

**BRAZIL AND COMPLIANCE WITH CEDAW**

**SHADOW REPORT OF CIVIL SOCIETY**  
TO THE SIXTH NATIONAL REPORT OF BRAZIL ON THE CONVENTION FOR THE  
ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)  
2001 – 2005 PERIOD

**Brazil, July 2007.**

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## Preface

The Civil Society Shadow Report to the Sixth National Report of Brazil to CEDAW for the 2001-2005 period is a contribution by the feminist and women's movements to guarantee the effective compliance by the State of Brazil of the Convention on the Elimination of All Forms of Discrimination against Women. The central objective of this document is to support the CEDAW Committee in its analysis and declaration on the governmental report submitted by the State of Brazil in 2005, as well as to lay the groundwork for the policies and actions of the government directed toward women. This is associated with the purpose of exploring the different dimensions of the impact of economic, political, civil, social and cultural factors in the daily life of Brazilian women. For this purpose, it takes as a starting point the knowledge accumulated from theoretical reflections on gender issues and from the political practices of the women's and feminist movements.

The participatory methodology translated the concentrated efforts of networks and coalitions into the drafting of the Civil Society Shadow Report to CEDAW, involving members of women's movements, militant feminists, academics, and researchers from study centers in universities. The drafting of the document is based on data from studies, research, dossiers, reports of conferences, and from national and international documents, with special attention given to responses obtained through the Information Gathering Instrument (survey form) sent to networks and national coalitions of the Organizing Committee, and made available on the website "Shadow Report to CEDAW 2005". The process of collective construction in the drafting of the Shadow Report was marked by expert dialogue between networks and coalitions, and involved the conducting of repeated physical and virtual meetings and consultations for discussion, refinement, and final approval of the document. The methodology is registered in detail in the annexes that accompany this document.

The process of drafting the Shadow Report relied on the participation of an Organizing Committee (Grupo Impulsor) composed of 23 national networks and coalitions of women involved in the work of documenting priorities and concerns relevant to women's citizenship and human rights. This process was facilitated by a **Managing Committee** composed of Agende Actions in Gender, Citizenship and Development (Agende Ações em Gênero Cidadania e Desenvolvimento – AGENDE); Concerted Action of Brazilian Women (Articulação de Mulheres Brasileiras–AMB); Brazilian Section of the Latin American and Caribbean Committee for the Defense of Women's Rights –CLADEM/ Brasil; Brazilian Feminist Network of Health, Sexual Rights and Reproductive Rights (Rede Nacional Feminista de Saúde, Direitos Sexuais e Direitos Reprodutivos–Rede Feminista de Saúde); and the Feminist Network of Women's Studies Centers in the Brazilian Northern and Northeast Regions (Rede Feminista Norte e Nordeste de Estudos e Pesquisas sobre a Mulher e Relações de Gênero–REDOR). In addition to this group, the following network and coalitions were part of the **Organizing Committee**: Concerted Action of Brazilian Lesbians (Articulação Brasileira de Lésbicas–ABL); Network of Organizations of Brazilian Black Women (Articulação de ONGs de Mulheres Negras Brasileiras–AMNB); National Federation of Women Domestic Workers (Federação Nacional das Trabalhadoras Domésticas–FENATRAD); Brazilian Chapter of Mercosur Women's Forum (Fórum de Mulheres do Mercosul - Capítulo Brasil); National Forum of Black Women (Fórum Nacional de Mulheres Negras); Study Group on Incarcerated Women (Grupo de Estudos sobre Mulheres Encarceradas); Brazilian League of Lesbians (Liga Brasileira de Lésbicas); Unified Movement of the Women of the Amazon (Movimento Articulado de Mulheres da Amazônia–MAMA); Peasant Women's Movement (Movimento de Mulheres Camponesas–MMC); Brazilian Network of Feminist Studies and Research (Rede Brasileira de Estudos e Pesquisas Feministas–REDEFEM); Brazilian Network of Prostitutes (Rede Brasileira de Prostitutas); GRUMIN Network of Indigenous Women (Rede GRUMIN de Mulheres Indígenas); Network of Women in the Radio (Rede de Mulheres no Rádio); Youth Feminists Network (Rede Jovens Feministas); National Network of Traditional Midwives (Rede Nacional de Parteiras Tradicionais–RNPT); National Woman's Secretariat of Força Sindical (Secretaria Nacional da Mulher da Força Sindical); National Department for the CUT Working Woman (Secretaria Nacional sobre a Mulher Trabalhadora–SNMT/ Central Única dos Trabalhadores–CUT); and the Brazilian Women's Union (União Brasileira de Mulheres– UBM).

We appreciate the support of the United Nations Development Fund for Women – UNIFEM; United Nations Population Fund - UNFPA; Heinrich Böll Foundation and Ford Foundation and Latin American and Caribbean Committee for the Defense of Women's Rights – CLADEM, International Federation for Human Rights and National Movement for Human Rights. We would like to thank International Women's Rights Watch Asia Pacific - IRAW Asia Pacific for the comments on the Shadow Report and the mentoring to the Brazilian women during the 39<sup>a</sup> Session of the CEDAW Committee.

## Executive Summary

The Civil Society Shadow Report raises questions that expose the fragility of the situation of women in the country, which is aggravated with regard to Afro-descendants, indigenous women, residents in rural areas, urban dwellers with less earning power, prostitutes, people with special needs, prisoners, head of households, lesbians, women living with HIV/AIDS, in other words, girls, youths and elderly and other groups of marginalized or socially excluded women. In view of this, the text demonstrates the persistence of many inequalities of gender, specifically, those concerning the difficulties of access to public policies, to public goods and social well-being. These inequalities are accentuated depending on ethnic, generational, regional or socioeconomic origin, which makes difficult the progress of women in Brazilian society.

For the purpose of presenting the document, we follow the structure of the text of the Convention on the Elimination of All Forms of Discrimination against Women–CEDAW, giving special attention to the concluding comments and recommendations issued by the CEDAW Committee to the State of Brazil in 2003. For this presentation, the proposed content is covered in 13 articles of the Convention, giving priority within each topic to facts submitted by networks and alliances in the context of the participatory methodology. In addition, at the end of each chapter, suggestions of *recommendations specific* for the State of Brazil are presented.

*Chapter I* focuses on *Equality of Rights*, emphasizing the recent changes adopted in the Brazilian Civil and Penal Codes, and the importance of the advent of the Maria da Penha Law (No. 11340/2006), which aims to suppress domestic and family violence against women in the entire country. It also considers the deficiencies in judicial and legal guarantees and in daily practices that hamper the effective exercise of citizenship for Brazilian women. The same focus is utilized to evaluate other advances in public policies, including the creation of institutional mechanisms for the defense of women's rights. This report documents the limits that are still placed on the mechanisms' full operation and recognition as a forum of citizen control over public policy. The problems of *Violence and Discrimination* are covered in *Chapter II*, as recurring practices in Brazilian society and obstacles to full social, economic and cultural development of women. These obstacles are more evident when combined with characteristics like age, ethnic origin, rural origin, sexual orientation, or the condition of multiple exclusion that characterizes, for instance, the female prison population. To this is added the insufficiency of public policies for the prevention and punishment of crimes committed against women and for the protection of the victims, including the networks of support services or the Special Police Departments for Assistance to Women (Delegacias Especializadas de Atendimento à Mulher-DEAMs), for the assistance of victims of sexual violence. *Chapter III* examines Affirmative Action, reinforcing the idea that they are necessary strategies to sustain political identity and equality of opportunity for women, Afro-descendants, indigenous peoples, and others sectors who are excluded or discriminated against in Brazilian society. Based on this evaluation, the scarce presence of Afro-descendants in all levels of education is questioned, supporting the relevance of developing policies for social inclusion such as the "University for All" Program (Programa Universidade para Todos - PROUNI), the "Family Grant" Program (Programa Bolsa Família), and the National Plan on Policies for Women (Plano Nacional de Políticas para as Mulheres – PNPM) and the National Plan on Policies for Promotion Racial Equality (Plano Nacional de Políticas de Promoção da Igualdade Racional - PNPIR). *Chapter IV*, on *Stereotypes, Cultural Patterns, and Images of Women*, demonstrates the necessity of modifying procedures and mentalities that impute secondary social roles to women, and create negative and distorted images of women and girls. In light of this, it shows the necessity for agencies of socialization, including schools, the family, and the media, to make efforts to modify these mentalities. It further emphasizes the relevance of developing actions, programs and campaigns that deconstruct stereotypes and value the role of women in all spaces of social action.

The *Trafficking of Girls and Women and Sexual Exploitation* are addressed in *Chapter V*, documenting a troubling scenario, and situations that range from the difficulty of visualization of the problem, to the lack of training to adequately address the problem, impunity, and legal obstacles, such as the fact that in the Brazilian Penal Code, sex crimes are still not treated as human rights violations, but rather as a crime against custom. To which is added the fact that sex trafficking predominantly affects black and "dark" women and girls, aged 15 to 17, generally of poorer classes, with low levels of education and who live in the margins of urban areas which lack sanitation, transportation and other community social goods. *Chapter VI* addresses the *Right to Public and Political Life*, alluding to low levels of female participation in fora of the Executive, Legislative and Judicial

Powers, and to the fact that difficulties in occupying spaces in political decision-making are problems that affect the sectors identified by characteristics of gender, class or race/ethnicity. It further discusses the fact that Brazil ranks among the worst countries in terms of political empowerment of women, pointing out that in spite of the advent of quotas, the under-representation of women has remained a recurring pattern in the Brazilian political scene since the 1996 elections.

*Chapter VII* examines *International Participation and Representation*, illustrating this point starting from the experience of women's actuation in the Specialized Meeting of Women in Mercosur (Reunião Especializada da Mulher - REM no Mercosul), which was considered of great importance because of the leadership of women in the countries that make up the region, however, which did not receive the support necessary in governmental fora. When discussing the sphere of Mercosur, the fact that there exists little possibility for participation and representation of women in international fora and official delegations is also mentioned. The topic *Educational Achievement and Citizenship*, highlighted in *Chapter VIII*, shows that the successes achieved by women in terms of accessing and staying in school or in increasing years of study, do not result in better conditions of work, in less unemployment, higher salaries, or positions of leadership or decision-making. A similar situation is documented in relation to the scientific professions, in which the reality experienced by female researchers go beyond a mere quantitative question, and accentuates the gender gap in the granting of research fellowships and top positions of the profession, despite women having a marked presence in the base of the pyramid. The documentation of this reality indicates many possibilities for examining social indicators for the understanding of the gender dynamics that pervade the context of educational opportunity, as well as the intersection with class and race/ethnic relations, whose effect is often more malignant than the inequality between men and women.

*Chapter IX* includes issues in relation to *Work, Social Security, Poverty and Social Exclusion*, directing attention to aspects related to the work and salary situation, and to social security. The pattern of salary gaps, which makes women receive lower salaries than men, is even more critical for sectors like domestic workers and women rural workers. These workers frequently have difficulty in proving their earnings, and are often marginalized from the traditional productive process. They are unprotected and lack guarantees for workers that permit them access to social security benefits, to the Fund for Guarantees through Time Served, to Unemployment Insurance, or to maternity leave. This reality is even more problematic for women who are black and poor, who are victims and sexism. *Chapter X* is dedicated to the *Women's Health and Sexual and Reproductive Rights*, evoking various aspects of this reality. Issues related to the elevated incidence of adolescent pregnancy, the lack of access to emergency contraceptives, and the conducting of abortions in unsafe conditions constitute some of the many problems that must be addressed urgently as an object of public health in Brazil. In addition, there are problems related to under-reporting of cases of maternal death, the poor quality of care for the pregnant woman, the incidence of deaths from breast cancer and the increase in cases of HIV/AIDS among women. Along the same lines, the necessity of traveling long distances in search of medical assistance, together with the scarce provision of these services, has made access to health difficult for various sectors of women. Access is also made difficult by factors related to ethnicity or sexual orientation, which have been revealed to be sources of prejudice and of discrimination within healthcare.

*Inequalities in Economic and Social Life* are examined in *Chapter XI*, based on indicators that portray inequality in the conditions of life of ethnic and racial groups. In Brazil, the formal declaration of inequality, present in national and international laws protected by the Constitutional Charter of 1988, are not sufficient to guarantee juridical title for women, in particular, for black and indigenous women, reflecting, among other inequalities, those relative to work, earnings, health, educations, and position of power. The discussion of *Rural Worker Women* is taken up in *Chapter XII*, in which they are addressed as a specific topic. In this discussion, the limitation of the national programs directed toward family agriculture is highlighted, including access to credit and documentation for rural worker women. Similarly, the leadership of the Peasant Women's Movement of Brazil is highlighted, whose mobilizations have made visible the reality of this sector and have pushed for the recognition of their necessities and needs. Following this last chapter, the document presents suggestions of *general recommendations* to the State of Brazil.

In order to present this Shadow Report, the reach and limits of the governmental action to confront the problems of discrimination against women in the fields of law, education, health, work and economic, social and cultural life were considered. For this, it started from the understanding that the text of CEDAW goes beyond the mere recognition of equality and non-discrimination, as it proposes specific measures to promote and guarantee citizenship and the human rights of women in all aspects of civil, social, economic, political and cultural reality.

## I. Equality of Rights, Legislation and Institutional Mechanisms: Formal and Material Inequality – Articles 1 and 2, 15 and 16

1. In Brazil, the legal framework concerning CEDAW, in particular the recommendation of the CEDAW Committee to consecrate and guarantee in law the principle of equality between men and women, forms part of the Federal Constitution of 1988. The Constitution, especially in its article 5, emphasizes that women and men have the same rights and obligations, that is, they are equal before the supreme law of the country. In this manner, the Federal Constitution represents a framework with regard to the human rights of women and to the recognition of their full citizenship to the extent that it breaks with a legal system that discriminated strongly against women. The Brazilian legal system has sought to harmonize legislation to assure the compliance with this constitutional principle, in particular, the following are worth particular note: the content of the new Civil Code adopted in 2002 and in force since 2003; the reforms adopted in the Penal Code (2005), and the advent of the law regarding domestic and family violence against the women (2006), to be detailed below.
2. With regard to domestic violence, a Consortium created by NGOs, jurists, and feminists<sup>1</sup> prepared a proposal for a law on domestic and family violence against women, which was submitted to the Special Secretariat on Policies for Women (Secretaria Especial de Políticas para as Mulheres - SPM) of the Presidency of the Republic, which established a Inter-Ministerial Working Group (GTI) charged with drafting the proposed legislative measure, and which resulted in Law No. 11340/2006 – the “Maria da Penha” Law. This law incorporated long-standing demands by women and the feminist movement, and represents a great advance for the legal framework that had existed until the present, particularly in the face of the legacy of impunity under Law No. 9099/1995. That law deals with crimes considered minor offenses, and the application of it to domestic and family violence resulted in the consideration of the crimes against women of greatest incidence in the realm of domestic and family relations as minor offenses, minimizing the problem and producing negative effects upon treatment of it.

### Civil Society Initiatives

**Vigils for the End of Violence Against Women** were organized by state Women Fora and by various feminist groups throughout the country. A series of actions and protests originated on March 7, 2006, calling attention to the impunity for violence against women, and calling for the adoption of the proposed Maria da Penha Law, a comprehensive law on domestic and family violence against women in Brazil. In Pernambuco, Northeast, the Observatory on Violence came to register cases of gender violence and propose policies addressing the problem.

3. The Maria da Penha law aims to restrain domestic and family violence against women in the country, define the principle forms of the violence affecting women in their daily lives (physical, psychological, sexual, economic and moral violence), and determine a series of mechanisms and measures for prevention, protection and assistance to women in situations of violence, as well as the punishment and reeducation of the aggressors.<sup>2</sup>

#### Facts:

Law No.11340/2006 received the name “Maria da Penha” Law because of Maria da Penha Maia Fernandes, a Brazilian biopharmacist, who in 1983 was victim of two homicide attempts in her own home in Fortaleza, Ceará, by her then spouse and father of her three daughters. The aggressor, Marco Antonio Heredia Viveiros, a Colombian naturalized as a Brazilian who was an economist and university professor, shot her in the back while she was sleeping, causing irreversible paraplegia, among other harm to her health; in a subsequent occasion, he attempted to electrocute her in the bath. Even in 1998, 15 years after the crime, despite two convictions by the Jury Court of the State of Ceará (1991 and 1996), there was still no definite decision on the case and the aggressor remained in liberty. Maria da Penha, together with the Center for Justice and International Law (CEJIL) and the Brazil Chapter of Latin American and Caribbean Committee for the Defense of Women’s Rights (CLADEM-Brazil) filed a case with the Inter-American Commission of Human Rights (CIDH) of the Organization of American States (OAS). The State of Brazil did not file an answer to the petition and remained silent during the proceedings.

<sup>1</sup> The Consortium was composed of AGENDE, ADVOCACI, CEPIA, CFEMEA, CLADEM/IPÊ and THEMIS, and also counted on the collaboration of jurists and feminists who were specialists in diverse areas, among whom were Ela Wiecko, Ester Kosovick, Leilah Borges, Rosane Reis Lavigne, Wânia Pasinato Izumino and Simone Grilo Diniz.

<sup>2</sup> Among the measures of protection provided in the law that a judge can adopt urgently when necessary, are the directing of the woman and her dependents to a governmental or community program of protection, and her return to her residence after the removal of the accused. With regard to the agent engaging in violence, the judge could, among other measures, order his removal from the residence or from the locale of cohabitation with the victims, as well as prohibit conduct such as approaching the victim or communicating with her, in addition to restricting or suspending visits to minor dependents. It further provides a series of protections for the property of women in situations of violence. It also permits the arrest of the aggressor in cases where he is caught in the act (“prisão em flagrante”) or when a judge finds cause for preventative detention (“prisão preventiva”), in cases that would not have been allowed under Law 9099/95. The Maria da Penha law also instituted a network of protection composed of specialized Courts, public defender units, psycho-social and legal service centers, shelters, special police units, centers of medical and legal experts, and centers of education and rehabilitation for aggressors, and networks of support, among other measures of protection.

In 2001, the CIDH found the State of Brazil<sup>3</sup> responsible for failure to act, negligence and tolerance with regard to domestic and family violence against Brazilian women, issuing special recommendations for the case to: a) complete the criminal proceedings against the author of the crime; b) conduct an investigation to determine responsibility for the irregularities and unwarranted delays in the case; and c) provide symbolic and material reparations to the victim. The CIDH also issued recommendations for public policies, for the purpose of pursuing and intensifying the reform process to eliminate state tolerance and discriminatory treatment of domestic violence against women in Brazil, by adopting measures to: a) train judicial officials and specialized police; b) simplify criminal judicial proceedings, reducing the time for proceedings, without affecting the rights and guarantees of due process; c) promote alternative forms of resolution of family conflict; d) increase the number of the special police departments for assistance to women, the resources dedicated to them, and the support from the Office of the Public Prosecutor (in preparing judicial reports; e) include, in teaching curriculums, units on women, their rights, the Convention of Belém do Pará and the management of family conflicts.

Due to the effective use of the international system of protection of human rights (both regional and global) in litigation and monitoring activities, and through international political pressure, in March 2002, the criminal trial in the case finally concluded in the domestic level, and in October 2002 the aggressor was imprisoned (even though he is already completing the sentence in "semi-open" detention, in accordance with the national law.)

The Maria da Penha case was reported by civil society to the CEDAW Committee on the occasion of its 29th Session, which considered the National Report of Brazil (combined initial and periodic reports, of 1985 and 2001), which in its Concluding Comments, recommended that the State, among other actions, adopt "without delay legislation on domestic violence" and "practical measures to follow-up and monitor the application of such a law and evaluate its effectiveness" (CEDAW/2003/II/CRP.3/Add.2/Ver.1, 18 July 2003) (CEDAW/A/58/38) In 2006, as a result of the joint actions by civil society and the state, Law 11340/2006 (Law "Maria da Penha") was approved, which created mechanisms to restrain domestic and family violence against women, and aims to comply with section 8 of article 226 of the Federal Constitution, with CEDAW, and with the Convention of Belém do Pará. It also provides for Courts on Domestic and Family Violence Against Women, reforms the Penal Code, Code of Criminal Procedure, and the Law of Criminal Sentences (Lei de Execução Penal), among other measures.

However, there are still a series of recommendations that require compliance and measures that must be taken, including in observance of General Recommendation No. 19 of the CEDAW Committee. For example, nearly 25 years after the crime and five years after the decision of the CIDH, to date the victim Maria da Penha still have not received the due reparations by the State, nor has there been a case initiated to investigate the irregularities in the unwarranted delays in the case of the aggressor in the domestic forum. Further, the effective implementation, monitoring and evaluation of the Law and various public policy measures recommended by the CIDH and the CEDAW Committee continue to be great challenges. (CLADEM-Brazil, on Case 12.051, *Maria da Penha v. Brazil*, Report No. 54/2001, CIDH, www.oas.org.cidh.

4. The importance of a specific law to restrain this type of gender violence can be understood by the magnitude of this phenomenon in the country. For example, data from the police registries released by the Observatory of Violence Against Women – SOS Corpo, reveals that from January to June 2006, 170 women were killed in Pernambuco; in the Federal District, occurrences of this type were already on the order of 1 killing every 2 days, which corresponds to 90 deaths in the same 6 month period (Correio Brasileiro, 23 July 2006).
5. One in four women in Brazil have already been a victim of domestic violence. Since 2001, it is estimated that every 15 seconds, a woman is beaten, usually by her husband, companion, boyfriend, and/or ex-partner; every 15 seconds a Brazilian woman is also impeded from leaving the home, and, another Brazilian woman is forced to have sexual relations against her will. Available statistics and registers in Special Police Departments for Assistance to Women indicate that 70% of the aggressions occur inside the home and the attacker himself is the husband or companion; more than 40% of violence results in grave bodily injury from punches, slap, kicks, burns, beatings, and strangulations. Close to 70% of murdered Brazilian women are victims in the sphere of their domestic relations; according to research by the National Movement of Human Rights (Movimento Nacional de Direitos Humanos – MNDH), 66.3% of the accused in homicides against women are their partners. This data, in its totality, is repeated year after year, making clear the unquestionable complexity, gravity and profoundness of the phenomenon of domestic violence, which still must be better understood. Its magnitude must be confronted, by demanding the establishment and perfection of a system of collection and production of official data, which is periodically updated throughout the whole country.
6. Domestic violence affects thousands of women throughout the country, independent of race/ethnicity, class, or social position. In the city and the countryside, many women allege having been victims of some type of violence. According to research conducted in 2002 by the Peasants Women's Movement (Movimento de Mulheres Agricultoras) in Santa Catarina (South), 53.45% of peasant women affirmed that they had been violated in the past by words or psychological pressures. Humiliation based on being agricultural workers was experienced by 34% of the people interviewed and 14.9% say that they had been beaten previously by their husband and partners. The data on violence is scarce, and is even more so with regard to detailed information, such as the statistics presented by the MMA. This makes getting a picture of the real situation of peasant women

<sup>3</sup> According to Report No. 54/01 of the CIDH, in the Maria da Penha case, the State violated rights protected in regional declarations and treaties of human rights: *American Convention on Human Rights*: Article 1(1) (obligation to respect rights); article 8 (judicial guarantees); article 24 (equality before the law); and article 25 (judicial protection). *American Declaration on the Rights and Duties of Man*: articles II and XVIII. *Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women – Convention of Belém do Pará*: article 3 (right to life free from violence in the public and private sphere); article 4(a) right to life, (b) right to physical, mental and moral integrity, (c) right to liberty and security; (d) right to not be subjected to torture, (e) right to dignity and protection of the family, (f), right to equal protection before the law and of the law; (g) right to prompt and simple recourse to a competent court; and article 7 subsections (b), (d), (e), (f), and (g). (State obligations)

difficult. The same is true in relation to the population of indigenous women. However, the little information available already alerts us of the necessity to think of ways to combat violence in rural areas, taking into account the difficulty of access encountered by this population to the (already scarce) mechanisms of the defense of women, such as to the Special Police Departments for Assistance to Women.

