance, keeping in mind that many people were dismissed right before the provision of emergency aid. Indeed, the emergency aid benefit, created by Law 13.982/2020, has the objective of covering all those people who abruptly found themselves without a source of income due to the Covid-19 pandemic, and it is not reasonable to cover only those people who were without income three months prior to the beginning of the emergency situation.<sup>40</sup>

The DPU and MPF suit also asked for the system providing the benefit to include authorization for women heads of household who were receiving just one payment worth R\$ 600, via Bolsa Família or CadÚnico registration, to receive one additional benefit payment as a supplement. Furthermore, they requested that in cases where the denial of the benefit is due to the exercise of mandate, the system indicate which alleged elective mandate is being exercised and where, in accordance with 2018 election data from the Supreme Electoral Council, and that the benefit should not be denied in the absence of effective exercise of mandate, even though the beneficiary had been elected as an alternate. For both the request for authorization for the head of household and the crosscheck with updated Supreme Electoral Council databases, there was receptivity.

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38 Conselho Nacional de Justiça. Justiça Federal da 5ª Região julgou quase 17 mil processos sobre auxílio emergencial. Available at: <https://www.cnj.jus.br/justica-federal-da-5a-regiao-julgou-quase-17-mil-processos-sobre-auxilio-emergencial/>

39 ATERMAÇÃO ON-LINE/AUXÍLIO EMERGENCIAL. TRF5. <https://portal.trf1.jus.br/portaltf1/juizado-especial-federal/jef/juizado-especial-federal/atermacao-online/detalhe.htm>.

40 Ação Civil Pública 0803948-93.2020.4.05.8000. 1ª vara federal AL. Available at: <https://www.anadef.org.br/noticias/ultimas-noticias/item/justica-defere-pedidos-da-dpu-al-e-mpf-em-acao-sobre-auxilio-emergencial.html>.

#### 4.6. Audits

Management of the benefit was audited by monitoring agencies, such as the Federal Comptroller (Controladoria-Geral da União) and the Court of Audit of the Union (Tribunal de Contas da União, TCU). It was also subjected to social and legal monitoring by the Federal Public Ministry, in exercise of the MPF’s constitutionally mandated responsibility to defend inalienable social and individual rights, and by the Federal Public Defenders Office.

TCU progress reports helped to identify the irregularities and risks in the program’s scope related, above all, to management and to financial expenditures—rather than to data processing—which is in turn the result of greater societal scrutiny. The harsh criticism directed especially toward fraud or errors of inclusion (i.e., the inclusion of beneficiaries whose material situation does not meet the eligibility criteria) above all by the press on the income transfer programs, drove a rationale of financial accountability.

Regarding management and budget, and following the aforementioned rationale, the TCU progress report<sup>41</sup> indicated that the lack of periodic review of legal requirements contributed to maintaining beneficiaries who no longer met the eligibility conditions. The report mentions that every month, hundreds of thousands of people enter the formal job market, receive a benefit from the National Social Security Institute (Instituto Nacional de Seguro Social, INSS) and even die, suggesting that confirming compliance with the legal requirements only at the time of granting the benefit was to some degree responsible for the errors of inclusion. Despite this conclusion’s importance, by leaving out of their analysis the unemployment rates resulting from the economic crisis during the pandemic—which reached the record level of 13.5% in 2020<sup>42</sup>—there is clearly a disproportionate level of concern about fraud compared to the level of concern with meeting the program’s main objectives: providing emergency protection to workers in situation of vulnerability.

In the booklet, the TCU even noted that the policy’s deficiencies included weaknesses in monitoring the income and family composition criteria, which are self-reported. Automated verification of the eligibility requirements thus has the potential to fail to the extent that it suffers from a lack of trustworthy data. Furthermore, the crosscheck of incomplete or out-of-date databases would also have contributed to the undue payment of the benefit, even though the crosschecks conducted by Dataprev had been allowing the denial of approximately 57 million requests contrary to legal criteria. TCU data estimate an expenditure of R\$ 54 billion in improper payments, with 7.3 million people whose conditions did not meet the legal requirements unduly benefitting. The existence of 6.4 million extra mothers in the program, who improperly earned an extra installment of the benefit, was also confirmed.

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41 Tribunal de Contas da União. Balanço de Fiscalização do Auxílio Emergencial. Cartilha de Acompanhamento. Available at: [https://portal.tcu.gov.br/data/files/2D/A7/DA/DA/1C5D771082725D77F18818A8/00\\_cartilha\\_acomp\\_auxilio-emergencial\\_TCU\\_v3.pdf](https://portal.tcu.gov.br/data/files/2D/A7/DA/DA/1C5D771082725D77F18818A8/00_cartilha_acomp_auxilio-emergencial_TCU_v3.pdf).

42 PNAD Contínua 2020. Available at: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/30235-com-pandemia-20-estados-tem-taxa-media-de-desemprego-recorde-em-2020>.

