



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

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**Responses to the list of issues and questions with regard to
the consideration of the sixth periodic report**

Brazil *

*The present document is being issued without formal editing.

The Special Secretariat for Policies for Women was pleased to receive and to address the issues and questions about which the CEDAW Committee asked clarifications from Brazil. Preparation of the replies to the Committee's questions counted on the direct participation of the Ministry of Agrarian Development, the Ministry of Education, the Ministry of Health, the Special Secretariat for Human Rights, the Ministry for Social Development and Fight Against Hunger, and the Ministry of External Relations.

First, we would like to recall that at the October 2006 general elections, President Luiz Inácio Lula da Silva was reelected for another four-year term. This meant that the economic and social policies that were being implemented could be further strengthened, expanded, or reoriented as needed.

In his inaugural speech before the National Congress on January 1, 2007, the President highlighted the establishment of the Special Secretariat for Policies for Women – SPM and the results achieved by gender policies during his first term, saying that “We have expanded public policies in this area and set up strong State institutions capable of ensuring that this country will determinedly and unrelentingly combat all forms of discrimination based on gender, race, sexual orientation, or age.”

By entrusting the Ministry of Tourism to a woman, the President brought to five the number of women in the new Cabinet: Dilma Rousseff, Chief of Staff; Marina Silva, Minister of Environment; Marta Suplicy, Minister of Tourism; Matilde Ribeiro, Special Secretary of Policies for the Promotion of Racial Equality; and Nilcéa Freire, Special Secretary for Policies for Women.

With respect to more general policies, mention should be made of this year's introduction of the Growth Acceleration Program, a set of fifty initiatives involving infrastructure investments that should total R\$ 503 billion by 2010. Without compromising the economic stability already achieved, these initiatives aim at speeding up growth, with a view to generate more jobs and income and reduce regional inequalities. The Program also calls for incentives to credit and financing, alleviation of the tax burden, and improving legislation, among other fiscal measures.

As regards women's policies, some relevant facts in early 2007 are worth noting.

On March 2, 2007, the Federal Government marked the International Women's Day by unveiling a Plan for Combating the Feminization of AIDS and other STDs, in tandem with a Campaign on STD/AIDS Prevention at the 2007 Pan-American Games in Rio. The event was attended by President Luiz Inácio Lula da Silva.

By launching the Plan for Combating the Feminization of AIDS and other STDs, the Federal Government wanted to raise the population's awareness of the fact that the AIDS epidemics has changed its profile and now heavily affects women as well: HIV infection in women rose by 44% between 1995 and 2005. The plan's purpose is to reduce women's vulnerability to HIV and other sexually transmissible diseases.

The plan's objectives include doubling the number of women who are tested for HIV (from 35% to 70%); reducing vertical transmission from 4% to less than 1% by 2008; increasing purchases of

female contraceptives from 4 million in 2007 to 10 million by 2008; eradicating congenital syphilis; and funding research on the AIDS epidemics.

The Campaign on STD/AIDS Prevention at the 2007 Pan-American Games and PARAPAN American Games will involve athletes in the fight against AIDS by raising the population's awareness about the importance of a healthy lifestyle and higher self-esteem for reducing certain vulnerabilities associated with the AIDS virus and other diseases. At the opening of the games, each athlete and participant will receive a kit with contraceptives, T-shirts, and information on prevention. The campaign, whose motto is "*Vista-se nos jogos*" [Dress Yourself at the Games], will last until the closing of the PARAPAN American Games in August.

The Campaign and the Plan are the outcome of a partnership involving the Special Secretariat for Policies for Women -SPM, the Ministry of Sports, the Ministry of Health, the Ministry for Social Development and Combating Hunger, the United Nations Development Fund for Women -UNIFEM, and the United Nations Children's Fund -UNICEF, with the participation of the Caixa Econômica Federal-CEF [Federal Savings Bank], the Brazilian Olympic Committee -COB, the Brazilian Paralympic Committee, the Rio de Janeiro State Government, and the Rio de Janeiro Municipality.

On January 17, 2007, a decree signed by President Luiz Inácio Lula da Silva (DOU, 18/01/07, ed. nº 13, seção 1, p. 7) convened a Second National Conference on Policies for Women, to be coordinated by the Presidential Office's Special Secretariat for Policies for Women and the National Council on Women's Rights.

This Second Conference will be held in Brasília, August 18-21, 2007 and will be attended by 2,800 delegates representing the government and civil society who will have participated in state, municipal and regional conferences between March and July of this year.

The main issues proposed for discussion are: I – Analysis of Brazilian reality: social, economic, political, and cultural and the challenges for achieving equality through the implementation of the National Women's Policies Plan-PNPM; II – Assessment of initiatives and policies under the PNPM, their execution and impact; and III – Women's participation in the halls of power.

The Second National Conference on Policies for Women will give the government and women's social movements an opportunity to assess the work done so far and redefine, if needed, the main lineaments of women's policies in our country.

Lastly, we would like to note that in addition to providing the clarifications requested by the Committee, we are taking this opportunity to update the Sixth Brazilian National Report submitted in April 2005.

LIST OF ISSUES AND QUESTIONS SUBMITTED BY THE CEDAW COMMITTEE

Legislation and national mechanisms

1. Please provide updated information on the draft legislation and amendments mentioned in the report (page 12), which were forwarded to the Federal Senate for approval, particularly with regard to Bill 117/03 which removes the expression of “honest woman” from two articles of the Penal Code, Bill 335/95 which guarantees and regulates the establishment of nurseries and daycares in penitentiaries for women prisoners’ children, and Bill 644/03 which guarantees the right of maternity leave for councilwomen, and state and federal representatives, and which includes paternity leave for male parliamentarians.

Bill 117/03 was sanctioned as Law 11106 of March 28, 2005. The amendments expunged the expression “honest woman” – virgin or married – and the crime of adultery from Brazilian legislation. Accordingly, the argument of “legitimate defense of one’s honor,” invoked at jury trials for decades in defense of men who have murdered women, has lost its force.

Another major modification was the end of pardon for crimes against customs, such as rape and sexual harassment. The law used to permit the marriage of the offender or somebody else to the victim, thereby nullifying the accusation against the aggressor. The wording of Art. 231 on trafficking in women was changed to refer to internal and international trafficking in persons, so that victims can be both men and women. In this connection, mention should be made of Decree No. 5948 of October 26, 2006, which approved the National Policy on Combating Trafficking in Persons and set up an Interministerial Working Group to prepare a draft National Plan for Combating Trafficking in Persons-PNETP.

Bill 335/95, which guarantees and regulates the establishment of nurseries where women in prison may care for their children has been sent to the Federal Senate as PLC 105/2003 and is currently under consideration by the Commission on Constitution, Justice, and Citizenship, whose rapporteur has concluded in favor of its approval.

Moreover, the Special Secretariat for Policies for Women (SPM) and the Ministry of Justice through its National Penitentiary Department, have signed a Technical Cooperation Agreement on the implementation of public policies aimed at female prisoners, their children, and their families. The intention is to ensure humane detention conditions and help the inmates’ reintegration into society. This cooperation agreement was published in the Official Gazette of February 13, 2007.

The agreement calls for the appointment, within 90 days, of an Interministerial Working Group-GTI to prepare the reorganization and reformulation of the Women’s Detention System. This Working Group will have broad attributions, including the drafting of proposals on the stay and permanence of inmate’s children in prison; adequate accommodations in women’s prisons; training of professionals that deal with inmates; allocation of a share of the National Penitentiary Fund to female prisons; and the devising of programs aimed at providing education, health, vocational training, and legal and social assistance to female prisoners and their families.

In addition to representatives from the two above-mentioned ministries, members of the Interministerial Working Group will also include representatives of the Ministries of Health, Education, Labor, and Social Development, the Special Secretariat for Human Rights, and the Special Secretariat of Policies for the Promotion of Racial Equality. The Judiciary and civil society will also participate in the GTI.

Bill 644/03, which guarantees the right of maternity and paternity leave for parliamentarians, has been sent to the Federal Senate (PLC 104/2003) and is currently under consideration by the Commission on Constitution, Justice, and Citizenship, whose rapporteur has concluded against the bill, as it encroaches upon the competence of state and municipal legislatures, and proposed that the Federal Senate Presidency give further consideration to the matter, particularly in view of the need to ensure that the rights under discussion be incorporated into the Federal Senate's Bylaws, as they are just.

In respect of maternity, it should be further pointed out that that Law 11108 of April 7, 2005, which modified Law 8080 of September 19, 1990, guarantees expecting mothers' right to have company during labor, delivery, and immediately after delivery, under the Unified Health System-SUS.

2. The report (page 15) indicates that “[c]urrently, 23 out of 27 federal states have State Councils for Women’s Rights...” Please provide information on the financial and human resources of these councils and whether there are plans to establish such councils in the four states where they do not exist. Please also elaborate further on the relationship between the National Council for Women’s Rights and the State Councils for Women’s Rights, namely as regards the shared responsibility of monitoring the implementation of CEDAW (page 14).

In addition to its specific attributions, the National Council for Women’s Rights also works toward the strengthening of the state and municipal councils for women’s rights. In order to achieve this goal, it keeps in contact with the existing councils, informs them of the Council’s activities, meets their requests, and keeps a record of data collected. In 2003, there were 90 municipal and 20 state councils. The Council’s records show that there are today 204 councils: 24 state councils (including the recently established Amazonas State Council for Women’s Rights), and state councils will soon be established in Pernambuco, Rondônia, and Sergipe; and 180 municipal councils (these include only municipal councils that have been located and contacted).