7. The new Brazilian Civil Code (Law No. 10406), adopted in 10 January 2002 and in force since 2003, constitutes an advance in the implementation of CEDAW. It embraces the constitutional principle of equality between women and men, and incorporates equality in marital rights and duties (article 226 § 5). The women in the new Code now exercise rights and duties based on full community of life and on equality between the spouses. In the text of the previous Code, “man” was referred to as the representative of humanity in Brazil, and thus the “woman” did not need to be cited directly. In the new Code, the general terms “persons” was adopted. The woman no longer has to prove her virginity for the event of marriage, in order to not be rejected and returned to her family with an annulment of the marriage.
8. The rights and duties of women in marriage has become the same as that of men. The discriminatory expression “chief of the marital society” that used to be exercised by the husband was abolished. Regulations on shared responsibility between the mother and father abolished the expression “paternal power”, being substituted by the term “family power.” The concept of “stable unions” was included. In the new Code, the marriage can be annulled for lack of consent, if there was an essential error at the time of consent by one of the parties regarding the other party. The articles that deal with the rules on assets after the marriage, the woman no longer require proof of “honesty” to have right to paternal inheritance. All the articles where the ages of women and men were different have been repaired and made equal, establishing, thus, a balance between the sexes. The Code also evolved by incorporating the constitutional principles of equality between men and women and the equality of rights and duties between marriage spouses and partners.
9. The new Civil Code ordered the principles established in ordinary legislation and included jurisprudence already established in courts, collecting and systematizing the demands of women and the feminist movement regarding the content of the previous Code of 1917. However, many questions remained unanswered, among them, contemporary issues necessary for social coexistence, such as civil partnerships with persons of the same sex, which is currently cited in the law only in the case of parenthood, and artificial insemination, which are undoubtedly realities in Brazilian society. Adultery, already abolished from the Penal Code in 2005, was preserved in the new Civil Code, even though it is no longer a motive for judicial separation. The adulterous spouse is no longer obligated to abandon use of the last name of the other or prohibited from receiving food pensions where necessity is shown. It is not customary in Brazil for the husband to adopt the last name of the wife, though the reverse is true; in cases of separation, applications by ex-wives for food pensions are most frequent, because they had requested it previously. In light of this, it is possible that there is continued risk of operators and appliers of the law associating the legal concept of adultery to the woman.
10. In the context of the reforms adopted in Brazilian law, the Penal Code of the country has also gone through reforms with regard to the rights of women, as in Law No. 11106/2005 which withdrew the discriminatory term “honest woman” from articles No. 215, 216, and 219, and revoked article 217, which referred in its text to the “virgin woman”. The same law also revoked articles of moralistic and discriminatory tenor, such as that which contemplated the crime of adultery (Art. 240) or that which encouraged impunity, such as paragraphs VII and VIII of Art. 107, which extinguished the punishability of crimes against custom (rape and other sexual crimes) in the case of marriage by the agent with the victim or by the victim with third parties.
11. Such modifications were accompanied by approval of various proposed laws such as that which guarantees and regulates the establishment of nurseries and day care centers in prisons for children of prisoners (PL 117/03); or that which guarantees maternity leave for city council members, and federal and state deputies (PL 644/03), whose amendment includes paternity leave for male parliamentarians. Alongside this, both female and male parliamentarians were required to deliberate on discrimination and prejudice, through proposed legislation in the interest of the GLBTT community (gay, lesbian, bisexual, transvestite, and transsexual). Further, the Statute of Older Persons was approved, specific measures for persons with special necessities were adopted, and campaigns to combat racism were developed. In sum, this deals with a set of laws, measures and actions directed toward equality, that has in its favor the political and theoretical build-up of social movements of women and its relationship with the Women’s Parliamentarians Caucus of the National Congress, whose actions have been systematic and coordinated with the State and society.



12. In the level of monitoring of the implementation of the CEDAW Convention in states and municipalities, the efforts of the Special Secretariat on Policies for Women (SPM) in stimulating the creation of mechanisms for the promotion and defense of women in the state and municipal level, and strengthening secretaries, coordinators, and advisors on women, deserve special note. Computing data on councils there are registered approximately 207 of them: 1 national, 25 state, and 171 municipal councils. The number of municipal councils is very low in the face of the inequality reflected in the situation of Brazilian women, and the size of the national territory, which is composed of 5,561 municipalities. Further, the lack of definition by the State of the powers and competence of these mechanisms in their diverse levels of action (federal, state and municipal), compounded with the lack of resources and political power that would allow them to function effectively, and the lack of recognition of the councils as fora of citizen control reduce their capacity to promote the rights of women. To this are added problems resulting from restrictions on budget allocation and execution, to the extent that the constraint of resources in areas such as public security, health and social assistance, which are heavily related to laws and politics oriented toward women, impede the full implementation and functioning of the councils.

**Suggestions for Recommendations to the State of Brazil**  
**We request the CEDAW Committee to:**

- 1) Call on the State Party to allocate budgetary resources to the policies, plans and programs of action, in amounts that guarantee investment for expansion and the adequate equipment for services of attention for violence against women – especially, police departments, resource centers and shelters – as well as for the training of public actors of these policies and for agents that act directly in these services, especially judges, prosecutors, public defenders, civil and military police, prison officials, medical and health personnel, and social workers. (arts. 1, 2, 5).
- 2) Recommend the State Party adopt practical measures to implement, monitor and evaluate the effective application of Law 11340/2006 – the “Maria da Penha” Law on domestic and family violence against women, from a holistic, complex, specificity, and multidisciplinary perspective, required for the confronting this problem. Urge, in the terms of the law, the creation of Special Courts for Domestic and Family Violence against Women throughout the national territory, with civil and criminal competence for prosecution, judgment, and execution of sentences in all cases stemming from this violation. The Courts should assure not only the immediate and effective application of urgent protective measures for the victim and her family, as well as measures that create obligations for the aggressor, but also assure the filing and prosecution of all the other correlated judicial actions, for the purpose of guaranteeing the full, integrated, and unified societal and legal attention to women who are victims of this violence. Call for effective action by the State Party to guarantee, among others: a) adoption of integrated measures of prevention and assistance provided in the law, including, in case of domestic sexual violence, the access to emergency contraceptive services, prophylaxis for STDs and HIV/AIDS, and legal abortion; b) the adoption of resources necessary for full performance by the police authority, in accordance with the law, d) free legal assistance to the victim in the police and judicial centers, with obligatory representation of the victim by an attorney in the Courts, and e) the actuation of a multidisciplinary team of psychosocial, legal and medical assistance within the Courts (art. 1, 2, 3, 12, 15, 16).
- 3) Invoke the action of the State Party to assure that the professionals in the inter-institutional service networks to confront violence against women participate in continuous processes of sensitization, training, recycling (reuse), and perfection of pedagogical methods. In particular, those in services of public security which include, beyond the Special Police Departments for Assistance to Women, the members of police units in all parts of the country, should receive training. They, together with the judiciary, public prosecutor, public defender, and the health, social service, education, work, housing and other sectors, should be highly prepared for the effective compliance with the Maria da Penha Law. Urge, further, specific investment in the training of health workers in the gender and anti-racist perspective, for the purpose of guaranteeing high quality of service, including recognizing and treating girls and women who have been victims of domestic and sexual violence, racial violence, institutional racism, and all forms of institutional violence, or, further, any other type of violence. Also request the State Party to provide information covering the data on violence against women in its next periodic report, disaggregated by race and ethnicity. (arts. 1, 2, 3, 5, 10, 12, 16)

## II. Violence and Discrimination: Obstacles to the Development of Women – Articles 3, 15 and 16

13. In Brazil, the definition of violence against women in the Convention of Belém do Pará has been adopted. This definition considers as violence, any act or conduct based on gender, which causes death, physical, sexual or psychological harm or suffering to women, in the public sphere as well as in the private sphere. The “Maria da Penha” Law (Law 11340/2006) on domestic and family violence specifically against women, focused for the first time on identification and treatment of the problem, even though the Federal Constitution of 1988 contemplated and recognized the existence of domestic violence, in a general manner, in the families sphere.
14. It should be understood, however, is that violence practiced against women in all income levels in Brazil goes beyond the domestic sphere, therefore, it also occurs in the public sphere, by action or omission. And, the greater the level of vulnerability of women, the great the incidence of gender violence.
15. Public opinion surveys<sup>4</sup> on violence against women show that Brazilians believe: the woman should not put up with aggressions by the companion (86%); there is no situation which justifies the aggression of a man against a woman (82%); and that domestic violence is a very grave problem (91%). Still, these views do not correspond with the incidence of violence registered in Brazil that has already been cited.<sup>5</sup> Even though public opinion expresses serious concern and absolute rejection of violence, the statistics reflect social and institutional practices that are constants in the systematic pattern of discrimination and impunity.

### Facts:

A document sent to the Presidency of the Republic in January 2007 denounced the constant impunity involved in the violation of rights of indigenous peoples in Brazil, asserting that it is a strong stimulus for the occurrence of new and ever-increasingly grave violations of indigenous rights. The text also refers to the impunity that accompanies cases of gender violence and of racism, highlighting the murders of 20-year-old Marina Macedo, of Baniwa ethnicity, who was found strangled and with signs of rape on the morning of January 7, 2007, in the municipality of São Gabriel da Cachoeira (a 858 kilometers from Manaus, Amazonas); and the case of 70-year-old Kurutê Lopes, of Guarani-Kaiowá ethnicity, who was shot to death a day before. The document called for the effective punishment of the persons responsible for these crimes. GRUMIN Network of Indigenous Women (Rede GRUMIN de Mulheres Indígenas <http://redegrumindemulhereindigenas.blogspot.com/>)

16. The Special Police Departments for Assistance to Women (DEAMs) constitute the principle mechanism to denounce violence against women since 1985, when they began to be established through demands by women and the feminist movement. However, the 339 DEAMS existing today in the country offers assistance to only 10% of the total of 5,561 Brazilian municipalities. Disproportionality also occurs by region, with the greatest concentration being in the Southeast region of the country, especially in the state of São Paulo. Thus, while the coverage of women in situation of violence is reported as 13% of municipalities (220 municipalities) in the Southeast of the country, in the Northeast region it is 3% (50 municipalities). The lack of training of police agents in dealing with gender violence and the insufficiencies of human and financial resources and adequate infrastructure also are factors that make difficult the capacity of this mechanism to fulfill its role of investigating and classifying crimes committed against women.

### Civil Society Initiatives

The World Campaign **16 Days of Activists against Gender Violence** with the slogan “Life Without Violence is a Woman’s Right”, has been held in Brazil annually since its creation in 1991. It has expanded since 2003 under the coordination of AGENDE, a feminist ONG with a headquarters in Brasília, and with the support and partnership of 32 national networks of women and human rights groups, as well as 27 governmental organs and UN agencies, and the financial support of state enterprises. The campaign focuses on sensitizing Brazilian society on the necessity of eradicating gender violence and strengthening of self-esteem of women, organizing activities in the entire country<sup>6</sup>.

<sup>4</sup> Study conducted by the Patrícia Galvão Institute, based on the Ibope Opinion Survey “What society thinks about the problems of violence against women” (2004).

<sup>5</sup> See in particular paragraphs 3 and 4 of this Shadow Report.

<sup>6</sup> For more information, see [www.agende.org.br/16dias](http://www.agende.org.br/16dias)

17. Signs of progress, as well as insufficiency, are assistance services to victims of sexual violence. In all of Brazil, there are only 37 hospitals that offer assistance by providing emergency contraceptives, prophylaxis (SP) for the prevention of STDs, HIV and AIDS, and abortion provided by law. 5 states do not have these services: Roraima, Amapá and Tocantins (North), Piauí (Northeast) and Mato Grosso do Sul (Center-Oest). In Ceará (Northeast) and in Goiás (Center-Oest) these services exist, but there is no registry of legal abortion services. The demanding of the Bulletin of Occurrence is prevalent, even though it was expressly dispensed with by decree of the Ministry of Health.<sup>7</sup> In legal abortion services, between 1989 and 2004, there were conducted 1,266 procedures to interrupt pregnancy: 845 between 1989 and 2002; 161 in 2003 and 171 in 2004. Close to 75% of the cases were in the Southeast region of the country, the most developed in the country.<sup>8</sup>
18. The creation of anti-discrimination laws related to gender, sexual orientation, race and ethnicity in the state and national level, has started to construct a new approach for social movements, in partnership with legislatures. Cities like Campinas (São Paulo) and Porto Alegre (Rio Grande do Sul), administratively punish commercial establishments, public servants (states and municipalities), and individuals who practice discrimination against gays, lesbians, bi-sexuals, transvestites and transsexuals. The legislation opens the opportunity for complaints and reparations, and also makes possible the combating of invisibility of the phenomenon, but it is not a guarantee of the reduction of discrimination or of impunity. Of 77 complaints filed with the Homosexual Defense Hotline of Campinas Municipality, 20 were filed by lesbian women, trans-sexuals and bi-sexuals, against whom the incidence of discrimination tends to be more accentuated in the family sphere, commercial establishments and in schools (Table 1).

Table 1 – Complaints of discrimination in Campinas (%)

|                            |     |
|----------------------------|-----|
| Family                     | 30  |
| Commercial establishment   | 25  |
| Educational establishments | 15  |
| Workplace                  | 10  |
| Neighbors                  | 10  |
| Physical Aggression        | 10  |
| <i>Total</i>               | 100 |

Source: Concerted Action of Brazilian Lesbians (Articulação Brasileira de Lésbicas), Campinas / SP, 2005.

19. The multiple social exclusion that characterizes sectors like the women prison population, is reflected in invisibility, omission and forgetfulness by the diverse spheres of Brazilian society in relation to this group of women, as well as by the female penitentiary institutions that are under the authority of the Brazilian Penitentiary System. Among the marginalized population that overcrowds Brazilian prisons, the women are practically forgotten by the State, which worries little about collecting data about them, leaving the task to academic studies and civil society organizations.<sup>9</sup> It should be noted that in 2006, incarcerated women represented 4.5% of the prison population (14,058 to 308,786 persons) and that, between 2000 and 2006, the rate of increase in this percentage was 135.37%, much higher than that of men, which was 53.36%. (Table 2).

<sup>7</sup> See dispositions in this regard in the Technical Norms of Prevention and Treatment of Harms resulting from Sexual Violence against Women and Adolescents, and the Technical Norms of Humanized Attention on Abortion, both of the Ministry of Health, among other documents that deal with the legal aspects involved in the assistance for sexual violence.

<sup>8</sup> Study on legal abortion in Brazilian public hospitals (1989-2004) by Rosângela Aparecida Talib and Maria Teresa Citeli, in Catholics for the Right to Choose Notebooks, number 13, 2005.

<sup>9</sup> For example, see Report on Incarcerated Women, March 2007, by the Center for Justice and International Law (CEJIL). CEJIL is one of the organizations that form the Study and Working Group on Incarcerated Women. The other organizations in the Study and Working Group are: Association of Judges for Democracy (Associação Juizes para a Democracia - AJD); Land, Work and Citizenship Institute (Instituto Terra, Trabalho e Cidadania - ITCC); National Prison Pastoral Service (Pastoral Carcerária Nacional); Institute of the Defense of the Right to Representation (Instituto de Defesa do Direito de Defesa - DDD); Dandara Center of Female Popular Public Prosecutors (Centro Dandara de Promotoras Legais Populares); Brazilian Association for the Defense of Women, Infancy and Youth (Associação Brasileira de Defesa da Mulher, da Infância e da Juventude - ASBRAD); the Teotônio Vilela Commission (Teotônio Vilela Commission - CTV); and the Brazilian Institute for Criminal Science (Instituto Brasileiro de Ciências Criminais - IBCCRIM). The Group also benefitted from the assistance of CLADEM-Brazil and the Latin America Program of the International Women's Health Coalition (IWHC). Report available on the AJD website, [http://www.ajd.org.br/ler\\_noticia.php?idNoticia=129](http://www.ajd.org.br/ler_noticia.php?idNoticia=129). See also the study by the non-governmental organization Plural Women's Collective (Coletivo Feminino Plural) of Porto Alegre, which was sponsored by UNESCO and by the Inter-Disciplinary Center on Studies on Women of UFRGS (Núcleo Interdisciplinar de Estudos sobre a Mulher da UFRGS), published under the title "Health, Life and Sexuality of Women in Semi-Open Detention" ("Saúde, Vida e Sexualidade das Mulheres no Regime Semi Aberto", by Aparecida Fernandes and Telia Negrão (coordinators), Porto Alegre, 2005.

**Table 2 – Prison population in Brazil: 2000 – 2006**

|              | Population in the Prison System |         | Total Population |             | Number of prisoners (per 100.000 people) |        | Increase (%)  |
|--------------|---------------------------------|---------|------------------|-------------|--|--------|---------------|
|              | 2000                            | 2006    | 2000             | 2006        | 2000                                     | 2006   |               |
| <b>Women</b> | 5601                            | 14,058  | 86,223,155       | 91,946,392  | 6.50                                     | 15.29  | <b>135.37</b> |
| <b>Men</b>   | 169,379                         | 294,728 | 83,576,015       | 94,824,221  | 202.66                                   | 310.82 | <b>53.36</b>  |
| <b>Total</b> | 174,980                         | 308,786 | 169,799,170      | 186,770,613 | 103.05                                   | 165.33 | <b>60.43</b>  |

Source: National Penitentiary Department (DEPEN) at [www.mj.gov.br/depen/](http://www.mj.gov.br/depen/)

20. Further, the following is documented with regard to the female prison population<sup>10</sup>: a) the masculinization of female prisons; b) the absence of programs for social inclusion for prisoners; c) a scarcity of legislation specific to women prisoners and lack of compliance with the existing laws; d) precariousness of physical space dedicated to incarcerated women; e) lack of national studies in the academic realm and the lack of emphasis on this topic in political struggles conducted by feminist groups.<sup>11</sup>
21. In the legal sphere, in spite of extensive legislation that deals with criminal sentences, the inclusion of specifics for the female prison population is rare. An exception is the “Minimum Rules for the Treatment of Prisoners in Brazil”, which addresses care for pregnant prisoners, prisoners in labor, and convalescent prisoners. Among the provisions of these Rules are the guarantee of the right of the women to stay with their infants during the breastfeeding period; however, therein lies one of the greatest violations of their rights, as the women must give up their right to reduction of sentence in order to be able to be with their children, as this recourse is not available in the “semi-open” detention in which women breastfeed. This is in addition to the lack of pre-natal care and of exams to prevent cervical and breast cancer, among other procedures.

**Facts:**

According to the newspaper *Folha de São Paulo*, female prisoners were prohibited from breastfeeding after birth, and were induced to receive injections to interrupt lactation. Such acts violate the right to maternity of incarcerated women, demonstrating the vulnerability of this sector, and further, violates another Brazilian legal norm, the Statute of the Child and Adolescent (Estatuto da Criança e do Adolescente – ECA) (“São Paulo leaves child of prisoners without mother’s milk”, *Folha de São Paulo*, October 13, 2006, p.C1)

22. The discrimination against women directed at other characteristics like age, rural origin or ethnic origin, constitute other violations of rights. Women 60 years old or older are the majority of the population (55%), this age group being the most populated because of greater female life expectancy. However, this does not translate into access to social security. Government statistics on 2004 indicate that in this period, only 20.5% were receiving pensions (The Brazilian Institute for Geography and Statistics - IBGE). The high percentage of unprotected women demonstrates a grave problem for the near future, which elderly women who were excluded from the workplace are going through now: the lack of access or difficulty of access, to income in old age.
23. In areas like the Amazon, the knowledge of women of the ground, water and cycle of nature and of the productive processes and biodiversity gives them a central role in food and water security, and the conservation of the ecosystem. Their contribution in sustainable use and management of natural resources remain discounted and invisible. Nevertheless, the unjust and unequal appropriation of natural resources has generally concentrated riches in the hands of the white and masculine, and many times - international - elite. The appropriation of biological resources and traditional knowledge threatens the sovereignty of the peoples of the forest and increases the feminization of poverty, obstructing the recognition and respect of the rights of these people.

<sup>10</sup> Rita Laura Segato, Women and the application of sentences of incarceration (As mulheres e a aplicação de penas de privação de liberdade) (research project), CNPQ, 2005.

<sup>11</sup> In Rio Grande do Sul, for example, only one feminist NGO (Plural Women’s Collective) conducts work in the area of health, sexuality and prevention of STDs.

**Facts:**

Women who live by the river go through various adverse situations to engage in their professional activity. In the state of Amapá alone 180 cases of “scalping” accidents (loss of scalp with hair and part of the face, ear, and others) have been reported in 20 years, 80% of them women. The substitution of sailboats by motor boats in the 1960s led to the occurrence of this type of accident. The scalping is irreversible; the physical mutilation causes serious psychological and social consequences, leading the victims to move residences to seek assistance. Due to the social exclusion, they come to have no possibility of continuing their extractivist, fishing or agricultural activities (Unified Movement of Women of the Amazon).

24. With regard to rural workers, the difficulties in obtaining the necessary documents to guarantee social security benefits, access to credit and land possession continues, in spite of efforts by the Ministry of Agrarian Development (Ministério do Desenvolvimento Agrário – MDA) through a program directed toward providing civil and professional documentation to workers in rural areas; the program had originated from the National Campaign conducted from beginning of the 1990s by the rural women movement.