In terms of audits of personal data processing, under the GDPR, the processing agent is responsible for demonstrating adoption of effective measures capable of proving observance of and compliance with personal data protection standards, and even the effectiveness of the measures. Although the legal accountability obligations defined in the GDPR (article 6(X)) apply to personal data processing activities, including of the responsible party (art. 40(2)(I)), from the policy’s perspective, the EAT’s accountability did not focus adequately on compliance with the right to data protection.

The Court of Audit of the Union, the authority charged with overseeing the policy’s implementation, thus conducted its monitoring and published the Emergency Aid Monitoring Statement, which included the Data Monitoring Report.<sup>43</sup> However, this oversight and accountability did not address compliance with the legal structure for data processing, as can be seen in the report’s executive summary:<sup>44</sup>

This report presents the application of statistical techniques, data analysis and information technology in monitoring the large volume of data subject to this monitoring, in search of signs of errors or fraud in the selection of people for the EAT, which could involve both the inclusion of people who should not receive the benefit (inclusion risk), as well as people who are entitled and had their benefit denied (exclusion risk).

Despite the audit of databases, no mention is made of rights related to data holders, as demonstrated by the methodology:

The methodology adopted in this oversight exercise included the performance of the following stages: understanding the operation and the data; obtaining and preparing data, which included evaluation of the quality (trustworthiness) of the data, the cleaning up and/or enriching of databases and the construction of databases arising from qualified identification of individuals; preparing analysis models, which cover the development of types (or audit trails), identification of patterns of regularity and irregularity and the construction of indicators; evaluating results; and the stages of conclusion and preparation of follow-up proposals.

The TCU database monitoring report uncovers some problems in the databases with respect to verifying completeness, validity and consistency. Regarding the “mother’s name” field, 4.14% of the records were blank or void. A large number of inconsistencies were identified in the “registration date” field, with 53.2 million records (23.48%) lacking the information. The field indicates the date on which the person was registered in the taxpayer ID database and is used for comparison with various other dates, such as date of birth, date of electoral card creation and date of death. It is noteworthy that the field on the electoral card—essential information for verifying eligibility—was not subjected to TCU credibility tests due to not having been provided to the agency. In this regard,

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43 Tribunal de Contas da União. TC 016.834/2020-8. Available at: <https://portal.tcu.gov.br/balanco-da-fiscalizacao-do-auxilio-emergencial.htm>.

44 [https://portal.tcu.gov.br/data/files/9D/A4/AE/CE/DC5D771082725D77F18818A8/17\\_relatorio\\_dados\\_3\\_acomp\\_aux\\_emeg.pdf](https://portal.tcu.gov.br/data/files/9D/A4/AE/CE/DC5D771082725D77F18818A8/17_relatorio_dados_3_acomp_aux_emeg.pdf).

the TCU highlighted the need for increased integration among the physical person registries in the following decision in Ruling 1.123/2020-TCU-P:

9.9. recommend, based on art. 250(III) of the TCU Internal Regulations [Regimento Interno/TCU], to the Data Governance Steering Committee, as set forth in art. 21 of Decree 10.046/2019, to the Brazilian Federal Revenue Service and to the Superior Electoral Court, that they make greater efforts to provide grounds for suspending the taxpayer ID number, as well as the Electoral Card associated with a taxpayer ID (e.g., its inclusion in the Brazilian Federal Revenue Service taxpayer ID blockchain solution), so as to foment the quality and interoperability of data related to citizens and optimize the implementation of public policies, in the models provided for in Law 13.444/2017, which instituted the National Civil Identification, and Decree 10.046/2019, which created the Basic Citizen Registry (Items 2.6 and 2.7 of the audit report);

There are no records of citizen engagement mechanisms in the monitoring, design and preparation of the data processing systems for granting Emergency Aid.

## 5. THE OTHER SIDE OF THE POLICY: BEYOND INSTITUTIONALITY

### *5.1. Poverty, exclusion and the policy's impact on exercising rights*

It is essential to consider the level of enjoyment of fundamental rights resulting from Emergency Aid in order to understand the effects of deploying technologies and handling personal data in public policies intended to expand the population's access to services and to improve the living conditions of vulnerable populations.

In light of Brazil's vast social gap, exacerbated by the economic and public health crisis stemming from the pandemic, it seems inescapable that a policy focused on the goal of preventing the deepening of poverty would be affected by the constant denial of rights to which these groups are subject, as well as by the isolation of specific populations on the margins of the State. According to data from the Continuous National Household Sample Survey (Pesquisa Nacional por Amostra de Domicílios Contínua, PNAD), 6.5% of Brazil's population was living in a situation of extreme poverty in 2019.<sup>45</sup> Data from the Getúlio Vargas Foundation (FGV) indicate that 10.97% of Brazilians were in extreme poverty in 2019. According to the FGV's projection, from August 2020 to February 2021, the population in situation of poverty increased from 4.52% to 12.83%.<sup>46</sup> Poverty is the main barrier to accessing basic services, digital inclusion and justice for the Brazilian population. It thus appears as a great impediment to accessing the Emergency Aid as well.

