HS Law Corp.
Otavio Haverroth Silva, SBN#343486
P.O. Box 90487
San Diego, CA 92169
(510) 241-9336

DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
880 Front Street, Suite 4240
San Diego, CA 92101

In the Matter of	)	
Isabelle Kauany Bueno Ferreira	)	**File No. A. 246-934-756**
In Removal Proceedings	)	

Immigration Judge: Olga E. Attia **Next Hearing Date:** October 8, 2026 at 8:30 AM

RESPONDENT'S COUNTRY CONDITIONS IN SUPPORT OF ASYLUM AND WITHHOLDING OF REMOVAL

Exhibit list

Exhibits:	Pages:
Exhibit 1	
Brief Explanation Regarding Violence Against Women and Girls and State Protection Failure in Brazil	1-4
Exhibit 2	
Excerpts - Isabelle Kauany Bueno	5-18
Exhibit 3	
CC 1 - Brazil 2023 Human Rights Report - U.S. Department Of State	19-24
Exhibit 4	
CC 2 - World Report 2026: Brazil - Human Rights Watch	25-31
Exhibit 5	
CC 3 - Human Rights in Brazil 2025 - Amnesty International	32-38
Exhibit 6	
CC 4 - Gender-Based Violence Country Profile: Brazil - World Bank	39-51
Exhibit 7	
CC 5 - Brazilian Yearbook of Public Security 2023 - Brazilian Forum on Public Security	52-88
Exhibit 8	
CC 6 - Brazil: Parliament must repeal harmful parental alienation law says Special Rapporteur -	89-91

Office of the United Nations High Commissioner for Human Rights

---

Exhibit 9

CC 7 - Femicide In Brazil: Inter-American Condemnation - Harvard International Review 92-97

Exhibit 10

CC 8 - The Ineffectiveness Of Urgent Protective Measures Provided For In The Maria Da Penha Law, Law Nº 11.340/06 - Stephanie Dias dos Santos, Multidisciplinary Scientific Journal Nucleus of Knowledge 98-117

Exhibit 11

CC 9 - Challenges of providing support: less than 10% of Brazilian municipalities have a women's police station, and the quality of listening in reporting spaces still leaves much to be desired - O Globo 118-120

Exhibit 12

CC 10 - Violence against women in Brazil reaches highest levels on record - The Guardian 121-122

Exhibit 13

CC 11 - Feminicide: an ignored epidemic - Portal FGV 123-124

Exhibit 14

CC 12 - Femicides will increase by 4.7% in 2025; small cities have the highest rates- Brazilian Federal Senate 125-127

Exhibit 15

CC 13 - Four girls are raped every hour in Brazil, study finds - CNN 128-129

Exhibit 16

CC 14 - UN to investigate use of ‘parental alienation’ tactic in custody cases - The Guardian 130-131

Exhibit 17

CC 15- Child marriage accepted in Brazil to escape abuse at home: researchers - Jakarta Globe 132-134

Exhibit 1

BRIEF EXPLANATION REGARDING VIOLENCE AGAINST WOMEN AND GIRLS AND STATE PROTECTION FAILURE IN BRAZIL

1. GENERAL OVERVIEW OF GENDER-BASED VIOLENCE IN BRAZIL.....1
2. VIOLENCE AGAINST GIRLS IN THE DOMESTIC ENVIRONMENT AND BARRIERS TO REPORTING.....2
3. STATE FAILURE, PUBLIC-ACTOR COMPLICITY, AND INABILITY TO INTERVENE..3
4. CONCLUSION.....4

1. GENERAL OVERVIEW OF GENDER-BASED VIOLENCE IN BRAZIL

Persistently high rates of violence against women constitute one of the most critical public security issues in Brazil today. Even as overall homicide rates have decreased in recent years, femicide and other forms of gender-based violence continue to be widespread (CC 8, CC 10). This disparity demonstrates that national reductions in lethal violence have failed to provide a corresponding level of safety for women and girls. Indeed, research by the Brazilian Forum of Public Security indicates that Brazil remains one of the most dangerous countries in the world for women (CC 5, CC 13).

Violence against women and girls encompasses psychological and sexual abuse as well as physical violence, frequently escalating to torture and murder (CC 5). According to Human Rights Watch, 64,276 rapes of women and girls were reported between January and November 2025 (CC 2).

World Bank data indicate that intimate-partner violence is the most common form of violence against women in Brazil, with 33.4 percent of women aged 16 or older reporting having experienced physical and/or sexual violence by an intimate partner or former partner during their lifetime (CC 4). In 2025, Brazil recorded 1,568 feminicides, with approximately 66.3 percent occurring inside the victim’s home and eight out of ten cases reportedly involving a current or former partner, highlighting the alarming reality that home offers no refuge for women and girls (CC 12).

Brazil features progressive legal frameworks to address domestic abuse, including the Maria da Penha Law (Law No. 11.340/2006) and 2024 legislation establishing "feminicide"—murders motivated by the victim's female gender—as a distinct criminal offense (CC 4, CC 2). However, public authorities repeatedly fail to effectively enforce these statutory safeguards, allowing such crimes to go unpunished with high frequency (CC 8).

This impunity is rooted in a pervasive culture of patriarchal violence and sexism that undermines and dismisses victim testimony (CC 7). Indeed, the 2024 U.S. Department of State report underscores that the Brazilian government did not systematically implement credible actions to investigate or hold accountable those who commit violence against women and girls (CC 1).

2. VIOLENCE AGAINST GIRLS IN THE DOMESTIC ENVIRONMENT AND BARRIERS TO REPORTING

The risks faced by girls are particularly acute because violence frequently occurs within the family or domestic environment, where the perpetrator may be a parent, stepfather, mother's partner, or another person upon whom the child depends (CC 15).

According to the Human Rights Watch girls are disproportionately represented among victims of sexual violence. Between January and November 2025, 70 percent of reported rape victims were under the age of 14 or otherwise unable to provide meaningful consent (CC 2).

A child who is abused inside the home may depend upon the very adults who are expected to provide protection and may fear retaliation, separation from family members, or further violence. The situation can become even more difficult when the alleged perpetrator is the mother's partner or former partner (CC 6). In such circumstances, reporting the abuse may place the child and the mother in conflict with a person who exercises significant economic, emotional, or familial control over the household (CC 6, CC 14).

The experiences documented by United Nations human rights mechanisms illustrate the difficulties faced by mothers who attempt to protect children from domestic abuse. The UN Special Rapporteur on violence against women and girls raised concerns regarding the use of Brazil's Parental Alienation Law in cases involving credible allegations of domestic violence against mothers and their children (CC 6). According to the Special Rapporteur, there have been reports of mothers losing custody of their children after making allegations of abuse, with children subsequently being returned to alleged abusers (CC 6).

Reports from the Jakarta Globe News Portal also states that child marriage in Brazil has been normalized in some communities and the sexual violence perpetrated by relatives and stepfathers is one of factors that can lead girls to seek refuge outside the family (CC 15). Girls may enter these relationships believing that marriage will provide greater independence and a better life, although those expectations are frequently not fulfilled.

Thus, for girls experiencing domestic violence, leaving the abusive household may not necessarily mean gaining access to a safe alternative (CC 15). Limited reporting mechanisms, dependence on adults, fear of retaliation, and social expectations surrounding women's and girls' roles may restrict their ability to seek protection (CC 9). The persistence of patriarchal attitudes also contributes to the normalization of gender-based violence and may affect how victims are treated when they attempt to disclose abuse (CC 7).

3. STATE FAILURE, PUBLIC-ACTOR COMPLICITY, AND INABILITY TO INTERVENE

Brazil's principal difficulty is not the complete absence of legal protection, but the gap between the protections established by law and their implementation in practice (CC 11). The U.S. Department of State has reported that, although Brazilian law criminalizes domestic and sexual violence and establishes penalties for feminicide, these laws have not always been effectively enforced (CC 1).

An analysis of emergency protective measures under the Maria da Penha Law, published by the Scientific Journal Nucleus of Knowledge, points to implementation by public bodies as a core structural issue (CC 8). The measures themselves provide mechanisms capable of protecting women's physical, psychological, sexual, patrimonial, and moral integrity, but their effectiveness depends upon proper implementation and monitoring by police, courts, and other authorities (CC 5).

In 2025, data from the Brazilian Federal Senate identified that 13.1 percent of feminicide victims analyzed across 16 states had an active emergency protective order when they were killed (CC 12). While this statistic does not establish that every death resulted from an individual official's failure, it demonstrates that formal protective orders do not invariably prevent continued violence or guarantee victims' physical safety. Consequently, these findings highlight shortcomings in the monitoring and enforcement of protective measures as an ongoing problem (CC 12).

Victims also face practical barriers to accessing reporting mechanisms. According to reports from the "O Globo" News Portal, only approximately 7 percent of Brazilian municipalities have specialized women's police stations, which are concentrated primarily in larger municipalities (CC 9). Victims in smaller communities may therefore depend on general police stations and other institutions that may lack specialized personnel.

The effectiveness of state protection is also affected by broader institutional and cultural factors (CC 8). The Inter-American human rights framework has recognized deeply rooted sexist values in Brazil and raised concerns regarding impunity for officials who perpetrate violence against women (CC 7). Reports from Amnesty International further identify cultural and institutional factors associated with gender discrimination within the institutions responsible for implementing protective measures (CC 3).

The institutional problem is therefore not limited to the failure to punish perpetrators after violence occurs (CC 8). It can also operate earlier in the process, by making it difficult for victims to report abuse, by failing to provide adequate specialized services, by inadequately monitoring protective orders, and, in some documented circumstances, by treating the person reporting abuse as a potential wrongdoer rather than as a victim seeking protection (CC 9).

Therefore Brazil's legal framework does provide formal protections, but access to those protections is uneven, and documented deficiencies in reporting mechanisms, institutional responses, protective-order enforcement, and accountability can leave women and girls exposed to continued violence (CC 12).

4. CONCLUSION

Beyond the formal statutory prohibitions against gender-based violence in Brazil, the critical question centers on whether victims can realistically access and secure meaningful state protection (CC 11). This barrier is especially pronounced when abuse occurs in domestic settings, where a victim's capacity to safely report the misconduct or separate from the abuser is intrinsically compromised (CC 4).

In these domestic contexts, children comprise a major share of reported sexual abuse victims, with violence routinely committed by family members, stepfathers, or intimate partners of a parent (CC 2, CC 15). Concurrently, mothers seeking to safeguard their children frequently face systemic impediments, such as retaliatory claims of parental alienation, thereby narrowing the available channels for girls to report abuse or flee hazardous homes safely (CC 6, CC 14).

Taken together, these factors illustrate that women and girls enduring domestic abuse in Brazil must navigate both the immediate danger of individual offenders and formidable institutional obstacles to obtaining effective state intervention (CC 1, CC 8).

