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- VI - defense of peace;
- VII - pacific solution of conflicts;
- VIII - repudiation of terrorism and racism;
- IX - cooperation among peoples for the progress of mankind;
- X - granting of political asylum.

Sole Paragraph. - The Federative Republic of Brazil shall seek economic, political, social and cultural integration of the peoples of Latin America, in order to form a Latin-American community of nations.

TITLE II
FUNDAMENTAL RIGHTS AND GUARANTEES

CHAPTER I

INDIVIDUAL AND COLLECTIVE RIGHTS AND DUTIES

Part II
L.F.C.

- Article 5. - (All persons are equal before the law, without any distinction whatsoever, and Brazilians and foreigners resident in Brazil are assured of inviolability of the right to life, to liberty, to quality, to security and to property, on the following terms:
 - I - men and women have equal rights and duties under this Constitution;
 - II - no one shall be obliged to do or not to do something except by virtue of a law;
 - III - no one shall be submitted to torture or to inhuman or degrading treatment;
 - IV - the expression of thought is free, and anonymity is forbidden;
 - V - the right to answer is ensured, in proportion to the offense, besides compensation for property or moral damages or damages to the image;
 - VI - freedom of conscience and of belief is inviolable, ensuring the free exercise of religious cults and guaranteeing, as set forth in the law, the protection of places of worship and their rites;
 - VII - under the terms of the law, the rendering of religious assistance is assured in civilian and military entities of collective interest;
 - VIII - no one shall be deprived of any rights by reason of religious creed or of philosophical or political belief, unless such are claimed for exemption from a legal obligation imposed upon everyone and the person refuses to perform an alternative obligation established by law;
 - IX - the expression of intellectual, artistic, scientific and communications activities is free, without any censorship or license;
 - X - the privacy, private life, honor and image of persons are inviolable, and the right to compensation for property or moral damages resulting from the violation thereof is ensured;
 - XI - the home is the inviolable asylum of the individual, and no one may enter it without the dweller's consent, save in the case of "flagrant delicto" or disaster, or to give help, or during the day, by court order;

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- XII - the secrecy of correspondence and of telegraphic, data and telephone communications is inviolable, except, in the latter case, by court order, in the manner established by the law for purposes of criminal investigation or criminal procedure discovery;
- XIII - the practice of any work, trade or profession is free, observing the professional qualifications which the law may establish;
- XIV - access to information is ensured to everyone and confidentiality of the source is protected whenever necessary for the professional activity;
- XV - locomotion within the national territory is free in times of peace, and any person may, under the terms of the law, enter it, remain in it or leave it with his or her assets;
- XVI - all persons may hold peaceful meetings, without weapons, in places open to the public, regardless of authorization, provided that they do not frustrate another meeting previously called for the same place, subject only to prior notice to the proper authority;
- XVII - full freedom of association for lawful purposes is granted, any parasitatory association being forbidden;
- XVIII - the creation of associations and, as set forth in the law, of cooperatives, does not require any authorization, and state interference in their operations is forbidden;
- XIX - associations may only be compulsorily dissolved or have their activities suspended by court decision, and, in the first case, only if the decision is final and unappealable;
- XX - no one can be compelled to become associated or to remain associated;
- XXI - associations, when expressly authorized to do so, shall be entitled to represent their members in and out of court;
- XXII - the right to own property is guaranteed;
- XXIII - ownership of property shall attend to its social function;
- XXIV - the law shall establish the procedure for expropriation for public use or need, or for social interest, against just and prior compensation in money, with the exception of the cases set forth in this Constitution;
- XXV - in the event of imminent public danger, the proper authority may make use of private property, and the owner shall be assured of subsequent compensation, in case of damage;
- XXVI - small rural properties, as defined by law, whenever they are excluded by the family, shall not be subject to attachment for the payment of debts incurred by reason of their productive activities, and the law shall provide for the means to finance their development;
- XXVII - authors have exclusive rights to use, publish or reproduce their works, and such rights may be conveyed to their heirs for the period which the law may establish;
- XXVIII - under the terms of the law, the following is ensured:
 - a) protection of individual participation in collective works and of reproduction of the human voice and image, including with regard to sports activities;
 - b) the right to the authors, performers and respective trade unions and associations to monitor the economic exploitation of the works which they create or in which they participate;