#### *5.1.1 Lack of required documentation*

According to PNAD data from 2018, nearly 3 million Brazilians have no birth certificate. This document is a basic requirement for acquiring any other civil document, such as an ID (Registro Geral, RG), Physical Person Registry (Cadastro de Pessoas Físicas, CPF), work card or electoral card. The problem of under-registration is mainly caused by poverty and results in erasing these people in the eyes of the State. It is also a barrier to policies and public services that depend on documentation for access. Thus, the lack of access to public health services, basic education and income transfer programs due to the lack of documentation leads to a widening of the class-based social gap in Brazil.

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45 Síntese de Indicadores Sociais: em 2019, proporção de pobres cai para 24,7% e extrema pobreza se mantém em 6,5% da população. Available at: <https://agenciadenoticias.ibge.gov.br/agencia-sala-de-imprensa/2013-agencia-de-noticias/releases/29431-sintese-de-indicadores-sociais-em-2019-proporcao-de-pobres-cai-para-24-7-e-extrema-pobreza-se-mantem-em-6-5-da-populacao>.

46 Número de brasileiros que vivem na extrema pobreza cresce com fim do auxílio emergencial. G1. 03/03/2021. Available at: <https://g1.globo.com/profissao-reporter/noticia/2021/03/03/numero-de-brasileiros-que-vivem-na-extrema-pobreza-cresce-com-fim-do-auxilio-emergencial.ghtml>.



This situation can be seen in the Bolsa Família and Emergency Aid Transfer programs, whose requirement for documents such as the RG and CPF for registration prevents those who are undocumented—precisely the poorest segment of the population—from enjoying the economic and social right to aid. And this right is what makes it possible to exercise the rights to food, decent housing, education and health.

The requirement for specific documentation also affects other marginalized groups in the program. The fact that the Indigenous Person's Birth Certificate (Registro Administrativo de Nascimento Indígena, RANI) is not accepted by the CadÚnico—one of the ways of accessing the Emergency Aid benefit—as a registration document makes it difficult, if not impossible, for Indigenous people to be covered by the policy. Although the RANI is an official document set up by the “Indian Statute” (Law 6.001/1973), it does not function as a civil registry—via birth certificate or General Registration (RG)—and, therefore, hinders these populations’ access to income transfer policies.

The documentation barriers imposed by government bureaucracy on social groups of different ethnicities do not end there. The eligibility criteria established by law provide that, to receive aid, the worker's registration in the CPF is obligatory and the CPF situation must be in order with the Brazilian Ministry of the Economy's Federal Revenue Office (Secretaria Especial da Receita Federal do Brasil) (Decree 10.316/2020, art. 7(4)). That document is required on initial registration on the Caixa Econômica Federal bank app, which is the other possible entryway to access the emergency benefit. Although the requirement of that document and its regularization are two mechanisms for preventing fraud, the condition has been disproportionately affecting Indigenous people who, as mentioned, need to leave their villages—which are frequently far from urban centers—to comply with the requirement.

In response to this situation, the State of Pará filed a Precautionary Action to suspend the requirement, which was accepted on the grounds that the infralegal rule [Decree 10.316/2020], in principle, overrode the authority to regulate, insofar as it restricted rights, by including requirements not provided for in the law now regulated.<sup>47</sup> The Supreme Court of Justice suspended the order, claiming that it would require reforming the Dataprev platform and would delay payment of the benefit.

The immigrant population was also affected by this context. In an interview conducted in the scope of the Privacy and Data Protection in the Pandemic<sup>48</sup> report with the Federal Public Defenders Office (DPU), responsible for serving immigrant populations, complaints were shared about the difficulties of filling out registration fields on the Emergency Aid app. At first, there was a barrier for immigrants soliciting the EAT due to the lack of a field for the National Foreigners Registry and

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47 Original text: “a norma infralegal [Decreto 10.316/2020], em princípio, extrapolou o poder regulamentar, na medida em que restringiu direitos ao inserir exigência não prevista na lei ora regulamentada.”

48 Fragoso, N., Roberto, E., Silveira, J.F., Tavares, C. (2021). Privacy and Data Protection in the Pandemic: report on the Use of Apps and Alternative Measures in Brazil. São Paulo, InternetLab. Available at: [https://www.internetlab.org.br/wp-content/uploads/2021/04/Privacy-and-Data-Protection-in-the-Pandemic\\_05.pdf](https://www.internetlab.org.br/wp-content/uploads/2021/04/Privacy-and-Data-Protection-in-the-Pandemic_05.pdf)

National Migratory Registry (Registro Nacional de Estrangeiros e Registro Nacional Migratório), which are immigrant identification documents. Later, the problem was seen to lie in an error in the form, which indicated filling out the RG on the back of the identification document.

### *5.1.2. Digital exclusion*

The challenges imposed by use of the app to access the program also included questions of digital accessibility and exclusion in Brazil. The PNAD Contínua research conducted in the fourth quarter of 2018 shows that 79.3% of the Brazilian population 10 years and older has access to a cell phone. Ownership is greater among residents of urban areas (82.9%) than in rural areas (57.3%). Despite 93.2% of households having at least one cell phone, a total of 25.3% of the population 10 years of age and older have no access to the Internet. Furthermore, the restriction on the use of a single phone number for more than one registration limits receiving the benefit for families where more than one member is eligible but who possess just one device or telephone number. The lack of cell phone memory, limited access to the Internet and limitations on access to and withdrawal of the benefit when the beneficiary changes their number are other issues that create barriers to access. This scenario makes it plain that the obstacles imposed on implementing an income transfer program using an app are challenging and merit careful evaluation from policymakers.