The Council also seeks to encourage the establishment of councils by maintaining contact with local women’s movements and encouraging the training of council members. In March 2006, the Council and SPM, in partnership with the National Health Council and the Ministry of Health, held a seminar on “Social Control of Women’s Health Policies,” when State and Capital Municipal Councils on Women’s Health and Rights met in Brasília. Seminar conclusions called for the strengthening of existing councils; incentive for the establishment of councils where none exist; and holding of seminars in the states. In 2006, Social Control Seminars, on the same model, were held in several states and by local Councils for Women’s Rights.

As regards State Councils’ financial and human resources, we have the following up-to-date information: *Acre* – comes under the state government; has no budget of its own and has three state

employees; *Amazonas* – comes under the State Department of Justice and Human Rights, is included in its budget, and has two Department employees; *Bahia* – comes under the recently established Department of Promotion of Equality, is included in its budget, and has one Department employee; *Mato Grosso do Sul* – comes under the State Department of Labor, Social Welfare, and Solidarity Economy, has no own budget (initiatives are funded by nongovernmental council members), and has one Department employee; *Minas Gerais* – comes under the Social Development Department, has no own budget, and has eight employees seconded by the Department; *Paraná* – comes under the State Department of Justice and Citizenship, has no own budget and no employees (work is done by the Council members themselves); *Rio de Janeiro* – comes under the recently established Women’s Rights Superintendence – SUDIM, which in turn comes under the State Department of Social Welfare and Human Rights; the 2007 budget to fund SUDIM and the Council activities is R\$641,000; SUDIM employees work for the Council as well; *Rio Grande do Sul* – funded by the State Department of Finance, has one employee; *Santa Catarina* – comes under the State Department of Social Development, Labor, and Income, which provides financial and administrative support to the Council; *Tocantins* – comes under the State Department of Citizenship and Justice; is funded by a State Fund for Women’s Rights, with a budget of R\$50,000; has two Department employees; *São Paulo* – the São Paulo State Council on Women’s Condition has its own budget, one President, one employee, and six trainees.

As can be noticed, with rare exceptions, state councils lack the requisite structure and have sparse resources and limited personnel.

It should be added that, other than keeping in contact with state and municipal councils, the SPM has endeavored to maintain contact and establish partnerships with state and municipal bodies devoted to women’s policies. As a result, in 2004 the then -existing 13 councils met and decided to set up a National Government Forum on Organizations for Policies for Women.

Due to SPM’s encouragement and support to the establishment of Government Women’s Policies Organisms and the new municipal administrations, the number of existing organisms rose sharply. From 13 in 2004 (according to a survey by the Brazilian Municipal Administration Institute), their number jumped to 125 in 2006, including nine state and 116 municipal councils.

Stereotypes

3. The report (page 25) states that “[t]he principles of respect for gender diversity and fight against discrimination against women are the basis of the [National] Plan [on Education in Human Rights]”, and that “[c]entral actors to the implementation of the Plan will be invited [to meetings in 2005-2006 in all States of the Federation], among whom educators from the state and municipal education networks, and people responsible for the civil police, military, firefighter and municipal guard academies.” Please indicate how many of these meetings were held in 2005-2006 and how many persons responsible for the implementation of the National Plan on Education in Human Rights have participated to such meetings. Please also indicate the topics dealt with in such meetings and whether, and how, the impact of these activities is monitored on an ongoing basis.

For a national consultation for a review of the National Plan on Human Rights Education – PNEDH, 29 state and one municipal encounter were held, involving public and civil society segments in the plan’s five areas: Basic Education (secretaries of education, administrators, offices of the Municipal Education Directors Union, educators, unions, and associations); Higher Education (faculty and students, researchers, continuing education faculty, vice -presidents’ forums, unions, and faculty associations); Non-formal Education (associations, NGOs, social movements, labor unions); Judiciary and Security Professionals Education (soldiers, military and civil police officers, highway patrolmen, education directors at academies, prison pastoral, and social entities and movements); and Education and Media (unions, public information faculty and students, media NGOs), in addition to Human Rights Commissions of Assemblies and Chambers, State Councils on Human Rights, and Rights and Tutelage Councils.

With a view to the Plan’s systematization and revision, one seminar on PNEDH Revision and three meetings of the National Committee on Human Rights Education were held to approve the final text. In all, between 4,500 and 5,000 government and civil society representatives participated in this process.

Issues addressed at these encounters were related to: the national and international state of affairs and today’s challenges to the building of a human rights culture; the principles and overall objectives of human rights education and the PNEDH in the context of the Decade for Human Rights Education – in each of the Plan’s five areas, principles, strategies, and lines of action in human rights education were discussed; and the structuring of state committees on human rights education.

The monitoring mechanism will be put in place only after the state committees on human rights education have been structured. Thus, although this is contemplated, at the moment there is no such mechanism.

4. The report (page 26) indicates that, with respect to the image of women in the media, in 2005 the Ministry of Justice began working on the classification criteria for television content on themes such as violence, sex and drugs, and that other possible themes would be violence against women, human trafficking and gender discrimination. Please provide details on the progress made in this regard and on other initiatives taken to encourage the media to project a positive and non-sexist image of women.

Administrative Order No. 264 of February 9, 2007 issued by the Ministry of Justice regulated the provisions of Law 8069 of July 13, 1990 (Statute of the Child and Adolescent), Law 10359 of December 27, 2001, and Decree No. 5834 of July 6, 2006, pertaining to the rating of audiovisual works for television and similar media.

This Administrative Order states that “the Federative Republic of Brazil is founded on the dignity of the human person and its purpose is to promote the welfare of all, without prejudice based on origin, race, sex, color, age, or any other form of discrimination. It determines that for the first time there will be standard symbols to indicate a program’s rating, establishes self-rating by broadcasters and,

among other initiatives, lays the responsibility therefore on broadcasters, society, the Judiciary, and the Ministry of Justice.

The Federal Government considers this sharing of responsibilities to be of utmost importance. It is the Ministry of Justice's duty to define the program's classification and to monitor TV programming; it is up to parents, who possess more information about the content of TV programs, to select what their children should watch; and the Judiciary will have the obligation to punish broadcasters who fail to abide by the ratings. News are not subject to ratings.

The Rating Form includes the identification of the material in respect of discrimination, prejudice, abasement, and ridiculing. Types of discrimination include those based on gender or class; those against gays, lesbians, bisexuals and/or transgender individuals, against races or ethnic origin, indigenous people, and people with disabilities. The intensity of discriminating behavior and the dissemination of stereotypes are also rated on the Rating Form.

Trafficking; and sexual or labor exploitation

5. What is the status of implementation, as well as the impact of the Program for Integrated Actions to Confront Sexual Violence against Children and Adolescents in Brazil (PAIR) in six pilot municipalities (pages 28-29)? Please provide details and inform whether such a program will be replicated in other municipalities, particularly when taken into account the reference contained in page 30 to the fact that commercial sexual exploitation occurs in more than 937 Brazilian municipalities and localities.

The Program for Integrated Actions to Confront Sexual Violence Against Children and Adolescents in Brazil (PAIR) aims at establishing and/or strengthening local networks through integrated actions to make possible the coordination and integration of services, with civil society's participation.

Since 2003, technical assistance and training initiatives have been implemented in six municipalities (Pacaraima, RR; Manaus, AM; Rio Branco, AC; Feira de Santana, BA; Campina Grande, PB; and Corumbá, MS). These activities have involved about 3,000 professionals in various fields.

The main objectives were the following: the undertaking of 12 quantitative and qualitative studies to assess sexual violence against children and adolescents; the establishment of an integrated system of local data on the situation, with emphasis on sexual violence in the six pilot municipalities; the equipment of 14 rights and guardianship councils; the waging of an awareness campaign to mobilize local societies, and one international campaign (involving eight South American countries); the training of 5,000 professionals in prevention, care, defense, and accountability in seven states (Acre, Amazonas, Roraima, Bahia, Paraíba, Minas Gerais, and Mato Grosso do Sul); the qualification of technical expertise services in six states with a view to ensuring humane provision of services; and the training of youth groups in seven states to foster a protagonist role by children and adolescents.

Since 2006, the Federal Government has extended PAIR to other 56 municipalities in 11 states in which pilot projects have been implemented (Amazonas, Acre, Roraima, Ceará, Paraíba, Bahia, Mato

Grosso do Sul, and Minas Gerais) in addition to the state of Maranhão, given the Amicable Solution Agreement aimed at closing Cases no. 12426 and no. 12427 – Emasculated Boys in Maranhão, brought before the OAS Inter American Commission on Human Rights; and the state of Rio Grande do Norte. A total of 5,165,621 children and adolescents have benefited from the program. By the end of 2007, the program will have been extended to the states of Rio de Janeiro, Rondônia, and Pará, pursuant to decisions approved by the National Council on the Rights of Children and Adolescents.

Initiatives carried out under the program include a national dial –denunciation service against the sexual exploitation of children and adolescents – *National Dial Denunciation 100*, a free telephone call service available in all Brazilian states. The program is implemented by the Special Secretariat on Human Rights, in partnership with Petróleo Brasileiro S.A.(Petrobrás) and the Children and Adolescents Reference, Studies and Actions Center, an NGO. The purpose of the program is to receive reports of violence against children and adolescents and to stop their occurrence. Specific reports show that 72% of victims are women – 53% Afro-descendants and 42% Whites. Between May 2003 and December 2006, the direct dial service received over 27,000 denunciations countrywide.