**Civil Society Initiatives**

National Campaign **No Rural Worker Women without Documents**, launched in 1992 by the Concerted Action of Rural Women Workers Fora in 5 states of the South (Articulação de Instâncias de Trabalhadoras Rurais dos 5 Estados do Sul – AIMTR), assumed in August of 1997 by the National Concerted Action of Rural Women Workers of Brazil (Articulação Nacional de Mulheres Trabalhadoras do Brasil – ANMTR), today the Peasant Women’s Movement (Movimento de Mulheres Camponesas - MMC). In 2004, the Brazilian State, through the Ministry of Agrarian Development launched the National Documentation Program for Rural Women Workers (Programa Nacional de Documentação das Trabalhadoras Rurais) for the Female Rural Worker and Neighboring Communities.

25. Universal and compassionate public assistance and benefits for the “specially insured person” is a fundamental public policy for the bettering of the quality of life of the population that lives in the countryside. Small agriculturalists, who are “specially insured”, contribute with 2.3% of the production that they sell; in contrast to urban workers, who contribute to the social benefits through discounts to their salaries. One of the obstacles to retirement is proving the condition as a “specially insured” person, that is, that the person is a rural worker, and that he contributed financially to the social assistance coffers. Women are the most prejudiced in this norm, as they have difficulty proving their participation in production.

**Suggestions for Recommendations to the State of Brazil****We request the CEDAW Committee to:**

- 4) Call on the State Party to implement laws and policies to address violence and discrimination against women in all areas of public and private life, as indispensable measures to overcome key obstacles to the development of women (arts. 1, 2, 3).
- 5) Urge the State Party to assure the implementation of networks of inter-institutional services that coordinate governmental and non-governmental action, proceeding toward the effective operational integration between the areas of public security, law and justice, health, social service, education, and work, housing, among others, with the purpose of guaranteeing integrated, multidisciplinary and intersectoral assistance to women in situations of violence, perpetrated in the public or private sphere. Call on the State Party to assure that all the services of the assistance network to women in situations of violence be created in all municipalities and endowed with budgetary, human, and structural resources adequate to attend to the existing demands, as well as to those that arise specifically in relation to domestic and family violence against women with the advent of the “Maria da Penha” Law (arts. 2, 3, 10, 11, 12, 16).

- 6) Recommend the State Party include in policies, plans, and programs of action, in all spheres and levels, measures for the prevention and combating the impunity for gender violence practiced against diverse sectors of women – black, indigenous women, whites, elderly, girls, youths, lesbians, rural women, women of the forest, and prisoners – by public and private agents. Special attention should be paid to domestic and sexual violence and sexual harassment at work, the trafficking of women and girls, and any other form of institutional violence against women and girls who were under the attention, safeguard, protection or custody of state or non-state agents and institutions (arts. 2, 3, 11, 14, 16).
- 7) Urge the State Party to develop effective actions for the training of professionals and actors of the Unified Health System (SUS) on the gender and anti-racist perspective to guarantee the accessibility and quality of care, especially to recognize and treat girls and women who have been victims of any type of physical, psychological and sexual violence (in the domestic and family sphere and in the public sphere), racial violence, institutional violence or any other type of violence. And further, give consideration to African origin in the dissemination and promotion of the health of black and indigenous women, taking on the focus of ethnicity and socio-cultural diversity. (arts. 3 and 12)
- 8) Recommend the State Party adopt effective measures to combat the multiple exclusions that characterize the situation of women prisoners, and develop programs of assistance for the specific necessities of women prisoners with regard to education, work and health. This should include the destination of adequate amounts of resources, in accordance with the “Minimum Rules for the Treatment of Prisoners in Brazil”, to promote better conditions of incarceration of women; and review the legislation that deals with the death penalty or adopt specific legislation to attend to the specific needs of female prisoners. Recommend, also, efforts by the State Party to implement national directives (guidelines) for education in female prison units, with respect for the gender perspective, in consonance with Item 12 of the Minimum Rules above and its implementation, in all Brazilian states, of the National Plan for Prison Health (arts. 1, 2, 3, 10, 11, 12)

26. The sectors in which women are found less equitably represented are numerous. Independent of this, there is a consensus that the presence of women is imperative in decision-making spheres. For this reason, quotas have been adopted to promote the participation of women in representative forums. But the quotas by themselves alone have not guaranteed the equitable representation of women and men. The numbers, according to the registers of the Brazilian Superior Electoral Court (Tribunal Superior Eleitoral), does not presuppose automatic equality. Brazil presents one of the worse levels of empowerment of women: in 2005, of political decision-making positions and ministries, only 11.4% were occupied by women, a rate that represents a decrease compared to a previous calculation (13%) in 1995. Comparatively, Sweden distinguishes itself on this question, with a rate of 52.4%; and in Colombia, with 35.7%. In Parliament, the situation is even worse: only 8.6% of seats are occupied by women in Brazil. In Sweden, the rate is 45%. Until 2005 – and this was repeated in the 2006 elections – no party or coalition complied with the quota established by law that mandates making available at least 30% of candidacies for women.
27. The under-representation of women in political parties, which exists even when statistics are disaggregated by states and regions, verifies that women and men do not have equal participation in politics neither in life nor in society. In spite of the increase in the presence of women in all social sectors, the lack of gender balance is evident in many of these sectors, which justifies the urgency of the adoption of programs and policies for equality of opportunity for women and men.
28. The establishment of affirmative action programs has not produced a balanced gender representation, due to the lack of specific programs of empowerment for women, and above all, of campaigns for the sensitization of public opinion which strengthens the demand for the presence of women in decision-making processes, on a general level, but especially at the political level. This reopens the debate on which are the most important types of policies to strengthen the participation of women in different activities. In addition to this, it raises the question of where the limits are of procedural measures that permit us to overcome the iniquities of gender in daily life.
29. The inequalities in the participation of women are persistent and continue in various areas. This is in spite of efforts by the current government to promote the inclusion of women, including the creation of secretaries of state with the status of Ministry. However, according to a study based on the study by Institute for Applied Economic Research (Instituto de Pesquisa Econômica Aplicada – IPEA, 2005) in partnership with UNIFEM, Brazil is a racist country in which prejudice is hidden. The study also shows that the manner in which politics has been conducted in the country is inefficient for the incorporation of different groups and that the “actions of the government to confront this situation, in the manner of public policies, shy short of what should be done. For us to reach equality, we must consider the differences existent between social groups, as treating the unequal in the same way does not bring balance.” The quotas adopted by public universities are viewed by the study as a possible solution for the problem in the face of their power to repair historical errors, because blacks do not succeed in staying in schools at the same rate as whites, and as a result, their average years of study is lower. “It is important to remember, however, that these measures should be temporary.” (IPEA/UNIFEM, 2005).

**Facts:**

1. Women, like the population of African descent, are the majority of the Brazilian population. There is an urgency of putting into practice political actions and public policies that place into the public agenda the principles of equality, currently known as equity, proclaimed by the Federal Constitution, that is, to give unequal treatment to sectors that find themselves in inequality. (Ilma Fátima de Jesus, Unified Black Movement (Movimento Negro Unificado – MNU), São Luís, Maranhão).
2. Whether at the level of primary, intermediate or higher education, low-income women still do not have access to quality education which would guarantee conditions of equality so that they can take charge of the development necessary for the elimination of stereotypes caused by their lack of knowledge and by poverty. (Kika Silva, Sociedade Brasileira de Cultura e Arte Negra), São Paulo, SP).

30. In the area of education, the establishment of curriculum guidelines on the history of Africa and Afro-Brazilian culture, provided in Law 10639/2003, and the implementation of PROUNI (the “University for All” Program), which provides for affirmative action programs for students from public schools, blacks and indigenous peoples,

stand out. Further, the adoption of quotas for black women and men and indigenous peoples in federal and state universities in the country is notable. However, it is necessary to broaden and consolidate these policies and include the perspective of racial inequality in the entirety of public policies, through cross-cutting actions.

**Facts:**

The current government has implemented affirmative action programs timidly. The quotas in universities are necessary for the integration of blacks, especially of black women. Unfortunately, it was not thought to include women above 40. The most prejudiced are black women, who, after having raised their children, do not have access to any of these actions, as the Brazilian state and society excludes them. (Kika Silva, Brazilian "Oriashé" Society of Black Culture and Art (Oriashé Sociedade Brasileira de Cultura e Arte Negra), São Paulo, SP).

31. In the realm of the Ministry of Social Development and the Combating of Hunger (MDS), the "Family Grant" Program (Programa Bolsa Família), whose benefit is granted preferentially to women, has had significant impact on the conditions of life of the beneficiaries and their families, especially in the sphere of survival. The evaluation of the Program conducted in 2006<sup>12</sup> also noted its impact on the affirmation of authority by beneficiaries in the domestic sphere and the strengthening of female identity, and increase in the perception of the women being part of the Brazilian citizenry. The study emphasizes that the greatest success of the Program was transferring the income preferentially to women, because it is they who produce life. It also calls attention to the fact that "the change that requires most attention, in a general way as well to construct the most solid base for leaving conditions of poverty, is the fact that the women have started to become conscious of the significance of citizenship". The study shows further that "wherever they are found, the women (the beneficiaries) and their families are the same, in virtue of the fact that they live in marginal social spaces and share conditions of existence of extreme precariousness." Even though it recognizes that the program came to strengthen the traditional role attributed to women, and as a result, the inequalities of gender, the study emphasized that "the problem that affects ethics and development is not the strengthening of these roles itself, but the fact that the Program took advantage of the culture of female caretakers without, however, considering the necessity of fostering the personal advancement of the women so that they could participate in conditions of equality in social and political processes that affect their interests and, consequently, participate consciously and actively in the Program of which they are beneficiaries". Finally, the study indicates that: "Beyond the segregation of space in neighborhoods where the beneficiaries live and suffer triple discrimination resulting from the identity as woman, poor and almost always non-white, the sociability of these women is also affected severely by the fact that their daily events occur in the space of their home, their immediate neighborhood, and sometimes the neighborhood community." This situation of exclusion considerably diminishes the impact of the massive transfer of income of the Program could generate in the condition of life of the beneficiaries.
  
32. Affirmative action policies for women, Afro-descendants, indigenous peoples, and other excluded and discriminated sectors in Brazilian society are necessary strategies to affirm identity and foster equality of opportunity. For the effective implementation of the National Plan on Policies for Women and National Plan on Policies for Promotion Racial Equality as well as compliance with international commitments like ICCPR, ICESCR, CEDAW, and CERD, and in particular the recommendations of the CEDAW Committee, it is necessary to broaden and consolidate these policies and include the prospect of overcoming inequalities of gender and race from public policy in its entirety through cross-cutting actions. To which is added the necessity to take action with regard to the restrictions on enforcers of the law in relation to the application of new legislation governed by international recommendations, as well as that of incorporating in both, the area of civil and political rights as well as economic, social and cultural rights, the gender and ethno-racial perspective.

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<sup>12</sup> Mireya Suarez et al., The "Family Grant" Program (Programa Bolsa Família) and confronting inequalities of gender: the challenge of promoting the reordering of domestic space and access of women to public space", evaluation conducted by Agende Actions in Gender, Citizenship and Development – AGENDE, for the Ministry of Social Development and Combating of Hunger – MDS, with support of the Department of International Development, Brasília, October 2006 (mimeograph).



**Suggestions for Recommendations to the State of Brazil**  
**We request the CEDAW Committee to:**

- 9) Recommend the State Party adopt effective action for the purpose of improving the access of women to decision-making positions within direct and indirect public administration at the federal, state, and municipal level, including the definition of criteria for appointment to high ranking positions (cargos de confiança - DAS) and positions by exclusive nomination by the President of the Republic (arts. 4 and 11).
- 10) Recommend the State Party promote, through formal and informal education, with the reformulation and implementation of parameters for curricula and training of educators and of the media, a culture of respect for diversity, founded in the valuing of universal human rights and solidarity, and the affirmation of the right to be different and to be equal, with emphasis in female citizenship and the combating of patriarchal domination, of racism, of xenophobia, of sexism, of homophobia, of prejudices and all the forms of discrimination and violence (arts. 4, 5, 10).
- 11) Call on the State Party to broaden and consolidate actions and programs directed toward the problems arising from the social exclusion of the black and indigenous population, including the perspective of overcoming racial inequality in the totality of public policies, through transversal actions (arts. 1, 2, 3, 4, 11, 13).

#### IV. Stereotypes, Cultural Patterns, and Image of Women – Article 5

33. Education, family and the media are indispensable agents for influencing the collective imagination, representations, and cultural identities in Brazil. This is not only because of social inequality, but also because of inequalities of gender, of race/ethnicity, and power relationships. In Brazil, there is a generalized lack of interest in the problem of the image of women in the media. Such disinterest can be perceived in the daily reproduction of stereotypes based on gender found in literary works and educational materials, and in media productions.<sup>13</sup>
34. The recurring presentation of negative or degrading image of women in the media, whether electronic, print, visual or sound, has contributed to reinforcing, in a negative way, the roles traditionally played by women. Messages in the media broadcast through television or internet commonly link women and girls with themes that involve violence or pornography. The existence of a world trend to provide incentives for consumerism has developed images in which commercials frequently portray women basically as consumers; in the same manner, ads also put forth the primordial female function as serving as accessories or objects. The advances in information technology have an impact on public policy, attitudes, and behaviors, especially for children and adolescents.<sup>14</sup>
35. In spite of the media being one of the principal agents of consciousness-building/sensitization, and in spite of its potential to contribute to gender equality, it has not advanced the debate on human rights for women. Even though the media in Brazil works through public licensing, there is a lack of campaigns in the media which give greater visibility to the problems of Brazilian women or disseminate information on the CEDAW Convention (of which Brazil is a signatory), or those against racism and sexism or for the increase in political participation of women; in particular, there is a lack of campaigns that confront the issue of violence against women in the public and private sphere.

##### Civil Society Initiatives

*Dialogues Against Racism* is part of the campaign *Where do you keep your racism?*, launched in December of 2004. Its mission is to combine proposals for changes in attitudes through the consistent dissemination of information in the media. The campaign tries to stimulate the realization of numerous “dialogues about racism” in families, condominiums, workplaces, schools, and circles of friends. To support and stimulate this mobilization, the campaign works through coalitions and networks, organizations, institutions and movements throughout the country.<sup>15</sup>

36. Another aspect to highlight is the fact the actions outlined in the Beijing Platform (1995), in particular, the two measures of Objective J which deals with “Women and the Media”, still have not been implemented in Brazil. These measures are: a) the creation of strategies of information, education and communication aimed at promoting the balanced portrayal of women and girls in their multiple roles; and b) the implementation and strengthening of mechanisms of self-regulation of the media, with approaches that eliminate representations and images that discriminate against persons and groups based on differences in gender as well as race, ethnicity, social position, and age, among others.

##### Facts:

There is a persistence of conservative views on women in various areas of society. In the media, for example, images of women as objects of consumption and instruments for sale of any consumer item, especially beer, is projected on a daily basis. There is a hyper-exploitation of the image of young women as ornaments, something that should be appreciated, and is never a subject of her own life. To reverse this framework, sensitization campaigns should be created to combat stereotyped images of women. Further, in other areas, public policy should be promoted to deconstruct stereotypes and to guarantee that women are valued in all spaces and areas of action. (Interagir, Youth Feminist Women of São Paulo, São Paulo).

<sup>13</sup> Study presented by Regina Coeli da Silveira e Silva in the Congress of the Brazilian Association for Distance Education (2002).

<sup>14</sup> Idem.

<sup>15</sup> For more information, see the website [www.dialogoscontraoracismo.org.br](http://www.dialogoscontraoracismo.org.br)

**Suggestions for Recommendations to the State of Brazil**  
**We request the CEDAW Committee to:**

- 12) Call on the State Party to convoke the mass media to take up its responsibility for the transformation of the collective imagination and cultural patterns with regard to its macho, sexist, racist and homophobic traits, implementing programs of information and communication of wide social reach. Further urge the State to implement and strengthen mechanisms for self-regulation in the media, with coverage that eliminates representations and images that discriminate against people and groups on the basis of gender, sexual orientation, socio-economic condition or race and ethnicity, in observance of Chapter 4 of the Durban Conference and Objective “J” of the Beijing Platform for Action of 1995 (art. 5).
- 13) Call on the State Party to promote the development of democratic cultural patterns through political and social policy and joint action with the media, aiming to construct new roles and social values that promote non-discriminatory education and stimulate the transformation of inequalities based on gender, and the sharing of domestic and family responsibility based on gender equity and in the exercise of conscious maternity and paternity. (arts. 5, 11)

## V. Trafficking of Girls and Women and Sexual Exploitation – Article 6

37. Intra-family sexual violence (sexual abuse, rape, seduction, negligence, abandonment, ill treatment, physical and psychological violence), violence outside the home (in the street, schools, shelters, etc) and sexual violence for commercial ends persist as a grave social problem in Brazil, affecting up to 500,000 to 800,000 girls. Though there are conflicting reports on the number of girls affected, during the conference promoted by the UN on economic exploitation of children, held in Geneva in 1993, the International Catholic Child Bureau estimated the number of girls exploited in prostitution rings to be 800,000.
38. Sexual exploitation takes place through various modalities: traditional prostitution carried out in brothels or on the edge of highways, port areas, and exploitation of mines; traffic for sexual ends and sexual tourism between Brazil and foreign countries; pornography through traditional print media and through Internet, which includes pedophilia and the stimulation of sexualization of children. Violence against girls, in its diverse forms, has more dramatic affects according to the social class and racial group to which the girls belong.
39. In the years 2003 and 2004, this phenomenon was put on the political agenda when the Joint Legislative Inquiry Committee of the National Congress (Comissão Parlamentar Mista de Inquérito – CPMI) was established. The Committee heard 285 persons, analyzed 958 documents, and received 832 complaints from throughout the country. Its findings indicated that the diverse networks of exploitation that had been denounced had links with governmental organs, particularly with the police; they showed the necessity to dismantle powerful schemes of exploitation, integrated by influential people in the economic and political sphere. Upon finalizing its work, the Commission requested the filing of charges against 200 persons, among who were politicians, judges, businesspeople, athletes, religious leaders, and police officers. The Inquiry Committee offered a host of proposals for public policy and legislative reform directed toward the incorporation of a new focus for the approach to the problem; it suggested that the moral approach (which was predominant at the time), be replaced by that of law, as a way of treating these violations as sexual crimes. The Committee indicated reform of the Penal Code as an important action to combat the sexual exploitation of girls and women, as in Brazil, sexual crimes still has not been considered “crimes against human rights”, but as “crimes against custom”. With regard to girls, the Statute of the Child and Adolescent (1990) is an important instrument of defense, however, it does not consider dimensions of gender and other manifestations of social diversity.

**Table 2 – Sexual Exploitation in Brazil**

|   |
|---|
| 500,000 to 800,000 girls living in exploitation   |
| 241 routes for trafficking of human beings        |
| 257 police investigations on trafficking of women |
| 200 persons already charged                       |

Source: Dossier on Gender Violence against Girls, 2005.

40. Sex trafficking in Brazil predominantly affects black and “dark” women and girls between the ages 15 and 27, generally from poorer classes, with low levels of education, who live on the margins of urban areas with lack of sanitation and transportation (among other community social goods), who live with some type of relative, has children, and engages in low-wage work activities. In 2002 the existence of 241 routes of humans trafficking with national and international reach were registered. A study conducted in that period identified 257 investigations on trafficking of women, and showed the governmental system of registration of the crime as being extremely deficient, with police authorities having little training to assist victims of sexual trafficking; thus the information transmitted by organized crime tended to circulate in a more rapid and efficient fashion than in the federal system to defend the victim. The study noted the difficulties in dismantling trafficking networks, and supported the development of strategies to confront the problem in Brazil, above all through the creation of local

networks and the mobilization of the Brazilian population to act against the problem by filing complaints on cases of trafficking, giving visibility to the problem.<sup>16</sup>

41. More recent data<sup>17</sup> shows that sexual exploitation of children and adolescents in Brazil is a practice that exists in 937 municipalities. Of the cities identified, 298 (31.8%) were in the Northeast; 241 (25.7%) in the Southeast, 162 (17.3%) in the South; 127 (13.6%) were in the Central-East; and 109 (11.6%) in the North of the country. In the state of Ceará (Northeast), 41 municipalities were identified where sexual exploitation of children and adolescents occur.

#### **Facts:**

1. To this day we can have cases of sexual exploitation of domestic workers; but how does a society which ignores the principles of the highest law of the country in order to not comply with them or enforce compliance justify itself? A society that shields itself from complying with the laws regarding domestic work by exploiting the work of children. We need to lend a hand and fight to eradicate this evil that devastates the country, where girls and boys are yanked from their cribs in their homes to live in a "family" home. There are close to 502,000 children and adolescents in Brazil, aged 5-17, in domestic work. Of this total, 230,000 are not yet 16 years old, thus, are under the age permitted by law to work. (Maria Isabel Castro Costa, Domestic Workers Union of the State of Maranhão, São Luís, MA).
2. Data presented by Brazilian Institute for Geography and Statistics on the realities of childhood and adolescence show that Brazil is not a poor country, but an unjust country. Even today, family income, ethnicity, sex, location of residence, and whether the person has disabilities, determine the access of boys and girls to health services, nutrition, infant education, and primary and intermediate school. It also affects whether he or she will have his/her work exploited before the age of 16, and even the risk of being infected by HIV/AIDS. This "determinism" is a grave violation of human rights for these children and adolescents. (Ilma Fátima de Jesus, Unified Black Movement (MNU), São Luís, Maranhão).
3. In the year 2004, the NGO Plural Women's Collective, moved to action by the disappearance of many children and adolescents in the "gaucho" state (Rio Grande do Sul), and by the reports of violent deaths produced by a serial killer, implemented a project named "Disappeared Girls and Boys – The Right to be Found." Its objective was to investigate the reasons for these disappearances and the gender relations embedded in them, seeking the foundation of a new public policy. As part of its contribution, it took to reading bulletins of the period 2002 -2004 from the archives of the disappeared persons service of the Department of the Child and Adolescent (DECA/RS). It found, after reading nearly 3000 bulletins, that the majority were black girls of lower social classes, who had run away from ill treatment and sexual abuse. With regard to gender, the data available through the police of Rio Grande do Sul showed that of every four children and adolescents who disappeared, two to three were girls, with the number of girls increasing with greater age. By 12 years old, girls were more than 75% of the total disappeared.<sup>18</sup>

#### **Suggestions for Recommendations to the State of Brazil We request the CEDAW Committee to:**

- 14) Urge the State Party to take all necessary measures, including the effective application of national laws and national campaigns of consciousness-raising, for the elimination of all forms of violence against women and girls, in all its diverse manifestations, in the distinct spaces and relationships in which they occur, in the public and private sphere (arts. 1, 2, 3, 6, 16).
- 15) Recommend that the State Party adopt legislative measures and guarantee their effective implementation to combat the trafficking of persons. Recommend, also, the formulation of a broad strategy to combat the trafficking of girls and women, which should include approval of an anti-trafficking law to investigate and punish the offenders and to protect and support the victims. Further, urge the adoption of measures directed toward reducing the vulnerability of women to traffickers, particularly of young women and girls. Request the State Party to include ample information and data on the issue in its next report, as well as information on the situation of street children and adolescents, and on the policies adopted to specifically address these problems. (arts. 2 and 6)

<sup>16</sup> Study on Trafficking of Women, Children and Adolescents for Commercial Sex Exploitation in Brazil (Pestraf, 2002), conducted by the Resource, Study and Action Center on Children and Adolescents (Centro de Referência, Estudos e Ações sobre Crianças e Adolescentes - Cecria).