Exhibit 2

Kauany Bueno Ferreira, Isabelle
A#246-934-756

EXCERPTS FROM COUNTRY CONDITIONS REPORTS

CC 1

BRAZIL 2023 HUMAN RIGHTS REPORT - U.S. DEPARTMENT OF STATE

There were no significant changes in the human rights situation in Brazil during the year.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious restrictions on freedom of expression and media freedom, including violence or threats against journalists; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, femicide, and other forms of such violence

The government did not always take credible steps to identify and punish officials who may have committed human rights abuses.

Rape and Domestic Violence: The national law criminalized rape, including spousal rape and domestic or intimate partner rape and other forms of domestic and sexual violence. (...) The law defined femicide as homicide of a woman due to her gender, including but not limited to homicide that escalated from other forms of domestic violence, discrimination, or contempt for women. The law stipulated a sentence of 12 to 30 years in prison. **The government did not enforce the law effectively.**

CC 2

WORLD REPORT 2026: BRAZIL - HUMAN RIGHTS WATCH

In October 2024, Brazil enacted a law classifying “feminicide,” defined as killings “on account of being persons of the female sex,” as a stand-alone crime instead of an aggravating factor of homicide. From January through November 2025, 3,286 women and girls were killed, a 4 percent decrease compared with the same period in 2024. Of those, police registered 1,350 as femicide, a 3 percent increase.

There were 64,276 reported rapes of women and girls from January through November, a reduction of 8 percent compared with the same period in 2024. Between January and November 2025, 70 percent of the victims were under 14 or lacked capacity to express consent due to illness or for other reasons.

CC 3

HUMAN RIGHTS IN BRAZIL 2025 - AMNESTY INTERNATIONAL

The creation of institutional protection and accountability mechanisms for gender-based violence progressed, including a gradual increase in the number of specialized police stations, the expansion of care networks and the running of awareness campaigns, which indicated a measure of official acknowledgement of the issue’s severity. Feminicides nevertheless reached a record level, with at least 1,470 cases in 2025 or four women killed per day, a slight increase compared with 2024.

CC 4

GENDER-BASED VIOLENCE COUNTRY PROFILE BRAZIL - WORLD BANK

Violence against women and girls (VAWG), which is a manifestation of gender-based violence (GBV), is a major concern in Brazil. Despite the approval of one of the most progressive laws on domestic violence in the region (i.e., Maria da Penha Law, No. 11.340/2006), data shows that Brazil is ranked fifth among the countries with higher prevalence of VAWG according to the Violence Map 2015 of the United Nations. Between 1980 and 2013, more than 106,000 women were murdered in the country, and the number of femicides per year increased from 1,353 to 4,762 – an increment of 252 percent in the period.

Intimate partner violence is the most common form of violence. In Brazil, 33.4 per cent of women aged 16 or over have experienced some form of physical and/ or sexual violence perpetrated by an intimate partner and/or ex-partner in their lifetime. This result is higher than the world average, estimated in 27 per cent according to the World Health Organization. When also considering psychological violence (physical, psychological and sexual), this number reaches 43 per cent, the equivalent of 27.6 million women 16 years or older subjected to violence in their lifetime.

Data from 2021 also show that 81.7 per cent of femicides were perpetrated by intimate partner and/or ex-partner, and 65.6 per cent of the victims were killed at home, demonstrating the high level of vulnerability women and girls are exposed to at the domestic environment.

CC 5

BRAZILIAN YEARBOOK OF PUBLIC SECURITY 2023 - BRAZILIAN FORUM ON PUBLIC SECURITY

The violence against women increased in 2022. [...] At that time, we pointed to the highest levels of victimization due to assault and harassment since the first edition of the research conducted in 2017.

Unfortunately, what the numbers reveal is not positive: femicides increased by 6,1% in 2022, resulting in 1.437 women killed simply because they were women. Willful homicides of women also increased (1,2% compared to the previous year), which makes it impossible to attribute the increase in lethal violence solely to improved reporting.

In addition to crimes against life, assaults in the context of domestic violence increased by 2,9%, totaling 245.713 cases; threats grew by 7,2%, resulting in 613.529 cases; and calls to 190, the emergency number for the Military Police, reached 899.485 calls, which means an average of 102 calls per hour. Furthermore, reports of sexual harassment increased by 49,7%, totaling 6.114 cases in 2022, and sexual harassment increased by 37%, reaching the level of 27.530 cases in the last year. In other words, we are talking about a very significant growth that encompasses all criminal modalities, from harassment to rape and femicides.

Emergency Protective Measures (EPMs) are regulated by the Maria da Penha Law - Law 11.340 of 2006 - and legally represent the mechanism capable of protecting the physical, psychological, sexual, patrimonial, or moral integrity of women in situations of violence or their dependents. [...] In other words, the law acknowledged the existence of obstacles in the legal procedure itself that, at times, ended up undermining the effective confrontation of domestic and family violence.

Feminicide, defined by Law 13.014 of 2015, is a legal category applied to any killing of women based on their gender or when it involves domestic or family violence. Therefore, it is a death that necessarily involves discrimination based on gender (Campos, 20155).

CC 6

BRAZIL: PARLIAMENT MUST REPEAL HARMFUL PARENTAL ALIENATION LAW SAYS SPECIAL RAPPORTEUR - OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

The UN Special Rapporteur on violence against women and girls, Reem Alsalem, has welcomed a new Brazilian bill that would scrap the Parental Alienation Law and the concept of "parental alienation" present in Law 13.431/2017, commonly known as the Specialised Hearing Law, from the country's statute books.

Alsalem noted that since the enactment of Law 12.318/2010, international and regional human rights mechanisms, including her mandate, had raised concerns about the gendered and harmful ways in which the Law has been abused against mothers that have come forward with credible allegations of domestic abuse they have suffered together with their children at the hands of their actual or former male partners.

"The abuse includes sexual abuse inflicted on the children. There are reports of women having been stripped of the right to the custody of their children, and the children are then sent back to their abusers," she said. Given the reported pattern of egregious harm inflicted on mothers and their children, human rights mechanisms have repeatedly and firmly recommended to the Government of Brazil that it repeals law 12.318/2010.

Alsalem noted that Brazil is the only country that continues to explicitly define and penalise acts of parental alienation as a legal

offense through Law No. 12.318/2010, which defines and penalises acts of parental alienation as a civil offense with criminal consequences.

“The continued existence of such a law in Brazil is incompatible with the country’s commitment to human rights,” she said. “To ensure the non-repetition of harm, the final bill must repeal the Parental Alienation Law 12.318/2010 fully, clearly and in unequivocal terms.”

Concerning a scheduled hearing on the draft bill at the Commission on Constitution, Justice and Citizenship, the expert urged Congress to ensure that the hearing centres the voices of children and women that have been gravely affected by the misuse of parental alienation allegations in safety and in dignity.

“Victims, organisations and experts that have highlighted the harms done by the application of Law 12.318/2010 and that have supported survivors continue to be threatened and attacked,” she warned.

CC 7

"FEMICIDE IN BRAZIL: INTER-AMERICAN CONDEMNATION" - HARVARD INTERNATIONAL REVIEW

The IACHR recognizes that Brazil has deeply rooted sexist values that must be addressed at a national level to combat femicide. Additionally, impunity protections for government officials who perpetrate violence against women perpetuate the idea that this behavior is normal throughout society and permissible among authority figures. According to the IACHR, addressing the patriarchal norms that restrict the rights of women would make law and program implementation more effective.

The Court declared that Brazil should take important measures to combat femicide, but little action has been taken since the decision. Since 2021, the efforts of the Brazilian government to combat femicide have actually declined. There have been no known federal actions to implement a centralized data system for femicide, a continuous education program for police authorities, or a national protocol for the handling of femicides.

THE INEFFECTIVENESS OF URGENT PROTECTIVE MEASURES PROVIDED FOR IN THE MARIA DA PENHA LAW, LAW Nº 11.340/06. - ESTEPHANIE DIAS DOS SANTOS, MULTIDISCIPLINARY SCIENTIFIC JOURNAL NUCLEUS OF KNOWLEDGE

Violence against women is omnipresent in Brazil, occurring across all social classes, although this violence is the rule rather than the exception in marginalized social groups, as Jessé Souza (2009) points out. However, the violence that occurs in the country does not have only individual causes, but is primarily social: it is not merely the choice of men, but the reproduction of socially conditioned behaviors.

According to recent data, violence against women affected 42% of women in the country in 2019, rising to 48.8% in 2020 in the context of the pandemic. There was a decrease in assaults against women in the streets, but an increase in domestic violence, from 29% to 19% (PAULO, 2021; PAULO and ACAYABA, 2019). In other words, almost half of women suffered some type of physical aggression in the country in recent years. If we add to these more visible aggressions the symbolic type of aggression, which goes unreported due to its invisibility, it can be stated that **in Brazil, violence against women is the rule, not the exception.**

However, these measures failed to reduce inequality between men and women. The rate of attacks on women was very high when the law was applied, especially considering domestic violence. Studies conducted by non-governmental organizations and opinion polls indicate a high incidence of domestic violence in the country, with many women reporting it, despite the effectiveness of punishment and protection measures.

Protective measures aim to suppress aggressors and protect victims. This was not realistic in everyday life, as women are at the mercy of their violent partners. In other words, protective measures are effective in their logical form; the major problem lies in their practical implementation by public bodies.

The law exists and constitutes a significant advance, but the problem lies in its applicability. Recidivism has even been the subject of major debates on domestic violence, with recidivism rates around 70% in general crimes (SAPORI et al., 2017), and similar data for domestic violence according to Silva (2015). This suggests that domestic violence is a very complex crime and cannot be mitigated solely through the operation of the criminal justice system. Policies are needed to unite efforts in combating this ineffectiveness of protective measures.

Even after advances in Brazilian legislation in recent decades, women are beaten in a way that is almost normalized in society (LANGLEY and LEVY, 1980).

(...) It is necessary to understand that the root of domestic violence is associated with prejudice and discrimination where gender domination occurs. The cultural and institutional elements (in Foucault's terms, 1993) that create domestic violence are also present in the people who make up the institutions responsible for implementing emergency protective measures.

CC 9

CHALLENGES OF PROVIDING SUPPORT: LESS THAN 10% OF BRAZILIAN MUNICIPALITIES HAVE A WOMEN'S POLICE STATION AND THE QUALITY OF LISTENING IN REPORTING SPACES STILL LEAVES MUCH TO BE DESIRED – O GLOBO

(...) Beyond the discomfort and trauma they endure, victims also encounter a lack of qualified spaces for reporting such incidents, often finding themselves revictimized instead of receiving support.

(...) However, almost 30 years after its creation, only 7% of Brazilian cities have Women's Police Stations, and these are concentrated in larger municipalities: only nine of the 3,600 cities with up to 20,000 inhabitants have them. And considering that, despite there being more support channels for women who are victims of physical or sexual violence, including initiatives from non-governmental organizations, the

main points of entry for victims are still hospitals and police stations, the difficulty increases.