- XXXIX - the law shall assure the authors of industrial inventions of a temporary privilege for their use, as well as protection of industrial creations, of ownership of trade marks, of companies names and of other distinctive signs, with due regard for social interests and for the technological and economic development of Brazil;
- XXX - the right to inheritance is guaranteed;
- XXXI - succession to assets owned by foreigners and located in Brazil shall be governed by Brazilian law, in favor of the Brazilian spouse or children, whenever the personal law of the decedent is not more favorable to them;
- XXXII - the State shall provide, as set forth in the law, for the defense of consumers;
- XXXIII - all persons are entitled to receive from government agencies information of private interest to such persons or of collective or general interest, which shall be provided within the period established by law, subject to liability, with the exception of information whose secrecy is vital to the security of society and of the State;
- XXXIV - all persons are ensured, without the payment of fees:
 - a) the right to petition the Public Authorities in defending rights or against illegal acts or abuse of power;
 - b) the obtaining of certificates from government departments, in order to defend rights and clarify situations of personal interest;
- XXXV - the law shall not exclude from review by the Judiciary any violation of or threat to a right;
- XXXVI - the law shall not impair a vested right, a perfect juridical act and "res judicata";
- XXXVII - there shall be no extraordinary court or tribunal;
- XXXVIII - the institution of the jury is recognized, with the organization attributed to it by the law, and the guarantee of:
 - a) full defense;
 - b) secret voting;
 - c) sovereignty of the verdicts;
 - d) jurisdiction to adjudicate intentional crimes against life.
- XXXIX - there is no crime without a previous law which defines it, nor is there any punishment without a previous legal imposition;
- XL - the penal law shall not be retroactive, except to the benefit of the defendant;
- XLI - the law shall punish any discrimination against fundamental rights and liberties;
- XLII - the practice of racism is a crime not entitled to bail or to the status of limitations, and subject to imprisonment, according to the law;
- XLIII - the law shall consider the practice of torture, unlawful traffic of narcotics and similar drugs, terrorism and crimes defined as heinous crimes to be crimes not entitled to bail and to mercy or amnesty, and the principals, the accessories and those who, although able to avoid them, abstain from doing so, shall be held liable;

Handwritten notes: 2. STIPULATED, 3. UNLAWFUL

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- XLIV - the acts of civilian or military armed groups, against the constitutional order and the Democratic State, are crimes not entitled to bail or subject to the status of limitation;
- XLV - no sentence shall pass from the person of the convict, but the liability for damages and a decree of loss of assets may, under the terms of the law, be extended to the successors and enforced against them up to the limit of the value of the assets transferred;
- XLVI - the law shall regulate the individualization of punishment and shall adopt, inter alia, the following:
 - a) deprivation or restriction of freedom;
 - b) loss of assets;
 - c) fine;
 - d) alternative social obligation;
 - e) suspension or prohibition of rights.
- XLVII - there shall be no sentence:
 - a) of death, except in the event of declared war, according to Article 64, XIX;
 - b) of life imprisonment;
 - c) of hard labor;
 - d) of banishment;
 - e) which is cruel.
- XLVIII - the sentence shall be served in separate establishments, according to the nature of the criminal offense, the age and the sex of the convict;
- XLIX - convicts are assured of respect for their physical and moral integrity;
 - L - female convicts shall be allowed to keep their children with them during the period in which they are breast-feeding;
- LII - extradition of a foreigner for a political or ideological crime shall not be granted;
- LIII - no one shall be sued or sentenced other than by the proper authority;
- LIV - no one shall be deprived of his or her freedom or assets without due process of law;
- LV - litigants in court or administrative proceedings and defendants in general are assured of the use of the adversary system and of full defense, with the means and remedies inherent thereto;
- LVI - evidence obtained through unlawful means is inadmissible in the proceedings;
- LVII - no one shall be considered guilty until the criminal sentence has become final and unappealable;
- LVIII - a person who has undergone civil identification shall not be subjected to criminal identification, except in the events set forth in the law;

Handwritten note: EXTRADITION

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LIX - private prosecution against public offenses shall be admitted if public prosecution is not filed within the period established by law;