<sup>17</sup> Study conducted by the Ministry of Social Development, National Plan for Confronting Sexual Violence Against Children and Adolescents, Sentinela Program, 2005.

<sup>18</sup> Dossier on Gender Violence Against Girls, Feminist Health Network, 2005.

42. Different social movements and movements asserting identity has demonstrated an intense capacity for coalition-building and for participation of women throughout the length of Brazilian history. This mobilization, however, has not contributed toward the elimination of the low level of female participation in the Executive, Legislative and Judiciary powers. Thus, the difficulties in occupying spaces in political decision-making are recurrent for social sectors identified by characteristics of gender, class or ethnicity. The empirical evidence of under-representation of women in politics is an example that sheds light on this point.
43. Brazil was in the headlines of magazines and newspapers in the country and the world when it was identified as being among the countries of the world with the greatest inequality between men and women. The news referred to a report issued by the World Economic Forum (2005), which evaluated 30 OECD countries and 28 countries from the developing world (58 countries in total), to measure the empowerment of women. Brazil came in 51st place in the general ranking, receiving 3.29 point on a scale of 1 to 7 (1 for greater inequality and 7 being less inequality). Among the critical areas analyzed, the worst evaluation of the country was precisely on the area of political participation of women, in which Brazil was in second to last place (57th).<sup>19</sup>
44. The quotas established for political parties and coalitions for proportional elections, arose as a mechanism whose objective was to repair the gender gap in the political sphere. With its implementation approved in 1995, the quota law reserved 20% of vacancies in political parties and coalitions for women in proportional elections; it went into force in municipal elections in 1996. In 1998, the percentage was increased to 25%, and starting from the year 2000, the rule established that quotas should become formulated in a gender neutral manner, stipulating that the representation of each sex should be 30% as a minimum and 70% as a maximum.
45. The first experience of this nature in Brazilian elections resulted in the increase of 2,646 city council members in relation to the previous elections: 3,952 women were elected for city council member posts in 1992 and 6,958 women in 1996. The percentage of women elected for city councils in the whole of the national territory was 8% in 1992; in 1996 it was 11%. For prefectures (which are not submitted to quotas), 171 women were elected in 1992, and in 1996, 303 women. The figures in relation to proportional elections indicate that the presence of women in politics, in a country with 5,561 municipalities, increases more on absolute rather than relative numbers. The impediments coming from the Brazilian electoral system itself should also be considered. In Brazil, the “open list” system, in which one votes for the candidate, and secondarily and optionally for parties, together with the characteristics of the electoral system, tends to leave little space for more party-based action, since the electoral process has a strong framework of individual intra-party competition. In this context, the possibilities of effectiveness of the system of quotas tend to be very limited.<sup>20</sup>
46. Ten years after the implementation of the first quota law, in 2005 there were 4 female state ministers, 2 female governors (Rio de Janeiro and Rio Grande de Norte), 418 female prefects, 132 state and district deputies, and 6,555 city council members. Alongside this, the Women’s Parliamentarians Caucus of the National Congress registers the presence of 9 female senators and 45 federal deputies, with São Paulo being the state with the greatest number of women elected for the Chamber of Deputies (7), followed by Rio de Janeiro (5), and Mato Grosso and Rio Grande do Sul both with 4 female deputies. Table 3 reproduces data in relation to the composition of the National Congress by sex in the period 2003-2006.

**Table 3 – Representation in the National Congress: legislature 2003 - 2006**

| Position         | Women     | (%)         | Men        | (%)          | Total      |
|------------------|-----------|-------------|------------|--------------|------------|
| Federal deputies | 45        | 8.19        | 468        | 91.81        | 513        |
| Senators         | 9         | 11.11       | 72         | 88.89        | 81         |
| <b>Total</b>     | <b>54</b> | <b>9.09</b> | <b>540</b> | <b>90.91</b> | <b>594</b> |

Source: Regional Electoral Court / Superior Electoral Court (TRE/TSE) and Chamber of Deputies, 2005.

Available in: [www.tse.gov.br/eleicoes](http://www.tse.gov.br/eleicoes) and <http://www2.camara.gov.br/deputados>

<sup>19</sup> Political participation was analyzed in accordance with the representation of women in the legislative power and among Ministers, in addition to female presidents or chiefs of state in the last 50 years. Further, Brazilian women also did not do well in economic participation (46th place) and health and well-being (53rd place); the best rankings were achieved in economic opportunity (21st) and education (27th).

<sup>20</sup> Araújo, Clara, “Constructing new strategies, seeking new political spaces – women and the demand for presence”, in Muraro, Rose Marie & André Brandão Puppim, *Women, gender and society*, Rio de Janeiro, Relume Dumaré: FAPERJ, 2001, p. 82 – 97.

47. In the 2006 elections, compared to the data obtained from the previous legislature, it is confirmed that the new number were not promising. The novelty in this election was the presentation of two female candidates for the Presidency of the Republic. There was also an increase in the number of candidates for state government, 26 in all, 5 of these competing in the second round of elections. For the National Congress, approximately 650 women ran for the Chamber of Deputies and 36 for the Federal Senate. The candidates for state and district legislative posts totaled 1,783. Considering that the number of women elected as federal deputies for the current term (2007-2010) was 45, it confirmed the presence of women in the Chamber of Deputies as becoming 8.77% from 8.17%, a laughable increase in terms of representation.

**Facts:**

1. In the last municipal elections, there was lack of fulfillment of 30% of the quota reserved for female candidates. In 2004, no woman was elected city council member. Examining the history of the policy, to date there has been three female city council members elected, and there was a female prefect in 1945, and two vice-prefects. There is a woman in the top level of government, the secretary of education. (Cecilia Ceciliato and Alzira Farah Loretti, Municipal Council of Women's Rights, Tatuí, São Paulo.)
2. In this matter, it is black women who talk about how much they are discriminated and disrespected. (Kika Silva, Oriashé Brazilian Society for Black Culture and Art, São Paulo, SP).

48. The data presented gives a portrait of the low level of political empowerment of women, based on the percentage of women elected and permit the identification of under-representation of women in recurring patterns in the Brazil. A pattern which, beyond the statistical limits, reflect inequalities of gender which is maintained in different arenas of power and decision-making. The political action of Brazilian women has pushed, socially and institutionally, various reforms in the public sphere. Namely, in the struggle for the exercise of the right to vote and for access to power in conditions of equality of opportunity, women have been creating conditions for entering into spaces that are markedly male-dominated. As a fruit of this journey, women widened their dialogue with the State, institutionalizing important demands. This permitted them to intervene in the social reality through the increase in participation in different public arenas (cultural, economic, social and political), and to effectively influence the process of the development and implementation of public policy. However, the gender inequality materializes in various dimensions of life for Brazilian women, and expresses itself in: less access to education and work; inadequate levels of health and well-being; limited participation in decision-making processes, and scanty integration in political systems.

**Facts:**

1. The representation of women in the executive and legislative in the mountain region (região Serrana) in the state of Rio de Janeiro is still in its incipient stages, in spite of undergoing marked improvement over the last years. There are very few women in the region in the legislature, just one female city council member. The municipality of Nova Friburgo has, in the second mandate, one female prefect, a considerable number of women secretaries (four: education, culture, public works, and social assistance) and various women occupying positions of confidence in the government. Discriminatory practices are produced, among other causes, by a culture that is profoundly sexist and unaware of the deep, age-old injustices that are committed against women, both in the family arena as well as the social sphere. At the state level, this fact – the absence of participation of women in the powers – is glaring in the case of the legislative power (Laura Mury, the "Being a Woman" Urban and Rural Women Study and Action Center, Nova Friburgo, RJ).
2. Women still encounter difficulties in having an active public life as well as occupying management positions. In the municipalities of Cruz das Almas, in Bahia, of the 10 seats for city council member, only one was occupied by a woman. In the prefecture, of 9 secretary positions, only one was occupied by a woman. An advance that deserves mention is the election of woman as president of a leftist party with a female majority in the directorate (70%). (Maria das Graças Carneiro de Sena, EMBRAPA (Brazilian Agricultural Research Corporation) Cassava & Tropical Fruits - (Empresa Brasileira da Pesquisa Agropecuária Manioca e Fruticultura, Cruz das Almas / BA).

**Suggestions for Recommendations to the State of Brazil**

**We request the CEDAW Committee to:**

- 16) Call on the State Party to develop specific programs for the empowerment of women and campaigns of sensitization of the public, which maximize the necessity for the presence of women in decision-making processes, generally and especially at the political level (arts 5, 7)
- 17) Call on the State Party to conduct political reform, under the view of equality of gender, race and ethnicity, in representative bodies – legislative posts, board of directors, and technical commissions – and political candidacies, with the adoption of mechanisms that guarantee greater participation of women in party lists (as a minimum, in the same proportions as provided for in the Law of Quotas), and democratic guarantees in the ordering of and access to public resources for financing of electoral campaigns (arts. 4 and 7).

## VII. International Participation and Representation – Article 8

49. The process of advancement and strengthening of democracy in Latin America encourages us toward a greater integration and strengthening of political actions to combat discrimination and violence against women in the international sphere, especially in the countries of Mercosur. The dialogue with peoples, principally those who have been historically excluded, is an obvious sign of transformation. From this starting point, the important internal and external process of social and political reevaluation and repositioning is reinforced, toward a leap in the quality of active participation of women in all sectors of national and international life.
50. The formal and informal movement for the promotion and development of women places before the public all the social, cultural, labor, political and economic issues involved in dismantling discrimination related to sex, also within the countries of Mercosur.
51. In spite of advances that signify the existence of a specific space directed toward the implementation of policies for women, for example, the creation the Specialized Meeting of Women within the formal structure of Mercosur, this is insufficient.
52. The challenge for member states is to disseminate and comply with directives, many times with weak powers of decision. A proactive role for Brazil in the growth of Mercosur, requires greater collaborative efforts for the redirection of values and attitudes. And it calls us to work to strengthen and broaden the dialogue between governments, aiming to empower public managers for the integration of gender in all the issues that encompass Mercosur, such as promoting the broadening and revision of the powers of Working Groups and the organs of Mercosur, and elevating the importance of cross-cutting in actions, data, policies, and existing challenges for the betterment of the lives of women in member countries.

### Facts:

1. The leadership of women in the Mercosur countries – which is not insignificant – need to reflect concretely on the action of governments, in a greater spirit of exchange, and in the valuation of the political and social contribution of women. The decision-making spaces of Mercosur should take on issues of sex and race in its decisions with greater visibility and practice. (Maria Elvira Salles – International Relations of the Forum of Women of Mercosur, Brazil 2007.)
2. Brazil advances in internal and external dialogue, and from there to the importance of the constant updating of political practices, of the concept of management and of the democratic process of participation, capable of broadening the empowerment of women and the combating of violence, committed firmly and decisively for it to be educational and pedagogical for those that govern as well as for the people. (Ex-Senator Emilia Fernandes, President of the Forum of Women of Mercosur, Brasil, 2007).

### Facts:

1. There is little participation of women of any age in official delegations, including by young women. Women are only remembered in conferences and activities related to social areas and/or the rights of women. International bodies should be encouraged to promote trainings for young women on international relations. (Ana Maria da Silva Soares, psychologist and coordinator of the NGO, Women United (Mulheres em União) of Belo Horizonte, Minas Gerais).
2. We recommend that health institutions include feminists in its staff, as a way of implementing consciousness-building and sensitization actions together with professionals and patients, and establishing ties with international organizations and the entities promoting actions. (Deise Mesquita, FAIS - Sofia Feldman Hospital, Belo Horizonte, Minas Gerais).
3. It's shameful, to not have representation [of women], or when we have so little. (Kika Silva, Oriashê Brazilian Society of Black Culture and Art, São Paulo, São Paulo).

### Suggestions for Recommendations to the State of Brazil

#### We request the CEDAW Committee to:

- 18) Recommend the State Party develop systematic actions to effectuate the participation of women in international bodies. In Mercosur, recommend the commitment of the State Party to the creation of mechanisms of civil society participation and to the strengthening and broadening of the dialogue between governments, as well as to seek to train public managers to incorporate the gender perspective in all the topics that encompasses Mercosur, as well as to promote the broadening and revision of the powers of the Working Group and organs of Mercosur, strengthening the importance of the cross-cutting of actions, data, policies and existing challenges for betterment of the lives of women in member states (art. 8).



53. Of the seven Millennium Development Goals applicable to Brazil, the country should give special attention to compliance with two. One of them, the third one, aims to promote equality between the sexes and the autonomy of women, eliminating gender disparity in education. In Brazil, girls are the majority in schools and women show the highest rates of literacy. In spite of this, Brazilian women have a lower income. The situation is aggravated for black women. According to data issued by the UNDP (2005)<sup>21</sup>: “In general, women have 0.3 more years of education than men (5.3 compared to 5.0). [...] Further, in all levels of education, women are the majority amongst the students. The progress of women in school enrollment reversed the situation on illiteracy. In 1992, 15.9% of women were illiterate, compared to 15.3 of men. In 2003, these numbers fell to 11.5 and 11.7% respectively.”
54. The Social Radar 2006<sup>22</sup> of the Institute for Applied Economic Research (IPEA) provides some data on the rate of school attendance in all levels of education. In primary education (from 7 to 14 years old), school attendance was 97.4% for girls, and 96.9% for boys. In middle school (15 to 17 years old), the attendance rate in 2004 was 82.8% for girls and 81.6% for boys. In higher education (18 to 24 years old), the school attendance for women is higher than men: 12.2% for women and 9.4% for men. This gain in education, however, is not reflected in higher income or better jobs for women, and within the group with higher levels of education, the inequality of income between men and women is higher. Women still occupy fewer posts in the job market than men; these positions poorly compensated and have lower salaries, even when they involve the same tasks as those of men.
55. In spite of changes that have been recorded, the failure to pass a grade is a recurrent problem in the Brazilian education, affecting boys and girls in distinct ways. Information from the National Household Sampling Survey (Pesquisa Nacional por Amostra de Domicílios - PNAD), show that in 2005, students with discrepancies in relation to age and grade level (students who, according to their age, should already have advanced to higher grades) are much more frequently boys who are black or have dark skin color, are from the Northeast region, and who study in public schools.
56. These numbers reveal an inverse problem in education, than that found in the job market. While in the job market, the concern is to reduce the salary gap for women; in the educational realm the issue becomes the retention and school evasion of boys, and the challenge of finding mechanisms to reduce it. The precocious entry of boys in the labor market, arising from the necessity to increase the family income, is seen as one of the elements that affects this situation. In these circumstances, the boys have worse schools performance because of the difficulty of reconciling study with professional activity. Girls, however, more often assigned to daily routines of care and cleaning of the domestic sphere, manage to reconcile study and housework. Other factors associated with this disparity are the greater exposure of boys to situations of violence, a factor considered to affect their performance in school. Such insights can explain part of this problem. However, the search for understanding and solutions should not restrict itself to a pre-formed perception of negative masculine traits or positive feminine traits. Without doubt, gender issues are elements that affect this phenomenon; therefore, jumping to conclusions not based on research should be avoided.<sup>23</sup>
57. It can be deduced from this that the “advantages” obtained by women in the educational field start to express themselves well before they are adults. In this sense, it is not strange that in 2002, women already occupied 54% of the spots in middle level education and 56% in higher education, at the same time that they led in the percentage of graduates (63%). Analysis of data on third grade enrollment disaggregated by sex reveals certain tendencies in female schools. Until the 1990s, there was a traditional tendency of low-income for women in hard science schools. Even with the increase in the presence of women in universities, they are no longer the majority in the student body in fields like mathematics, computers, agriculture, veterinary science, and engineering. This was observable even in 2002, given the greater concentration of female enrollment in the school of education (75%) and health (72%), humanities and art (63%), and the small presence of women in engineering. In 2003, women were the majority in odontology (63%), and came close to men in medicine and law, reaching 30% in engineering.

<sup>21</sup> Com base no relatório sobre Desigualdades de Raça e Gênero elaborado pela Universidade Federal de Pernambuco ([www.pnud.org.br/estudos/index.php](http://www.pnud.org.br/estudos/index.php)).

<sup>22</sup> IPEA. *Radar Social 2006*. Brasília: IPEA, 2006, p. 48-49. Disponível em [www.ipea.gov.br](http://www.ipea.gov.br)

<sup>23</sup> CARVALHO, Marília Pinto de. 2003. Sucesso e fracasso escolar: uma questão de gênero. *Educação e Pesquisa*, 29 (1): 185-193.

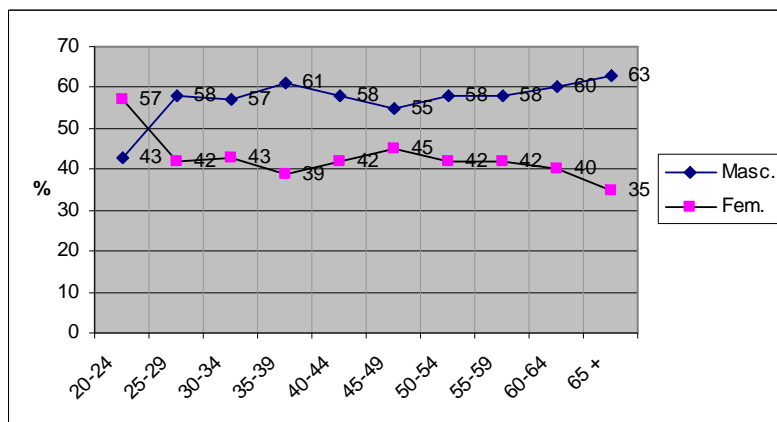
58. Further, with regard to higher education, it can be observed that the achievement of women such as those in the educational sphere has not been enough to diminish the distance between the genders in various sectors of society.

**Facts:**

- Women study more, but earn less.
- Directors' offices are male fortresses.
- Political representation increases the shadow of machismo
- Society delays in incorporating female achievements.<sup>24</sup>

59. Data with regard to the participation of women in scientific professions suggest that the same mechanisms of exclusion are reproduced there that are encountered in other spheres of society. In spite of increasing participation in academic and research activities, women still were the minority in the top of scientific professions, and rarely occupied posts of distinction. An example of this can be found in the boards of research groups of the National Council of Scientific and Technological Development (Conselho Nacional de Pesquisa Científica e Tecnológica -CNPq, 2004), which is in its majority formed by male researchers: they are 41,168 men and 36,080 women engaged in research, which signifies 47% female participation. However, the percentage changes between leaders and non-leaders: female leaders represented 42% of the total leaders.<sup>25</sup>

**Figure 2 – Distribution of research leaders by sex and age group, 2004**



**Source:** Boards of Research Groups – DGP- CNPq (2004 Census).  
N= 1,431 (men) and 11,058 (women)

60. The participation of women as research leaders (Figure 2) is greatest only in the 20 – 24 year old age group, and comes close to that of men for only the 45 – 49 age group, and even so, with a difference of 10 percentage points (45%). The tendency of greater gender balance is observable among non-leaders, when female participation tends to be comparable to male participation, at 49%. Among researchers who have Ph.D.s, the participation of women is 42%. Women predominate only among researchers only until they are 29 years old. Starting from 30 years old, the participation of men increases, and in the 35 – 39 age groups, the number of women is lowest, probably because it coincides with the reproductive phase of women in this social category. Between 40 and 50, the percentage of women starts to increase again, reaching previous levels. Different areas of knowledge are also characterized by the greater domination of one sex or the other.

61. However, in the context of competition for and awarding of the federal “Productive Research” Fellowship, granted for a research project analyzed and evaluated by Advisory Committees, the situation of women in science go beyond just a quantitative question. Here, the distances between genders are accentuated, so much so

<sup>24</sup> Folha de São Paulo (08/03/05).

<sup>25</sup> Taveres, Isabel, “Women in Science”, Journal of Science, JC e-mail 2868, October 4, 2005. Available at <http://www.jornaldaciencia.org.br/Detailhe.jsp?id=31930>, accessed October 15, 2006.

that of 8,454 fellowships given in 2004, women won only 33% of them. In light of this, “it is necessary to question why, in a population in which women are almost 50%, with such important individual contributions, they participate in such small percentages at the top of the profession, not following the relationship observed at the bottom of the pyramid”.<sup>26</sup>

62. The registration of such realities in academics provides indications of the many possibilities for examination of social indicators for the understanding of the gender dynamics that pervade the context of educational opportunities, as well as of its intersection with relationships of class and race/ethnicity, whose effect are often more malignant than the inequality between men and women.
63. (Do not exist the Paragraph 63).

**Facts:**

Brazilian education still reproduces racist and sexist stereotypes existent in society. Educational books contain stereotypes of black people. The adult black woman always appears as a domestic servant and with the same features, and with an apron and headscarf on her head: there are no characters with physical features that are different, nor even in any other professions: she is always a person without her own family, taking care of the children of others. To avoid stereotyped representations in educational books, the Municipal Secretary of Education, in seeking to eradicate racial prejudice against black women in the governmental teaching network and in accordance with the National Curriculum Guidelines for Education of Ethnic-Racial Relations and the Teaching of Afro-Brazilian and African History and Culture, and with Legal Opinion No. 003/2004 of the National Council of Education under Law No. 10639, can develop programs with policy actions to]

- The commitment of teachers and students to utilize educational books with a critical vision regarding the stigmas that are attached to black people;
- The utilization of instructional materials cleansed of racist stereotypes;
- Encouraging the inclusion of the gender and ethnic perspective in education and training of public officials and municipal police as well as others, and in the curriculum guidelines for fundamental education, with the objective of promoting changes in mindsets and attitudes, and the recognition of inequality in the rights of women, not only in the sphere of civil and political rights, but also in the sphere of economic, social and cultural rights;
- Incorporate the perspective of gender, race, ethnicity, and sexual orientation in formal education;
- Guarantee a non-discriminatory education, that does not reproduce gender, race and ethnic stereotypes,
- Promote visibility of the contribution of women in the construction of the history of humanity;
- Guarantee implementation of the National Curriculum Guidelines for Education on Ethnic-Racial Relations and Teaching of Afro-Brazilian and African History and Culture, which covers specifics on the black woman;
- Include education on gender and racial-ethnic topics in continuing education programs for professionals, to change pedagogical practices by teachers that still reproduce and disseminate sexism and racism in prejudiced and discriminatory presentations in the classroom;
- Integrate programs of sexual education and concern with the elimination of sexist and racist stereotypes in relation to the black woman. (Ilma Fátima de Jesus, Unified Black Movement (Movimento Negro Unificado MNU), São Luís, Maranhão).