Rosmary Corrêa, known as Delegate Rose, founder of the first Women's Defense Police Station and currently vice-president of the State Council on the Status of Women (CECF), points out that, despite the existence of a support network for women victims of violence, "these women cannot access the network because they were not assisted in the way they should have been." The lack of preparedness of those who are there to listen hinders and reduces reports. And the fear of embarrassment, blame, and further violence keeps those who should be supported away.

Unfortunately, the support received in these places is, more often than not, not what women expect to find. There is a lack of sensitivity among the professionals providing care, failing to understand what is happening to the victim. Hospitals and emergency rooms have an obligation to report cases of physical or sexual violence they attend to to the competent 1/3 authorities, but this does not always happen. In police stations, the support is often nonexistent; the woman receives no guidance or referral, and is even discouraged from filing a complaint, as the first question asked is "what did she do to make him assault her?", treating her as the guilty party instead of the victim.

(...) We have a system not only permeated by a sexist culture, but structured on patriarchy. And guiding services and practices, there is also the expression of a racist and segregating culture. Depending on their race, color, and geographic location, the violence and the services provided change. Black women, women from marginalized communities, and poor women, as well as women in migratory situations, with disabilities, or elderly women, are more vulnerable. There are even more vulnerabilities at the intersections of these oppressions.

"I have no doubt that cases of sexual harassment, if not reported and dealt with to the full extent of the law, can escalate into future assaults or even femicides. (...) " she concludes.

VIOLENCE AGAINST WOMEN IN BRAZIL REACHES HIGHEST LEVELS ON RECORD - THE GUARDIAN

Brazil has recorded unprecedented levels of rape and other forms of gender-based violence for the second year running, amid growing concerns over rightwing efforts to criminalize rape victims who have an abortion.

Every single indicator of gender-based violence increased in 2023 compared with the previous year, including murder (0.8%), sexual harassment (48.7%) and stalking (34.5%).

In contrast, the total number of homicides (against men and women) fell for the sixth consecutive year, dropping 3.4% from 47,963 in 2022 to 46,328 last year.
Despite a new decrease in the total number of homicides, Brazil still accounts for 10% of the world's murders from just 3% of the global population.

"Brazil was able to reduce murders for another year, but it has also become much more unsafe for girls and women," said Bueno.

CC 11

FEMINICIDE: AN IGNORED EPIDEMIC - PORTAL FGV

Every day, four women are murdered in Brazil simply for being women. Ten others survive attempted feminicide daily. Most aggressors are men close to the victims: partners or ex-partners. Not even at home are we safe.

The legal framework has advanced. The Feminicide Law, which will complete ten years in 2025, established the crime in the Penal Code—characterized by the murder of a woman due to her female gender in a context of domestic or gender-based violence. This type of crime is now considered heinous, ensuring harsher penalties, ranging from 20 to 40 years of imprisonment. Even so, the application of the law reveals inconsistencies.

Naturally, defining what constitutes a “reason of being female” carries a degree of subjectivity. Two recent cases illustrate this aspect. The first occurred in Rio Grande do Norte on July 24: a

woman was brutally attacked by her partner inside an elevator, with everything recorded by security cameras. She was punched 61 times.

The second case occurred just a week later in the Federal District, where another similar attack was recorded in the same manner. However, while the case in Rio Grande do Norte was recorded as attempted feminicide at the police station, the one in the capital was initially classified as qualified bodily injury due to domestic violence, a crime with a much lighter penalty. What more had to happen to indicate that the aggressor intended to kill?

The law serves as a milestone for protecting women, but it is insufficient. In 2024, the number of feminicides was the highest ever recorded, and attempts increased by 19% compared to 2023. Furthermore, the data may be underestimated, considering that many cases go unreported and, when they do, may be classified differently.

CC 12

FEMICIDES WILL INCREASE BY 4.7% IN 2025; SMALL CITIES HAVE THE HIGHEST RATES. - BRAZILIAN FEDERAL SENATE

Brazil continues to face an alarming reality in combating gender-based violence. A survey by the Brazilian Public Security Forum released this Wednesday (March 4th) indicates that 8 out of 10 femicide cases in the country are committed by partners or ex-partners — which shows that the greatest risk for many women is still within their own homes.

In 2025, 1,568 femicide victims were recorded, a 4.7% increase compared to the previous years.

Most crimes occur within the home itself (66.3%), reinforcing the domestic nature of this violence. In 48.7% of cases, common objects are used, such as knives or axes—instruments readily available in everyday life, demonstrating how femicide is often the extreme outcome of continuous cycles of violence.

The numbers reinforce the urgency of strengthening prevention policies, expanding the support and protection network, and ensuring the effective application of existing laws. Since the creation of the Femicide Law in 2015, at least 13,703 women have been murdered because of their gender.

Protective measures and failures in prevention.

In 16 states analyzed, 13.1% of victims had a valid Emergency Protective Order at the time of the crime.

The numbers indicate that, although there have been legal advances — especially since the Maria da Penha Law — there are still shortcomings in the effectiveness of public policies, particularly in the monitoring and enforcement of protective measures.

Addressing femicide in Brazil requires more than just strict laws or increased penalties. It demands widespread territorial reach, effective monitoring of protective measures, continuous investment, and a permanent institutional commitment. While the country has made progress in building the legal framework, the challenge for the next decade will be ensuring that the protection provided for in the Maria da Penha Law reaches all women, regardless of where they live.

Because no public policy can be considered effective while half of the victims are dying precisely where the State is least able to reach.

CC 13

FOUR GIRLS ARE RAPED EVERY HOUR IN BRAZIL, STUDY FINDS - CNN

In Brazil, four girls under 13 are raped every hour and every two minutes police receive a report of violence against women.

Those are just two of the findings from a new study released Tuesday by non-governmental organization Brazilian Forum of Public Security, which found that violence against women and girls is worsening in the country.

Brazil – which is home to over 200 million people – is already among the most dangerous places on earth to be female.

The report found that femicides – when a woman is murdered for being a woman – increased by 4% last year on the previous year, even as the national homicide rate fell 10.8%. In 88% of those cases, the perpetrator was the woman's partner or former partner.

Over 263,000 women suffered serious injuries at the hands of their partner, according to the study, which was based on governmental data.

The country also saw the largest ever number of reported rapes, and almost 54% of the victims were girls under 13 years old.

Violence against women is a problem that Brazil has been facing for some time.

“Brazil is still one of the most dangerous places in the world for women,” Valeria Scarance, a public prosecutor, told Brazilian newspaper Globo’s Jornal Nacional show on Tuesday. “And the most dangerous place for a woman is her own home.”

A 2015 study found that Brazil had the fifth highest rate of female homicides in the world.

According to non-governmental organization Human Rights Watch (HRW), domestic violence remains widespread. But not enough is being done, according to HRW. **Each year, thousands of cases are not properly investigated, and in 2017, 23 shelters for victims of domestic violence were closed in Brazil due to budget cuts.**

Federal Judge Ben-Hur Viza said that domestic violence persists because it remains culturally acceptable. “It’s something that happens behind the walls, inside the house,” he said in a documentary about femicide that was released last year.

CC 14

UN TO INVESTIGATE USE OF ‘PARENTAL ALIENATION’ TACTIC IN CUSTODY CASES - THE GUARDIAN

The UN special rapporteur on violence against women and girls is to investigate how family courts around the world approach “parental alienation” (PA) and how this may lead to the double victimisation of those who have suffered domestic abuse.

There is no single agreed definition of parental alienation but a generally accepted description is a child’s rejection of one parent as a result of psychological manipulation by their preferred parent.

Meanwhile, it has called on the newly elected government of Brazil to repeal a law passed in 2010 making parental alienation illegal,

meaning someone accused of alienating their child in the criminal courts could be jailed.

The legislation means that many mothers remain silent regarding abuse of their children by their partner or former partner, fearing they could be accused of alienation and lose custody rights.

The use of parental alienation in litigation has contributed to the playing down of violence against women and girls in Brazil, where a high level of domestic violence against children – in particular, girls – takes place against the backdrop of high rates of femicide, says the UN.

Proponents of PA claim it is a widespread problem and a form of child abuse.

CC 15

CHILD MARRIAGE ACCEPTED IN BRAZIL TO ESCAPE ABUSE AT HOME: RESEARCHERS - JAKARTA GLOBE

Child marriage is widely accepted in Brazil, where girls seek older husbands to escape from sexual and other violence in the home, or because of teenage pregnancies or the lack of job opportunities, according to new research.

There has been scant research in Brazil on child marriage, and little has been done to tackle it, researchers from Plan International, Brazil's Federal University of Para and the gender equality charity Promundo said.

"Child marriage in Brazil is very normalized and accepted," said Alice Taylor, lead author of the report, whose researchers say it is the first study of its kind in Brazil.

Brazil is ranked fourth in the world in the number of girls married to or living with a partner by the age of 15, with 877,000 women aged 20 to 24 reporting they were married by 15, according to a Brazilian government census in 2010.

In Brazil it is fueled by sexual and other violence at home, often at the hands of relatives and stepfathers, which drives girls to seek refuge with older men outside the family, Taylor said.

"Child marriage is an expression of a girl's limited opportunities in terms of education and employment. They get married based on an expectation that their life will be better and that they will have more independence, and that expectation is usually unfulfilled."

Early marriage makes it more likely that girls will drop out of school, and campaigners say it also increases the risks of exploitation, sexual violence, domestic abuse and death in childbirth.

Exhibit 3

Brazil 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Brazil during the year.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious restrictions on freedom of expression and media freedom, including violence or threats against journalists; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, femicide, and other forms of such violence; crimes involving violence or threats of violence targeting Afro-Brazilians and Indigenous peoples; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government did not always take credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or

without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were cooperative and responsive to the views of these groups. Federal and state officials in many cases sought the aid and cooperation of domestic and international NGOs in addressing human rights problems.

Government Human Rights Bodies: The Chamber of Deputies and the Senate had human rights committees and subcommittees that operated without interference and participated in several activities nationwide in coordination with domestic and international human rights organizations. Most states had police ombudsmen, but their independence and effectiveness varied, depending on such factors as funding and outside political pressure, according to human rights groups.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The national law criminalized rape, including spousal rape and domestic or intimate partner rape and other forms of domestic and sexual violence. The law did not criminalize so-called corrective rape of lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons. The law criminalized physical, psychological, and sexual violence against women, as well as defamation and damage to property or finances by someone with whom the survivor had a marriage, family, or

intimate relationship. The law defined femicide as homicide of a woman due to her gender, including but not limited to homicide that escalated from other forms of domestic violence, discrimination, or contempt for women. The law stipulated a sentence of 12 to 30 years in prison. The government did not enforce the law effectively.

Gender-based violence persisted and increased, according to observers. A study released on March 2 by the Brazilian Public Security Forum reported that one-third of women older than 16 suffered physical or sexual violence from partners or former partners in their lives. Also, in 2022, there was an increase in all forms of violence against women, such as beatings and threats with a knife or firearm. In 2022, more than 1,440 women were victims of femicides; 80 percent were killed by a current or former partner or a relative.