The EAT's requirement of confirming one's identity via SMS or other electronic means in order to receive the benefit is in conflict with the social reality of limited access to the Internet and to mobile telephone networks for Indigenous peoples, and quilombola<sup>49</sup> and traditional communities, especially in certain Brazilian states. In light of this, the Federal Public Ministry filed a Public Civil Suit (Ação Civil Pública, ACP) in the Amazon, emphasizing that the requirement for Internet and telephone network service to obtain the aid, combined with their lack of access, leads beneficiaries to go in person to a Caixa Econômica Federal agency, thus generating crowded conditions and obliging indigenous people to leave their villages for urban centers. This displacement ignores the fact that these communities lack the material conditions for this periodic practice. The Regional Federal Court for the First Region allowed an emergency injunction for there to be:

“Adjustment of the app for accessing the EAT, ‘Caixa Tem,’ within fifteen days, to facilitate registration and access to the aforementioned aid, in addition, via Internet, through the website or app, with no need for confirmation via SMS or by phone.”

### *5.1.3. Limitations on access to justice*

The EAT is a Federal program; therefore, legal challenges take place through the Federal Judiciary. The Federal Public Defenders Office, a public institution offering free legal advice to vulnerable citizens, was a key agency for those who had their aid denied or suspended to be able to challenge the automated decision-making. However, the DPU's capacity to act is limited, both by the small

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49 Translator's note: Quilombola communities are groups with their own cultural identity, which share a territory founded by people of African origin who defied the violence of slavery in Brazil. Today they symbolize resistance to different forms of domination.

number of defenders and by the limited number of locations where the DPU is able to act. The institution is present in just 32% of Brazilian municipalities, with 467 public defenders acting in first instance. Without the Public Defenders Office, people would rely on private lawyers, which, considering the socioeconomic vulnerability of Emergency Aid beneficiaries, limited access to justice. Thus, the possibility of dispute was shown to be insufficient, compared to the volume of demand for reviewing automated analyses.

#### *5.1.4. Outdated data and registration errors*

Finally, out-of-date databases or those with incorrect information were also an obstacle to accessing the benefit. One of the main databases used for the EAT is the Annual Social Information Report (Relação Anual de Informações Sociais, RAIS), which collects job entry and exit data. Dataprev, the agency responsible for crosschecking databases to verify eligibility criteria, used 2018 as the RAIS base year. The use of 2018 data was a serious problem, given that it is not up to date. As a result, people who lost their job in 2019 or at the start of the pandemic faced difficulties because of the databases.<sup>50</sup>

RAIS's obsolescence was not unique. Prisoners on open or semi-open regimes and people who already completed their sentences also faced difficulties in accessing Emergency Aid due to the out-of-date databases.<sup>51</sup> Penitentiary databases are not kept up to date with information on the regime served by the person. As a result, people who were entitled to the benefit were prevented from accessing it.

Besides the problems linked to the obsolescence of the databases, errors in filling out the registration form on the Caixa Econômica Federal bank app were also a barrier to access.<sup>52</sup> Due to the lack of mechanisms for human review of automated decisions, challenging the outdatedness or registration errors fell to the legal system, which added another level of difficulty to access.

Thus, it is evident that the program's digitalized and datafied architecture has important limitations to wholly meeting its purpose of inclusion and access; to the contrary, it reinforces the restriction of the groups targeted for access to material conditions for survival.

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50 EXAME. Desempregado que teve auxílio negado terá de refazer o pedido neste mês. Available at: <https://invest.exame.com/mf/desempregado-e-teve-auxilio-negado-voce-tera-de-refazer-o-pedido-esse-mes>.

51 GZH. Governo admite falha em cadastro e diz que presos do semiaberto têm direito ao auxílio emergencial. Available at: <https://gauchazh.clicrbs.com.br/coronavirus-servico/noticia/2020/06/governo-admite-falha-em-cadastro-e-diz-que-presos-do-semiaberto-tem-direito-ao-auxilio-emergencial-ckawywus700jx015nfimmvhn0.html>.

52 Information obtained in an interview with a DPU public defender.

## 5.2. Datafication and surveillance

Frequently, the populations most dependent on government policies and on interactions with public authority are immigrants, people living in poverty, women, LGBTQIA+ people and Black people; thus, they are the owners of the largest volume of data collected by the State. This situation affects the power dynamics existing in the relationship between State and citizen, which are heightened in the dimensions of privacy and the exercise of civil liberties, insofar as the gathering and processing of personal data has implications for the way people are seen and treated and how populations generally passed over by the State when it comes to rights become excessively visible<sup>53</sup> when they are subject to control.