LX - the law may only restrict publicity of procedural acts when this is necessary to defend privacy or social interests;

LXI - no one shall be arrested except in "habeas delictus" or by written and substantiated order of a proper judicial authority, except in the case of a military offense or a strictly military crime, as defined by law;

LXII - the arrest of any person and the place where he or she is being held shall be immediately notified to the proper judge and to the arrested person's family or to the person designated by him or her;

LXIII - the arrested person shall be informed of his or her rights, amongst which the right to remain silent, and the arrested person shall be assured of the assistance of his or her family and of legal counsel;

LXIV - the arrested person is entitled to identification of the persons responsible for his or her arrest or police interrogation;

LXV - an illegal arrest shall be immediately remedied by the judicial authority;

LXVI - no one shall be taken to prison or held therein when the law admits release on own recognizance, with or without bail;

LXVII - there shall be no civil arrest for indebtedness, save for that of a person liable for voluntary and inescapable default on an alimony obligation and that of an unfaithful trustee;

LXVIII - "habeas corpus" shall be granted whenever someone suffers or believes he or she is threatened of suffering violence or coercion in his or her freedom of locomotion, by illegal act or abuse of power;

LXIX - a writ of mandamus shall be issued to protect a clear legal right which is not protected by "habeas corpus" or "habeas data", when the party responsible for the illegal act or abuse of power is a public authority or an agent of a legal entity performing government duties;

LXX - a collective writ of mandamus may be filed by:

a) a political party, represented in Congress;

b) a trade union, professional entity, or association legally organized and in operation for at least one year, to defend the interests of its members or associates;

LXXI - a writ of injunction shall be issued whenever the absence of regulations makes it unfeasible to exercise the constitutional rights and liberties and the prerogatives inherent to nationality, sovereignty and citizenship;

LXXII - "habeas data" shall be granted:

a) to ensure knowledge of information relating to the person of the petitioner, contained in records or data banks of government entities or of public entities;

b) for the correction of data, if the petitioner does not prefer to do so through confidential, judicial or administrative proceedings;

LXXIII - any citizen shall have standing to institute an action seeking to annul an act injurious to the public property or to property pertaining to an entity in which the State

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participants, to administrative morality, to the environment and to historical and cultural monuments, and the plaintiff shall, except in the event of proven bad faith, be exempt from court costs and from the burden of loss of suit;

LXXIV - the State shall provide full and gratuitous legal assistance to whoever proves not to have sufficient funds;

LXXV - the State shall indemnify a person convicted by a judicial error, and also a convict who remains imprisoned longer than the period established in the sentence;

LXXVI - the following shall be gratuitous for persons known to be poor, as set forth in the law:

a) civil registration of birth;

b) death certificate;

LXXVII - "habeas corpus" and "habeas data" proceedings and, as set forth in the law, the acts required to exercise citizenship are gratuitous.

Paragraph 1. - The provisions defining fundamental rights and guarantees are applicable immediately.

Paragraph 2. - The rights and guarantees established in this Constitution do not preclude others existing out of the regime and the principles adopted by it, or out of international treaties to which the Federative Republic of Brazil is a party.

CHAPTER II

SOCIAL RIGHTS

Article 6. - Education, health, work, leisure, security, social security, protection of motherhood and childhood, and assistance to the destitute, are social rights under this Constitution.

Article 7. - The following are rights of city and rural workers, notwithstanding any others that seek to improve their social condition:

I - employment protected against arbitrary dismissal or against dismissal without cause, according to a supplemental law which shall establish severance payment, among other rights;

II - unemployment insurance, in the event of involuntary unemployment;

III - unemployment compensation fund;

IV - a minimum wage nationwide, established by law, capable of satisfying their basic living needs and those of their families with housing, food, education, health, leisure, clothing, hygiene, transportation and social security, with periodical adjustments to maintain its purchasing power, it being forbidden to bind it for any purpose;

V - a salary floor in proportion to the extent and complexity of the work;

VI - irreducibility of salary or wage, except when provided for in collective agreements or covenants;

VII - guarantee of salary or wage never below the minimum wage, for those receiving variable compensation;

VIII - a thirteenth salary based on the full compensation or on the pension payment;