**Suggestions for Recommendations to the State of Brazil**  
**We request the CEDAW Committee to:**

- 19) Call on the State Party to adopt effective measures for the improvement of access of women with social disadvantages – rural women, river women, black women, those in Quilombolas, indigenous women – to education, as well as for women with any type of disability to have access to inclusive education (art. 10).
- 20) Urge State Party to adopt effective measures for the reduction of inequality in the labor market, particularly in relation to salary differences between women and men and between blacks and whites, as well as to avoid disparity in access to jobs and professional promotion. Urge also the development of actions, including campaigns for sensitization, to broaden the range of occupations for women and the access to directorship and decision-making positions, as well as to eliminate their concentration in areas that can be considered extensions of family and domestic responsibilities (arts. 3, 5, 10, 11, 13).

<sup>26</sup> Idem.

64. The principle of non-discrimination for the sexes in the workplace, especially in relation to parity of salary (“equal pay for equal work”) is codified in different international human rights instruments, as well as in the Federal Constitution of 1988 (art. 7). The data on women and men in the labor market, however, shows that the compliance of Brazil with these precepts have been miniscule.
65. The integration of women in the labor market in Brazil has been increasing at an accelerated pace since the 1970’s. Currently, women represent more than 40% of the economically active population of the country. Data from the Brazilian Institute for Geography and Statistics (IBGE) show that the participation of women in the economically active population increased 2.5% in 2003, compared to 1.6% for men. According to the IBGE, the number of female employees in 2003 increased 4 percentage points compared to 2002, from 37.6% to 41.6%. However, the rate of unemployment in 2003 increased 9.7%, with an increase for 2002 because of an increase in the number of women seeking work (12.3%), which was greater than that for men by 4 percentage points. However, the difference between men and women persist, in relation to employability as well as remuneration.
66. Research shows that women study more than men and were the heads of households for an increasing numbers of households, despite earning less. According to the IBGE Synthesis of Social Indicators in 2004, women were the head of household for 30% of Brazilian households. A study conducted in 2004 in capitol district (Distrito Federal) revealed that when women are heads of households, they are responsible for 88.7% of the family income; when the head of household is a man; the contribution of the woman was 43.6%.<sup>27</sup>
67. In spite of this, women still occupy lower positions in the labor market than men and have lower salaries, even when they perform the same tasks as men. Women have gained more “space” in the labor market, but still have not succeeded in overcoming inequalities related to salaries and positions. According to the Carlos Chagas Foundation, the inequality of female income compared to men’s income has persisted for the last 26 years. Data from IBGE shows that 49% of the female working population received no higher than the minimum wage. IBGE also found that women have lower salaries for all levels of education. For the Carlos Chagas Foundation, the promise that “higher schooling means higher salaries” is a myth when applied to women. In analyzing the income of those that have reached the highest level of education - 15 years or more of schooling, or those who have completed university – it can be observed that 42% of men but only 18% of women earned salaries higher than 10 times the minimum wage. The study emphasizes that even though women on average have more years of higher education than men, the inequality is notorious. According to Applied Economic Research Institute (IPEA), in 2004, men on average earned remuneration that was 60% greater than women. The difference was also high when comparisons were made for male and female workers with the same level of education, age, hours worked - men earned remuneration that was 38% higher than that of women. When the variable of color/race is added, we can see that the situation of the black women is even worse. In 2003, the average monthly salary for black women was R\$ 332.78. This amount is equal to 30% of the salary earned by black men (R\$ 475.20) and is less than 50% of that received by white women (R\$ 653,36). At the top of this unequal distribution are white men, who earn approximately 70% more than that earned by those at the bottom (R\$ 1.047,30).
68. In 2003, approximately 55% of women in the labor market completed at least basic education, while 55% of employed men had not. Thus, the positive aspects of education are not reflected in salaries. In 2003, men with up to three years of study received, on average, R\$ 343.40 compared to the R\$ 211.00 paid to women with the same level of education. For those with eight to ten years of education, the average salary was R\$ 631.70 compared to R\$350.60 paid to women. For more than 11 years of study, the study showed that the relationship remained the same. Women received 58.6% of the earnings of men with the same level of education.
69. One of the factors that explain this difference in salary is occupational segmentation. In the sexual division of labor, Brazilian women enter the labor market through the family economy. Domestic work is the category with the greatest number of women employed, principally black women, with teaching and nursing being the other areas that concentrate the greatest part of the female labor force, and which historically earn lower salaries. In these same areas of traditionally feminized work, there is a greater percentage of men, 30% compared to 15% of

<sup>27</sup> Inter Trade Union Department of Statistics and Socio-Economic Studies (Departamento Intersindical de Estatística e Estudos Socioeconômicos (Dieese)), 2004.

women, with earnings higher than 5 times the minimum salary. In 2005, the female employed population aged 10 years or older was distributed in the following groupings of activities: education, health and social services (75.4% women); other collective, social and personal services (48.3% women); public administration (44% women), and commerce and repair (36% women). That is, more than half of employed women (56.1%) dedicated themselves to activities related to care, in areas that can be considered extensions of family and domestic functions. The National Household Sampling Survey (PNAD) for 2004 – 2005 analyzed separately the category “Domestic Workers”, who were not included in the data above. It reviewed information for 12% of the working population of domestic workers. Of these, 93.3% were women, which reinforce data that the great majority of women are engaged in activities directly or indirectly related to domesticity. According to a survey by the Brazilian Institute for Social and Economic Analyses (Instituto Brasileiro de Análise Social e Econômica - IBASE) conducted from the annual social responsibility reports published by 253 large- and medium-sized businesses in the country between 2002 and 2003, the proportion of women in positions of leadership had virtually remained unchanged, continuing at 14%.

70. In relation to social security, Brazilian workers are guaranteed various rights, such as retirement, the “Fund for Guarantees through Time Served” (FGTS) (a savings fund for the worker funded by the employer, which grows with length of service), maternity leave, paternity leave, unemployment insurance, insurance for occupational injury, among others. However, to have access to all these rights, one particularly right must be guaranteed: the official registry of a signed Employment Card (Carteira de Trabalho) and enrollment with the social security administration. According to the IBGE, in 2005 only 56.4% of employed persons had a signed Employment Card, and for women this percentage fell to 55%, while for men it was 57.1%. It should be noted that this figure does not include domestic workers. For domestic workers, only 25.8% had a signed Employment Card, with the rate for women being 24.8%. Among rural workers, only 34% had this right respected. According to data presented in the Social Security Report (Informe da Previdência Social) of February 2005, close to 33.9% of working women with productive capacity were unprotected. Given that the female population has a greater life expectancy, and has great likelihood of being alone in old age, this high percentage of unprotected women is a precursor of a grave problem that will become manifest in the near future: lack of access, or difficulty in access, to income in old age. This is already besetting many elderly women who were excluded in previous decades from the formal labor market.
71. Domestic workers were left outside of the principle Brazilian labor victories. Since 1972, when regulations on the profession were issued, little has advanced. Thousands of women continue to be excluded from the rights extended to other workers in general. The following are some of the labor rights that domestic workers do not have access to: overtime, night pay, salary differential for size of family, education subsidy, day care subsidy, contracts and collective bargaining; insurance against occupational accidents, minimum salary for the profession, hazard pay, a 44-hour work week, fines for delays in payment of compensation for rescinding an employment contract, and indemnization of 40% of the deposits to Fund for Guarantees through Time Served (FGTS), with added interest and adjustments for inflation [acrescidos de juros e correção monetária]. Some rights of domestic workers were first guaranteed through Law No. 5859/72. These are: signature on the Employment Card and social security; holiday of 20 working days; benefits and services of the Organic Law of Social Security (Lei Orgânica de Previdência Social) as a worker who is obligatorily insured. The Federal Constitution of 1988 made a little progress and extended to domestic workers, through Chapter II on Social Rights, article 7 on the category of “domestic workers”, the following rights: Non-reduction of salary; 13th month salary (year-end bonus equivalent to a month’s salary), weekly paid rest, preferably on Sundays; yearly vacation of 30 consecutive days; maternity leave; paternity leave; previous notice (before termination of employment), retirement, and reimbursement for transport. The more recent victories of this class of workers were issued in Law No. 10208/2006 – which grants domestic workers the right to FGTS and Unemployment Insurance; Law No. 11324/2006 guarantees, among other things, job stability of the pregnant worker. Enrollment in the FGTS, however, is not obligatory for employers, and as Unemployment Insurance is linked to FGTS, the guarantee of these rights ends up depending on the will of the employer. Given that in Brazil there are close to 6,658,627 domestic workers, of whom 6,206,202 are women, excluding access by this category to traditional workers rights means the undermining of the citizenship of women.

### Civil Society Initiatives

**National Campaign for Retirement for Housewives.** Over the last six years, housewives throughout Brazil have been mobilizing for the right to retirement, a right already guaranteed in the Federal Constitution of 1988, but lacking the issuance of regulations by the National Congress. If unpaid domestic work were to be calculated in the economy, it would increase the Gross National Product by almost 13%. In Brazil, there are close to 4 million women without any type of social security assistance or social assistance, who are moving toward dependency, misery and violence in old age.

72. One of the reasons for the inequality could be the alleged claim that it is more expensive for a company to contract a woman than it is to contract a man. Research by the International Labour Organization conducted in five countries (Argentina, Brazil, Chile, Mexico, and Uruguay) demonstrated that this claim is not true. (ILO, 2005) In the countries studied, the cost of the benefits involved in employing a woman (such as maternity leave) is on average 2% of the average gross monthly income; in Brazil it is 1.2%. Further, this type of cost is not paid for the employer; it is paid by the social security systems.
73. A global vision of how the State of Brazil has been treating its female population can be exemplified by the unprecedented research on the social inequalities between men and women in 58 countries released by the World Economic Forum in 2005.<sup>28</sup> Brazil, in 51st position, lost against all its neighbors, placing in front of only Mexico in comparison to other Latin American countries. It did better in the area of economic opportunity (21st place) and in education (27th place), but placed badly in areas like economic participation (46th place) and health and well-being (53rd).
74. Studies and research has revealed the inequalities of gender that pervade the insertion of women in the productive process, independent of the percentage of women in the population (which is 51.2%) or the increase of the participation of women in the economically active population of Brazil. According to the special publication “The Situation of Women in Metropolitan Labor Markets” (Dieese, 2003), in 2001 there were 34,852,000 employed and unemployed women in the labor market, 41.9% of the economically active population. In 2003, there were 37,460,000 women, the equivalent of 43% of the economically active population (IBGE, 2004). In the previous decade (1990), close to 22,868,000 women were part of the work force of the country, constituting 35.5% of the economically active population. The change that took place represented an increase of approximately 14 million women in the Brazilian labor market in a period of 13 years. Even so, according to Dieese (2003), women continued to confront inequality of opportunity and remuneration. Even though the participation of women tends to increase more than that of men, this occurs principally in vulnerable positions. Thus, it does not guarantee equal conditions of work. The principal difference between men and women is in earnings. One of the form of identifying the gender gap in relation to economic participation is analyzing the distribution of salaries paid in different sectors of the economy. The governmental sector has the greatest salary discrepancy, as women receive on average 15% of what men receive. In the private sector women receive around 61% of what men receive, and in the non-profit sector, women are paid the equivalent of 59% of what men are paid.
75. However, when the intersection of gender and race is considered, it become clear that blacks and women continue to be deeply discriminated against by society. One of the aspects of the problem can be measured by the labor market, which pays lower salaries for these two groups. Research by the SEADE Foundation based on data collected in São Paulo in 2001 shows that for the same position, black men and women received salaries that were up to 47% lower than that paid for white male workers (black men received R\$639, women \$652, and white men R\$1,236). (SEADE Foundation, 2001)
76. A study conducted through a partnership between IPEA and UNIFEM based on the National Household Survey (PNAD/IBGE) showed the inequalities among the Brazilian population. With focus on questions of gender and race, the methodology of the study permitted identification of a social hierarchy that places white men on the top of the occupational pyramid, with white women coming underneath them, followed by black men and black women. Black women were doubly discriminated against because of race and gender. The research also emphasized that without actions directed toward reversing social exclusion in education, the differences tended

<sup>28</sup> This study was already discussed in paragraph 43 of this Shadow Report, especially in relation to the political participation of women, which reveals the worst place for Brazil in the rankings (57th place.) The 5 areas considered critical were researched considering the standards of the United Nations Fund for Women (UNIFEM): economic participation (difference between remuneration of men and women for the same work); economic opportunity (access to sectors that demand higher qualifications in the labor market); political empowerment (representation of women in the legislature and Ministerships, as well as the number of female presidents and heads of state in the last 50 years); access to education; and health and well-being, that essentially measures assistance for maternity and family planning.

to perpetuate. (IPEA and UNIFEM, 2005). The average years of schooling in the study for white Brazilians was 7.7 years, compared to 5.8 years for blacks. But the differences did not stop here. In spite of having registered reduction of illiteracy from 1993 to 2004, there was still an abyss between blacks and white in the rate of illiteracy: 16% of blacks over 15 years old were illiterate, while only 7% of whites in the same age group were illiterate. In the labor market the situation of blacks and women in practically all indicators worsened, despite the fact that women had, on average, one and a half years more of study than men. The data further evidences the double discrimination that affects black women. Victims of racism and sexism, they occupy the worst job positions, receive the lowest income, and suffer informal arrangements of work (such as the lack of a signed Employment Card). While the average monthly salary for white women was R\$561.70, that of black women was around R\$290.50, a little less than half. Between men, the difference is also stark: the average was R\$931.50 for white men and R\$450.70 for blacks.<sup>29</sup>

**Facts:**

1. Sixty percent of the female population works in the formal and informal labor market, the majority receiving not more than the minimum wage, the nominal earnings for men are R\$749.15 and for women are R\$ 497.98 (IBGE). College-educated women workers have felt discrimination in the search for work opportunity and in hiring, receiving a lower salary than that of men with the same education. (Cecilia Ceiliato and Alzira Farah Loretti, Municipal Council of the Rights of Women, Tatui/SP).
2. The mother who works in institutions with 100 employees or more, particularly in the area of health, are guaranteed, by legislation, the right to day care for their children. In spite of this, few companies comply with the law (Deise Mesquita, FAIS – Hospital Sofia Feldman, Minas Gerais/BH).
3. In the labor market, there exists the guarantee of basic rights for women workers like maternity leave, breastfeeding, prenatal care, and others. Companies use the method of changing functions in order to place women in difficult situations. When women return from maternity leave, many firms transfer them to a locale more distant from their place of residence, or constantly change their hours of work, creating difficulties for the well-being of the child and mother. (Eleutéria Amora da Silva and Daniele Duarte Gomes, Women Worker’s House (Casa da Mulher Trabalhadora/Camtra), Rio de Janeiro, RJ).

**Suggestions for Recommendations to the State of Brazil  
We request the CEDAW Committee to:**

- 21) Call on the State Party to assure the maintenance of all women’s rights that have already been acquired, such as maternity leave and a five-year difference with men for retirement. Call further on the State Party to guarantee access of all women – rural women, housewives, homosexuals, etc. – to the social security system, and all the rights assured by it. Urge State Party to democratize access to information on the social security system. (art. 11).
- 22) Recommend that the State Party adopt effective measures seeking a better division of domestic tasks, including campaigns of sensitization and greater supply of daycare centers and other social equipment for the care of children, the sick and elderly people. Recommend strongly that the State Party increase its supply of public services that responds to the demand for daycare centers and shelters for elderly persons, in order to guarantee necessary conditions for the social and economic development of women (arts. 5, 11, 13).
- 23) Call on the State Party to adopt legislative measures to guarantee domestic workers the rights assured for other workers; recognition of the professions of the traditional midwife and sex workers, with guarantees of workers rights and right to social security. (arts. 3, 11, 13.)
- 24) Recommend that the State Party adopt measures to perfect the “Family Grant” Program (Programa Bolsa Família) with regard to inequalities of gender, recognizing that the actions directed toward the consolidation of gender equity are so basic with regard to the awarding of the grant, and to the supply of health and education. Recommend also the universal access to the “Family Grant” Program and the Program to Eradicate Child Labor (Programa de Erradicação do Trabalho Infantil – PETI), especially for women heads of households. (art. 11, 13).

<sup>29</sup> <http://www.unb.br/acs/unbagencia/ag0906-66.htm>

77. The magnitude of the adolescent pregnancy problem in Brazil shows the distance that exists between the sexual and reproductive rights provided in international documents (Cairo, 1994) and the real access to adequate conditions for their effective exercise. In addition, aspects of the economic, political, social and cultural order serve as obstacles for the full access to enjoyment of these rights. In 2002, a study showed that 33% of adolescents already had had sexual relations, 13% had children, and 16% had become pregnant.<sup>30</sup> And 29% of the pregnancies were not carried to completion. Close to 26% of babies born alive had mothers whose age group was between 15 and 19 years old.<sup>31</sup>
78. The increase in adolescent pregnancy that has occurred in Brazil in this decade is contrary to the world trend of decrease by 1.5% per year. According to an analysis in a report presented in the UK by the NGO Countdown 2015 in 2004, the rate of adolescent pregnancies per year in Brazil is currently 86 in every 1000 pregnancies, compared to the world average of 50 in 1000, and 72 in 1000 in Latin America.

**Table 4 – Adolescent Pregnancy in Brazil**

|  |
|--|
| Close to 26% of children who were in born in 2004 were children of adolescents (a)             |
| From 2001 to 2003, 82,000 babies were born whose mothers were between 10 and 14 years old (a)  |
| Pregnancy among youths of 15 to 19 years of age increased 2% per year over the last decade (d) |
| 25% of these youths left school (b)  |
| 25% reported pregnancy as the reason for leaving school (b)                                    |
| Early pregnancy is the greatest cause of school evasion for youths 15 to 17 years old (c)      |
| 42% of girls who gave birth had already left school (c)  |
| 25% abandoned school temporarily, and 17.3% had left permanently (c)                           |

Sources: (a) Ministry of Health (MS), (b) UNESCO, (c) Aquino et al (2003), (d) Countdown 2015 (2004).<sup>32</sup>

79. Knowledge of contraceptive methods by the girls does not guarantee their use. The use of masculine condoms was observed at 51% of cases studied (2003)<sup>33</sup>. According to UNICEF, the reasons which lead to pregnancy in the initial years of reproductive life can be numerous: accident, naiveté, lack of knowledge, submissiveness, violence, difficulty in obtaining a type of contraceptive method, difficulties in negotiating the use of condoms, strong desire for maternity with expectations of change in social status and the obtaining of autonomy, desire to establish a stable union, or other factors of objective and subjective nature. (UNICEF, 2004)
80. The complications arising from pregnancy and from childbirth are the third highest cause of death for adolescents, being only after traffic accidents and homicides, according to a study by the Ministry of Health (2004). And 13% of deaths of young women 15 and 19 years old and 22% of the deaths for the 20 to 24 year old age group are due to causes which are registered as “maternal”. Abortion represents 16% of maternal death in women 15 to 24 years old in poorer regions of the country (CNPd, 1997).
81. Another study coordinated by three federal universities in 2006, which involved 4,600 people in the cities of Porto Alegre (South), Rio de Janeiro (Southeast), and Salvador (Northeast), indicates that 17% of youths between 18 and 24 years of age provoked abortion in their first pregnancy. Youths with intermediate or higher education undergo more abortions than youths with basic education (29.5% compared to 19%).
82. The absence and/or insufficiency of public policies directed toward sexual and reproductive health of youths contribute to high rates of pregnancy, unsafe abortions and mortality. The lack of access to oral contraceptives of low hormonal dosage, the lack of training of personnel in the health field to offer services to this age group, and the difficulties in the provision of emergency contraceptives, serve to illustrate the problem.
83. Regulated by law in Brazil since 2000, the distribution of emergency contraceptives was started only in 2002, and is still distant from the daily reality of youths and of women, which contributes to unsafe abortions and as a result, high maternal mortality. The distribution of emergency contraceptives is still incipient because of lack of

<sup>30</sup> Research conducted by UNICEF, 2002.

<sup>31</sup> Ministry of Health (2004).

<sup>32</sup> Aquino, E. M., Barbosa, R.M., Hielborn, M.L., and Berquó, E., “Gender, sexuality and reproductive health: the constitution of a new field in reproductive health”, *Journal of Public Health (“Cadernos de Saúde Pública”)*, v. 19, no. 2, 2003.

<sup>33</sup> Survey realized by the Program for Adolescent Health (Programa de Saúde dos Adolescentes) of the State Secretary for Health of São Paulo, together with 3900 youths between 2002 and 2003. Data on cases studied by Dr. Jorge Andalaft (2003).



continuity, disjointedness of policies, lack of training of professionals, and prejudicial attitudes in the health system. Though distributed in 2000 of 5561 municipalities, routine distribution is significant only for 59 service units that specialize in care for women who are victims of sexual violence.