The collection of data on the use of certain services increases the government's ability to infer behaviors, daily habits, movements and needs, as well as to project the future behavior of specific groups rather than other segments of society, leading to disproportional monitoring and surveillance of marginalized populations. In terms of income transfer policies, this can surface as monitoring—by the State and by the rest of the population—of beneficiaries' living conditions and lifestyles. This can lead to sharing these citizens' personal information and seeking to interpret, according to abstract, personal parameters, whether these living conditions are compatible with receiving social aid. Yet another level of stigma is thus laid on a population already facing discrimination, and which is often scrutinized by citizens whose standard of living distances them from the reality of poverty, leading them to issue interpretations based on false premises and elitist social imagery.

This scenario is easily seen in the Bolsa Família Program and the EAT, on which excessive demands were placed for efficiency and protection against fraud using the adoption of active transparency measures—with the dissemination of the amount made available by the benefit, the beneficiary's full name, part of their taxpayer ID number and, in the case of the BFP, their Social Identification Number (Número de Identificação Social, NIS)—disregarding beneficiaries' vulnerability and their exercise of fundamental freedoms.<sup>54</sup> Thus, the UN Rapporteur for Extreme Poverty and Human Rights recommends that, “instead of being obsessed with fraud, cost efficiency, sanctions and market-oriented definitions of efficiency, the starting point should be how welfare budgets could be transformed using technology to guarantee a higher standard of living for people who are vulnerable and disadvantaged.”<sup>55</sup>

It is not only hypervisibility and overexposure that make these populations more sensitive to having their rights to privacy and data protection undermined. Information self-determination

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53 Taylor, Linnet. “What is data justice? The case for connecting digital rights and freedoms globally.” *Big Data & Society* 4.2 (2017): 2053951717736335.

54 FRAGOSO, Nathalie; VALENTE, Mariana; LANGENEGGER, Natalia; RUIZ, Juliana Pacetta. “Proteção de dados em Políticas de Proteção Social: contribuições a partir do Programa Bolsa Família”, *Diagnósticos e Recomendações* n. 6 (São Paulo: InternetLab, 2021).

55 Special Rapporteur for extreme poverty. *Digital technology, social protection and human rights: Report*. October 2019. Available at: <https://undocs.org/A/74/493>.

(recognized in 2020 by the Federal Supreme Court as the heart of the fundamental right to data protection<sup>56</sup>) and transparency guarantees are foundations and principles of the GDPR that are yet to be recognized from the perspective of processing beneficiaries' personal data. This is because beneficiaries do not have clear, specific and accessible information on how their personal data will be processed and what the implications of this processing are, in addition to the excessive opacity in terms of how the algorithms work and their impact.

In light of this, it is evident that the program's implementation inspires a tendency to waive the right to privacy in exchange for enjoying economic and social rights.

### *5.3. Disproportionate transparency*

Any act of public administration in Brazil is subject to the principle of transparency by obligation originally set forth in the constitutional mandate of observing the principle of disclosure, established in art. 37. The effects of that principle in public administration were consolidated in 2011 by the Access to Information Act (Law 12.527/11), which established the directive for observance of disclosure as the general rule and confidentiality the exception. As a public policy, EAT-related acts and proceedings are subject to these legal obligations, where the government in the form of competent authorities—especially the Ministry of Citizenship and the public companies Caixa Econômica Federal bank and Dataprev—must make available all information referring to the program, independent of requests, once public interest is confirmed (art. 3(II) of Law 12.527/2001) and the fundamental rights involved are respected.

Considering its datafied nature, the implications of the policy's execution for fundamental rights, in particular the right to privacy and data protection, require careful weighing between public interest and these principles to guarantee protection of the rights of those who own the data processed during the entire data cycle at the heart of the program, including data subject to automated processing. In this sense, the Access to Information Act provides for the guarantee of protecting personal information, under the terms of art. 6(III), and the GDPR establishes the need to observe the principle of necessity by the agent who will process personal data, requiring that the processing be limited to the minimum necessary to serve its purpose and in a manner proportionate to it. These guarantees must, therefore, be considered in the balance leading to decisions about what program data should be disclosed.

The guarantee of the data holder's rights in personal data processing reveals yet another facet of the principle of transparency. In processing personal data, the agent must ensure the data holder receives clear, accurate and easily accessed information regarding the processing activity, as defined in art. 6(VI) of the GDPR.

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56 Direct Actions for Unconstitutionality 6387, 6388, 6389, 6393, 6390, suspending the application of Provisional Measure 954/2018.

In light of this, it can be seen that the government attempts to observe these legal obligations in the scope of the EAT's automated decisions by publishing Dataprev's Data from the Comprehensive Management Report, whose content seeks to clarify the data cycle and decision-making within the program, including an indication of the use of algorithms to process the data and crosscheck databases. It also uses the Ministry of Citizenship's normative rule—Ordinance 620 of March 26, 2021—which lists the databases that can be used in applying the crosschecks. However, it can be observed that there is a lack of adequate information regarding the eventual training of the technical team for processing the data, of human supervision of the procedure or even in relation to the existence of technical committees for evaluating data management and risk and impact reports, which is also incompatible with the Brazilian Artificial Intelligence Strategy. In short, there is no clarity around the automation of the data handling and decision-making process.