Each state secretariat for public security had police stations dedicated exclusively to addressing crimes against women. In March a police operation resulted in the arrest of more than 300 suspects accused of domestic violence in the state of Espirito Santo. State and local governments also operated reference centers and temporary women's shelters, and many states maintained domestic violence hotlines.

On International Women's Day, President Luis Inácio Lula da Silva presented a series of measures regarding women's rights. Among the measures announced were salary equivalence to promote equal pay between men

and women who performed the same function, free distribution of sanitary pads, the donation of 270 vehicles to the Maria da Penha Patrol in all states to combat gender-based violence, an 8 percent quota of the federal government workforce for women survivors of violence, and a declaration that Marielle Franco Day be commemorated every March 14 to raise awareness of political violence based on gender and race. Maria da Penha became an activist who campaigned against domestic violence because her husband tried to kill her, and she survived. Marielle Franco was an activist and a councilwoman in Rio de Janeiro who advocated against police violence; she was killed in 2018, allegedly by police.

Other Forms of Gender-based Violence or Harassment: Sexual harassment was a criminal offense, punishable by up to two years in prison. The law included actions performed outside the workplace. Perpetrators were infrequently held accountable, according to *O Globo*.

Discrimination: The law provided for the same legal status and rights for women as for men in all circumstances. A law passed during the year required equal pay for equal work but was not yet enforced. According to the International Labor Organization, women not only earned less than men but also had difficulties entering the workplace; 78 percent of men held paid jobs, compared with 56 percent of women.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government provided access to sexual and reproductive health services for sexual violence survivors, including emergency contraception and postexposure prophylaxis as part of clinical management of rape. According to the UN Population Fund (UNFPA), persons in remote regions had trouble accessing reproductive health services. On March 2, a law came into effect allowing tubal ligation and vasectomy without the need for spousal consent. On April 20, President Lula sanctioned changes to the law to stipulate that emergency protective measures be immediately granted upon request. The law was not fully enforced or sufficiently funded.

The UNFPA reported that the adolescent birth rate per 1,000 girls between ages 15 to 19 averaged 53 births for the period 2003-18. The Ministry of Health reported the maternal mortality ratio was higher among Black women than among White women. Data published in 2021 by the Oswaldo Cruz Foundation found that the risk of death of pregnant Brown and Black women from COVID-19 was almost twice that of White women and noted that Black women were less likely to have gynecological and prenatal care and had to travel farther to reach a maternity ward.

In 2021, UNICEF and the UNFPA published a report on menstrual poverty experienced by girls who lived in conditions of poverty and vulnerability, sometimes without access to basic sanitation services, hygiene resources, and minimal knowledge about the body. More than 700,000 girls had no access to a bathroom or shower in their homes. More than four million girls

experienced at least one type of hygiene problem in schools, including lack of access to feminine care products and basic facilities such as toilets and soap. Nearly 200,000 of these students were completely deprived of the minimum conditions to handle menstruation at school. A study from Girl Up Brazil, a network aiming to end menstrual poverty in the country, found that one in four girls had missed school due to lack of access to feminine products.

Systemic Racial or Ethnic Violence and Discrimination

The law prohibited racial discrimination, specifically the denial of public or private facilities, employment, or housing to anyone based on race. The law also prohibited the incitement of racial discrimination or prejudice and the dissemination of racially offensive symbols and epithets, and it stipulated prison terms for such acts. The government did not enforce the law effectively.

According to the Brazilian National Institute of Geography and Statistics, Black and Brown citizens represented an estimated 57 percent of the population. These populations encountered disproportionate discrimination, according to media reports such as in *Folha de São Paulo* and civil society organizations such as the National Coordination of Quilombo Articulation. They also experienced a higher rate of unemployment and earned wages below those of White persons in similar positions. In

Exhibit 4

World Report 2026: Brazil | Human Rights Watch

hrw.org/world-report/2026/country-chapters/brazil

January 5, 2026

Brazil

Events of 2025

Penha favela residents protest in front of the Guanabara Palace against a deadly police operation that resulted in 122 killings, in Rio de Janeiro, October 29, 2025.
© 2025 Silvia Izquierdo/AP Photo

In a landmark ruling, the Brazilian Supreme Court convicted former President Bolsonaro and other former officials of plotting a coup. It was the first time in Brazil's history that the leaders of a coup were tried.

Amazon deforestation fell 11 percent in the last year. Cattle raised in illegally deforested land kept on entering the legal supply chain. The government sought a sharp increase in oil production, ignoring its impacts on the global climate.

Police killed 5,920 people between January and November 2025. A court ruling and a resolution that instructed prosecutors to lead investigations into police killings, instead of leaving them in the hands of the police themselves, offered hope of improved investigations.

Brazil became the first Latin American country to pass a law to protect children's rights online.

Democratic Rule

In September, a panel of five Supreme Court justices sentenced former President Jair Bolsonaro to more than 27 years in prison for plotting to remain in office after losing the 2022 election and other crimes. The plan included killing President Luiz Inácio Lula da Silva, the vice-president, and a Supreme Court justice investigating Bolsonaro. The Supreme Court also convicted seven others, including active and retired military officers.

Charges included involvement in the ransacking of federal buildings in Brasilia carried out by a crowd calling for a coup on January 8, 2023. As of August, the Supreme Court had convicted 638 people who participated in the attack and another 552 had signed plea agreements. Bolsonaro allies in Congress promoted a bill to grant amnesty to all.

In September, the attorney general charged congressman Eduardo Bolsonaro, former President Bolsonaro's son, and a businessman with coercion for seeking US government

interference in the trial against Bolsonaro. The Trump administration imposed tariffs on Brazil and sanctions and visa restrictions on Supreme Court judges who took decisions against Bolsonaro, their relatives and other officials.

Also in September, the Supreme Court ordered an investigation into Bolsonaro's conduct during the Covid-19 pandemic, after a Congressional inquiry concluded his policies endangered the health and lives of Brazilians.

Corruption and Transparency

Budget allocations decided by lawmakers have increased eight-fold since 2014, to 50 billion reais (US$9 billion) in 2025. The Supreme Court had suspended such disbursements in 2024 due to lack of transparency, but allowed them to resume in 2025 after approving a plan drafted by Congress and the government that required, among other measures, public identification of the lawmakers responsible for the allocations and of those receiving the funds. Yet in August, a Supreme Court justice ordered federal police to investigate disbursements totaling 694 million reais ($129 million) allocated by lawmakers between 2020 and 2024 that were registered in the official system without providing sufficient information about their use.

In April, federal police and the comptroller-general uncovered unauthorized deductions from pensions paid to 3.3 million retirees totaling more than 6 billion reais ($1 billion). Media reported successive governments had received allegations of fraud but failed to act.

Freedom of Expression

In June, a comedian was sentenced to eight years in prison for public comments a court labeled "discriminatory." Brazil's penal code includes criminal defamation provisions that are incompatible with the obligation to protect free speech.

Also in June, the Supreme Court expanded the liability regime applicable to social media platforms in ways that digital rights experts fear could incentivize them to censor legitimate speech to avoid possible fines.

In July, a Supreme Court justice temporarily banned Bolsonaro from using social media over allegations he used them to obstruct justice, and, in August, the justice ordered that the former president be placed under house arrest for violating the ban.

Children's Rights

In September, Brazil passed its first-ever law to protect children's rights online, which establishes sweeping safeguards for children's data, and compels companies to provide children with the highest levels of privacy and safety by default.

In August, the government requested that Meta remove chatbots created with Meta AI Studio that mimic children and engage in sexually explicit dialogue. Meta stated that its policies prohibit such use and that the company removes artificial intelligence software that violates its policies.

In 2023, 13,117 students, teachers, and others experienced violence in schools, more than triple the number in 2013. Fifty percent of the cases involved physical violence, followed by psychological and sexual violence at 23 percent each.

In December 2024, the National Council of Prosecutors (CNMP) established guidelines orienting prosecutors on how to address violence at school, including respecting teachers' freedom and obligations to teach comprehensive sexuality education in line with international human rights standards.

Sexual Orientation and Gender Identity

In February, the Supreme Court ruled that Brazil's anti-domestic-violence law applies to same-sex couples and trans women.

In July, a federal court suspended a Federal Council of Medicine resolution that had raised the minimum age for hormone therapy and gender-affirming surgeries, and had banned puberty blockers for minors.

Public Security and Police Conduct

Homicides, not counting killings by police, fell 10 percent, to 30,159, between January and November, compared to the same period in 2024.

Police killed 5,920 people from January to November 2025; police killed 5,725 during the same period in 2024. Black Brazilians are three and a half times more likely to become a victim than white individuals.

In October, police conducted the most lethal raid in Rio de Janeiro's history, which left 122 people dead, including 5 police officers.

While some police killings are in self-defense, many result from illegal use of force. Inadequate investigations into those cases, carried out by the police themselves, result in impunity for abuses.

In April, the Supreme Court ordered prosecutors to lead investigations whenever there is "suspicion" that police were responsible for an unlawful killing. In May, the CNMP published a resolution detailing how prosecutors should conduct these investigations to ensure they are thorough and independent.

In February, Rio de Janeiro's new attorney general reestablished a unit of prosecutors tasked with overseeing police conduct.

In seven states and the federal district, official forensic units remain fully subordinated to civil police, a set-up that does not accord them the necessary independence, particularly in police abuse cases. Forensic units in other states have varying degrees of independence from police.

Detention Conditions

More than 674,500 people were incarcerated as of December 2024, exceeding the capacity of Brazilian facilities by 35 percent.

In April, the Supreme Court prohibited invasive body searches of visitors to prisons. Strip searches can be conducted only in exceptional cases and only with the visitor's consent.

The number of children and young people held in youth detention—12,054—increased nearly 3 percent in 2024 compared to 2023, after several years of reduction.

Gender-Based Violence

In October 2024, Brazil enacted a law classifying "feminicide," defined as killings "on account of being persons of the female sex," as a stand-alone crime instead of an aggravating factor of homicide. From January through November 2025, 3,286 women and girls were killed, a 4 percent decrease compared with the same period in 2024. Of those, police registered 1,350 as femicide, a 3 percent increase.

There were 64,276 reported rapes of women and girls from January through November, a reduction of 8 percent compared with the same period in 2024. Between January and November 2025, 70 percent of the victims were under 14 or lacked capacity to express consent due to illness or for other reasons.

Abortion

Abortion is legal in Brazil only in cases of rape, to save a woman's life, or in cases of fetus anencephaly. Access to abortion services even in such cases is highly restricted.

Criminalization of abortion pushes women, girls, and pregnant people out of the healthcare system. People who have illegal abortions can face up to three years in prison, and those who perform them face up to four years in prison. Police arrested at least 218 people in the context of illegal abortion investigations between 2012 and 2022, a study showed. Health providers reported women to police in dozens of cases.

Politicians around the country have introduced dozens of bills in recent years to further restrict legal abortion. The Chamber of Deputies approved a bill, now pending in the Senate, that would suspend guidelines for care for child survivors of sexual violence, including access to abortion.