6. The report (page 33) notes that the Mixed Parliamentary Inquiry Commission Report (CPMI) on commercial exploitation of children and adolescents identified the trafficking routes for girls and boys, investigated allegations of exploitation, and named approximately 250 people suspected of involvement in the crime of sexual exploitation. How many of these suspected people have been prosecuted and convicted?

The National Congress's Parliamentary Front in Defense of Children and Adolescents is following the judicial proceedings undertaken by the Public Prosecutor's Office of each of the 27 federated units, prompted by the findings of the Joint Parliamentary Inquiry Commission (PMI), including the indictment of the 250 people suspected of involvement in sexual exploitation of children and adolescents. The Commission is expected to present its conclusions in the first semester of 2007. It should be noted that the Brazilian Constitution determines the interdependence of government branches. Accordingly, indictment is incumbent upon the State Prosecutor's Offices, while prosecution is incumbent on the State Judiciaries.

At the Federal Government level, it should be stressed that the Sentinela Program, which provides psychosocial assistance to children who are victims of sexual exploitation and which covered 300 municipalities in 2005, has been extended to 1,114 cities in 2006, while its budget has grown 518 percent since 2003.

7. How many girls have benefited from the Program for the Eradication of Child Labor (PETI) described in the report (page 33), and what is the overall impact of this program, in particular in terms of prevention of child labor?

According to the Ministry for Social Development and Fight Against Hunger, 50,788 girls have benefited from the Program for the Eradication of Child Labor (Annex 1), while 272,701 girls freed from child labor have benefited from the Family Grant [*Bolsa Família*] Program (Annex 2).

PETI's impact on the prevention of child labor include the following: reduction of extreme poverty and social inequality; improvement in the food and nutrition situation of the families assisted; social and educational work with the families of children and adolescents assisted under the program; removal of children and adolescents from labor and exploitation on the basis of their identification and registration in the Unified Register of Federal Government Social Programs; 85 percent monthly attendance by children and adolescents at PETI Social and Educational Activities (extended school hours); strengthening of family and community ties; access to cultural, sports, and leisure activities, aimed at the full development of children and the adolescents. Through the Unified Social Welfare System, of which PETI takes part, emphasis is given to the social and family matrix orientation and to social control.

Violence against women

8. Please provide information on whether the Bill No. 4559/2004 on violence against women presented to the National Congress in November 2004 has been adopted and whether the guidelines for public policies and integrated actions referred to in page 35 are being followed by all the relevant bodies.

On August 7, 2006, President Luiz Inácio Lula da Silva sanctioned Law 11340. Democratically drafted and unanimously approved by the National Congress, this Law is being implemented and the bodies involved are adapting themselves to the new guidelines for addressing violence against women.

This new piece of legislation, known as Maria da Penha Law, in honor of a pharmacist who was twice victim of a murder attempt by her husband, is a major achievement for women who are subject to violence. The measures vary from case to case – from the aggressor's removal from the household, to the prohibition of his coming near the assaulted wife and children, to the woman's right to recover property and to nullify letters of attorney she may have issued on the aggressor's behalf. The law also provides for social welfare measures, such as the woman's inclusion in the register of federal, state, and municipal social welfare programs.

Prior to the passing of this law, the crimes of domestic and family violence against women were considered to have a "less offensive potential" and were tried by special criminal courts, together with neighbor or street quarrels and traffic accidents, among other misdemeanors. The new law recognizes the extremely offensive potential of domestic violence and determines that such crimes be tried by Domestic and Family Violence against Women Courts, established under the Courts of Justice of the states and the Federal District. Another innovation brought by the law is the classification of domestic and family violence against women as a human rights violation and psychological violence as a form of violence.

Special Secretariat for Policies for Women, which is part of the President's Office, has issued a public invitation to nongovernmental organizations and/or university institutions organized into consortiums to submit proposals for the establishment of an Observatory to Monitor the Implementation and Enforcement of Law 11340 (Maria da Penha Law).

The Observatory is to be autonomous and independent and its task will be to observe and monitor the implementation and enforcement of this law. It will have a political and structural link to the National Council on Women's Rights and will provide inputs for the improvement of public policies relating to violence against women, so as to conform to the Convention of Belém do Pará and the CEDAW recommendations.

9. Please provide information on the impact of the survey carried out in Brazil within the World Health Organization Multi-country Study on Women's Health and Domestic Violence against Women in terms of adoption of new policies and other measures.

The survey joined other ongoing initiatives, campaigns, and studies in further stressing Brazil's need to decisively tackle violence against women as a public health issue as well. The survey was very well received in Brazil; national newspapers, regional press, and institutes and agencies connected with the issue disseminated and commented it. It also had a positive impact in the Brazilian Ministry of Health, especially inside its technical area dedicated to Women's Health.

10. According to the report (page 36), an Ombudsperson Office was established in March 2003 by Decree No. 4.625 (Article 3, section III) in order to deal with allegations of discrimination and violence against women. How many allegations and complaints relating to discrimination and violence against women has the Ombudsperson received and forwarded to the respective competent body for investigation, and what have been the outcomes of these cases?

It should be noted that the decrease in the number of complaints to the Ombudsperson Office in 2006 was due to the introduction of the Women's Service Central – *Dial 180*. This is a free of charge telephone service to assist women in a situation of violence.

In 2003, when the Ombudsperson Office was established, most assistance was *personal* (32.56%) and by *telephone* (20.93%). Most requests of assistance came from the *Center-West* region (33.72%), followed by the *Southeast* (17.44%). Assistance was requested mostly through *requests* (56.98%), followed by *denunciations* (33.72%). The most relevant issue was the social and judicial claim for access to and guarantee of *social rights* (32.56%) having to do with proceedings, social security, economic and social vulnerability, followed by *violence* in general (11.63%) (physical, sexual, etc.) and *employment*, related to moral harassment, labor legislation, placement on the labor market, among other issues; these two latter issues ranked third in the requests for assistance. Situations of *domestic violence* (8.14%) and *homicide* (8.14%) in general placed fourth, followed by *legislation* (4.65%). *Discrimination* (3.49%) based on race, color, ethnic origin, sexual orientation, etc. and *trafficking in persons* (3.49%) ranked sixth, while questions related to *health* (2.33%) were less frequent.

In 2004, most assistance was provided via *e-mail* (45.09%) and *telephone* (21.88%). Most requests for assistance again came from the *Center-West* region (34.38%) and the *Southeast* (29.46%). Assistance requests came mostly through *requests* (39.73%), followed by *denunciations* (27.23%). The most relevant issue was access to and guarantee of *social rights* (25%), followed by *domestic violence* (9.82%), and *employment* (8.93%), which ranked third and fourth, respectively; and *discrimination* (8.04%) and *violence* (8.04%), both of which ranked fifth.

In 2005, most assistance was provided via *e-mail* (59.07%) and by *telephone* (18.41%). Most requests for assistance came from the *Southeast* region (30.49 percent) followed by the *Center-West* (24.45%). Assistance was asked mostly through *requests* (39.29%), followed by *denunciations* (22.25%). Matters related to *social rights* (17.58%) ranked second; *discrimination* (11.26%) ranked third; *violence* (10.44%) ranked fourth; and *domestic violence* (7.97%) ranked fifth.

In 2006, most assistance was provided via *e-mail* (60.97%) and *telephone* (8.83%). Most requests for assistance came from the *Southeast* (32.76%), followed by the *Center-West* (19.66%). Assistance was requested mostly through *requests* (51.85%) and *denunciations* (16.24%). *Social rights* (12.54%) ranked second as a relevant issued, followed by *violence* (10.83%) and *employment* (9.40%), which ranked third and fourth, respectively; *legislation* (8.55%) and *health* (6.84%) ranked fifth and sixth, respectively, while *discrimination* (5.98%) and *domestic violence* (5.70%) ranked seventh and eighth.

In all these years, as can be seen from the tables in Annex 3 (annual tables showing demand by region, origin, characteristics, and classification by issue), the “Others” category ranks first. This category encompasses different matters – political persecution, interference in government bodies, requests for publications, clarification of projects, etc.

It is also mentioning the *Dial 180* service, which on April 17, 2007 marked the first anniversary of the 24-hour operation, after an implementation period that began on November, 2005. Women can make free calls from any telephone in the country to request information about legal issues and specialized police precincts, health clinics, shelters, etc.

The telephone central operates confidentially and records calls about physical and psychological aggression, sexual violence, sexual and moral harassment, indecent assault, rape, and trafficking in women for the purposes of exploitation.

Statistics show that Pernambuco is the state with the highest number of murdered women. The monthly reports on assistance provided are sent to the women’s coordinating and advisory offices in 15 states and 110 municipalities. In states where no such organisms exist, the document is sent to the State Government, the Public Prosecutor’s Office, and security departments.

11. As noted by the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/2006/61), in 2001 the Inter-American Commission on Human Rights had indicated “the lack of effective action by the State in prosecuting and convicting aggressors.” Please describe what the State party is doing to respond to this assessment, including data on the prosecution and conviction of perpetrators of violence against women.