In contrast to the lack of active transparency in automated decision-making regarding data management, here we see the exaggeration of this mechanism at the policy's end point, when the public authority indiscriminately interprets the principle of transparency. The described scenario can be seen in the government's publication on the Transparency Portal of the list of personal information for all program beneficiaries, containing partial taxpayer ID numbers, Social Identification Number, full name, amount and number of payments received, in addition to whether they come under the CadÚnico or Extracad program framework.<sup>57</sup> The interpretation of active transparency according to which it is not enough to report in the aggregate on issues regarding receipt of the benefit, justified by the promotion of accountability and fraud prevention, is in conflict not only with the Access to Information Act itself—which, as mentioned, charged public authority with the duty to ensure protection of personal information—but also with the principles of data protection. There is clearly a low level of adaptation of social protection policies to the culture of data protection and to the omission of informational self-determination (recognized by the Federal Supreme Court as a fundamental right<sup>58</sup>), made manifest in the impossibility of the data holder to exercise control over their personal data used in the program.

In terms of passive transparency, the Access to Information Act establishes the right for any interested person to file a request for access to information with government agencies, art. 10, caput. In the scope of federal public administration, which includes the competent authorities for implementing the EAT, the main mechanism for conducting passive transparency is the Comprehensive Platform for the Ombudsman and Access to Information (Plataforma Integrada de Ouvidoria e Acesso à Informação, Fala.Br).

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57 Detalhamento do Benefício Auxílio Emergencial. Available at: <https://www.portalttransparencia.gov.br/beneficios/auxilio-emergencial?municipio=-3&de=01/08/2021&ate=31/08/2021&tipoBeneficio=6&ordenarPor=beneficiario&direcao=asc>.

58 The right to informational self-determination was recognized as a consequence of the guarantee of the inviolability of privacy and private life and of the principle of human dignity. Supremo Tribunal Federal. Ação Direta de Inconstitucionalidade 6387. Available at: <http://portal.stf.jus.br/processos/detalhe.asp?incidente=5895165>.



#### *5.4. Communication of the policy as relates to the affected population*

Multiple channels of communication and information were used to promote the Emergency Aid program. The main one was the <https://auxilio.caixa.gov.br/#/inicio> site, where the following details were provided: **(i)** who is entitled to the benefit; **(ii)** how beneficiaries were selected; **(iii)** what is the value and quantity of payments; **(iv)** how payment was made; **(v)** what is their relationship to Emergency Aid and the BFP; **(vi)** payment schedules; and **(vii)** who is not entitled to the benefit. Moreover, it was possible to make inquiries about the EAT using the Ministry of Citizenship's ChatBot on Facebook. Advertising on social networks and television networks was also adopted as a channel of communication.

The federal government made official channels available for resolving concerns and offering information on the EAT. By phone, the Ministry of Citizenship activated the 121 number, which acts as an agency switchboard. The service is free, and the call can be made from a landline or mobile phone. On the Internet, the [Fala.BR](https://fala.br) site, an integrated platform for access to information and the ombudsman for the Federal Executive Branch, created a section where citizens can send their concerns and file formal complaints regarding the EAT.

However, it is important to highlight that, despite dissemination of the public policy in the media, there was no active attempt by the Federal Government to seek out citizens in situations of vulnerability who would be entitled to the benefit. The economically vulnerable people who met the eligibility criteria and, therefore, were entitled to the benefit needed to actively seek out the EAT; there was no way for the government itself to reach these people based on an identification of the vulnerable populations who were not assisted by CadÚnico.<sup>59</sup>

The identification of gaps in access to the policy led to a partnership signed between the Ministry of Citizenship and the Post Office to serve the most vulnerable population which, due to their digital exclusion, was prevented from applying for the benefit. Thus, the more than 6,000 postal agencies were set up to handle the registration of citizens free of charge via presentation of the beneficiary's CPF and the CPF of family members who depend on that person's income, a photo ID and bank information in cases where the citizen had an account.

Despite the presentation of a solution to resolve the problem of lack of access to technological devices, the measure was not accompanied by alternatives to address the lack of documentation of millions of Brazilians, which continued to be a requirement for registration. In addition, according to an interview conducted with the DPU, this alternative measure was not successful in terms of its scope and duration, having been rolled out for a little over a month.

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59 Information obtained in interview with a DPU public defender.

## 6. CONCLUSION

The EAT was the largest income transfer program ever to exist in Brazil,<sup>60</sup> reaching 67.8 million beneficiaries.<sup>61</sup> Its datafied and digitalized institutional design on the one hand streamlined the process of granting the benefit and, on the other, created barriers for socially and economically vulnerable groups.

Despite all the limitations and access problems stemming from the EAT's automation, its system enabled the benefit to quickly reach a huge segment of the population. The Caixa Econômica Federal bank launched the app for registering for Emergency Aid on April 7, 2020.<sup>62</sup> Within 24 hours of launching the app, more than 22 million people had registered to apply for the benefit.<sup>63</sup> Payments began to go out on April 9, 2020.