84. Despite the fact that emergency contraceptives have been offered to the population for five years through sale in pharmacies as well as through the policy of distribution to municipalities by the Ministry of Health, there is still no systemization of an order mandating its supply and marketing to the public, especially to women. The provision by the federal government of emergency contraceptives does not signify that they arrive to women in municipalities.
85. The second-most practiced obstetric procedure in public hospitals of the country is related to abortions in unsafe conditions. This is the fourth highest cause of maternal mortality in the country, and the fifth highest cause of hospitalization in the public health system. At the end of the 1990s, 250,000 cases per year of complications resulting from abortions were registered; thus, this is a grave public health problem, whose origin is found in precocious sexuality and low-quality family planning and health services, and aggravated by the prohibition of abortion in the country. The women's movement has been denouncing the lack of training and readiness of professionals and of health services, as well as the discrimination against women who come to health centers with abortions that have been initiated. The clandestinity in which the abortion are conducted, delays help to the victims and makes impossible the establishment of precise numbers of deaths and harms resulting from this practice. The technical regulations of the Ministry of Health on humane care for women and adolescents who are victims of violence and/or in situations of abortion (Normas Técnicas do Ministério da Saúde sobre a Atenção Humanizada às Mulheres e Adolescentes Vítimas de Violência e/ou em Situações de Abortamento), still face much resistance based on conservative cultural patterns, and require broader dissemination and effective application.
86. It is necessary to emphasize the burden that unsafe abortions place on Brazilian women. Academic studies have found that it is a very old cultural practice, which was criminalized in the 19th Century and continues to be so to this day.<sup>34</sup> The current Brazilian Penal Code (1940) in force deals with abortion in 5 articles (arts. 124 to 128). Abortion is permitted by law only in cases of risk to life of the pregnant woman and or cases where the pregnancy which is a fruit of rape.<sup>35</sup> The Federal Council of Medicine supports the procedure in cases of inviability of the fetus, especially anencephalic ones. However, even in these cases, women suffer humiliations and are submitted to inhuman treatment. In order to reduce the suffering of these women and to guarantee them the right to choose, there has been a struggle to include anencephaly among the cases that permits abortion by law. In fact, between July and October 2003, a preliminary ruling issued by Minister Marco Aurélio de Mello of the Supreme Federal Court (Supremo Tribunal Federal - STF) allowed the early inducement of labor in these cases. According to the World Health Organization (WHO), Brazil has the fourth highest number of anencephalic babies, behind only Mexico, Chile and Paraguay. It is estimated that close to 600 Brazilian women give birth every year to children with this problem. After close to four months in effect and having benefited 58 women<sup>36</sup>, the preliminary ruling was struck down on October 20, 2004. Since then, the legal action has been awaiting action by the Supreme Federal Court.
87. According to a WHO estimate, 31% of pregnancies end in abortion. Approximately 1.4 million spontaneous and unsafe abortions occur annually, at a rate of 3.7 abortions for every 100 women between 15 and 49 years old (Table 5). The cases of death due to abortions could be greater because the complications stemming from abortions often result in hemorrhages and infections, which are reported as such (without mention of abortion), which can camouflage the reality. In addition, there are affects of unsafe abortions on the health of women, such the loss of the uterus, ovaries or Fallopian tube, infertility, anemia and chronic pain.

**Table 5 – State of abortion in Brazil – 2004**

|  |
|--|
| 31% of pregnancies end in abortion                                     |
| It is estimated that there are 1.4 million abortions per year          |
| The rate of abortions is 3.7 per 100 women between 15 and 49 years old |
| There were 243,998 hospitalizations due to abortion in 2004            |

**Source:** WHO, IPAS and SUS (Unified Health System (Sistema Único de Saúde)).

<sup>34</sup> Pedro, Joana Maria, *Prohibited Practices: Customary Practices of Abortion and Infanticide in the 20th Century*, Florianópolis: Cidade Futura, 2003.

<sup>35</sup> By analogy, it is understood that abortion is legally authorized when the pregnancy results from other forms of sexual violence, which is not limited to the strict and limited concept of rape in Brazilian law, which is defined as penetration by the penis of the vagina. It is proven that a pregnancy can result from sexual violence that did not necessarily or strictly involve penetration within the legal terms for rape as defined in the Penal Code. It can include, for example, the crime of violent attempted indecent assault (Atentado Violento ao Pudor), among others.

<sup>36</sup> Survey conducted by the Anis Institute for Bioethics, Human Rights, and Gender, Brasília (DF).

88. According to IPAS-Brazil, there is evidence that the simple prohibition of abortion does not contribute at all to the reduction of the practice. There are restrictive countries that show high rates of abortion among women in reproductive age; however, in countries in which ample autonomy of the woman to decide on the pregnancy is assured, the rates of abortion are among the lowest in the world; in other words, criminalization of abortion does not inhibit its practice. However, to force its clandestine practice in conditions of high risk to life and health of women raises the maternal morality rate.<sup>37</sup>
89. In terms of costs for these health care policies, in 2004 there were 1600 legal abortions contemplated in article 128 of the Brazilian Penal Code which deals with risk of life to the woman and pregnancy resulting from rape, in 51 specialized units of the Unified Health System (SUS) that were existent at the time, at the cost of R\$ 232,280. In the same year, there were 243,998 hospitalizations caused by post-abortion curettages stemming from spontaneous or unsafe abortions, at the cost of R\$ 35,040,978. These curettages constitute the second most practiced obstetric procedure by hospitalization units, surpassed only by normal births.
90. In 2005, beginning with the deliberations of the First National Conference on Policies for Women in the National Plan on Policies for Women (I Conferência Nacional de Políticas para as Mulheres no Plano Nacional de Políticas para as Mulheres), a Tripartite Commission was established for the revision of the punitive law that deals with voluntary interruption of pregnancy. This also complied with the determinations of international agreements, treaties and plans of action from international conferences in the field of human rights signed by the Brazilian government, in the sense of reviewing law that provide punitive measures against women who have been subjected to illegal abortions. The resulting draft law went to the National Congress; however, it was annexed to other existent proposals, and was not voted on within the required time. There are strong pressures by conservative sectors against the decriminalization of abortion and its legalization, especially in the Catholic Church, that is organized in a parliamentary block in the National Congress.<sup>38</sup>

#### Civil Society Initiatives

The **Brazilian Tour for the Right to Legal and Safe Abortion**, developed starting in 2004, a moment in which the feminist movement, in continuity with its action for decriminalization of abortion that was initiated two decades before, started a cohesive demand for the legalization of the practice as a decision that belongs to the woman which should be respected by society and guaranteed by the State. Currently uniting 16 networks and national movements and 43 social organizations, it bases its argumentation on the lay nature of the Brazilian State. The National Feminist Network for Health, Sexual and Reproductive Rights, which mobilized this strategy, argues based on three political axes: public health, human rights, and social justice.

91. In Brazil, according to the Penal Code<sup>39</sup>, abortion is considered a crime against life, not being punished only in two circumstances (article 128): I – if there is no other method to save the life of the pregnant woman; II – if the pregnancy is the result of rape and the abortion is preceded by the consent of the pregnant woman, or, when she is incapable, by her legal representative.<sup>40</sup> However, studies by the Alan Guttmacher Institute on estimates regarding the number of clandestine abortions indicate that there are 1,443,350 abortions annually.<sup>41</sup> This estimate attributes around 85% of the hospitalizations for abortion in the Unified Health System to complications derived from induced or clandestine abortions.<sup>42</sup> In the poorest regions of the country, the difficulty of access of women to information and family planning health services could be the cause of the high number of undesired pregnancies, which can result in the practice of unsafe abortions with risk to life for the women. Abortion in these circumstances is among the principal causes of maternal mortality in the country.

<sup>37</sup> Information provided by attorney Maria Beatriz Galli (IPAS Brazil) to the Managing Committee (Comitê Gestor) of the Civil Society Report to CEDAW 2005, at [www.ipas.org.br](http://www.ipas.org.br).

<sup>38</sup> Brazilian Feminist Network for Health, Sexual Rights and Reproductive Rights, Elections without Stepping Backwards (Eleições sem Retrocesso), Public Note, Set, 2005, at [www.redesaude.org.br](http://www.redesaude.org.br).

<sup>39</sup> Law Decree No. 2848, of December 7, 1940 (Decreto Lei No. 2.848, 7 de dezembro de 1940).

<sup>40</sup> Also see footnote 35

<sup>41</sup> Ministry of Health, Technical Norms for Humanized Attention for Abortion, Ministry of Health, Brasília - DF, 2005, p. 7.

<sup>42</sup> [www.redesaude.org.br](http://www.redesaude.org.br)

**Facts:**

Elivanir went to the hospital emergency room on 22 December 2005, complaining of strong pains in the womb. Through normal hospital procedures, she should have been treated as a case of premature labor (given that she was 5 to 6 months pregnant).

The youth, however, was accused by hospital professionals and by the police on duty of having undergone abortion. She was threatened in the hospital, called a “murderer”, and coerced into confessing to having had an abortion.

She was arrested and handcuffed soon after having suffered an abortion, when in this moment she needed and should have been assisted with care and medical attention, as provided by the recommendations of the norms for humanizing treatment for women in cases of abortion.

The faulty assistance provided to Elivanir characterized a situation of institutional violence, which disrespected various human rights contained in the Convention for the Elimination of All Forms of Discrimination Against the Woman, including the violation of Article 12(1) of the Convention that prohibits discrimination in access to health.<sup>43</sup>

92. General Recommendation No. 24 of the CEDAW Committee establishes that neglecting access to health services that only women need is a form of discrimination against women: “...Other barriers to women's access to appropriate health care include laws that criminalize medical procedures only needed by women and that punish women who undergo those procedures.”<sup>44</sup> The existence of a punitive law places women in risk of death by unsafe abortion in Brazil. The CEDAW Committee, upon analyzing the National Report presented by Brazil in its 29th Session (30 June to 18 July of 2003), recommended to the State of Brazil in its Concluding Comments (paragraph 127) that: “further measures be taken to guarantee effective access of women to health-care information and services, particularly regarding sexual and reproductive health, including young women, women from disadvantaged groups and rural women. Those measures are essential to reduce maternal mortality and to prevent recourse to abortion and protect women from its negative health effects.”<sup>45</sup>
93. Even though maternal mortality is not among the greatest causes of death for women in Brazil (Table 6), approximately 2000 Brazilian women die each year for causes that were preventable in 92% of the cases. The Brazilian maternal mortality ratios are on levels considered unacceptable, possibly reaching 92 deaths per 100,000 live births.<sup>46</sup> As pregnancy is an event related to sexual life and not to illness, the persistence of high levels of maternal mortality is an indication of the status of women in the society. It denotes inequality of gender, of access to goods and services, in particularly health, and of the quality of services offered and of the quality of health professionals. It also indicates inequality of race and ethnicity. That is, racism burdens our access to health; according to the study Portraits of Inequality (Retratos da Desigualdade), conducted by the Institute for Applied Economic Research (IPEA) and UNIFEM, 44.5% of black women have never a clinical breast exam, while white women without access to this exam totaled 27.3%.<sup>47</sup> Finally, it indicates the insufficiency of measures that aim at prevention and payment of reparations for the deaths, demonstrating the low value of life and the citizenship of women, in other words, the violation of human rights. In Brazil, deaths that occur in pregnancy and childbirth are still seen as accidents or inevitable occurrences related to the “sacred” maternal mission. Dying in childbirth has become commonplace, which suggests the necessity for change in cultural patterns that conceal this problem.

**Table 6 – Causes of death for Brazilian women in order of prevalence**

|  |                                    |
|--|------------------------------------|
| 1st - Cerebral Vascular Accident (CVA) | 6th - Neoplasm of digestive organs |
| 2nd – AIDS                             | 7th – Hypertension                 |
| 3rd – Homicide                         | 8th – Isquemic heart disease       |
| 4th - Breast cancer                    | 9th – Diabetes                     |
| 5th – Traffic accident                 | 10th – Cervical cancer             |

Source: Ministry of Health, 2005

94. Among the principal causes of maternal death are hypertension (13.3%), hemorrhage (7.6%), postpartum infection (3.9%), and abortion (2.7%). The maternal mortality coefficient places Brazil next to the poorest countries in Latin America. In 2002, the maternal mortality ratio obtained from death certificates was on the order of 53.4 maternal deaths per 100,000 live births (SIM/SINASC) due to complications arising during pregnancy, childbirth or puerperium. Upon utilizing the correlation factor of 1.4 developed in the subsequent

<sup>43</sup> Press release sent to the media by the Women's Forum of Ceará and by the Concerted Action of Brazilian Women, 2005.

<sup>44</sup> Report on Human Rights and Maternal Mortality, “Women and the Right to Live Free from Preventable Maternal Mortality” (“As Mulheres e o Direito de Viver Livre de Morte Materna Evitável”), Advocaci, Rio de Janeiro, 2005.

<sup>45</sup> See the Recommendations of the CEDAW Committee to the State of Brazil, AGENDE - Ações em Gênero Cidadania e Desenvolvimento, Brasília, November 2003. CEDAW/C/2003/II/CRP 3/Add.2/Rev.1 18 de julho de 2003.

<sup>46</sup> Tanaka, A.C. & Mitsuki, L., Study on the magnitude of maternal mortality in 15 Brazilian cities, São Paulo, UNICEF, 1999.

<sup>47</sup> See the link “Diálogos sobre racismo” on the site, [www.patriciagalvao.org.br](http://www.patriciagalvao.org.br), accessed October 14, 2006.

study, in 2001, the maternal mortality ratio reached 74.5 deaths per 100,000 live births, when in developed countries the adjusted ratios were 6 to 20 deaths per 100,000 live births.<sup>48</sup>

95. In Brazil, insufficient information makes accurate monitoring of trends and causes of maternal mortality difficult. This results from incorrect reporting on death certificates, and from omission of the fact that the cause of death was related to complications during pregnancy, childbirth or puerperium. The absence of registers – under-reporting – is verified in the North, Northeast and Central East regions, and indicates regional inequalities and is related to low levels of human development (IDH). A study published by the Feminist Health Network demonstrates that poor quality of healthcare in the country is the principal cause of high rates of maternal mortality. According to academics on the topic, for each death due to problems of poor medical care, there is another that is not reported. Thus, to understand the real dimensions of the magnitude of maternal mortality, the registered rates should be multiplied by two.<sup>49</sup>
96. The study also concluded that hypertension, a major cause of maternal mortality, indicates problems in the quality of prenatal care and care during childbirth. Hemorrhages are also directly associated with low-quality of medical care for the pregnant woman during childbirth. To this is added the lack of blood in hospitals, which has further raised the rates of maternal mortality in Brazil.<sup>50</sup>
97. Brazilian women need to receive higher quality pre-natal care, as they are dying due to lack of simple care like monitoring of blood pressure. The number of consultations recommended by the World Health Organization (WHO) to detect cases of hypertensive illness, specifically for pregnancy (preeclampsia and eclampsia), as well as diabetes and hypertension, and to prevent infections, still has not been achieved.
98. Another issue that demands the attention of national and international bodies is morbidity. It is estimated that there are 4 to 100 women for each maternal death who have suffered harm or health problems in pregnancy, childbirth or puerperium. They suffer hysterectomies or become “near misses”, that is, survivors of problems that cause maternal death.<sup>51</sup>
99. The National Pact to Reduce Maternal and Neonatal Death (Pacto Nacional pela Redução da Mortalidade Materna e Neonatal), drafted in 2004 in partnership with women’s movements, established strategies for the compliance of the Millenium Development Goals: reduction of maternal and neonatal mortality by 15% by the end of 2006. The creation of Committees on Maternal Death (Comitês de Morte Materna), training for professionals with basis in scientific evidence, and minimum measures for humanization of care were prioritized. The medium and long term goals strive for rates acceptable to the World Health Organization, whose objective is to bring together social actors that mobilize for the increase in quality of healthcare to women and newborns. However, their efforts are still insufficient to alter patterns of care at the local level. There is resistance in many states and municipalities to complying with the Pact, as well as to making agreements and implementing health actions provided in the national policies; this reveals a culture of devaluation of the health and life of women.
100. The women’s movement has broadened its action for citizen control over health, seeking to empower female leaders to act in the Committees on Maternal Mortality and Health Councils in diverse levels and regions. The objective is to include the health of the woman as a universal concept with a basis in equity, to directly influence health policy.

#### Civil Society Initiatives

The **National Association “Marina Carneiro and Families and Friends of Victims of Maternal Death”**, headquartered in Porto Alegre. Created by an initiative by the Feminist Health Network to channel complaints and the indignation of society in the face of preventable deaths, under the motto “maternal death have parties who are responsible”. Its creation was motivated by the death due to preeclampsy between May 26 and June 18 in 2005, of six black women with an average age of 21 in Paraíba, in the Northeast of Brazil, and the death of a middle-class white youth of 23 in the South of Brazil, in March of the same year.<sup>52</sup>

<sup>48</sup> Research coordinated by Dr. R. Ruy Laurenti, Jorge Mello, M.A.H.P.D., S.L. Gotleib, et al., Study on maternal mortality of women 10 to 49 years old in Brazil, Ministry of Health, OPAS, Public Health School of USP, 2002.

<sup>49</sup> Feminist Health Network, Preventable and Avoidable Deaths (Dossier), Belo Horizonte, 2005.

<sup>50</sup> Tanaka, A.C., Dossier on Maternal Mortality, National Feminist Network on Health, Sexual Rights and Reproductive Rights, São Paulo, 2001.

<sup>51</sup> Martins, A.L., Racial Differences in Profiles and Indicators of Maternal Mortality for Brazil, Research of the Department of International Development of the United Kingdom (DFID/UK), 2004; Martins and Tanaka (2006).

<sup>52</sup> The deaths that occur in the Northeast of Brazil were reported in the Report of the Mission of the Platform on Economic, Social and Cultural Rights, 2006, and provoked actions by the Federal Office of the Public Prosecutor and other public and private institutions.

101. In Brazil, breast cancer is one of the greatest causes of death for women. According to the estimate of the rate of cancer in Brazil for 2006 (National Institute of Cancer, Ministry of Health), breast cancer could be the second most common form of cancer, with 48,930 cases, constituting one of the principal causes of death in women in the Western countries. The statistics indicate an increase in its frequency in developed countries as well as developing countries. According to the World Health Organization, in the 1960s and 1970s, an increase of 10 times was registered in the rates of incidence adjusted for age in the population-based cancer registry of diverse continents.
102. Currently women represent close to half of the 37.2 million adults in the world infected by the HIV virus. Brazil has also reflected this increase. Data from the Ministry of Health showed that until 1996, the ratio was three infected men for each woman, but beginning 2004, this difference ceased to exist for youths between 15 and 19 years old. Of cases reported up to June 2006, 67.2% were men (290,917 cases) and 32.8% were women (142,138 cases), and in 2003, the rate of incidence was 25.4 per 100,000 inhabitants for men, and 16.1 for 100,000 inhabitants for women.<sup>53</sup> The ratio of the sexes has been decreasing systematically, from 15.1 men per woman in 1986, to 1.5 men per woman in 2005. It is admitted today that the increase of the epidemic in women is due to errors and prejudices in the understanding of the illness that oriented AIDS programs of the entire world in the 1980's and 1990's. There is a greater increase of the disease in the low-income population, with even greater increase for women than men in this group.
103. A progressive increase since 1980 in the number of Brazilian municipalities with at least one case of AIDS among women has also been verified, which indicates "ruralization" has been accompanied by the process of feminization of the epidemic.<sup>54</sup>
104. The transmission of AIDS for women takes place basically through sexual contact with infected partners. Close to 40% of AIDS cases for women involves multiple sexual partners; 60% involves partners who, for their part, have multiple sexual partners, as well as partners who used injectable drugs and partners who are HIV positive.
105. Sectors of women in situations of greater vulnerability or disadvantage have been the most victimized in the epidemic. Note the case of prisoners: even though female prisoners constitute 5% of the Brazilian prison population, they are the greater part of the infected and sick. A study by the organization Plural Women's Collective of Porto Alegre, supported by UNESCO and by the Interdisciplinary Study Group on Research on Women of the UFRGS<sup>55</sup> indicated that only half of the population studied uses condoms in sexual relations. Also, more than half had not undergone an HIV/AIDS exam for over a year, and up to 2 years. The level of adherence to treatment is low because of lack of prospects for the future.
106. The transmission of HIV from infected mother to baby during pregnancy, childbirth, or breastfeeding (vertical transmission) has also been a problem in Brazil. Close to 9000 children up to 12 years of age who were infected during pregnancy or birth have already been registered with AIDS. But with the diagnosis of HIV infection during pre-natal care, the adoption of adequate measures of treatment for the mother, assisted birth, suspension of breastfeeding, and treatment of the child for 4 weeks, this type of transmission can be reduced to less than 3% of children.
107. Sexual orientation of Brazilian women has also been revealed as a factor in discrimination in health access. Four studies compiled in the Dossier on the Health of Lesbian Women<sup>56</sup> showed that: 13% to 70% of lesbians interviewed did not even have annual access to health services; and 3% to 7% never went to the gynecologist. Among women that accessed services, half never disclosed sexual orientation. Among those that disclosed sexual orientation, more than half perceived negative or discriminatory reactions on the part of the professional, indicating lack of training and prejudice, and a violation of rights. The National Policy for Holistic Health Assistance to Women (Política Nacional de Atenção Integral à Saúde da Mulher - PNAISM) includes specific attention to health for lesbian women, but the practice in health services continue to be prejudiced.
108. (Do not exist the Paragraph 108).

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<sup>53</sup> Women and AIDS. The Global Coalition on Women and AIDS, UNAIDS, 2006.

<sup>54</sup> National Plan to Confront the Feminization of the HIV/AIDS Epidemic and other STDs ("Plano Nacional de Enfrentamento da Feminização da Epidemia do HIV/AIDS e outras DSTs"), Ministry of Health, SPM, 2007.

<sup>55</sup> Plural Women's Collective, Health, Life and Sexuality of Women in Semi-Open Detention, Aparecida Fernandes and Telia Negrão (organizers), Porto Alegre, 2005.

<sup>56</sup> Feminist Health Network, 2006.

**Suggestions for Recommendations to the State of Brazil**  
**We request the CEDAW Committee to:**

- 25) Recommend the State Party guarantee full access to integrated and high-quality health care to all women, with special attention to the necessities of specific segments – rural women, black women, river women, indigenous women, quilombola women, and women with disabilities, youth, elderly and lesbians. The care should respond to their needs during the entire cycle of life and considering differences and necessities according to race, ethnicity and age, their multiple roles and responsibilities, specifically: the National Program for Integrated Healthcare for women (PNAISM), frameworks, adequate budget allocations, training for actors and internalization of services (art.12).
- 26) Recommend that the State Party establish and expand integrated health services for women, including sexual and reproductive health services that contemplate the specifics of: a) women from rural, indigenous, and forest areas through itinerant health services that are culturally differentiated, and which contemplate the prevention and treatment of breast, cervical and uterine cancer, STDs/HIV/AIDS, illnesses arising from contact with agro toxins and other harmful substances, chemical, alcohol and drug dependency; b) adolescents, contemplating the development of an integrated program of sexual and reproductive health, making available condoms and contraceptives as well as training of professionals to provide care; c) lesbian women, attending to their specific needs and contemplating the prevention and treatment of STDs/HIV/AIDS, and the training of professionals for care and orientation, without discrimination or prejudice; d) elderly women, contemplating the training of professionals for care to prevent illnesses to which they are the most vulnerable, such as those arising from menopause, osteoporosis, arthrosis, and heart disease; e) women with disabilities, attending to their specific needs and fostering their inclusion; f) black women, contemplating their specific needs and, above all, the establishment at the national level of guidelines of the Brazilian government for falciform anemia: the Falciform Anemia Program (Programa de Anemia Falciform - PAF) of the Ministry of Health (1996), respecting the requirements of bioethics and free and clear consent on occasion of diagnosis and treatment, in addition to the guarantee of automatic inclusion of families to PAF; g) women prisoners, so that all receive gynecological exams and exams to prevent breast and uterine cancer, as well as exams for the identification of STDs and HIV/AIDS, with consequent treatment; including prisons in all vaccination campaigns, in observance with the Unified Health System (art. 12).
- 27) Call on the State Party to guarantee access to quality health services in contraception and conception, broadening and universalizing the offer of excellence in service and making available inputs and medicines, in accordance with national legislation on family planning. Especially for cases of rape and other forms of sexual violence, there should be assured all measures prescribed in existing technical norms, the broadening of specialized services of care integrated in the support networks for women in situations of violence, the guarantee to all women access to sexual health services, contemplating the prevention of sexually transmitted diseases, among them HIV/AIDS and the interruption of pregnancy resulting from rape (art. 12).
- 28) Recommend the State Party adopt in-depth measures, including sensitization campaigns for the public, to confront the feminization of the AIDS epidemic, and develop preventative actions from the female viewpoint, including financing of studies and research for the treatment of AIDS for women. Recommend also the broad provision of information and sexual education, in particular for adolescents, with special attention to the prevention and greater control of HIV/AIDS and adolescent pregnancy, and broaden orientation and voluntary and confidential services of diagnosis, as well as treatment for people affected by these illnesses and care for all needs resulting from this condition (arts. 5 and 12).
- 29) Recommend the State Party take measures to guarantee quality attention in pre-natal and perinatal care, for the purpose of reducing maternal mortality; prevent and treat the most frequent illnesses, such as arterial hypertension, a principal cause of maternal mortality, especially in black women, whose available data shows that they present the greatest probability of arterial hypertension; strengthen the State Committees for the Study and Prevention of Maternal Mortality and promote real stimulus for the creation of these committees in each municipality; stimulate all municipalities to adhere to the National

Pact for Reduction in Maternal and Neonatal Mortality, as well as develop effective actions to change the cultural patterns that view these deaths as accidental and inevitable (art. 12).