Since 1998, when the Pluriannual Plan included specific budget for fighting violence against women, effective actions have been carried out to this end. Projects have been approved for the establishment of shelter homes and the training of public agents in gender issues, particularly police chiefs of Specialized Women's Precincts and public defenders.

Since 2003, with the new Administration and the establishment of the Special Secretariat for Policies for Women, training programs have been expanded, support for shelter homes and reference centers has increased, and the National Plan for Fighting Violence against Women has been introduced, bringing previous initiatives under a single, wider umbrella.

It should be mentioned that the Brazilian State has adopted measures in connection with Recommendation 54/01 and the notification on Case 12051 from the Inter-American Commission on Human Rights, of April 16, 2001 (Maria da Penha Case), as the Brazilian Government has consistently responded to that inter-American body with actions that are being implemented to close the case in question. One of the Inter-American Commission on Human Rights's recommendations called for the enactment of specific legislation to deter violence against women. This was accomplished with the sanctioning of Law 11340 in 2006. Given the progress made in the negotiations involving the petitioners, the victim, the State of Ceará (where the violation occurred) and the Federal Government, it is likely that the parties will sign an agreement by the end of 2007, thereby closing the case.

In association with the Special Secretariat on Human Rights, the Special Secretariat for Policies for Women is following other five cases of violation against Brazilian women currently under the examination of the Inter-American Commission on Human Rights, but no official position has been reached on any of them yet. Be as it may, the Brazilian Government and the Special Secretariat for Policies for Women are making every effort to intensify the actions aimed at deterring violence against women, so as to prevent the bringing of new cases before human rights courts.

In respect of what the State is doing to respond to this issue, i.e., about the implementation of the law, including data on the prosecution and conviction of perpetrators of violence against women, it should be recalled that the Brazilian Federal Constitution establishes the separation of powers. Accordingly, crimes of violation of women's rights are prosecuted by the states and may eventually reach the Superior Court of Justice, the last instance of the Judiciary.

Further mention should be made of the approval by the National Council of Justice, on March 6, 2007, of Recommendation 9, which suggests that the Courts of Justice should set up courts specializing in cases of domestic and family violence against women. The establishment of specialized courts to assist women who are victims of domestic and family violence is provided for by Law 11340, the *Maria da Penha Law*. The recommendation also suggests that the courts should include in their databanks statistical data on domestic violence, sponsor multidisciplinary courses on human rights and gender violence to qualify judges, as well as incorporating the Judiciary into the other services of the women's assistance network.

Lastly, it should be noted that measures are being adopted by the states to compile statistical data on violence against women. Examples of this are the editions of *Women's Dossier*, released by Rio de Janeiro's Institute of Public Security. This publication contains articles and information on crimes of rape, violent indecent assault, heinous bodily injury, as well as homicides and threats of which women are victims in the state. The first issue of *Women's Dossier* publishes data referring to 2004 and 2005, while the second issue publishes data regarding the year 2006.

Political and public life

12. Please provide updated information on the draft bills under debate in the National Congress that modify Law No. 9.504 of 30 September 1997 on quotas (page 42).

Current debate about introducing modifications in Law 9504/1997 is being held in the broader context of the proposed reform of the Brazilian political system. Political reform provides a unique opportunity to make changes in the political processes. In a broader sense, it encompasses the review of the power relations between the State and Society; the political parties' operational rules; the norms that rule elections and decision-making processes; and includes public budgetary control, radio and television concessions, and the Judiciary's structure and functioning. It opens the possibility for improving and democratizing the political system and the forms of political participation and representation.

Bill 2679/2003 (annexed to Bill 5268/2001) is the proposed legislation that encompasses the largest number of subjects and that has been approved by the Special Commission on Political Reform set up solely for addressing the matter. It calls for changes in provisions of the Electoral Code, the Political Parties Law, and the Electoral Law.

Changes contemplated include the following: reservation of at least 30% and a maximum of 70% of slots for candidates of each sex on the slates submitted by each political party or coalition; observation of the gender quota on the list pre-ordained (closed) by a party or federation so as to ensure sex alternation in at least one slot for each sex in every three slots, or a 50-50 percent alternation; allotment of at least 20% or 30% of the free party radio and television advertising time to promoting and publicizing women's political participation; and allocation of at least 30% of the minimum 20% [of resources] channeled to party foundations or institutes for party sectors devoted to encouraging and fueling the growth of women's participation (equivalent to 6% of the parties' fund).

The reform provides a major opportunity to promote the deepening of democracy and the political inclusion of underrepresented sectors. It was for the purpose of deepening this debate that women's political participation has been chosen as one of the major issues to be examined during the Second National Conference on Policies for Women, scheduled for August 2007.

Women in Positions of Power in Brazil - 2007					
Legislative	Women		Men		Total
	Number	%	Number	%	100%
Senate	10	12.34	71	87.66	81
Chamber of Deputies	45	8.77	468	91.23	513
State Assemblies	123	11.61	936	88.39	1059
City Council	6,556	12.65	42,252	87.35	51,808

Women in Positions of Power in Brazil – 2007					
Executive	Women		Men		Total
	Number	%	Number	%	100%
President of the Republic	-	-	1	100	1
State and Federal District Government	4	14.81	23	85.19	27
Municipal Government	418	7.52	5,141	92.48	5,559

13. How many women candidates have attended the workshops on capacity building actions for women candidates developed by the Special Secretariat on Policies for Women (SPM) (page 42), and what was the impact of these workshops in relation to an increase in women's political participation?

We have no information on how many women candidates attended the capacity building workshops sponsored by the Special Secretariat for Policies for Women. The Secretariat does not itself hold capacity building activities but funds them. As for the impact of these workshops, we believe that as yet they have been modest.

The Special Secretariat for Policies for Women and the National Council on Women's Policies believe that a deeper, ongoing debate about this issue is needed, which has led them to adopt it as one of the main lineaments of the Second National Conference on Policies for Women.

14. According to the report (page 47), there has in recent years been “a slight fall in the number of women who enter into a diplomatic career,” and further that “the majority of women diplomats only reach the intermediate level of the career.” Please inform whether any measures have been taken to increase women's balanced participation in the Foreign Service, including at the highest levels.

To this moment, the Brazilian Government has adopted no specific measure to increase the number of women in the diplomatic career. It should be recalled, though, that the information contained on page 47 of the Sixth Periodic Report submitted by Brazil in April 2005, according to which “(...) there has been in recent years a slight fall in the number of women who enter the diplomatic career” is somewhat imprecise. The proportionate fall in the number of women occurred in a specific public admission exam – that of 2003 – but the percentage of women entering the diplomatic career has

remained stable since the 1980s, varying from year to year but turning around 20%. In December 2006, women accounted for 19.99% of the total number of Brazilian diplomats.

Nevertheless, there is no doubt that the maintenance of this percentage over the last 30 years is a problem. The percentage of women in the total number of college graduates has dramatically risen in this period and has even surpassed the percentage of men in 2000. This phenomenon should have been reflected in the number of women in diplomacy, as was the case in other careers, but this has not occurred yet.

With respect to female diplomats rising in the ranks, one should call attention to the significant number of women as First Class Ministers (the career's highest rank) in the last four years. In 2003, as stated in the report, women accounted for only 6.1 percent of the total number of First Class Ministers. By March 2007, this figure had risen to 8.7 percent; although still low, it shows a significant increase in the last three years. In this regard, attention should be called to the appointment of Ambassador Maria Luisa Viotti as Head of the Brazilian Permanent Delegation to the United Nations.

15. The report (pages 42 -43) shows that, “in the highest -level positions [of tribunals], for which persons are appointed, women’s presence is still significantly restricted”. What are the causes for this situation and how does the State party intend to address those? In particular, what measures are being implemented to ensure that women are appointed to these positions on equal terms with men?

The fact that the filling of high level positions in the Judiciary works by appointment is one of the major obstacles to a higher number of women in these positions, as a male dominated tradition still prevails. Some initiatives have been adopted but have been insufficient to defeat the resistance on the part of the very Judiciary, as shown by the attempt to set women’s quotas. Women’s access to such high-level positions has thus been very slow.

Nevertheless, it should be pointed out that Federal Supreme Court’s Presiding Justice today is Minister Ellen Gracie, and that recently the President of the Republic appointed Justice Maria Elizabeth Guimarães as the first woman on the Superior Military Court.

Number of Judges					
Judiciary	Women		Men		Total
	Number	%	Number	%	100%
Federal Supreme Court	2	18.18	9	81.82	11
Supreme Court of Justice	5	14.28	27	85.72	32
Superior Labor Court	2	10.52	16	89.48	19
Superior Electoral Court	0	0	7	100	7
Superior Military Court	1	6.66	15	93.44	15

A significant initiative recently adopted by the Special Secretariat for Policies for Women and the National Council on Women's Policies was the inclusion of women's participation in power positions as one of the key themes of the Second National Conference on Policies for Women.

Education

16. Considering the assessment (page 50) that “[t]he male dominated culture guides men and women into specific careers”, what measures does the Government take or envisage to correct this trend and promote diversification of academic and professional options?

As regards the Ministry of Education's responsibility, the National Plan for Women's Policies (2004) includes as one of its objectives the incorporation of guidelines on gender, race, and ethnic origin into Vocational and Technological Education (action 2.1.14). In 2006, this was defined by the Ministry of Education as a priority, precisely in view of the gap in this area.