Data from a study on Covid and economic class, developed by the Center for Social Policy of the Getulio Vargas Foundation (FGV Social),<sup>64</sup> show a drop of 23.7% in poverty in Brazil in August 2020. According to the research, in the period analyzed, 15 million Brazilians rose above the poverty line. Research results suggest that, at least in terms of the first rounds of the EAT, the benefit had a positive impact on the income levels of Brazilians in situation of greatest vulnerability.

The 2021 round, however, did not have the same positive impact. According to the Macroeconomy of Inequality Research Center (Centro de Pesquisa em Macroeconomia das Desigualdades, Made), of the Universidade de São Paulo, Emergency Aid 2021 did not ensure the same social protection against loss of income as identified in 2020. With the reduced implementation of the benefit and its significantly lower value, the study shows that poverty would remain at 4.1% and extreme poverty

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60 BOTELHO, Vinícius. Mensurando o desafio da política social após o fim do Auxílio Emergencial. 22 de dezembro de 2020. Available at: <https://blogdoibre.fgv.br/posts/mensurando-o-desafio-da-politica-social-apos-o-fim-do-auxilio-emergencial>.

61 According to official Caixa Econômica Federal data. Available at: <https://caixanoticias.caixa.gov.br/noticia/22125/auxilio-emergencial-clique-aqui-para-ver-os-ultimos-numeros-2>.

62 AGORA. Caixa Econômica lança aplicativo do auxílio emergencial de R\$ 600. Available at: <https://agora.folha.uol.com.br/grana/2020/04/governo-deve-lancar-aplicativo-do-auxilio-emergencial-de-r-600-nesta-terca-7.shtml>.

63 Folha de São Paulo. Em 24 horas, 22 milhões de pessoas se cadastraram para pedir auxílio de R\$ 600. Available at: <https://www1.folha.uol.com.br/mercado/2020/04/em-24-horas-22-milhoes-de-pessoas-se-cadastraram-para-pedir-auxilio-de-r-600.shtml?origin=folha>.

64 Neri, Marcelo. “Covid, Classes Econômicas e o Caminho do Meio: Crônica da Crise até Agosto de 2020”. October/2020 [FGV Social]. Available at: <https://cps.fgv.br/pesquisas/covid-classes-economicas-e-o-caminho-do-meio>.

at 2.5% above pre-pandemic levels. Thus, 5.4 million Brazilians would come to live in poverty and 9.1 million Brazilians in extreme poverty.<sup>65</sup>

In this report, we have sought to show not only the possible direct impact of personal data processing on beneficiaries' subjective rights, but also the effects that the use of registry databases and the digitalization of social policies produces in the execution of distributive justice. Although it was enormously important for reducing the pandemic's economic impact in Brazil, progress is still needed in the creation of similar policies such that beneficiaries' privacy is not treated as a chip to be traded for social protection. Moreover, the digitalization of social policies comes with the challenge of also thinking of alternative forms of access for people whose access to the Internet or to electronic devices is precarious, to avoid fostering even more exclusionary dynamics.

Based on the findings of research conducted via interviews with personnel of the Ministry of Citizenship and the Federal Public Defenders Office, analysis of official documents and access to information requests that revealed the lack of transparency and guided training for personnel in the processing of personal data, of specific audits and of impact reports, it is clear there is a long way to go to integrate a culture of data protection that includes the idea of autonomy and freedom, as well as the right to privacy and data protection as a collective guarantee.

In this context, it can be concluded that it is indispensable to incorporate comprehensive, systemic analyses of rights protection in the design and implementation of public policies. It seems quite concerning that the application of benefits-based social rights should be made in the absence of consideration of the access conditions whose limitation prevents the full enjoyment of those rights or imposes new barriers to the exercise of other rights.

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65 Nassif-Pires, Luiza; Cardoso, Luisa; Oliveira, Ana Luíza Matos de. Gênero e raça em evidência durante a pandemia no Brasil: o impacto do Auxílio Emergencial na pobreza e extrema pobreza. (Nota de Política Econômica nº 010). MADE/USP. Available at: <https://madeusp.com.br/wp-content/uploads/2021/04/NPE-010-VF.pdf>.

## ANNEXES

### *Annex I: Age range of eligible persons<sup>66</sup>*

Age range	N° of people eligible
Up to 15 years old	2.613
16 to 17 years old	31.771
18 to 24 years old	12.706.236
25 to 34 years old	17.385.199
35 to 39 years old	8.353.934
40 to 44 years old	7.632.901
45 to 49 years old	6.631.681
50 to 54 years old	6.076.311
55 to 59 years old	4.911.944
60+ years old	4.433.695

### *Annex II: Foreign Beneficiaries<sup>67</sup>*

	Type of benefit									
	Emergency Aid			Residual Emergency Aid			Emergency Aid 2021			
	R\$600	R\$1,200	Total	R\$300	R\$600	Total	R\$150	R\$250	R\$375	Total
Brazil (Total)	35,292	3,883	39,175	26,775	3,449	30,224	4,522	9,863	2,937	17,322
Northern Region	7,656	837	8,493	5,822	727	6,549	1,232	2,230	664	4,126
Northeastern Region	1,348	81	1,429	1,022	74	1,096	202	415	60	677
Southeastern Region	12,593	1,612	14,205	10,271	1,509	11,780	1,756	3,862	1,325	6,943
Southern Region	10,654	989	11,643	7,486	826	8,312	956	2,484	624	4,064
Center-West Region	3,041	364	3,405	2,174	313	2,487	349	854	256	1,459

<sup>66</sup> Data available at: <https://aplicacoes.mds.gov.br/sagi/vis/data3/index.php?g=2>.