- 30) Urge the State Party to take legislative measures with a view to revision of current restrictive and punitive legislation, for the purpose of protecting women from the effects of clandestine and unsafe abortion and assure that the women do not recur to such procedures that are harmful to their health and life. Recommend the sensitization of health professionals for the effective compliance with the Technical Norms of Humanized Attention for Abortion, reducing institutional violence committed against women in Brazilian hospitals. Request provision in its next periodic report of detailed information, with basis in comparative data, on maternal mortality and grave harms resulting from unsafe abortions in Brazil (arts. 3 and 12).

109. The conducting by governmental organs of analysis of indicators of racial inequality is recent. Some indicators will be highlighted in the following to demonstrate the size of the abyss that separates the conditions of life of racial and ethnic groups in Brazil.<sup>57</sup>
110. **Education** – Data published by IBGE in 2003 show that the illiteracy rates for black or dark persons in Brazil are 16.7% and 17.3% respectively, while that for white persons is 7.5%. Further, the white population of 10 years old or older possesses on average 7.1 years of schooling, while the black population possesses 5.5 years, while the brown population, 5.2 years. These indicators exemplify how the Brazilian educational system is discriminatory and produces the singular reality for male and female black students: 1) the precocious entry into the labor market; 2) the low quality of public teaching; 3) the imposition of programmatic content that does not value the universe of women and Afro-descendants and, as such, does not stimulate the raising of their self-esteem; and 4) the presence of racism, sexism, and prejudice in the classroom and in the school environment, which reduces stimulus for continuation of studies. With respect to indigenous populations, beyond the necessity for compatible resources required for the effective schooling of these groups, it is important to preserve bilingualism in schools where the children of these ethnic groups study.
111. **Work** – Considering that the rates of unemployment, of informal work, and of jobs in precarious conditions are higher for black women and men and the average monthly income received for this racial group is substantially less, it is to be expected that the percentage of black women and men that contributed to the social security fund would also be lower. In fact, in 2001, according to data by the PNAD/IBGE, the percentage of black women and men 16 years or older who contributed to the social security fund was 39%. This percentage, however, reached 54% for white women and men.

**Facts:**

Domestic workers suffer on a daily basis degrading situations in their workplaces due to the colonial/slave owner view of their employer, who defraud them of workers' rights already guaranteed by law, such as payment of a minimum salary, signature on the Employment Card, weekly rest and holidays, etc. The workers are defamed when they demand their rights. The situation of inequality experienced by the black female population in the labor market is demonstrated in the data of the Institute for Applied Economic Research (IPEA) data in "Racial inequalities in Brazil, from Luciana Jaccoud and Nathalie Beghin, 1991-2001". The difficulties of entry into the labor market confronted by blacks are innumerable, which contributes to the lack of social mobility experienced by the black population. The following proposals are made to seek to cure this inequality:

- Creation of professional training for neighborhoods in the periphery, aiming to build qualifications for black female laborers;
- Adoption of special policies that seek to investigation of the existence of cases of sexual and racial discrimination on the job, based on the existing law;;
- Stimulate research on the professional reality of workers and black workers and officials, in order to detect injustices in the hiring and promotion for to better jobs;
- Denounce the existence, whenever detected, of manifestations of sexism and racism in the labor market, punishing it in the form provided by law and in accordance with ILO Conventions No. 100 and 111 which have been ratified by Brazil;
- Create Shelters for Domestic Workers shelters for domestic workers who suffer abuses and persecution by employers, and many times, do not ask for dismissal because they have nowhere to go, for coming from other municipalities of the state;
- Create mechanisms to avoid cases of racial discrimination against black women, guaranteeing their promotion in work in municipal public service, once access is made possible by civil service exam;
- Establish sufficient social mechanisms, especially day care centers in workplaces, in public and private enterprises, in accordance with provisions of law;
- Establish special programs for training and formation of the black woman;
- Promote the development of projects of local sustainable development in areas of greater black concentration, for the purpose of fostering actions for income generation. (Ilma Fátima de Jesus, Unified Black Movement (Movimento Negro Unificado – MNU), São Luís, Maranhão)

112. **Poverty** – Black women and men represent 69.3% of the bottom 10th percentile (the first decile, or poorest 10% of the population), and only 8.2% of the richest 1% of the population (top centile). The indicators of poverty and extreme poverty are much higher for black women and men than for white women and men. According to the Institute for Applied Economic Research (IPEA), in 2001, 34% of Brazilians were considered poor, that is, they lived under the poverty line. In the same year, it is verified that 47% of the total population of black women and men were poor. Among the total for white women and men, the proportion of the poor was 22%. In other words, close to half of black women and men live below the poverty line. With regard to the proportion of black women

<sup>57</sup> Indicators utilized in the First National Conference on Policies of Promotion of Racial Equality, held in Brasilia from June 30<sup>th</sup> to July 2<sup>nd</sup> of 2005 under the general coordination of the Special Secretary for the Promotion of Racial Equality (Secretaria Especial de Políticas de Promoção da Igualdade Racial (SEPPIR)) of the Presidency of the Republic.



and men within the poor, the indicated a percentage of 61% was indicated. Of the Brazilian population, 15% live under the line of extreme poverty; of the total black population, 22% was in extreme poverty, while for the white population, the percentage was 8%. The percentage of black women and women within the extremely poor population was also 66%. The indicators of poverty and extreme poverty also are very elevated for the indigenous population. Thus, the indicators researched by PNAD/IBGE 1999, showed that the percentage of indigenous people under the poverty line was 56%, and the percentage of indigenous people below the line of extreme poverty was 22.3%. Estimates calculated through comparison of data from the National Health Foundation (Fundação Nacional de Saúde -FUNASA) and the Pastoral Service for Children (Pastoral da Criança) indicate that the rate for malnutrition of indigenous children was 111.5% greater than the rate of malnutrition for children of other ethnic-racial groups of the population.

113. In Brazil, formal declarations of equality for men and women, blacks and whites, are present in national and international laws, and is protected by the Federal Constitution of 1988.<sup>58</sup> However, the difficulties in making concrete the legal ownership of rights, especially for black and indigenous women, can be observed in the official statistics on access to work, to professional advancement, to earnings, to health, to schooling, and to positions of power, among other indicators. In the case of indigenous women, we are still confronting an absurd barrier - the absence of disaggregated data by sex for indigenous peoples.
114. In the face of this scenario, the governmental responses of creating the Special Secretary on Policies for the Promotion of Racial Equality (Secretaria Especial de Políticas de Promoção da Igualdade Racial -SEPPIR) and of the Special Secretary on Policies for Women (Secretaria Especial de Políticas para as Mulheres - SPM), both linked to the Presidency of the Republic, are notable. These Secretaries, in partnership with Ministries, have formulated and implemented political action for the overcoming of the social abyss experienced by the black and indigenous population in Brazil. Such actions include the Project of Integrated Health Service of Patients with Falciform Diseases, a disease that has greater prevalence in the black population, and the inclusion of the Project to Promote Healthcare for Black Women in the National Policy for Integrated Healthcare for Women. This has resulted in actions to include questions to track race on the “gestant mother’s card”, and the record for pre-natal care; in initiatives for the training of health professionals on specifics about the health of black women; and a focus on socio-cultural diversity, racism and ethnicity; as well as the attempt to stimulate actors in the Unified Health System (SUS) to consider spaces of African origin as centers for spreading of knowledge the dissemination of wisdom and practices for promotion of health in the black population. This work needs to be broadened and incorporated in permanent manner in health.

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| <p><b>Suggestions for Recommendations to the State of Brazil</b><br/> <b>We request the CEDAW Committee to:</b></p> |
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| <p>31) Recommend the State Party conduct economic reforms and refine norms and legal mechanisms and national policies to increase the access of women to financial resources and services, including the right to work, to ownership of land, to information and educational and technological resources (arts. 10, 11, 13).</p> <p>32) Call on the State Party to create and perfect independent mechanisms financed by public resources for the monitoring of policies and resources directed toward policies for women, as well as promote training for women’s forums and organizations on drafting of proposals, fundraising and reporting for federal, state and municipal resources, stimulating the creation of conditions for citizen control over public policies (arts. 10, 11, 13).</p> <p>33) Recommend the State Party adopt effective measures to make the ownership of rights of women concrete, and observed in official statistics considering aspects related to access to work, professional promotion, income, health, schooling, positions of power, among other indicators, especially for rural, black, and indigenous women. In the case of indigenous, rural, gypsy and migrant women, urge the development of actions to confront their near-total invisibility given the absence of data disaggregated by sex, age, race or ethnicity and by information about their overall situation (arts. 3, 7, 10, 11, 13, 14).</p> |
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<sup>58</sup> According to Leila Linhares Barsted and Jacqueline Herman, directors of the non-governmental organization CEPIA – Center for Studies, Research, Investigation and Action (Centro de Estudos, Pesquisa, Investigação e Ação), (<http://www.cepia.org.br/doc/leis4.pdf>).

115. The National Documentation Program for Rural Worker Women (Programa Nacional de Documentação da Mulher Trabalhadora Rural) of the Ministry of Agrarian Development (MDA), is implemented by the Institute for Colonization and Agrarian Reform (Instituto de Colonização e Reforma Agrária - INCRA) in settlements for agrarian reform and surrounding communities, is directed toward providing rural workers access to civil and professional documentation. This program is limited to agrarian reform settlements and its surrounding communities, and as such, does not reach all rural communities. Further, of the rural population without documents (40% of the rural population), 60% are women.<sup>59</sup>
116. On the topic of social security, as has already been discussed, one of the impediments to access to social security benefits (for example, retirement), is the difficulty of proving the condition of specially insured – that the person is a rural worker and contributed financially to the social security coffers. Keeping in mind that rural workers do not contribute with discounts in their salary, but with 2/3 of what is sold of their production, women are often the most prejudiced by the absence of visibility in the register of this payment. This raises the importance of the use of the Rural Worker Women’s Notebook (Bloco de Notas de Produtora Rural), and the inclusion of her name in it, as suggested by the booklet of the Movement of Peasant Women (2004), so that the female rural worker registers the delivery of her production and has proof to guarantee her access to social security rights and labor rights. But the establishment of the Female Rural Producer’s Notebook remains at the discretion of each state government. It has been adopted in Rio Grande do Sul and in Santa Catarina, which calls for rural worker organizations to demand its establishment in all of Brazil.
117. Historically in Brazil, in terms of access to credit, government programs directed toward financing agricultural production were conceived and applied in the patriarchal framework, in which the head of the family accessed the credit and, when in possession of the resources, decided what to do with the property.

**Facts:**

1. Women peasants and rural workers are principally the ones who are in charge of the production of food, raising of small animals, craft production, and care for the environment.
2. The creation of the National Program of Family Agriculture-Women (Programa Nacional de Fortalecimento da Agricultura Familiar (PRONAF) – Mulher) did not succeed in advancing the construction of new gender relationships, it did not succeed in demonstrating cultural and behavioral changes; the patriarchal system of previous lines of credit prevailed. Data from the Ministry of Agrarian Development (MDA) showed that only 12,000 PRONAF-Women contracts were signed over 3 years, a fact which demonstrates in and of itself that access to the decision-making process, emancipation, and citizenship of women is way below what is desired. (Peasant Women’s Movement (Movimento das Mulheres Camponesas).

118. Brazil is internationally known for its concentration of land and earnings which generates poverty and social exclusion. Official data reveals that 1.6% of the owners of land above 1000 hectares hold 46.8% of the total registered lands. On the other hand, more than 3 million families of rural worker do not have land to live or work. Linked to this, the advance of monoculture – especially of soy, sugar cane and eucalyptus, results in the destruction of the environment and of biodiversity.

**Facts:**

1. The capitalist model of extensive production and agro-exports, in which the transnational anchor their tentacles, produces impoverishment of the population, destruction of the environment, and contributes toward the increase in rural violence. On the other hand, the peasant/family agriculture contributes 70% of the production of foods, as well as generates a job for every 5 hectares.
2. The moroseness of the justice system, impunity in investigation and judgment of crimes committed against workers in the countryside, promotes the intensification of conflicts in the struggle for land and increases the incidence of rural violence. Between 1985 and 2005, there were 1349 assassinations of rural workers. In a case noted internationally, sister Dorothy Stang was brutally assassinated in 2005 for defending the rights of women and rural workers (Unadopted report of the Joint Parliamentary Commission of Investigation on Land (Relatório derrotado da Comissão Parlamentar Mista de Inquérito da Terra - CPMI da Terra).

119. Brazilian social indicators register that the more “rural” the women, the more they are submitted to discriminatory situations in relation to their human rights, including social and constitutional rights. With regard to the employed urban female population, the average education is 8.4 years and for male 7.5. In the rural population it goes down

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<sup>59</sup> Dados IBGE, 2006.

to 4.2 years for girls and for male it is 3.6. In spite of more schooling, the women generally do not enjoy earnings equivalent to men in the world of work.

120. Young rural women do not possess secure access to schools, which are usually distant from their houses. The road that takes them to school is sometimes unsafe, with little public lighting and an absence of nearby public services. This favors an environment excessively vulnerable to crime and exposes the girls to real and still greater risk of, for example, of suffering rape or other forms of violence or sexual abuse. This situation of insecurity makes many girls abandon studies, at a younger and younger age.

**Facts:**

1. The black woman that lives in rural areas lives in constant ethnic-racial segregation. She leaves the rural area in search of work in order to better the conditions of life for her and her family, and confronts racism. She is subjected to racism on a daily basis, in practices similar to slavery perpetrated in disguised form until the present day. She ends up returning to her place of origin, living a vicious circle of rural work, and ends up living on donations that arrive from the community, if it arrives. For our sorely missed Lélia Gonzalez (1982), "racism, as a ideological articulation which takes form and is realized through a combination of practices (...), is one of the principal determinants of the position of blacks...within the relation of production and distribution. Once racism (in a manner similar to sexism) transforms itself into part of the objective structure of ideological and political relationships of capitalism, the racial (or sexual) division of work can be explained without recurring to subjective elements like prejudice". Gonzalez affirms that in the beginning of the feminist struggle, "the black woman was practically excluded from texts and discourse of the feminist movement in the country. The majority of texts, in spite of dealing with relationships of sexual, social and economic domination to which the woman is submitted, as well as the situation of women in poor layers, etc., etc., do not attack racial oppression. The categories utilized are exactly those that neutralize the problem of racial discrimination, and consequently, of the problem of the confinement to which the black community is reduced." (Ilma Fátima de Jesus, Unified Black Movement (Movimento Negro Unificado, MNU), São Luís, Maranhão).
2. The domestic worker comes to the capital (São Luís) from the rural zones, seeking work for the purpose of bettering her condition of life and that of her family, and confronts racism to which she is subjected on a daily basis, similar to slavery. In general, she receives less than the minimum wage; she returns, then, to exhausting rural work, lacking means to obtain clothes including for her family, and ends up living off donations. The Sindoméstico assisted, in the month of March of 2006, women from the interior of the state of Maranhão and the rural areas of the cities of Penalva (Caminho Novo), Guimarães, Pirapemas, Icatu, Mirinzal, Perimirim, São João Batista, Chapadinha, Matinha, Presidente Dutra and Cururupu and from Ceará (Camocim). (Maria Isabel Castro Costa, (Women Domestic Workers Union (Sindicato das/os Trabalhadoras/es Domésticas/os do Estado do Maranhão), São Luís, Maranhão).
3. Rural women, even though they engage in the same activities as men, have less decision-making power and do not manage the resources of the family. (Results of field research in the semi-arid sisal growing region of Bahia) (Maria das Graças Carneiro de Sena, EMBRAPA Manioc and Tropical Fruits, Cruz das Almas, Bahia).

**Suggestions for Recommendations to the State of Brazil**

**We request the CEDAW Committee to:**

- 34) Call on the State Party to deliberate on regulations of extractivist reserves, recognizing the claims of the women of the Amazon, which are: a) have a family and community plan of management, with units of benefit from oils and fruits of the forest, with viable credit programs and access to educational and technological resources in consonance with their culture and traditional knowledge; b) utilize manipulation laboratories that leverage natural resources, adding value to what is produced and c) enjoy the protection of specific legislation with protective measures for the conducting of river activities, and to be able to rely on social security rights for women who have been victims of scalping (arts. 3, 7, 10, 11, 13, 14).
- 35) Call on the State Party to guarantee universal access to programs of documentation for all rural worker women, quilombola women, river women, traditional fisherwomen, "coconut-breakers" and extractivists, assuring that these women have access to public policy. Urge the maintenance of social security, in a universal and sympathetic way, and the condition of specially insured, expanding the benefits to other categories of rural worker women: those in quilombolas, river communities, traditional fishing, and "coconut-breakers" and extractivists (arts. 2, 7, 11, 14).

## General Recommendations to the State of Brazil

We request the CEDAW Committee to:

- 36) Urge the State Party to comply with international treaties and conventions through the executive, legislative and judicial powers, in the federal sphere as well as the state and municipal spheres, notably with the Convention on All Forms of Discrimination Against Women, the Inter-American Convention to Prevent, Punish and Eradicate Violence Against Women, the Convention on the Elimination of All Forms of Racism, Xenophobia and Related Intolerance, ILO Conventions (100 and 111) as well as agreements signed in the Platforms and Plans of Action approved in the World Conferences promoted by the United Nations, especially the Fourth World Conference on Women, the Third World Conference Against Racism, Racial Discrimination and Xenophobia and Related Intolerance, and the Third International Conference on Population and Development. Recommend the State Party to ratify the International Convention on the Protection of Rights of All Migrant Workers and Members of Their Families.
- 37) Call on the State Party to assure free and full exercise of the human rights of women, in light of international and national parameters; adopt all measures to harmonize the domestic legal order, revoking legal precepts discriminatory toward women and adopting normative, judicial, public policy and other measures necessary for the guarantee of full equality and dignity of women.
- 38) Urge the State Party to consider, in all policies and actions of the government, the greater vulnerability of women, which is aggravated for Afrodescendants, indigenous women, residents of rural areas, urban residents with lower earning power, prostitutes, people with disabilities, prisoners, heads of households, lesbians, women living with HIV/AIDS, girls, youths, the elderly, and other groups of marginalized or socially excluded women. Public planning should effectively consider women and their specific needs, as a way of reducing, in a short space of time, the inequality between women themselves, considering factors like: social class, difference between generations, regional differences, historical-cultural aspects, race and ethnicity, with emphasis on the exclusion of indigenous women, forest women, northeastern women, black women, and rural women.
- 39) Recommend the State Party incorporate the gender and race perspective in transversal form in all planning, design, implementation and evaluation of public policy, with creation of mechanisms of monitoring, including of technical-scientific indicators. Recommend promotion of sensitization/training of governmental actors and agents through appropriate methodologies for the understanding of this problem.
- 40) Urge the State Party to promote and develop consciousness-raising practices and sensitization on mechanisms of protection of the rights of women, for legal officers, state agents, non-governmental organizations, and the public in general.
- 41) Recommend the State Party make a commitment to public management to avoid problems arising from restrictions on budgetary execution, given that constraints on resources for areas related to law and public policy directed toward women such as public security, health and social assistance impede their full implementation.
- 42) Urge the State Party to develop statistical indicators for the comprehension of dynamics of gender, class, difference between generations, and race/ethnicity that pervade the social, economic, political and cultural context, as well as to create and perfect the system for the collection of data disaggregated by sex, age, race and ethnicity, for the purpose of bettering evaluation of the situation of women, and of supporting the design of public policy directed toward the reduction of distances between gender, as well as conducting research and censuses on the female prison population, to get to know and identify their necessities. Further, suggest the formulation of indicators to measure the importance of domestic and family work in the estimating of the Brazilian Gross National Product – GNP (Produto Nacional Bruto - PNB).

## Annexes

### 1. Participatory Methodology

Considering that the CEDAW Committee should, in its analysis of the Sixth Country Report of Brazil for the period 2001 – 2005, evaluate the progress achieved by Brazil since the presentation of the last government report (in 2003), especially in relation to the compliance with the recommendations made by the Committee, the present Civil Society Shadow Report follows the orientation of the Committee. It focuses on the Committee recommendations, in addition to evaluating more broadly the compliance by the government of the commitments under the Convention.

The participation of civil society representatives in the CEDAW Committee session in 2003 in which the first Country Report of Brazil was presented, and the incorporation of many of the suggestions by the Civil Society Shadow Report of 2003 in the Concluding Comments of the Committee, made the accumulation of experiences and lessons learned possible.