To implement this initiative – speaking solely from a gender perspective (as the ethnic-racial component has already been contemplated by national guidelines under Law 10639/2004) –, awareness-raising actions have been initiated in 2006 by the National Committee on Monitoring and Coordinating the National Plan for Women's Policies and the Special Secretariat for Policies for Women. These actions are targeted at managers in charge of the Ministry of Education's Vocational and Technological Education Secretariat, to make them aware of the importance of adopting gender-related measures.

One specific event in this connection was a lecture on gender and its relation to the training of women and men, delivered to vocational and technological administrators and teachers at the National Conference on Vocational and Technological Education, held in Brasília, from 5 to 8 November, 2006. One of the event's objectives was to reflect on national guidelines for Vocational and Technological Education, by encouraging dialogue involving the various agents concerned.

So far, though, the Ministry of Education has issued no guidelines or announced any measures pertaining to the curricula and practices of secondary, technical and vocational establishments or of higher education institutions, aimed at reducing gender segregation in various professional and academic careers. It is important to mention that states, municipalities, schools, and universities have curriculum autonomy, subject to the norms and general guidelines established by the Ministry of Education and the National Educational Council, pursuant to the Law on National Education Guidelines and Fundamentals (Law 9394/1996).

To address this problem, the Ministry of Education, in association with the Special Secretariat for Policies for Women, has adopted a series of initiatives, including the “Gender and Diversity at School” and the “Women and Science” Programs.

The “Gender and Diversity at School” Program aims at the qualification of public school system's educators who teach from the 5th through the 8th grade of fundamental education, in respect of gender, sexuality, and ethnic and racial equality issues. The 200-hour course was implemented on a pilot-

basis in the municipalities of Porto Velho, RO; Salvador, BA; Dourados, MS; Maringá, PR; Nova Iguaçu, RJ, and Niterói, RJ and was attended by 1,2000 teachers from the public educational system.

The wide acceptance of the program and the knowledge acquired by the educational professionals as well as the innovative methodology used had countrywide repercussion, with several states wishing to implement the project in their region. The program also drew the interest on then part of Egypt, England, Scotland, Ireland, and Chile, where the project has been presented.

Currently, the course on “Gender and Diversity at School” is being integrated in the Open University program (an innovative project of the Ministry of Education, which establishes of hubs of support to higher education with the aim to democratize education). Moreover, the project will also be implemented in several states, in partnership with the government and universities of each region.

The main objective of the program is to provide elements to transform teaching practices and to eliminate prejudices and break their reproduction cycle at school. By taking this course, professionals will have, on their daily routine, tools to reflect on and deal with attitudes and behaviors involving gender, ethnic and racial relations, and sexuality.

The “Women and Science” Program was designed by the Special Secretariat for Policies for Women in association with the Ministry of Education, the Ministry of Science and Technology, the National Council on Scientific and Technological Development, and UNIFEM. Its purpose is to highlight the importance of research and encourage the acquisition and dissemination of new knowledge in the fields of gender relations, women and feminism studies.

The Program’s first edition, in 2005, included a National Council for Scientific and Technological Research (CNPq) Act to No. 45/2006 which granted for R\$1.2 million in support to research in the field of gender, women, and feminism studies; established a First Prize for a national essays contest for secondary students and of scientific articles by graduate and post-graduate students on the theme “Building Gender Equality;” and held a National Encounter of Research Centers and Groups on “Thinking Gender and Science.”

The second edition of the “Building Gender Equality” Prize took place in 2006. In 2007, the third edition of the “Women and Science” Program will award the 3rd “Building Gender Equality” Prize; and CNPq will organize the second public contest for support for research in the fields of gender, women, and feminism studies.

The Ministry of Labor and Employment is also implementing initiatives and provided strategic support to policies that promote diversity and the elimination of all forms of discrimination. These policies are implemented under various programs by the Public System of Labor, Employment and Income, Solidarity Economy, Labor Relations, oversight of compliance with norms pertaining to workers’ protection, and expansion and improvement of the network for combating discrimination at the workplace, along the lines of the Brazil, Gender, and Race Program.

This Program, in parallel to the fight against other types of discrimination at the workplace, incorporates gender and race issues into its priority actions, as illustrated by institutional landmarks consisting of the National Conferences held by the Special Secretariat for Policies for Women-SPM in 2004, the Special Secretariat of Policies for the Promotion of Racial Equality (SEPPIR) in 2005, and the National Human Rights Conference held by the Special Secretariat for Human Rights in 2004.

The objective is to comply with the constitutional norms that reflect the commitments undertaken by Brazil on the international field, especially ILO's Convention No. 100, ratified in 1957; ILO's Convention No. 111, ratified in 1968; and the United Nations Convention on the Elimination of All Forms of Discrimination against Women, ratified in 1984.

The Program is being implemented in all 27 states of the Federation, as well as in the Regional Main and Secondary Labor Offices, by Centers for the Promotion of Equal Opportunities and Combating Discrimination, established by Administrative Order MTE No. 604 of June 1, 2000.

It is also worth mentioning the Tripartite Commission on Equal Opportunity and Gender and Race Treatment at the Workplace, set up at the Ministry of Labor and Employment by Decree of August 20, 2004, with the following objectives: to discuss and submit proposals for public policies on equal opportunity and treatment as well as on combating all forms of discrimination based on gender and race at the workplace; to foster the incorporation of gender and racial issues into the programs, execution, supervision, and evaluation of activities carried out by the Ministry of Labor and Employment; to encourage and support parliamentary initiatives on the issue; and to support and encourage initiatives adopted by bodies and entities, including those of civil society, as well as promoting the publicizing of the pertinent legislation.

17. The report (page 23) indicates that the Inter -Ministerial Committee for Affirmative Action Policies “drafted Bill 3,627/04, currently under examination by the House of Representatives, which established the Special System of Vacancies in federal public institutions in higher level education for students graduating from public schools, particularly blacks and indigenous people.” Please provide updated information on this draft legislation and whether it has already been adopted. Does the legislation envisage specific quotas for women, and what is the expected impact of this legislation?

The Bill 3627/04, elaborated on the basis of suggestions from civil society to the members of the Commission on Education and Culture and submitted to the National Congress on 20 May, 2004, is now pending decision by the Chamber of Deputies after having been unanimously approved by its Commission on Education, Human Rights, and Minorities and by the Commission on Justice. Debate about the bill has urged Brazilian society to reflect about racism and racial discrimination. Strong resistance has slowed down the proceedings.

This Bill, which does not envisage quotas for women, determines that 50 percent of vacancies to be filled by public exams for admission in public higher education institutions be reserved for students who have completed secondary education in public schools. A minimum share of these vacancies are to be filled by self-declared Blacks and Indigenous students, consistent with the percentage of Blacks,

African-descendants (*mulattos*), and Indigenous peoples in the population of the state where the concerned institution is located. It is worth recalling that women already account for the majority of those entering and graduating from university in Brazil.

Accordingly, the impact expected from this legislation is a reduction in the inequality of access to higher education by reason of income inequality (In Brazil, those attending public secondary schools come from the poorer population layers) and discrimination based on ethnic origin and race. Figures obtained by the Ministry of Economic show that Blacks (Blacks and mulattos), who represent 46.9% of the country's population but correspond to only 24.1% of those enrolled in college ("*Cor e Raça da Educação Superior Brasileira.*" Brasil, INEP, 2005).

18. The report (page 54) notes that “[t]he educational exclusion of older and poor women is still significant and deserves the formulation of specific policies. For example, the proportion of illiterate women progressively increases for women over 40 years of age.” The report (page 55) also notes that “[b]lack and indigenous women (and men) are under represented [in the Brazilian education system]”. Please describe whether the Government has adopted specific policies to increase the literacy and improve the education of older and poor women, including black and indigenous women. Please also indicate any results achieved in the implementation of such policies.

The Ministry of Education, through the Program *Literate Brazil*, has not adopted any specific measures to increase the literacy and improve the education of older and poor women, although a large number of those enrolled under the program are female.

Black and indigenous women, regardless of their age group, are indirectly assisted by educational improvement policies targeted to the following groups/ territories: indigenous populations / expansion of access to education in indigenous lands; *Quilombola* populations and expansion of access to education in *Quilombo* remaining lands, occupied mainly by slave descendants.

Employment

19. How many women have benefited from the Program to Encourage Economic Autonomy for Women in the Work World and the Program to Combat Poverty mentioned in the report (page 61), and what are the results of these programs in terms of prevention of women's poverty?

The objective of the Program to Encourage Economic Autonomy for Women in the Work World is to support initiatives to empower women and build capacity with a view to promoting equal opportunities in the work world, as well as to encouraging the implementation of projects targeted to the economic autonomy of women, so as to establish benchmarks for government action in the areas of employment, labor, and income such as incubators, cooperatives, and associations.

In 2004, 23 projects were supported, which allowed for the training of 6,600 women countrywide. In 2005, another 23 projects were supported and over 2,000 women received training in eight states. In 2006, the Special Secretariat for Policies for Women supported 39 projects, which directly benefited 2,170 women in 14 states. Over the past three years, the program to foster the empowerment of women in the labor market directly benefited 10,170 women.

With regard to the Family Grant program, statistics from the Unified Register of the National Income and Citizenship Secretariat, Ministry for Social Development and Fight Against Hunger, show that 11.1 million families living in all country's municipalities benefit from the program. It strikes the attention that 95 percent of the benefits are paid out to women. Annex 4 contains general information on the Program.