Military-Era Abuses

In February 2025, the Supreme Court agreed to examine whether Brazil's amnesty law applies to enforced disappearance, kidnapping, and unlawful imprisonment. The law, enacted by the dictatorship (1964-1985), has shielded officials responsible for grave human rights abuses and been ruled in violation of international law by the Inter-American Court of Human Rights.

In April, Indigenous organizations and federal prosecutors called on the government to create a new National Truth Commission to investigate human rights abuses against Indigenous peoples during the dictatorship.

As of November, the Ministry of Human Rights had issued 84 new death certificates attesting that the victims had been forcibly disappeared and killed during the dictatorship.

In August, a court found German company Volkswagen had subjected workers to slave-like conditions during Brazil's dictatorship and ordered a fine of 165 million reais ($30 million). The company said it had complied with labor laws and would appeal.

Indigenous and Afro-Descendant People, and Environmental Defenders

In 2023, the Supreme Court ruled unconstitutional the *marco temporal* doctrine, which posits that Indigenous peoples have no right to their traditional land if they cannot prove they were physically on the land when Brazil's Constitution was adopted in 1988. Congress responded

by enshrining the doctrine in law. At time of writing, the Supreme Court had not yet ruled on a challenge to the new law. The impasse stalled administrative procedures to demarcate Indigenous territories.

As of November, the Lula administration had titled 7 Indigenous territories in 2025, bringing the total to 20 since it took office in 2023. Recognition of more than 800 territories claimed by Indigenous peoples was pending.

The government conducted operations to evict landgrabbers and illegal loggers in several Indigenous territories, in compliance with a Supreme Court decision. In some cases, illegal occupants took reprisals against communities.

In November, gunmen killed an Indigenous man and injured four others during an attack within an Indigenous territory that is in the process of being demarcated in Mato Grosso do Sul state.

The Lula administration has titled 4 territories of Afro-descendant (*quilombolas*) rural communities since 2023, but more than 2,000 applications remained pending at time of writing. In 2025, as of November, it had recognized the official limits of 5 *quilombola* territories and declared the area occupied by another 28 as “of social interest,” but had not titled any.

In November, the Chamber of Deputies approved the Escazú agreement, which strengthens the protection of environmental defenders, among other measures. At time of writing, it was pending before Senate.

Also in November, the government published the National Plan to Protect Human Rights Defenders, following pressure from human rights organizations for 20 years.

Environment

The government took measures to protect the environment but continued with plans to massively expand fossil fuel production.

Between August 2024 and July 2025, 5,796 square kilometers of Amazon rainforest were razed, an 11 percent decrease over the same period a year earlier.

Cattle ranching is the main driver of deforestation in the Amazon. Illegal ranching in protected areas and the territories of traditional communities often leads to violence and environmental harm. Illegally raised cattle enters the beef and leather supply chains, reaching national and international markets. In December 2024, the government announced a program to individually trace cattle, but full implementation would only be achieved in 2032.

In June, the government auctioned 34 blocks for oil and gas exploration and in October environmental authorities approved a license for an exploratory well near the mouth of the Amazon River. The government plans to increase oil production by 56 percent by 2030 compared to 2023. In July, Congress approved a bill that would have effectively dismantled the environmental licensing process. Lula vetoed the most harmful provisions, but retained the creation of a "special environmental license" allowing speedy approval of "strategic" projects. In November, Congress reinstated almost all vetoed provisions.

During the United Nations Climate Change Conference held in Belém, Brazil launched the Tropical Forest Forever Facility, an investment fund that would pay tropical countries to keep their forests standing.

In June, Brazil created the National Program to Reduce the Use of Pesticides, which civil society groups had pushed for over a decade. Authorities are failing to protect against health and environmental harms caused by these chemicals, especially impacting Indigenous and quilombola people, and small farmers.

Disability and Older People's Rights

In 2025, 14.4 million Brazilian adults and children over the age of 2 had disabilities. Thousands are confined in institutions—sometimes for life—where some face neglect and abuse.

In July, the government published a national care policy that includes support for people with disabilities and older people.

Migrants, Refugees, and Asylum Seekers

Over 700,000 Venezuelans have crossed the border into Brazil in recent years, fleeing hunger, lack of health care, or persecution.

Between January and July, Brazil granted residency permits to 44,278 Venezuelans, while 11,578 requested refugee status.

In total, Brazil has granted asylum to 145,276 Venezuelans and residency permits to 575,918 since 2010.

As of June, a voluntary relocation program initiated in 2018 had benefited 150,000 Venezuelans.

Exhibit 5

BRAZIL

BRAZIL 2025

Poverty levels decreased significantly, mainly due to income-transfer policies, but structural inequalities persisted and access to human rights was compromised. Vulnerable populations, especially Black and low-income people, were disproportionately affected by extreme weather events. The approval of a new environmental law and other legislation exacerbated regressions in environmental policies and the territorial rights of Indigenous Peoples and traditional communities. Violence against human rights defenders intensified, in particular for environmental, Indigenous and *Quilombola* defenders. Police violence persisted, disproportionately affecting the Black population. Violence against LGBTI people and gender-based violence, particularly feminicides of Black women, continued to be of serious concern. Difficulties in accessing justice, particularly in cases of police violence, continued to undermine state accountability.

Background

Former president Jair Bolsonaro was sentenced to 27 years and three months in prison for an attempted coup, while coordinated campaigns on social media showed increased support for authoritarianism. In November, after the Supreme Federal Court ruled that the sentence was final, Bolsonaro began serving his prison term, initially under a closed regime at the headquarters of the Federal Police in the capital, Brasília. In this context, the National Congress became a source of tension, with legislative police officers expelling journalists and assaulting lawmakers during parliamentary proceedings on 9 December. However, some legislative initiatives aimed at reducing the former president's sentence and re-examining his responsibility for the events in question moved forward, despite intense social mobilization in defence of the conviction.

Misogynist, racist and transphobic attacks were directed at women, Indigenous Peoples and transgender parliamentarians in the National Congress. This demonstrated the fragility of institutional mechanisms in the face of political violence based on gender, race or sexual orientation.

COP30, held in Belém, put the city at the centre of the global climate agenda and afforded high visibility to social actions advocating for climate justice, a just energy transition and reparations for environmental racism. The intensity of these demands

contrasted starkly with the scant progress towards a just transition achieved by formal negotiations. Although the contribution of Afro-descendant populations to climate action and solutions for a just transition was recognized for the first time, the conference failed to secure a sufficient increase in funding for loss and damage, and to make clear commitments to end the use of fossil fuels.

Economic and social rights

Poverty and inequality in Brazil reduced to the lowest levels in 30 years through the consolidation of distributive policies and income-transfer programmes. Despite this, significant budgetary restrictions on policies and ministries responsible for social affairs particularly affected residents in marginal neighbourhoods or in communities peripheral urban areas.

Profound inequalities persisted in access to, retention in, and quality of, education. According to data from the Continuous National Household Sample Survey published in September, in 2024 only 50% of Afro-descendant adults had completed compulsory basic education, compared with 63.4% of white adults. A UNICEF analysis published in January revealed that at least 1.17 million Brazilian children had their schooling disrupted by extreme weather events in that same year. In addition, the Brazilian Public Security Forum reported that disruptions to education due to episodes of extreme violence – shootings, threats of attacks and police operations – had increased by around 245% between 2021 and 2023.

Access to safe drinking water remained a key challenge in several regions of the country. According to an Instituto Trata Brasil report that covered access to treated water and sanitation, the greatest needs were concentrated in the northern and north-eastern regions, where coverage of water-related services was significantly lower than in southern and south-eastern regions.

Right to a healthy environment

Environmental monitoring mechanisms were put in place and conservation policies implemented in some regions, reflecting the state's efforts to address the climate crisis. One of the main measures was the approval of the National Civil Protection and Defence Plan to counter extreme weather events.

According to the National Institute for Space Research (INPE), deforestation rates in the Amazon decreased again in 2025 and were among the lowest of the historical data series. In the Cerrado, rates also decreased for a second consecutive year. Nevertheless, deforestation continued to be prevalent in both biomes. Other ecosystems, such as Caatinga and its transition zones, continued to be under intense pressure. Serious environmental crimes and fierce and devastating wildfires were recorded, reflecting the persistence of livelihoods based on the spread of agricultural lands and environmental degradation. According to INPE and other specialized organizations, deforestation rates and the high number of wildfire outbreaks continued to threaten ecosystems critical for global climate regulation.

Climate change-related disasters disproportionately affected peripheral and vulnerable populations in all regions of the country, exacerbating existing social inequalities and fuelling recurrent forms of environmental racism, particularly

against Black, Indigenous and low-income communities. Water and rainfall scarcity, landslides, storms, flooding, heatwaves and drought were all recorded. Assessments by the National Centre for Monitoring and Early Warning of Natural Disasters (CEMADEN) published during the year indicated an increase in the frequency and intensity of extreme events related to heavy rains and prolonged drought, with 3,620 disaster alerts and around 1,690 incidents in 2024. The World Meteorological Organization warned that global warming was intensifying extreme events around the world, while CEMADEN stated that Brazil had already entered an "age of extremes", with an increasing risk of human, economic and social loss concentrated in historically marginalized territories.

One year after the floods in Rio Grande do Sul, the largest hydrological disaster in the state's history, fewer than one in four of the actions included in the Rio Grande Plan, the state programme for reconstruction, adaptation and climate resilience created in 2024, had been completed. Policies prioritized the reconstruction of infrastructure, leaving vulnerable populations exposed to new extreme weather events.

Approval of the General Environmental Licensing Law (Law 15.190/2025) intensified threats to human rights, in particular the right to a healthy environment, by making licensing more flexible, exempting from licensing or simplifying procedures for potentially polluting projects, and reducing safeguards for Indigenous Peoples and traditional communities. Congress rejected 52 of the 63 presidential vetoes to the law, thereby increasing the grounds for licence exemptions, reducing deadlines for project assessments, and limiting social participation and involvement of local protection agencies.

President Luiz Inácio Lula da Silva issued instructions in December for the drafting of a national roadmap to transition towards a phase-out of fossil fuels, but the government continued to authorize new projects in crucial ecosystems. At the same time, projects that facilitated mining on Indigenous lands were processed and the drilling of an exploratory oil well was authorized in the Foz do Amazonas basin, in an area known as the Equatorial Margin. Authorization to drill at the river mouth, together with the history of social and environmental damage caused by oil exploitation in Guanabara Bay (Rio de Janeiro state), reinforced the persistence of an extractive model based on fossil fuel use. This was contrary to a just energy transition focused on human rights and contributed to the creation of "sacrifice zones" in exploited territories.

Indigenous People's rights

During COP30, the federal government concluded the final stage of the process for officially recognizing or ratifying four Indigenous territories and issued 10 ordinances for the demarcation of new lands. A total of 20 demarcation processes were advanced.