In the present process, the mobilization and coordination of the feminist movement and women's movement was sought for the preparation and presentation of the second Shadow Report of Civil Society to CEDAW, of 2005. 23 women's networks and national movements involved in documenting priorities and issues concerning the citizenship and human rights of women participated. Together with the Agende Actions in Gender, Citizenship and Development (Agende Ações em Gênero Cidadania e Desenvolvimento - AGENDE) (Executive Secretariat), the **Organizing Committee** (Grupo Impulsor) of the Shadow Report was composed, in April 2005, of the following networks and concerted actions: Concerted Action of Brazilian Lesbians (Articulação Brasileira de Lésbicas – ABL); Concerted Action of Brazilian Women (Articulação de Mulheres Brasileiras – AMB); Network of Organizations of Brazilian Black Women (Articulação de ONGs de Mulheres Negras Brasileiras – AMNB); Brazilian Section of the Latin American and Caribbean Committee for the Defense of Women's Rights (Comitê Latino-Americano e do Caribe para a Defesa dos Direitos da Mulher – CLADEM/ Brasil); National Federation of Women Domestic Workers (Federação Nacional das Trabalhadoras Domésticas – FENATRAD); Brazilian Chapter of the Mercosur Women's Forum (Fórum de Mulheres do Mercosul - Capítulo Brasil); National Forum of Black Women (Fórum Nacional de Mulheres Negras); Study Group on Incarcerated Women (Grupo de Estudos sobre Mulheres Encarceradas); Brazilian League of Lesbians (Liga Brasileira de Lésbicas); Unified Movement of the Women of the Amazon (Movimento Articulado de Mulheres da Amazônia – MAMA); Peasant Women's Movement (Movimento de Mulheres Camponesas – MMC); Brazilian Network of Feminist Studies and Research (Rede Brasileira de Estudos e Pesquisas Feministas – REDEFEM); Brazilian Network of Prostitutes (Rede Brasileira de Prostitutas); GRUMIN Network of Indigenous Women (Rede GRUMIN de Mulheres Indígenas); Network of Women in the Radio (Rede de Mulheres no Rádio); Feminist Network of Women's Studies Centers in the Brazilian Northern and Northeast Regions (Rede Feminista Norte e Nordeste de Estudos e Pesquisas sobre a Mulher e Relações de Gênero – REDOR); Youth Feminists Network (Rede Jovens Feministas); National Network of Traditional Midwives (Rede Nacional de Parteiras Tradicionais – RNPT); Brazilian Feminist Network of Health, Sexual Rights and Reproductive Rights (Rede Nacional Feminista de Saúde, Direitos Sexuais e Direitos Reprodutivos – Rede Feminista de Saúde); National Woman's Secretariat of Força Sindical (Secretaria Nacional da Mulher da Força Sindical); National Department for the CUT Working Woman (Secretaria Nacional sobre a Mulher Trabalhadora - SNMT/ Central Única dos Trabalhadores – CUT); and the Brazilian Women's Union (União Brasileira de Mulheres – UBM).

Within the Organizing Committee, a **Managing Committee** was created in the April 2005 meeting, which started out the process. The Managing Committee was composed of: Agende Actions in Gender, Citizenship and Development (AGENDE); Concerted Action of Brazilian Women (AMB); Brazilian Section of the Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM/ Brasil); Brazilian Feminist Network of Health, Sexual Rights and Reproductive Rights (Rede Feminista de Saúde); and the Feminist Network of Women's Studies Centers in the Brazilian Northern and Northeast Regions (REDOR). AGENDE was elected Executive Secretary.

The participative methodology translated the concentrated efforts of the networks and movements into the process of drafting the document, involving feminist activists, academics, and researchers in study centers in universities. The participation of the Northern and Northeastern Feminist Network for Study and Research on Women and Gender Relations (REDOR) in the first stage in the collection of contributions, and that of the Interdisciplinary

Center on Study of Women and Gender of the Federal University of Rio Grande do Sul (NIEM/UFRGS) in the drafting stage of the Shadow Report itself, were outstanding. The Commission on Systematization of the Shadow Report, at the level of the Managing Committee, was under the coordination of Professor Dr. Jussara Reis Prá, of the Interdisciplinary Center for Studies on Women and Gender of the Federal University of Rio Grande do Sul, Telia Negrão, Executive Secretary of the Feminist Health Network and Marlene Libardoni, Executive Director of AGENDE.

The mobilization and dissemination of the process of preparation of the Civil Society Shadow Report 2005 was conducted specially through the Internet, through the creation of the hotsite “Shadow Report to CEDAW 2005”, within the AGENDE website and through the electronic newsletter *Shadow Report to CEDAW 2005*, drafted and disseminated by AGENDE as well as through websites and electronic newsletters of the networks and movements that form the Organizing Committee.

The following documents were adopted as basic reference documents for the drafting of the Shadow Report to CEDAW 2005:

- Civil Society Shadow Report to CEDAW 2003.
- Recommendations of the CEDAW Committee to the State of Brazil, 2003.
- Governmental Report to CEDAW 2005.
- Survey and systematization, through a gender focus, of information produced in the process of preparation of the Shadow Report to the Committee on Economic, Social and Cultural Rights, and of the National Human Rights Report, both initiated in the course of 2005.
- Documents and reports of the State Conferences and the First National Conference on Policies for Women, and the reports of the State Conferences and the First National Conference on the Promotion of Racial Equality, which bring together much information about black and indigenous women.
- Information and data already produced in research (including by NGOs), dossiers, reports of events (to seek indicators and correct updated data, which contemplate the reality of women).
- Information Gathering Instrument (Instrumento de Coleta de Informações) (survey form) with key questions in relation to the CEDAW articles and 2003 recommendations of the Committee, to be filled out by national networks and national women’s mobilizations and feminist and women’s organizations.

The drafting of the report was based on responses to the survey instrument (see the form that follows), which was sent to national networks and mobilizations of women that form the Organizing Committee and to the women’s movement, and made available on the hotsite “Shadow Report to CEDAW 2005”. It was also based on data already obtained from studies and research, dossiers, and conference reports.

After the systematization, by members of the Committee on Systematization, of the material collected through the survey form, as well as the other information and data obtained in studies and research, dossiers, conference reports, and other basic documents, it was submitted on 2 occasions to the Organizing Committee for discussion by the networks and national movements of women for the purpose of its refinement. Subsequently, it was discussed in a meeting of the Organizing Group for completion of the document which was conducted on March 29 and 30 of 2007; after the incorporation of suggestions from the meeting, the document was again sent to all the networks and national movements of women forming the Organizing Committee for their review and final approval.

As they did in 2003, the networks and national women’s mobilizations that participated in the process of drafting the 2005 Shadow Report are mobilizing to participate in the 39th Session of the CEDAW Committee in July/August 2007, to present the Shadow Report, and to contribute to the work of the Committee in analyzing the Sixth Country Report of Brazil and formulating recommendations to the State of Brazil for effective compliance with CEDAW. In addition to participating in the meeting, they intend to again transmit to the Brazilian women’s movement, simultaneously with the meeting in New York, the presentations, questions, and recommendations made by the CEDAW Committee (by way of the electronic newsletter *The Rights of Women are Not Optional*, and the “Shadow Report to CEDAW” website.) After the presentation of the Brazilian report to the CEDAW, the objective is to monitor compliance with the recommendations of the Committee, through their dissemination as well as through other activities.

## 1.1 Form for information gathering

As you know, the State of Brazil is a signatory to a set of international documents, in which it committed to overcoming obstacles to equality between the sexes. CEDAW is, without doubt, one of the most important international instruments, in so far as it contemplates diverse sphere of life of women. Upon signing it in 1984 the Brazilian government also assumed the commitment of implement measures for its materialization.

The Brazilian feminist and women's movement had a marked impact in the national and international scene when it drafted the first Civil Society Shadow Report and participated in the sessions of the CEDAW Committee that evaluated the Governmental Report of 2003. This was without doubt a great contribution by the women's movement in relation to the compliance by Brazil of CEDAW.

The Civil Society Shadow Report presented recommendations to the State of Brazil to contribute to the work of the Committee in its pronouncements on the governmental report. The great majority of the recommendations were incorporated into the Concluding Comments and Recommendations formulated by the CEDAW Committee to Brazil ([www.agende.org.br/convencoes/cedaw/rela\\_alt\\_2005.html](http://www.agende.org.br/convencoes/cedaw/rela_alt_2005.html)) regarding the necessary and appropriate measures for the full and effective compliance with the Convention.

In 2005, the State of Brazil already drafted its governmental report, responding, this time without delay, to its commitment to the CEDAW Committee. The women's movement again took up the responsibility for monitoring this process, and is going to draft the Shadow Report to present to the Committee.

To guarantee the viability of the process of drafting the 2005 Shadow Report, we ask all partner organizations and persons involved for your collaboration in sending information that you can contribute/integrate into the report, by responding to the specifics requested in the annexed form.

We would like to make clear that it is not obligatory to fill out all the items; each contributor should focus only on the questions (articles) on which they in fact have concrete information from their research, professional work, or work as an activist. All contributors will be credited in the final document.

### **Article 1 and 2 – Discrimination against women**

Concerns and Recommendations – the gap between constitutional guarantees of equality and the present de facto situation, recommending legislative reform and mechanisms for monitoring, implementation of the Convention.

*Give examples, through statistical data or concrete situations, of the gap between the law and reality in your region and your area of work.*

### **Article 3 – Development of women in equal conditions**

Concerns and recommendations – lack of knowledge and application of international instruments by judicial authorities and others responsible for complying with the law, recommending their sensitization.

*Do you know of actions and public policies for the sensitization of these governmental agents in your region? Do you know of cases that demonstrate changes in behavior resulting from these sensitizations? Do you know of cases of discrimination that violates international instruments? Describe.*

### **Article 4 – Affirmative Action**

Concerns and recommendations – measures and policies in favor of women are not sufficient, but temporary special measures are necessary to compensate for historically and culturally constructed disadvantages.

*Give examples, through statistical data or concrete situations, of situations of disadvantage of women that require Affirmative Action.*

*Do you know of any examples of Affirmative Action? Give examples.*

### **Article 5 – Change in cultural patterns of behavior**

Concerns and recommendations – there is a persistence of conservative and stereotyped views, behavior, and images of men and women, being necessary measures that alter such models in the family, work, and media.

*Provide information, examples of the persistence of these situations and of initiatives to alter them in the context of family, work, education and media.*

## **Article 6**

### **a) Violence against women**

Concerns and recommendations – the persistence of domestic, sexual violence and sexual exploitation of women and girls, existence of lenient punishments for the aggressors and absence of specific law, recommending new legislation, measures, monitoring and data.

*Do you know of data, research, cases that reflect this reality? Do you know of governmental actions and public policies that have been implemented to address these problems? Give examples.*

### **b) Sexual exploitation and prostitution**

Concerns and recommendations: The Committee is concerned with reports of ill treatment, violence and sexual exploitation, especially of indigenous women, by the military forces and prospectors (gold miners) on indigenous lands, with connivance of the police and others charged with enforcing the law, within the country as well as in frontier areas. It recommends that measures be taken to investigate and punish those responsible, sensitize and train on the situation of indigenous women and women in situations of vulnerability.

*Do you know of data, research, cases that reflect this reality? Do you know of government or public policies that have been implemented to address these problems? Give examples.*

### **c) Trafficking of women and girls**

Concerns and recommendations – concern with reports of trafficking of women and girls, with the connivance of police and others charged with enforcing the law, within the country as well as in frontier areas. It recommends that measure be taken to 1) investigate and punish those responsible, 2) to protect and support women and girls in situations of vulnerability with regard to traffickers, 3) as well as training in human rights of members of the military and civil police forces and of the personnel charged with enforcing the law.

*Do you know of data, research, cases that reflect this reality? Do you know of government actions or public policies that have been implemented to address these problems? Give examples.*

## **Article 7 – Discrimination in public and political life**

Concerns and recommendations: women are under-represented in all the levels and instances of powers (Executive, Legislative and Judiciary), questions the existent quota system. Recommend the adoption of strategies to accelerate the participation of women in political and professional decision-making; adoption of more effective policies for the implementation of special temporary measures that broaden the participation in the formal forums of political and economic power.

*Describe practices and examples that are exclusionary of women in decision-making forums in the political, economic and professional sphere.*

*Present accounts of discriminatory practices that impede the empowerment of women in your region or area of work.*

## **Article 8 – Inclusion of women in international bodies**

*Describe cases of exclusion of women in Brazilian representation in international bodies (describe the situation that occurred, identifying the sector and action)*

## **Article 9 – Nationality of women**

The Committee did not pronounce on this topic.

## **Article 10 – Access to education**

Concerns and recommendation - high rates of female illiteracy, segregation of gender in educational fields considered typically masculine or feminine and its consequences in work, recommend proactive measures especially for marginalized women who aim to reverse this inequality.

*Describe, through statistical data and concrete situations, of the persistence of this situation and/or initiatives by the state for the purpose of reversing it.*



### **Article 11 – Equality in the labor market**

Concerns and recommendations – discrimination in the labor market in relation to unequal salaries, conditions of work, horizontal and vertical segregation pervaded by race and ethnicity, in particular the situation of domestic workers. Recommend the application of the ILO (International Labour Organization) conventions regarding discrimination, salaries, and the extension of labor rights to domestic workers.

*Give information, through statistical data or concrete situation, of the persistence of this situation and/or initiatives by the State for the purpose of changing it.*

### **Article 12 – Health of women**

Concerns and recommendations – recommends effective measures for addressing the high rates of maternal mortality, clandestine abortions, access to contraception, access to legal abortion, women in disadvantages groups and infected with HIV/AIDS.

*Give examples, through statistical data or concrete situations, on these questions.*

### **Art. 13 – Measures against discrimination in economic, cultural and social life.**

Concerns – discriminatory treatment between men and women with regard to access to credit, loans, mortgages and family benefits, as well as regarding participation in recreation and sports activities, and other aspects of cultural life.

*Do you have statistical data or concrete cases about these questions? How do public policies and governmental programs (PRONAF, Zero Hunger, own home) reach women?*

### **Art. 14 – Discrimination against rural worker women**

Concerns and recommendations – observes the lack of comprehensive information (including race and ethnicity) on the situation of rural women and recommends the generation of more comprehensive information on rural worker women, and the impact of equality programs that have been implemented.

*What other situations would you indicate to be highlighted about rural worker women?*

*What data do you or your organization have about the participation of rural worker women in the economy, in the structures of power and in the mechanisms for civic control over public policy, in public policy?*

*Indicate practices that exclude women in governmental actions and programs in the rural sphere.*

**Statistics on Responses by Article**

| <b>Articles</b>  | <b>No. of Responses</b> | <b>%</b>    |
|--|-------------------------|-------------|
| 1 and 2 – Discrimination against women                                     | 19                      | 16%         |
| 3 – Development of women in unequal conditions                             | 9                       | 8%          |
| 4 – Affirmative Action   | 7                       | 6%          |
| 5 – Changes in cultural patterns of behavior                               | 11                      | 9%          |
| 6(a) - Violence against women  | 16                      | 14%         |
| 6(b) - Sexual exploitation and prostitution                                | 5                       | 4%          |
| 6(c) - Trafficking of women and girls                                      | 5                       | 4%          |
| 7 - Discrimination in public and political life                            | 5                       | 4%          |
| 8 - Inclusion of women in international bodies                             | 5                       | 4%          |
| 9 - Nationality of women   | 2                       | 2%          |
| 10 – Access to education   | 9                       | 8%          |
| 11 – Equality in the labor market  | 5                       | 4%          |
| 12 – Health  | 9                       | 8%          |
| 13 - Measures against discrimination in economic, cultural and social life | 6                       | 5%          |
| 14 – Discrimination against rural worker women                             | 5                       | 4%          |
| <b>Total</b>   | <b>118</b>              | <b>100%</b> |

**2. Organizing Committee and Managing Committee of the CEDAW Shadow Report by Civil Society Brazil and Compliance with CEDAW – Shadow Report of Civil Society**

To the Sixth National Report of Brazil on The Convention for the Elimination of All Forms of Discrimination against Women – 2001 – 2005 Period

**ORGANIZING COMMITTEE**

| <b>Institution</b>   | <b>Website / E-mail</b>  |
|--|--|
| Agende Action on Gender Citizenship and Development (Agende ações em Gênero Cidadania e Desenvolvimento – AGENDE)  | <a href="http://www.agende.org.br">www.agende.org.br</a> / <a href="mailto:agende@agende.org.br">agende@agende.org.br</a>  |
| Concerted Action of Brazilian Lesbians (Articulação Brasileira de Lésbicas – ABL)  | <a href="http://www.ablesbicas.kit.net">www.ablesbicas.kit.net</a> / <a href="mailto:ablesbicas@yahoo.com.br">ablesbicas@yahoo.com.br</a>  |
| Concerted Action of Brazilian Women (Articulação de Mulheres Brasileiras – AMB)  | <a href="http://www.articulacaodemulheres.org.br">www.articulacaodemulheres.org.br</a> / <a href="mailto:amb@articulacaodemulheres.com.br">amb@articulacaodemulheres.com.br</a>                |
| Network of Organizations of Black Brazilian Women (Articulação de ONGs de Mulheres Negras Brasileiras – AMNB)  | <a href="http://www.amnb.com.br">www.amnb.com.br</a> / <a href="mailto:amnb@uol.com.br">amnb@uol.com.br</a> – <a href="mailto:analba_brazao@yahoo.com.br">analba_brazao@yahoo.com.br</a>       |
| Brazilian section of the Latin American and Caribbean Committee for the Defense of Women's Rights (Comitê Latino-americano e do Caribe para a Defesa dos Direitos da Mulher – CLADEM/Brasil) | <a href="http://www.cladem.org">www.cladem.org</a> / <a href="mailto:cladembrasil@cladem.org">cladembrasil@cladem.org</a> - <a href="mailto:virginia@themis.org.br">virginia@themis.org.br</a> |
| National Federation to the Women Domestic Workers (Federação Nacional das Trabalhadoras Domésticas – FENATRAD)   | <a href="mailto:fenatrad.brasil@ig.com.br">fenatrad.brasil@ig.com.br</a> – <a href="mailto:creuzamaria@ig.com.br">creuzamaria@ig.com.br</a>  |
| (Brazilian Chapter of the Mercosur Women Fórum (Fórum de Mulheres do Mercosul/ Capítulo Brasil)  | <a href="mailto:forumdemulheres@hotmail.com">forumdemulheres@hotmail.com</a> - <a href="mailto:emiliafernandes@brturbo.com.br">emiliafernandes@brturbo.com.br</a>                              |
| National Forum of Black Women (Fórum Nacional de Mulheres Negras)  | <a href="http://www.falapreta.org.br">www.falapreta.org.br</a> / <a href="mailto:deisebenedito45@yahoo.com.br">deisebenedito45@yahoo.com.br</a>  |
| Study Group on Incarcerated Women (Grupo de Estudos sobre Mulheres Encarceradas)   | <a href="http://www.iddd.org.br">www.iddd.org.br</a> / <a href="mailto:luciana@iddd.org.br">luciana@iddd.org.br</a>  |
| Brazilian League of Lesbians (Liga Brasileira de Lésbicas)   | <a href="mailto:ligabrasileiradelesbicas@uol.com.br">ligabrasileiradelesbicas@uol.com.br</a> – <a href="mailto:felipadesousa@yahoo.com.br">felipadesousa@yahoo.com.br</a>                      |
| Unified Movement of the Women of the Amazon (Movimento Articulado de Mulheres da Amazônia – MAMA)  | <a href="mailto:concita-maia@uol.com.br">concita-maia@uol.com.br</a>   |
| Peasants Women Movement (Movimento de Mulheres Camponesas – MMC)   | <a href="http://www.mmcbrasil.com.br">www.mmcbrasil.com.br</a> / <a href="mailto:secretaria@mmcbrasil.com.br">secretaria@mmcbrasil.com.br</a>  |
| Brazilian Network of Feminist Studies and Research (Rede Brasileira de Estudos e Pesquisas Feministas – REDEFEM)   | <a href="http://www.nucleomulher.ufrgs.br">www.nucleomulher.ufrgs.br</a> / <a href="http://redefem@fafich.ufmg.br">redefem@fafich.ufmg.br</a>  |
| Brazilian Network of Prostitutes (Rede Brasileira de Prostitutas)  | <a href="http://www.redeprostitutas.org.br">www.redeprostitutas.org.br</a> / <a href="mailto:davida@davida.org.br">davida@davida.org.br</a>  |
| GRUMIN Network of Indigenous Women (Rede GRUMIN de Mulheres Indígenas )  | <a href="http://www.grumin.org.br">www.grumin.org.br</a> / <a href="mailto:elianepotiguara@yahoo.com.br">elianepotiguara@yahoo.com.br</a>  |
| Network of Women in the Radio (Rede de Mulheres no Rádio)  | <a href="http://www.cemina.org.br">www.cemina.org.br</a> / <a href="mailto:rededemulheres@cemina.org.br">rededemulheres@cemina.org.br</a>  |
| Feminist Network of Women's Studies Centers in the Brazilian North and Northeast Regions (Rede Feminista Norte/Nordeste de Estudos e Pesquisas sobre a Mulher e Relações de Gênero – REDOR)  | <a href="http://www.redor.ufba.br">www.redor.ufba.br</a> / <a href="mailto:redor@ufba.br">redor@ufba.br</a>  |
| Network to Youth Feminist (Rede Jovens Feministas)   | <a href="mailto:jovensfeministas_sp@yahoo.com.br">jovensfeministas_sp@yahoo.com.br</a>   |
| National Network of Traditional Midwives (Rede Nacional de Parteiros Tradicionais – RNPT)  | <a href="mailto:caisdoparto@hotmail.com">caisdoparto@hotmail.com</a> – <a href="mailto:sucar@hotmail.com">sucar@hotmail.com</a>  |
| Brazilian Network of Health, Sexual Rights and Reproductive Rights (Rede Nacional Feminista de Saúde, Direitos Sexuais e Direitos Reprodutivos – Rede Feminista de Saúde)                    | <a href="http://www.redesaude.org.br">www.redesaude.org.br</a> / <a href="mailto:redesaude@uol.com.br">redesaude@uol.com.br</a> – <a href="mailto:telia@uol.com.br">telia@uol.com.br</a>       |
| National Woman's Secretariat of Força Sindical (Secretaria Nacional da Mulher da Força Sindical)   | <a href="http://www.fsindical.org.br">www.fsindical.org.br</a> / <a href="mailto:secmulher@fsindical.org.br">secmulher@fsindical.org.br</a>  |
| National Department for the CUT Working Woman (Secretaria Nacional sobre a Mulher Trabalhadora - SNMT/ Central Única dos Trabalhadores – CUT)  | <a href="http://www.cut.org.br">www.cut.org.br</a> / <a href="http://snmt@cut.org.br">snmt@cut.org.br</a>  |
| Brazilian Women's Union (União Brasileira de Mulheres – UBM)   | <a href="http://www.ubmulheres.org.br">www.ubmulheres.org.br</a> / <a href="mailto:ubm@uol.com.br">ubm@uol.com.br</a>  |

**MANAGING COMMITTEE**

- Agende Action on Gender Citizenship and Development (AGENDE) – Executive Secretary
- Concerted Action of Brazilian Women (AMB)
- Brazilian section of the Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM/Brazil)
- Brazilian Network of Health, Sexual Rights and Reproductive Rights (Rede Feminista de Saúde)
- Feminist Network of Women's Studies Centers in the Brazilian North and Northeast Regions (REDOR)



**AGENDE** Ações  
em Gênero  
Cidadania e  
Desenvolvimento

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