The program's impact on women's life is starting to be assessed. This has been done through a survey on the Family Grant [*Bolsa Família*] Program entitled "Fight against Gender Inequalities", undertaken by Ações em Gênero e Cidadania (an NGO), submitted to the Ministry for Social Development and the British Department for International Development –DFID. This survey collected information on the field in 10 municipalities between March and June, 2006.

One of the survey's findings is that the authority and the general status of the beneficiary in the home have been enhanced, as the income they receive place them at an advantage situation vis-à-vis the other family members, whose jobs and wages are uncertain. It should be recalled that paragraph 14 of Law 10863, which established the Family Grant [*Bolsa Família*] Program, provides that benefits be paid preferentially to women, according to the regulations.

The survey also identified three clear types of the impact of the Program on the life of beneficiary women. The first consists in their visibility as consumers. The fact that they are holders of a card and receive a fixed monthly income is noted by government officials and beneficiaries as a major gain, as their purchasing power has been thereby increased.

The second impact identified on the field is the affirmation of these women's authority in the domestic domain. There are strong indications that the purchasing power granted by the Family Grant is producing changes in the family hierarchy, as seen in the women's possibility to make choices and, particularly, to negotiate their authority at home.

The third impact is related to women's perception that they form part of the Brazilian citizenry. As they were obliged to obtain certain documents, such as birth certificates and ID cards to register and apply for the Family Grant, many of them, particularly those in rural areas, realized that they somehow belong to a broad social fabric that transcends their neighborhood or district.

20. According to the report (page 64), legislation related to domestic work "will be revised in order to extend all labor rights to domestic servants". Please provide further information about this revision, whether it has entered into force and its impact on promoting and protecting women's labor rights.

To encourage the formalization of domestic labor, the Federal Government issued Provisional Measure 284 in March 2006, which was enacted in August 2006 into Law 11324. This law allows the taxpayer that hires a domestic servant to deduct from his tax returns an amount of 12% paid monthly into Social Security as the employer's contribution. There are currently 6.5 million domestic maids in the country, 4.8 million of them are part of the informal labor market.

The new legislation (jointly crafted by the Special Secretariat for Policies for Women, the Ministry of Social Security, the Ministry of Labor and Employment, and the Special Secretariat of Policies for the Promotion of Racial Equality) determines that the employer may take an income tax deduction on one minimum salary of just one domestic servant, beginning with the 2006 returns.

To enlighten the population, the Special Secretariat for Policies for Women launched a national radio campaign in March 2006 about the Federal Government's incentive for the incorporation of domestic maids into the formal labor market and their valorization. From 27 March through 10 April, 2006, 79 AM/FM most popular radio stations aired two 30 -second radio spots targeted at domestic maids and their employers, showing the benefits of the measure and the importance of holding a worker's signed booklet.

Law 11324 has also ensured new gains for domestic servants as a result of intense debate between the Executive and the National Congress and with domestic servants' associations and unions. With the new law, domestic servants acquired the right to 30 days of annual rest, remunerated weekly rest on Sundays and holidays, and stability of her jobs from the confirmation of their pregnancy up to five months after delivery. The employer can no longer deduct from the servant's salary expenditures on food, housing, and hygiene items.

As a complement to the new law, the Executive sent to the National Congress Bill 7363/2006, rephrasing Art. 3 -A of Law 5859 of December 1972, which regulates the profession of domestic servant, and determines the inclusion of domestic servants in the Time -Served Guarantee Fund (FGTS). The bill is under consideration by the Lower Chamber of the Parliament and has already been approved by the Commission on Constitution, Justice, and Citizenship-CCCJ.

Finally, on March 2007, the Commission on Labor , Administration, and Civil Service approved a Senate alternative to Bill 1652/03, sponsored by Congressman Luiz Alberto (PT-BA), which abolishes the requirement to provide a good behavior certificate of the domestic servant. This bill changes the law that regulates the domestic servant profession (Law 5859/72).

The alternative bill adds the requirement that the domestic servant produce a Social Security registration number. Another innovation is the fact that the employer will have ten days to make the notation on the employee's worker's booklet. Should he fail to meet this obligation, he will be subject to the penalties set forth in the Consolidated Labor Laws. The bill is yet to be reviewed by the Commission on Constitution, Justice, and Citizenship and submitted to vote.

21. Please provide statistical data on women's participation in the formal and informal labor market, disaggregated by sectors, and by urban and rural areas, as compared to men, and show trends over time. Please also provide information about women's wages, as compared to those of men, in different sectors.

Annex 5 contains the information requested, taken from the Carlos Chagas Foundation's Databank on Women's Work (<http://www.fcc.org.br/mulher/index.html>). This data bank on women's work in Brazil contains historical series from 1979 on, obtained through surveys by government agencies –

such as those done by the Brazilian Geography and Statistics Institute (IBGE), Demographic Censuses, and National Household Sample Surveys (PNADs); by the Ministry of Labor – such as the Annual List of Social Data/RAIS; by the Ministry of Education and Culture, through the Anísio Teixeira National Institute for Educational Studies and Research (INEP), Higher Education Censuses, and the School Census.

Health

22. The Special Rapporteur on violence against women, its causes and consequences (E/CN.4/2005/72) stated that despite the Government of Brazil’s far reaching efforts in the area of health “it is estimated that up to 90 per cent of rural Brazilian women do not go for prenatal care and/or take advantage of free services because they have no way of getting to clinics located in urban areas.” What measures are being implemented to address this situation? Does the Government intend to establish mobile clinics to reach rural areas which lack health facilities?

Since 1950 Brazil has experienced an accelerated urbanization process, which was confirmed by the 2000 Demographic Census. The addition of 26.8 million urban residents increased the degree of urbanization, from 75.59 percent in 1991 to 81.23 percent in 2000. This increase was basically due to three factors: the vegetative growth in urban areas, migration toward urban centers, and the incorporation of areas that were previously classified as rural areas. In the world context, Brazil shows a degree of urbanization similar to the European, North American, and Japanese, with rates above 75%. Regions such as Asia and Africa remain less urbanized (less than 40%).

In Brazil, 96% of deliveries take place in hospitals and 83.64% of expectant mothers benefit from prenatal checkup four or more times, as shown by the tables below, which contradict the information that “up to 90 percent of rural Brazilian women do not benefit from prenatal care.” Currently, the Brazilian Government, through the Ministry of Health, has no plan to establish mobile clinics to reach rural areas.

Total births by place of occurrence – 2004						
Municipality	Hospital	Other Health Establishment	Home	Other	Unknown	Total
Total	2,928,155	54,792	40,707	2,661	233	3,026,548
%	96.76	1.87	1.35	0.01	0.01	100

Source: MS/SVS/DASIS – Live births information system – SINASC

Births by the mother’s home per year according to prenatal checkups							
Year	2001	2002	2003	2004	Total	%	
None	136,143	112,324	95,314	83,970	427,751	3.495	
1 to 3 checkups	345,848	322,688	300,382	283,855	1,252,773	10.24	
4 to 6 checkups	1,096,903	1,079,806	1,056,680	1,031,142	4,264,531	34.84	
7 or more checkups	1,419,062	1,463,469	1,516,553	1,573,185	5,972,269	48.79	83.64

Source: MS/SVS/DASIS – Live Births Information System-SINASC

The Ministry of Health has invested in basic care under the Family Health Strategy as a way to provide care to the population as close as possible to their home. Among the families receiving this care from health teams, 24.21% are rural families, as shown in the table below:

Families receiving care by family health teams per residence zone					
Year	Urban	%	Rural	%	Total
2003	200,351,966	74.95	66,952,185	25.05	267,304,151
2004	218,109,864	75.85	69,437,744	24.15	287,547,608
2005	224,058,987	75.87	71,278,781	24.13	295,337,768
2006	241,702,651	76.36	74,845,992	23.64	316,548,643
Total	884,223,468	75.79	282,514,702	24.21	1,166,738,170

Source: Ministry of Health, Basic Care Information System-SIAB

As part of the National Policy on Sexual and Reproductive Rights, the Ministry of Health has supported the National Agricultural Workers' Confederation (CONTAG) in training multipliers on gender, health, and sexual and reproductive rights. The project envisages the incorporation of methodologies aimed at an across-the-board approach to gender, sexual and reproductive rights, generation, race, and ethnic origin and to territoriality in the policies of the Rural Workers Union's Movement and in the Rural Population's Health Policy. The implementation of the project, under the responsibility of CONTAG, began in early April 2005 and has a three year duration.

It should also be noted that on March 8, 2004, to mark the celebration of the International Women's Day, President Lula unveiled a National Covenant for the Reduction of Maternal Mortality. The Covenant is considered a model of social mobilization and dialogue for the promotion of the United Nations Millennium Development Goals, as it integrates the three levels of government – federal, state, and municipal – and a wide range of organizations of civil society. Under the Covenant, the Ministry of Health has undertaken to provide resources totaling R\$31.17 million for intensifying capacity building initiatives for the provision of care to women and infants. So far, 71 municipalities have submitted projects for reducing maternal and neonatal mortality.

Moreover, 26 state seminars were held (only the state of São Paulo abstained) to draft plans of action, as well as four meetings of the National Commission on the Monitoring and Assessment of the Implementation of the National Covenant, consisting of 34 representatives civil society and government.

