



***Permanent Mission of Brazil to the United Nations Office
and other International Organizations in Geneva***

*Ch. Louis-Dunant, 15 – 1202 – Geneva / Switzerland
Phone: (+41) (0)22 332 50 00 / Fax: (+41) (0)22 910 07 51
E-mail: delbrasgen@itamaraty.gov.br*

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The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights (Special Procedures Branch) and has the honor to present herewith attached comments with regard to communication OL BRA 13/2019.

The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, August 22th, 2019

Office of the High Commissioner of Human Rights
Special Procedures Branch

OL BRA 13/2019

Bill 11091/2018, presented by senator Antonio Carlos Valadares (11/29/2018), aims at amending Law No. 10406 (Civil Code - January 10, 2002), as well as Law No. 13,105, (Code of Civil Procedure - March 16, 2015), in order to provide for the right to legal civil capacity of persons with disability on equal terms with other persons, as legal civil capacity.

The bill was approved by the Commission for the Defense of the Rights of Persons with Disability (CPD) of the House of Representatives on August 14. On August 19, the Bill was introduced in the Commission of Constitution, Justice and Citizenship (CCJC), and now awaits the nomination of a rapporteur.

After the deliberation by the CCJC, the text will also be submitted to the plenary of the House of Representatives. If approved, it ought to be subsequently considered by the Senate, which may amend it. If amendments are approved by the Senate, the Bill then must return to the House of Representatives for deliberation and possible approval. Finally, if deemed necessary, the President of the Republic has the prerogative to veto the initiative, in whole or in part.

The Bill is following the usual law making procedure of the Brazilian National Congress. There has been no registered request for urgency in its evaluation and the draft may still be amended by all interested parties, in accordance with the due legislative process. The Brazilian National Congress is the appropriate institutional "locus" for the discussion of changes in the existing legislation. Therefore, it is hasty to give an opinion or prejudge the result of negotiations regarding the Bill, which may be changed during the law making process or afterwards.

The issue of persons with disabilities is a priority to Brazil. The country has a progressive legislation on the matter, and has been developing measures to foster the socioeconomic participation of this population.