Land invasions and acts of violence related to land conflicts and armed attacks continued in areas of rapid agribusiness expansion, particularly affecting the communities of Guaraní Kaiowá (Mato Grosso do Sul state), Avá Guaraní Paranaense (Paraná state) and Pataxó and Pataxó Hã-hã-hãe (Bahia state). Invasions, illegal land grabbing and illegal mining activity were also recorded on

already demarcated Indigenous lands, especially in the Amazon region (Yanomami, Kayapó, Munduruku and Sararé territories).

Threats and attacks against leaders increased significantly. Cases of extreme violence included the murder and decapitation of Everton Lopes Rodrigues, a young Avá Guaraní Paranaense in the municipality of Guaira (Paraná state), and the murder of the Guaraní Kaiowá leader Vicente Fernandes Vilhalva during an attack by armed individuals on the recovered territory of Pyelito Kue, in the municipality of Iguatemi (Mato Grosso do Sul state). These events occurred in the context of ongoing violence resulting from the demarcation of territories in the states of Paraná, Mato Grosso do Sul and Bahia, among other regions, with threats, night attacks, arson and persecution of community leaders.

In March, the federal government, the company Itaipú Binacional and the Avá Guaraní Paranaense People reached an agreement establishing reparation measures and the allocation of resources for the acquisition of land. This followed decades of human rights violations associated with the construction of a hydroelectric plant. Months later, the Brazilian state and the company issued a long-overdue apology for the violence committed. Despite this symbolic and material progress, Indigenous communities continued to denounce the inadequacy of the measures in the face of increased territorial losses and continuing invasions, threats and pressure on their lands across the country.

Quilombolas

There was partial legal recognition of the rights of *Quilombola* communities, with judicial decisions reaffirming the state's obligation to advance processes of identification, demarcation and titling of their lands. In March, the Inter-American Court of Human Rights condemned Brazil for violating the territorial rights of 171 *Quilombola* communities in the municipality of Alcântara (Maranhão state) and ordered the titling of approximately 78,000 hectares of land, as well as other collective reparation measures.

Despite this, *Quilombola* communities faced increased physical, symbolic and structural violence. The absence of effective demarcation and territorial protection policies perpetuated historical vulnerability and a lack of restorative justice. Threats against *Quilombola* leaders increased, often in relation to agrarian conflicts and attempts at illegal land grabbing.

Human rights defenders

The new National Plan for the Protection of Human Rights Defenders was approved, reinforcing the state's obligation to adopt comprehensive physical, psycho-social and legal protection measures for individuals and communities at risk.

Nevertheless, attacks, threats and serious violence persisted against human rights defenders, particularly environmental defenders, *Quilombolas* and Indigenous and community leaders in contexts of territorial conflict. Killings, attacks, death threats and cases of criminalization were recorded. In November, Antônia Ferreira dos Santos and Marly Viana Barroso, aged 53 and 71 respectively, environmental defenders and collectors of Babassu coconut, were killed in the municipality of

Novo Repartimento (Pará state) in a context of territorial disputes and defence of the traditional way of life.

In November, Brazil's Chamber of Deputies approved the Escazú Agreement, but at year's end it remained unratified due to delays in the Senate.

Human rights organizations accused the Pará state government of misusing the Programme for the Protection of Human Rights Defenders to carry out surveillance on Indigenous and community leaders, including members of parliament.

Legal proceedings relating to high-profile cases of violence against defenders, such as the murders of Marielle Franco, Anderson Gomes, Maria Bernadete Pacífico (known as Mother Bernadete), Bruno Pereira and Dom Phillips, reached different investigative and judicial stages without a final ruling. In the case of Marielle Franco and Anderson Gomes, the process against the alleged instigators reached its final phase and the trial in the First Chamber of the Supreme Federal Court was scheduled for February 2026, almost eight years after the crime was committed. In the case of Mother Bernadete, the Court of Justice in Bahia also scheduled a hearing for those accused for February 2026 in the Jury Court, two years after the murder was committed.

Unlawful use of force

Police violence continued to characterize public security policy. According to the Brazilian Public Security Yearbook and organizations such as the Democracy under Threat (DX) Institute, in 2024 the police killed an average of 17 people per day, totalling more than 6,200 deaths over the year. Thus Brazil maintained its position as one of the top-ranking countries worldwide in terms of death rates from police violence.

The Brazilian Public Security Yearbook published in July indicated that the Black population continued to represent the majority of victims of police killings in absolute terms. In 2024, approximately 82% of those killed in police operations were Black, despite this demographic constituting only 55.5% of the total population.

At the institutional level, a number of legal decisions relating to the protection of the essential constitutional values against acts of public power – such as actions for breach of fundamental precept 635 (known as "ADPF das Favelas") and 709 – reinforced the state's responsibility for violence committed by security agents and for the protection of vulnerable population groups. However, those decisions were not implemented. In January, an operation carried out in the neighbourhoods of Alemão and Penha, in Rio de Janeiro, left dozens dead and disrupted daily life in these *favelas*, with reports of extrajudicial executions and ambulance access being hindered. In the city of São Paulo, deaths at the hands of on-duty military police increased in 2025 to 672 victims, with a steeper increase in the second half of the year following the adoption by police of a new model of body camera with a narrower field of view.

In May, a military police operation in the Pantanal neighbourhood of the city of Macapá (Amapá state) resulted in the deaths of seven young people returning from

a football match, including a 14-year-old boy, when the vehicle they were travelling in was repeatedly shot at.

In October, Operation Containment in the Penha and Alemão *favelas* carried out by 2,500 civil and military agents resulted in the deaths of 121 people, including four police officers. Considered the deadliest operation in the history of Rio de Janeiro state, there were reports of extrajudicial executions, house raids, violation of crime scene preservation protocols and disproportionate use of force in a densely populated area.

Some progress was made in terms of state responsibility through convictions in a number of high-profile cases of police violence. In the city of Fortaleza, eight military police officers were sentenced to long prison terms for homicide, attempted homicide and torture committed in 2015 against residents of a number of peripheral urban neighbourhoods, in what became known as the Curio Massacre. Several agents were acquitted in a separate trial. In the case of João Pedro Matos Pinto, a 14-year-old Black boy killed inside his Rio de Janeiro home during a police operation in 2020, a judicial decision determined that the agents involved should be tried for qualified homicide before a popular jury, following their acquittal by a court in 2024. In the case of Johnatha de Oliveira Lima, a young Black man killed during a police operation in a Rio de Janeiro *favela*, a series of court decisions allowed the reopening of investigations. However, these examples remained exceptional: around 98% of investigations into police officers were dismissed, with fewer than 2% of deaths at the hands of the police going to trial.

LGBTI people's rights

Progress was made in increasing visibility of LGBTI issues and in legal decisions extending recognition of LGBTI rights, with rulings by higher courts reinforcing equality in matters of filiation (family recognition), parental leave and registration of non-binary gender identities. At the same time, violence against the LGBTI population increased, with the Bahia Gay Group Observatory recording 291 violent deaths of LGBTI people in 2024 (an increase of approximately 9% compared with 2023). Furthermore, the National Association of Transvestites and Transexuals registered more than 100 murders of transgender people in the same year, meaning that Brazil remained one of the deadliest countries in the world for this population group. Investigation and accountability continued to be low in the face of hate crimes based on sexual orientation and gender identity.

Sexual and gender-based violence

The creation of institutional protection and accountability mechanisms for gender-based violence progressed, including a gradual increase in the number of specialized police stations, the expansion of care networks and the running of awareness campaigns, which indicated a measure of official acknowledgement of the issue's severity. Feminicides nevertheless reached a record level, with at least 1,470 cases in 2025 or four women killed per day, a slight increase compared with 2024. In a context of persistent racial inequality, Black women remained over-represented among the victims and several successive high-profile cases prompted mass protests and calls for a stronger response from the authorities.

Sexual and reproductive rights

The National Congress moved forward with initiatives to restrict access to legal abortion. The processing of draft bill 1904/2024, which sought to equate abortion after 22 weeks of pregnancy to the crime of simple homicide, even in cases of rape, generated massive protests by feminist and human rights organizations. The bill had still not become law at year's end.

Impunity

Despite some specific progress on accountability, reports by the UN Special Rapporteur on truth, justice and reparation pointed to the persistence of structural impunity and major barriers in access to justice, especially in cases of extrajudicial executions, torture and enforced disappearances.

Some transitional justice mechanisms continued to face legislative delays and political resistance, including attempts to restrict historical memory policies and revise the Amnesty Law, putting the collective right to truth, justice and reparation at risk.

Access to justice continued to be profoundly unequal. Data from the National Council of Justice showed that Black people and vulnerable groups continued to be over-represented among the prison population and under-represented in terms of access to adequate legal defence. This was despite initiatives such as the application of protocols for judging with a racial and human rights perspective.

Exhibit 6

Public Disclosure Authorized
Public Disclosure Authorized
Public Disclosure Authorized
Public Disclosure Authorized

THE WORLD BANK
IBRD • IDA | WORLD BANK GROUP

Gender-Based Violence Country Profile

BRAZIL



Contents

INTRODUCTION 3

PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID 4

POLICY AND LEGAL FRAMEWORK 6

GBV RESPONSE MECHANISMS AND SERVICES 10

APPENDIX 1 – UN WOMEN: MEASURES AGAINST VIOLENCE AGAINST WOMEN (BRAZIL) 14

GLOSSARY 15

REFERENCES 17

INTRODUCTION

Violence against women and girls (VAWG), which is a manifestation of gender-based violence (GBV), is a major concern in Brazil. Despite the approval of one of the most progressive laws on domestic violence in the region (i.e., Maria da Penha Law, No. 11.340/2006), data shows that Brazil is ranked fifth among the countries with higher prevalence of VAWG according to the Violence Map 2015 of the United Nations. Between 1980 and 2013, more than 106,000 women were murdered in the country, and the number of femicides per year increased from 1,353 to 4,762 – an increment of 252 percent in the period.[1]

Intimate partner violence is the most common form of violence. In Brazil, 33.4 per cent of women aged 16 or over have experienced some form of physical and/or sexual violence perpetrated by an intimate partner and/or ex-partner in their lifetime. This result is higher than the world average, estimated in 27 per cent according to the World Health Organization.[2] When also considering psychological violence (physical, psychological and sexual), this number reaches 43 per cent, the equivalent of 27.6 million women 16 years or older subjected to violence in their lifetime.[3]

The COVID-19 outbreak in early 2020 added new layers of complexity to the already unsettling GBV situation in the country. Social distancing measures adopted by national authorities to refrain the virus transmission, although effective to this end, led women and girls to be confined with perpetrators in a stressful environment, exponentially increasing their exposure to domestic violence. Mobility constraints imposed by the quarantine and lack of privacy to seek for help in the presence of the perpetrator also increased women's and girls' vulnerability. At the same time, services that are part of the national network to end violence against women, including health, social assistance, public security and justice services, were stalled during critical transmission peaks, and faced budget cuts, as resources were redirected to fund emergency response actions related to the pandemic.