23. The Special Rapporteur on the sale of children, child prostitution and pornography (E/CN.4/2004/9/Add.2) expressed concern about the situation of abortion indicating that “only 44 centers in the whole country provide abortion” and that “[t]his forces many women to undergo abortion in secrecy, putting their lives at risk. This is a denial of the right to health of women.” Please provide data, if available, on the number of maternal deaths resulting from unsafe abortion and on measures envisaged to address this problem, taking into consideration that abortion is allowed under Article 128, sections I and II of the Brazilian Penal Code?

Illegal practice of abortion in Brazil precludes the existence of reliable statistics to support more precise and specific public policies targeting the different regional realities and age groups in which unwanted pregnancies are more prevalent. In 2006, 2,067 legal abortions were performed, in conformity with Art. 128 of the Brazilian Penal Code, which addresses the risk of life to women and pregnancies resulting from rape.

In the period from 2004 to 2006, the Unified Health System registered 243.988 (2004), 241.019 (2005) and 222.135 (2006) women who were submitted to curettage post-abortion. Such practice is the second most common obstetric procedure in hospitals and clinics, behind only of normal childbirth (eutocia). Financially, it represents approximately R\$ 35 million annually. The death rates due to abortion is more frequent among African-descendant women.

Maternal mortality is a consistent indicator for evaluating the population's health conditions and reflects existing perversities. The death of women in fertile age as a result of pregnancy, abortion, childbirth, and puerperal infection is to a great extent avoidable. A high Rate of Maternal Mortality (RMM) indicates precarious socioeconomic conditions, low level of information and schooling, family dynamics associated with domestic violence, and particularly difficult access to quality health services.

The stabilization of the maternal mortality rate as of 2000 may be associated to better quality of obstetric care and to family planning. However, figures for Brazil – 74.5 deaths per 100,000 live births (taking into consideration a 1.4 correction factor) show that the situation is still unacceptable, as the maternal mortality rate in developed countries oscillates between 6 and 20 deaths per 100,000 live births (Source: Saúde Brasília 1005 – Uma análise de situação de saúde – Secretaria de Vigilância em Saúde/MS, Brasil).

Between 2002 and 2004 115, 152, and 156 deaths from abortion per year occurred, which makes abortion the fourth cause of maternal death in Brazil. In late 2002, there were 82 hospital unities equipped to provide care for women who were rape victims. They were concentrated in the capitals and metropolitan areas of the South and the Southeast; 42 of those unities performed abortions permitted by law. In 2003, a target was set for increasing by 30 percent the number of services to provide care to women in situations of violence. To this end, the Ministry of Health invested R\$1.552 million between 2004 and 2005 on the establishment of 41 new Integral Care Networks for Women and Adolescents in a Situation of Domestic and Sexual Violence in municipalities with the worst violence indicators. Today 142 services are in operation, encompassing all the country's regions. Brazil has thus surpassed the established target, as the number of services has risen by 48%.

To reduce maternal mortality, the Ministry of Health has implemented actions for obstetric care qualification, family planning, and care provision for women in a situation of violence. In the course of the present administration, the Ministry has revised the Manual on Prevention and Treatment of Damages Resulting from Violence against Women and Adolescents and prepared manuals on Emergency Contraception and on Legal Aspects of Care to Victims of Sexual Violence. In association with the Special Secretariat for Policies for Women and the Ministry of Justice's National Public Security Secretariat, the Ministry of Health has designed a Pedagogical Matrix for the

Establishment of Networks, which consists of a set of information that turn around theoretical instruments and technical improvement, and the profile and professional vocation for providing integral care to women and adolescents in a situation of domestic and sexual violence. It has also drafted a Technical Standard on Humanized Care in Miscarriage, as well as sensitizing 1787 health professionals of the country's major maternities.

This year, the Ministry of Health has funded research to draw the profile of care provided to women in a situation of violence so as to gather inputs for the formulation of strategies to enhance the implementation of these networks.

Another strategy developed with a view to establishing Integral Care Networks for Women and Adolescents in a Situation of Domestic and Sexual Violence was the promotion of Macro-Region Seminars, whose purpose is to identify the progress made and the difficulties faced by administrators and reference health services that provide care in case of domestic violence and complications resulting from sexual violence. This initiative envisaged the coordination of administrators at the three levels of government and Reference Hospital for Integral Care of Women and Adolescents in a Situation of Sexual Violence, to ensure the provision of care, processing, and the dispensing of antiretroviral drugs, vaccines, emergency contraceptives, as well as the procedures provided for in the legislation. The Ministry of Health, as an innovative initiative, has regulated the Compulsory Notification of cases of violence.

To improve the quality of prenatal care, the Program for the Humanization of Delivery and Childbirth (PHPN) has been reinforced. Between 2003 and 2005, the adhesion of 1,123 municipalities to the program brought the total up to 5,105 municipalities. In 2002, 485,023 pregnant women were registered and 26,346 of them concluded all procedures. In 2005, the number of registered pregnant women rose to 1,999,176 and 310,716 completed all procedures.

To change the standards of delivery care, the Ministry of Health held two national seminars and 29 state seminars on Humanized Obstetric and Neonatal Care Based on Scientific Evidence. These seminars were attended by 1,787 professionals, including directors, heads of Obstetrics and Neonatology departments and of Obstetric Nursing of the 439 major maternities from all Brazilian states.

During the Government's first term, the Ministry of Health increased the amounts paid out by the Unified Health Service for normal childbirth (from R\$205 in 2002 to R\$ 291.15 in 2004), for caesarian section (from R\$337 in 2002 to R\$402.83 in 2004), and for mammography (from R\$30.12 in 2002 to R\$36.10 in 2004).

The Government has also regulated the Companion Law, which establishes a R\$6 daily remuneration for a companion and sets a deadline of six months for the hospitals to adapt to the law so as to comply with this measure to humanize the provision of care.

The Ministry of Health has supported the training of 370 Community Doulas, formed by women from the community who accompany parturients and perform support activities during labor in 13 states. It

has also provided technical and financial support to schools of nursing in all the states for offering 34 obstetrics specialization courses.

To enhance the quality of care provided to childbirth at home, the Ministry of Health also provided technical and financial support for the training of 85 multiplier health professionals to work as instructors, and 904 traditional midwives in the states of Acre, Amazonas, Amapá, Pará, Maranhão, Alagoas, Paraíba, Goiás, Minas Gerais, Mato Grosso do Sul, and Mato Grosso (Xavante Indigenous Health District). It also held three training programs to prepare facilitator midwives for the prevention of STD/HIV/AIDS and viral hepatitis as well as preparing health professionals and traditional midwives to deal with sexual and reproductive health in Upper Juruá, in the state of Acre, and in Mamirauá and Amaná, in the state of Amazonas.

The Ministry of Health also launched a National Campaign to Encourage Natural Childbirth and Reduce Unnecessary Caesarean Sections. This campaign had the innovative feature of involving the private sector, which accounts for the largest number of caesarean sections, through the National Supplementary Health Agency.

In 2006, the Ministry of Health published a study on the mortality of women between ages 10 and 49, with emphasis on maternal mortality. The study, which was coordinated by the distinguished Professor Ruy Laurenti and his collaborators, was of utmost importance for the definition of strategies and actions under the National Policy on Integral Care to Women's Health. The Ministry also provided financial support for the undertaking of 38 studies on Maternal and Neonatal Mortality. It increased the provision of reversible contraceptive methods to meet the needs of 5,235 municipalities, involving an investment of R\$ 27 million. In 2002, R\$ 7.8 million had been spent.

Between 2003 and 2005, the Ministry of Health accredited 418 new services for Fallopian tubes blocking, bringing the total of accredited services up to 686, and thereby surpassing the 50 percent target, which would have been 129 services.

24. The Special Rapporteur on the right to education (E/CN.4/2005/50) noted that in Brazil there are between 50 and 100 births per 1,000 girls aged 15 -19. Please provide information on measures taken by the Government to prevent unwanted pregnancy among adolescents, and the impact of such measures over time.

All the measures taken to encourage the organization of reproductive planning at the services contemplate the specificities of adolescents. In August 2003 a Health and Prevention Program in Schools was introduced. This program was jointly prepared by the Ministry of Health and the Ministry of Education and aims at reducing adolescents' vulnerability to sexually transmissible diseases, HIV infection, and unwanted pregnancy, with emphasis on health promotion through educational prevention actions and wider access to male contraceptives.

The program intends to reinforce capacity building and ongoing training of fundamental and secondary school teachers in activities to prevent STD/HIV/AIDS and precocious pregnancy, including the dispensing of 52mm male contraceptives to sexually active adolescents aged 15 -19 enrolled in regular public schools. In 2004, the program underwent adaptations and adjustments and

was reoriented toward young people aged 13 -24 in fundamental and secondary school. It should be mentioned that since 2000 the number of pregnant teenagers has declined.

Rural women

25. According to the report (page 83), “in the National Plan on Policies for Women (PNPM) p.44, the Federal Government declared the goal to grant 400,000 joint titles to land, in the case of lots owned by couples, to all of the families benefited by agrarian reform between 2004 and 2007.” How many joint titles to land have been granted to date?

The table below show data on the National Plan on Policies for Women regarding the concession of land titles cases of lots owned by couples, to the families benefited from agrarian reform between 2004 and 2007:

Settled title owners by sex, 2003-2006					
Sex	2003	2004	2005	2006	TOTAL
Women	979	37	280	4,328	5,624
Men	1,079	42	360	4,997	6,479

Source: Ministry of Agrarian Reform.