<sup>67</sup> Data obtained using the Access to Information Act

*Annex III: Databases*

Database <sup>68</sup>	Origin	Update Frequency <sup>69</sup>
Computerized Death Monitoring System (Sistema Informatizado de Controle de Óbitos, SISOB) Database	Registries	Daily
National Social Information Registry (Cadastro Nacional de Informações Sociais, CNIS) Database CPF GFIP/eSocial/GPS Welfare Benefits and LOAS Unemployment Insurance	Caixa Econômica Federal bank; INSS	Monthly
National Civil Registry Information System (Sistema Nacional de Informações de Registro Civil, SIRC) Database	Registries	Daily
Social security grantors database (deaths that gave rise to a pension for death)	Integrated Personnel Administration System (Sistema Integrado de Administração de Pessoal, SIAPE)	Monthly
2019 Annual Social Information Report (Relação Anual de Informações Sociais, RAIS) Database	Ministry of Economy	Annually
Integrated Personnel Administration System (Sistema Integrado de Administração de Pessoal, SIAPE) Database	Ministry of Economy – Secretariat for Personnel Management (Secretaria de Gestão de Pessoas, SGP)	N/A
State, Municipal and District Servants Database	Office of the Comptroller General (Controladoria Geral da União, CGU)	N/A
Individual Microentrepreneurs Database	Serpro	Occasionally
Brazilian Federal Revenue Service MEI – Intermittent Workers Database	Serpro	N/A

68 Ministry of Citizenship Ordinance 620 of March 26, 2021.

69 Dados do Relatório Integrado de Gestão de 2020, do Dataprev, p. 32. Available at: [https://portal3.dataprev.gov.br/sites/default/files/arquivos/relatorio\\_integrado\\_de\\_gestao\\_2020\\_cgpg\\_v67.pdf](https://portal3.dataprev.gov.br/sites/default/files/arquivos/relatorio_integrado_de_gestao_2020_cgpg_v67.pdf). Some of these databases do not have clear information on how frequently they are updated.

Database	Origin	Update Frequency
Politically Exposed Persons Database – Emergency Benefit for Protection of Employment and Income (Benefício Emergencial de Preservação do Emprego e da Renda, BEm) Database	Ministry of Economy	N/A
Federal Revenue’s Natural Person’s Income Tax return (DIRPF) Database	Brazilian Federal Revenue Service	N/A
TSE Electoral Mandates Database (2014—Senators; 2018—President and Vice President, Federal, State and District Legislators, and Governors; 2020—Prefects and Councilors)	Public Information Database	Occasionally
Department of Prisons Prisoner Database	Ministry of Justice and Public Safety (Ministério da Justiça e Segurança Pública, DEPEN/ MJSP)	N/A
Department of Prisons Prisoner Regime Database	Ministry of Justice and Public Safety (DEPEN/MJSP)	N/A
São Paulo State database for prisoners in closed regime	Ministry of Citizenship	Occasionally
Inmate grantors of Reclusion Aid database – Database of Inmates and respective prison regimes originating in the Electronic System of Unified Execution of the National Justice Council (Sistema Eletrônico de Execução Unificado do Conselho Nacional de Justiça)	SEEU/CNJ	N/A
Wanted by Justice Database	Ministry of Justice	N/A
Prison situation database together with the National Arrest Warrant Bank (Banco Nacional de Mandados de Prisão)	BNMP/CNJ	N/A
Military Personnel Database	Ministry of Defense	N/A

Database	Origin	Update Frequency
Scholarship recipient database	Brazilian National Council for Scientific and Technological Development (CNPq) of the Ministry of Science and Technology	N/A
Citizens Living Abroad Database	Federal Police Department	N/A
Database of medical residents or multi-professional residents, beneficiaries of academic scholarships from the Coordination for the Improvement of Higher Education Personnel (Coordenação de Aperfeiçoamento de Pessoal de Nível Superior, CAPES)	Ministry of Education	N/A
Employees and Interns Database	National Justice Council	N/A
Employees and Interns Database	Regional Electoral Courts	N/A
Employees and Interns Database	Regional Employment Courts	N/A
Employees and Interns Database	Regional Federal Courts	N/A
Employees and Interns Database	State Courts of Justice	N/A
Employees and Interns Database	State Military Justice Courts	N/A
Employees and Interns Database	Supreme Military Court	N/A
Employees and Interns Database	Superior Electoral Court	N/A
Residents and Interns Database	SIAPE	N/A