[1] *Waiselfisz, Julio Jacobo. (2015). Mapa da Violência 2015: Homicídio de Mulheres no Brasil. São Paulo: Instituto Sangari. Available at: http://www.onumulheres.org.br/wp-content/uploads/2016/04/MapaViolencia_2015_mulheres.pdf*

[2] *World Health Organization. Violence Against Women Prevalence Estimates, 2018. Available at: https://www.who.int/publications-detail-redirect/9789240022256*

[3] *Fórum Brasileiro de Segurança Pública. Visível e Invisível: a Vitimização de Mulheres no Brasil. 4ª edição, 2023. Available at: https://forumseguranca.org.br/wp-content/uploads/2023/03/visiveleinvisivel-2023-relatorio.pdf*

PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID

Femicide

Since the promulgation of the Femicide Law (13.104/15) in 2015, Brazil saw an uninterrupted increase of femicide rates every year. In 2019, prior to the outbreak of the COVID-19, the country registered 1,328 femicide cases. In 2020, when strict quarantine measures were adopted, 1,351 femicides were officially registered in the country, while in 2021, numbers slightly decreased, reaching 1,319 cases, an average of one femicide every 7 hours. In 2022 only, 1,410 women were victims of femicide – one woman murdered every 6 hours - the highest rate for the period.

Data from 2021 also show that 81.7 per cent of femicides were perpetrated by intimate partner and/or ex-partner, and 65.6 per cent of the victims were killed at home, demonstrating the high level of vulnerability women and girls are exposed to at the domestic environment.

Even though GBV is a global concern, in Brazil it affects disproportionately specific groups of women exposed to higher level of vulnerability due to their race/color, place of residence, age, among other markers. Afro descendent women are the most affected group, representing 62 per cent of victims of femicides registered in 2021, against 37.5 per cent of white victims. The North and Midwest regions concentrate the states with the highest femicide rates[4], such as Tocantins (2,7), Acre (2,7), Mato Grosso do Sul (2,6) and Mato Grosso (2,5),

Graphic 1. Femicide rate(1). Brazil and states, 2021



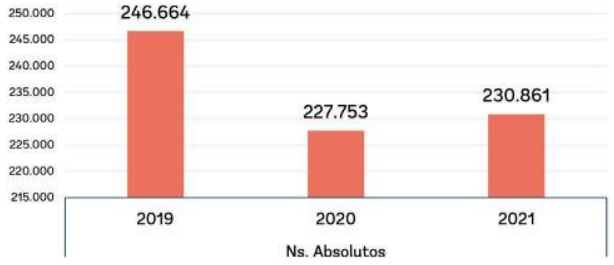
Source: Fórum Brasileiro de Segurança Pública. 2022. Violência contra mulheres em 2021.
(1) Rate per 100,000 women

[7] *1.22 femicides for every 100,000 women.*

Domestic violence

Domestic violence – understood by the Brazilian legislation as physical injury perpetrated in a domestic context – presents a different pattern when compared to femicides. Pre-COVID-19 data (2019) indicate higher domestic violence rates when compared to 2020 and 2021, periods when social distancing measures were stricter, posing mobility and privacy constraints for women to report the violence suffered and/or seek for help either by phone or in-person services. That can explain the 6 per cent decrease in domestic violence reporting during the two first years of the pandemic, especially in 2020, when quarantine measures were severer and women felt insecure to leave home to seek for help.

Graphic 2. Intentional bodily harm (domestic violence). Brazil 2019-2021



Source: Fórum Brasileiro de Segurança Pública. 2022. 16 Anuário Brasileiro de Segurança Pública.

Sexual harassment in public spaces

According to a survey conducted by Instituto Patrícia Galvão and Instituto Locomotiva in 2019, 97 per cent of the 1,081 women interviewed reported having suffered sexual harassment in public transportation, and 46 per cent stated they did not feel safe using this service. Still according to the survey, 3 in 4 women reported feeling safer using app-based means of transportation due to the fact that it is easier to report incidents of sexual harassment. Only 21 per cent said that public transportation was the easiest mean of transportation to report sexual harassment.[5]

Sexual harassment is also a major concern in the education system. According to a 2015 survey by Instituto Avon/Data Popular, 56 per cent of female interviewees reported having suffered **sexual harassment at the university**, and 28 per cent said they had suffered some form of sexual assault in this context. Additionally, 42 per cent said they were afraid of suffering sexual violence, and 36 per cent reported that fear of sexual violence prevented them from doing some activity.[6] A recent study – a panorama of VAW in Brazilian and Latin American universities – showed that while the majority of perpetrators were male students, a significant percentage was lecturers/fellows.[7] There is **no data available** on sexual violence in **primary and secondary education** in Brazil, and no guidelines by the Ministry of Education on the definition of harassment and how educational institutions should respond to it.

[5] *Instituto Patrícia Galvão/Locomotiva (2019). Segurança das Mulheres no Transporte. Available at: https://dossies.agenciapatriciagalvao.org.br/dados-e-fontes/pesquisa/seguranca-das-mulheres-no-transporte-instituto-patricia-galvao-locomotiva-2019/*

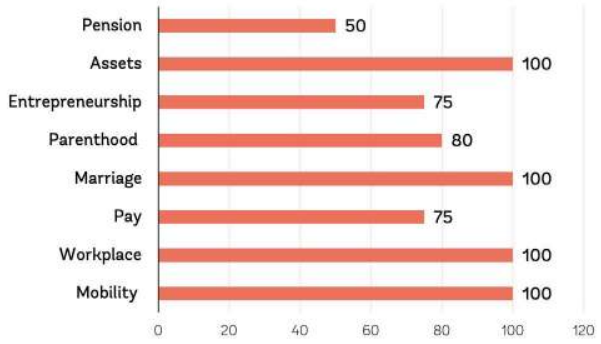
[6] *Data Popular/Instituto Avon (2015). Violência contra a mulher no ambiente universitário. Available at: https://dossies.agenciapatriciagalvao.org.br/dados-e-fontes/pesquisa/violencia-contra-a-mulher-no-ambiente-universitario-data-popularinstituto-avon-2015/*

[7] *Almeida, T.; Zanello V. (2022). Panoramas da Violência Contra Mulheres nas Universidades Brasileiras e Latino-Americanas. Available at: https://www.oab.org.br/publicacoes/pesquisa?termoPesquisa=panoramas#*

POLICY AND LEGAL FRAMEWORK

Legal framework for gender equality. With regards to overall legal framework for gender equality, according to the World Bank's 2023 Women, Business and the Law study, Brazil scores 85 out of 100 over 8 indicators related to the existence of laws and regulations that promote and guarantee basic rights for women during their working cycle. The overall score for Brazil is higher than the regional average observed across Latin America and the Caribbean (80.9). The country's main strengthens refer to women's freedom of movement, decisions to work, marriage, and gender differences in property and inheritance. However, improvements are needed when it comes to laws that affect women's pay[8], women's work after having children, women's capacity to starting and running a business, and the size of a woman's pension.[9]

Graphic 3. Brazil - Scores for Women, Business and the Law 2023



Source: World Bank (2021). Women, Business and the Law 2023.

National policy and legal framework for GBV. Although Brazil ranks among the countries with the highest rates of violence against women and girls in the world, the country has progressively advanced in building a strong policy and legal framework targeted at preventing and responding to the phenomenon along the last two decades.

In 2006, Brazil approved one of the most comprehensive and progressive law aimed at tackling domestic violence. Besides typifying the different forms of domestic violence, Law 11.340/2006 – known as Maria da Penha Law[10]– alters the Penal Code and makes it possible to arrest aggressors in the act, or to have them arrested preventively when woman's physical integrity is threatened. It also provides protective measures for woman under life threat, facilitating the issuing of temporary restraining orders and removal of the aggressor from home. In February 2012, the Brazilian Supreme Court upheld the constitutionality of the Maria da Penha law, ruling that prosecutors "may bring domestic violence cases regardless of whether the victim presses charges or not." [11]

[8] *On 8 March 2023, the Federal Government submitted a bill to the National Congress establishing equal payment between men and women performing the same duties and/or occupying similar positions. The bill provides measures to hold companies accountable for promoting equal pay by strengthening oversight mechanisms and penalties to end wage discrimination.*

[9] *World Bank (2021). Women, Business and the Law 2023. Available at: https://wbl.worldbank.org/en/data/exploreeconomies/brazil/2023*

[10] *Law 11.340 from 7 August 2006. Available at http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/l11340.htm*

[11] *Human Rights Watch (2013). World report 2013. Available at: https://www.hrw.org/world-report/2013/country-chapters/brazil*

Another important legal piece was approved in 2015. Law 13.104/2015[12]– known as the Femicide Law - amends the Brazilian Penal Code to establish femicide as a qualifying circumstance for homicide crimes, and classifies it as a heinous crime.

Some other relevant legislations targeted at GBV prevention and response are:

I. **Law 10.778/2003**[13], that establishes the compulsory notification by public or private health services of cases of violence against women and girls who are assisted in their facilities.

II. **Law 14.164/2021**[14], which made it mandatory to include the prevention of violence against women in primary and secondary education curricula, and creates the School Week for Tackling Violence against Women, to be held in March every year.

III. **Law 14.316/2022**[15], which assigns five per cent of the funds from the National Fund of Public Safety (FNSP) to actions to tackle violence against women and girls.

IV. **Law 13718/2018**[16], that modified the Brazilian Penal Code to make sexual harassment a crime punishable with 1 to 5 years of prison. Although the law refers to sexual harassment in broad terms, it was approved after a series of sexual harassment cases in public transportation gained media attention in 2017. Before the law was approved, sexual harassment was considered a misdemeanor punishable by fine only.

V. **Decree 11.430/2023**[17], which determines a minimum percentage of eight per cent of workforce to be made up by VAWG survivors and the adoption, by the bidder, of actions to promote equality between women and men in the workplace as a tiebreaker in bids.

At the policy level, along the last decades, Brazil has built a comprehensive framework to combat and end VAWG (see graphic 4).

[12] *Available at https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13104.htm*

[13] *Available at http://www.planalto.gov.br/ccivil_03/LEIS/2003/L10.778.htm*

[14] *Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/Lei/L14164.htm*

[15] *Available at https://www2.camara.leg.br/legin/fed/lei/2022/lei-14316-29-marco-2022-792428-norma-pl.html*

[16] *Available at http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2018/lei/L13718.htm#:~:text=%E2%80%9C%20Importuna%C3%A7%C3%A3o%20sexual&text=Praticar%20contra%20algu%C3%A9m%20e%20sem,n%C3%A3o%20constitui%20crime%20mais%20grave.%E2%80%9D*

[17] *Available at http://www.planalto.gov.br/ccivil_03/_ato2023-2026/2023/decreto/D11430.htm*



While the Government inaugurated in early 2023 might revise the national plan, policy and pact, in March 2023 it announced the resuming of the Programme Mulher Viver sem Violência (Woman: Living Free of Violence), which had been revoked in 2019. Created in 2013, the programme aims at integrating and expanding the existing public service network targeted at GBV survivors through the articulation of specialized services in the field of health, justice, public security, social assistance and the promotion of women's financial autonomy. More information on the programme structure and actions can be found in section "GBV Response Mechanisms and Services" below.