It is important to stress that 95% of the targeted settlement of 400,000 families under the National Agrarian Reform Program (PNRA) by 2007 have been achieved, as 385,000 families have already been benefited. The issuing of land titles comes at a later period, subsequent to the reference period, as settlements have first to go through the laying down of infrastructure and production support before ownership title or use concession deeds can be granted.

It is also important to point out that new measures have been taken to expand and qualify women’s access to the PNRA. Upon Normative Instruction No. 38, the Settlement and Agrarian Reform Institute intended to expand the right of women to access the National Agrarian Reform Program through the following measures:

1. Change in the procedures and instruments for: registration of applicants; implementation of agrarian reform projects; Record of Families in areas of land regularization and granting of title deeds; and rural property register certificate, so as to obligatorily include both women and men, regardless of their civil;
2. Obligatory declaration or proof of civil status. An applicant family that omits or makes false declaration on civil status will be denied participation in the National Agrarian Reform Program;
3. Inclusion of a new complementary criterion, ascribing preference to families headed by women in the classification of families to benefit from agrarian reform;
4. Introduction of the Agrarian Reform Beneficiary Woman Certificate to facilitate the claiming of her rights before government agencies; and
5. Support to women in rural development activities, so as to promote their economic integration through public policies, ensuring their participation in the settlement’s decision-making, and including the definition of the rural home architecture and a modality of Credit for Settlement Women.

26. The report (page 82) notes that “data from research undertaken by the Santa Catarina Agricultural Women Movement MMA/SC (2002) about the various forms of violence suffered by rural women show that 10 out of every 100 women suffer aggression from their husband.” Please provide information on measures taken to prevent and eliminate violence against rural women.

So far no specific measure has been taken to prevent and eliminate violence against rural women. Actions in this connection come under the overall measures to deter violence against women, such as the *Maria da Penha* Law. It should be noted that the issue of violence against women is also addressed in various seminars and campaigns waged by rural working women.

27. The report (page 80) notes the great inequality in income that exists between white and black rural women, with black rural women receiving 56 per cent of what white rural working women receive. What measures are being implemented to address the discrimination in income faced by black rural women, and what is the impact of such measures, over time?

With respect to measures adopted to reverse the inequality in income of rural black women, the Ministry of Agrarian Reform has implemented a specific initiative under the Project on the Ethno-Development of *Quilombola* Women, in partnership with DFID and UNIFEM. These are actions aimed at the adequacy of programs, affirmative actions, the allocation of available resources, in addition to the formulation of public policies, with emphasis on technical assistance and rural extension, development, and marketing.

The 21 communities under the project in 14 states (Amapá, Pará, Alagoas, Maranhão, Pernambuco, Piauí, Sergipe, Goiás, Mato Grosso do Sul, Mato Grosso, Espírito Santo, São Paulo, Rio Grande do Sul, and Santa Catarina), have been selected for having women’s organizations that are beneficiaries of land regularization by the MDA/INCRA and that have been beneficiaries of the Zero Hunger Program for *Quilombola* communities.

Under this project, the following activities have taken place: one workshop to orient and train *Quilombola* women to submit projects; two national conferences on *Quilombola Women: Gender and Public Policies on Ethno-Development* (March and June 2005); and eight technical visits to communities that are part of the project (August -October 2005), with the aim to assessing their situation, training and planning of actions to provide technical assistance and the marketing of products by *Quilombola* women.

To foster social participation and control by *Quilombola* populations, a Standing Committee on Gender, Race, and Ethnic Origin (PPIGRE/MDA) has been set up at the National Council on Sustainable Rural Development-CONDRAF. The Committee is made up of representatives from the Ministry of Agrarian Development, other government bodies, and entities of organized civil society. On the basis of specific demands from these populations, it seeks to orient the MDA on the preparation, implementation, and evaluation of public policies.

In 2004 and 2005, five projects submitted by productive groups of *Quilombola* women from different parts of the country received support. These initiatives constitute an effort to establish a production

and marketing network with a view to ensuring food security, the management of traditional lands, and the autonomy of the *Quilombola* women. The projects were granted R\$617,722.50, of which R\$209,744 were transferred in 2004 and R\$307.798.50 in 2005.

The actions implemented under the above -mentioned projects include the following: promotion of greater inclusion of women in the local economy, by widening work opportunities; consolidation of agro-extractive activities, encouragement of cooperatives and the development of agroindustry, the raising of small animals and pisciculture, based on different local practices of the *Quilombola* communities; strengthening of youth participation; promotion of the sustainable development of beneficiary communities by including them in local ecotourism through the establishment of activities related to this sector; identification of work and income generation opportunities, based on the sustainable management of the natural resources of the *Quilombola* communities; and training and capacity building in the areas of agroecology and food security.

In 2004, by initiative of the Ministry of Agrarian Development, a First National Family Farming and Agrarian Reform Fair was held in Brasília, DF. At that time a survey of productive activities of *Quilombola* communities was undertaken, with emphasis on handcrafted products. Ten communities participated in the Fair. At the Second National Family Farming and Agrarian Reform Fair (MDA/2995), 19 *Quilombola* communities from nine states participated.

Such initiatives allowed a rich exchange, not only among *Quilombola* but among the other participants. In addition, the initiative approximated the public to the various policies implemented by the Federal Government. To ensure women's participation in these events, R\$142,100 were invested.

In response to women's demand for documentation, in 2004 the Ministry of Agrarian Development (MDA), in association with the Special Secretariat for Policies for Women, established a National Rural Working Women's Documentation Program. This program is currently implemented in association with the National Settlement and Agrarian Reform Institute (INCRA) and the MDA Federal Offices throughout the country. The purpose of the program is to issue, free of charge, documents such as ID cards, CPF (taxpayer ID number), Worker's Booklet, birth certificates, and proof of registration to Social Security.

In 2004, priority was attached to targeted populations included of in the MDA/INCRA policies, in a centralized manner. Actions were focused on each region of the country, on needier states, and within the states, on areas with greater concentration of rural settlements. In this first phase, priority was given to states with greater demand and territories under MDA/INCRA intervention. 64,804 documents were issued in 23 states (with the exclusion of Acre, Rio Grande do Sul, Rio de Janeiro, and Rio Grande do Norte).

In 2005, the National Rural Working Women's Documentation Program included the *Quilombola* communities. In 2005, 64 communities in nine states benefited from the issuing of approximately 13,825 documents to *Quilombola* women.

Marriage and family relations

28. As noted in the report (page 88), some discriminatory provisions still exist in the Civil Code in the area of marriage and family relations, including “one that deals with the legal age for marriage, that establishes different ages for men and women; one that allows only married women the possibility of refusing protection; and one that places restrictions on marriage for women.” Noting the government’s acknowledgment of the need to revoke these provisions, please provide updated information on developments towards elimination of these discriminatory provisions in the Civil Code.

We believe that the previous reply was inaccurate, as the chapter of Civil Code, which entered into force in 2003, on the Capacity for Marriage – more specifically its Art. 1517 – states that “Men and women aged 16 may marry, subject to authorization from the parents or their legal representatives, before they reach age majority.”

In this connection, it is worth pointing out a recent advance achieved by the sanctioning of Law 11441, of 4 January, 2007, which modifies the provisions of Law 5869 of January 1973 (Civil Procedure Code), allowing the taking of inventory, partition, consensual separation and divorce through administrative procedures.

Optional Protocol

29. Please describe Governmental measures planned or envisaged to publicize the Optional Protocol and encourage its use.

In general, the Special Secretariat for Policies for Women has been aware to the importance of incorporating in its training programs the agreements and international treaties signed by Brazil on women’s rights, such as CEDAW and its Optional Protocol.

Attention should be called to the electronic publication entitled “International women’s rights instruments,” which compiles the main international instruments on women’s rights, all of which Brazil is signatory: the CEDAW and its Optional Protocol, the Belém do Pará Convention, and the Cairo and the Beijing Declarations, with brief comments by the specialists Leila Linhares, Maria Luiza Viotti, Silvia Pimentel, and Tânia Patriota.

http://200.130.7.5/spmu/docs/inst_int.pdf

In 2006, the Secretariat published the full text of the *Maria da Penha Law*, which bans violation against women, and presented its main innovations. It should be recalled that this law meets a recommendation of the CEDAW Committee.

http://200.130.7.5/spmu/docs/leimariadapenha_1.pdf

The SPM has supported the dissemination of publications to promote the new Law, such as the manual entitled “Instructions on handling cases of domestic violence against women, based on Law 11340/2006”, a manual prepared by Police Chief Iumara Bezerra Gomes, of the Paraíba Civilian Police, on the enforcement of the *Maria da Penha Law* by police district professionals.

http://200.130.7.5/spmu/docs/Atendimento-Lei11340_paraiba.pdf

It has also supported the promotion of the “Manual on Multidisciplinary Training”, published by the Judiciary of the Mato Grosso Court of Justice, and prepared to help the multidisciplinary training of public agents involved in the implementation of Law 11340/2006, the *Maria da Penha Law*. The manual includes doctrine texts that help understand the importance of this law in the system of protection of human rights of women on the internal front, based on the Constitution of the Republic, and on the international front, under the international treaties and conventions ratified by Brazil.

http://www.presidencia.gov.br/estrutura_presidencia/sepm/publicacoes/publi_capacitacao_maria_penha_ms