Aligned with the programme, a National Plan to End Femicide was launched in 2021, built based on the recognition of violence against women as a multidimensional and multifaceted phenomenon related to individual, community and sociocultural factors. The plan also stresses the need of adopting a multisectoral approach to tackle violence against women and assist survivors, and built integrated and effective management tools and models between different levels of government (Federal, States and Municipalities).

It is also worth highlighting the establishment, in 2018, of the National System of Policies for Women and the National Plan to End Domestic Violence (PNaViD) as a set of principles to guide the strategy to tackle domestic violence in the three levels of government. In that same line, in 2021, the National Plan to End Femicide[18] was created with the objective of tackling femicide increasing rates through integrated and intersectoral government actions. In 2022, the National Plan to Prevent and End Violence against Women[19] was included as a means and mechanism of implementation of the National Policy for Public Security and Social Defense.

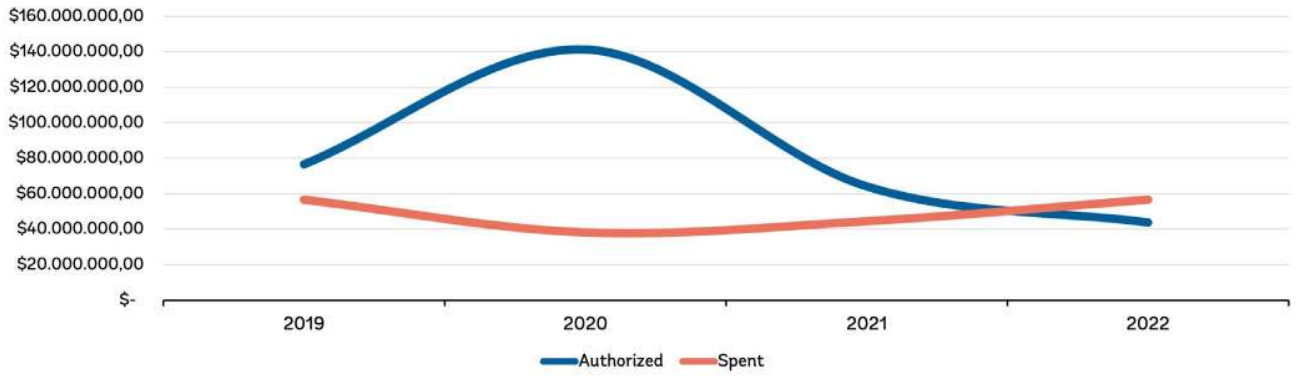
[18] *Created by Decree 10.906 from 20 December 2021. Available at https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/decreto/d10906.htm#:~:text=D10906&text=Institui%20o%20Plano%20Nacional%20de%20Enfrentamento%20ao%20Feminic%C3%ADdio.&text=Disposi%C3%A7%C3%B5es%20gerais-,Art.,a%C3%A7%C3%B5es%20governamentais%20integradas%20e%20intersetoriais*

[19] *Created by Law 14.330, from 4 May 2022. Available at https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2022/Lei/L14330.htm*

Another relevant landmark was the creation, in 2021, of the National Policy on Data and Information (PNAINFO)[20] related to violence against women, that establishes the systematization and regular dissemination of VAWG statistics, which is key to inform the design and implementation of effective measures to tackle the increasing violence risks faced by women and girls in the country.

Despite the robust policy and legal framework built in the last decades, most of the legal pieces and policies listed above face severe enforcement and implementation constraints. The last years have been marked by a continuous defunding of policies and actions targeted at preventing and responding to GBV. In addition to the progressive budget cuts, the government demonstrated low execution capacity. In 2020, during the most critical period of the pandemic, the federal government executed only 30 per cent of the resource targeted at tackling violence against women and girls.[21] This means BRL 93.6 million (approximately USD 18 million) did not reach states nor municipalities to finance the women's service network (see graphic 4).

Graphic 4. Financial execution of actions to end violence, promotion of women's equality and autonomy. Brazil, 2019-2022



Source: INESC 2023. Nota Técnica Análise do Orçamento de Políticas de Enfrentamento à Violência contra as Mulheres (de 2019 a 2023).

International treaties on violence against women and girls. Brazil is signatory of all international treaties that guarantee equality, non-discrimination, and freedom from violence for women and girls, including the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women "Convention of Belem do Para," and the Beijing Declaration and Platform of Action.

[20] *Created by Law 14.232, from 28 October 2021. Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/lei/L14232.htm*

[21] *INESC (2023) Nota Técnica Análise do Orçamento de Políticas de Enfrentamento à Violência contra as Mulheres (de 2019 a 2023). Available at https://www.inesc.org.br/wp-content/uploads/2023/03/NT-Orcamento-de-Politicas-para-Mulheres-v2_0703.pdf*

GBV RESPONSE MECHANISMS AND SERVICES

In 2011, the Federal Government launched the National Network to End Violence against Women[22] with the objective of strengthening the coordination of governmental and non-governmental institutions/services and the community, aiming at developing effective prevention strategies and policies that guarantee the empowerment and building of women's agency, their human rights and the accountability of perpetrators.

The Service Network for Women in Situation of Violence[23], on the other hand, establishes a set of actions and services from different sectors aimed at expanding and humanizing the services and at identifying and appropriately referring women in situations of violence. It is part of the "assistance axis" of the National Policy to End Violence against Women.

As illustrated in Diagram 1, the service network is divided into four main sectors/areas - health, justice, public security and social assistance – with the following roles:

Social Assistance. Through the Social Assistance Reference Centers (CRAS) – a key service provided by the Unified Social Assistance System (SUAS) - women and families in situations of vulnerability are provided with continuous assistance, ensuring access to shelters and life protection services; registration in social programs for food, education, employment and income support; violence prevention programs and guidance. On the other hand, the CREAS (Specialized Social Assistance Reference Centers) units – also part of the SUAS – provide services to women and individuals who already live in a situation of threat or violation of rights, offering specialized and continuous psychosocial care, in addition to referrals to other local services, including education, health and legal support.

Public Security. Public security is a constitutional role of states, in coordination with the National Security Policy, established by the Ministry of Justice at the national level. With the creation and expansion of the Municipal Guards, especially from the 1990s onwards, municipalities also began to become more actively involved in this system. Police, military or civil forces are also responsible for protecting women in situations of violence. No police authority can refuse to register the police report (B.O.), nor can discourage women in situations of violence from doing so, under penalty of disciplinary measures.

---

[24] *Rede de Enfrentamento à Violência Contra as Mulheres. For more information, access https://www12.senado.leg.br/institucional/omv/entenda-a-violencia/pdfs/rede-de-enfrentamento-a-violencia-contra-as-mulheres*

[23] *Rede de Atendimento às Mulheres em situação de Violência. For more information, access https://www12.senado.leg.br/institucional/omv/entenda-a-violencia/pdfs/rede-de-enfrentamento-a-violencia-contra-as-mulheres*

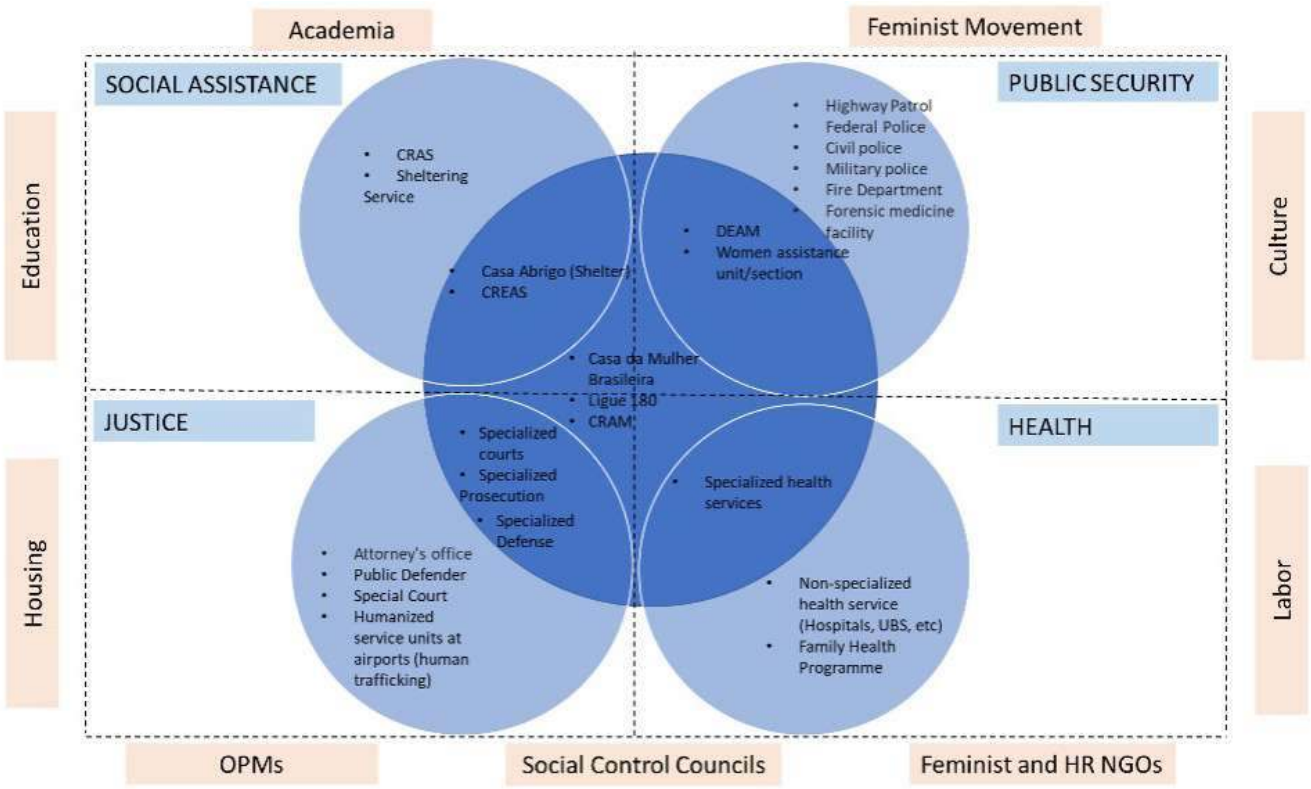
Justice. The Brazilian Justice System also encompasses different services targeted at women in situation of violence, such as the Public Defender's Office, Public Prosecutor's Office and the Judiciary. As per the Brazilian legislation, every survivor of domestic violence has the right to get legal assistance from the Public Defender's Office, regardless the income level. On the other hand, the Public Prosecutor's Office is responsible for representing society in denouncing and seeking civil and criminal liability for the aggressor, requesting protective measures in defense of women, requesting police force and public health, education, social assistance and security services, among others. It is the responsibility of the Judiciary to ensure access to justice for survivors under the terms of the Maria da Penha Law. To this end, since 2006, the implementation of specialized courts and Coordination Offices for Domestic and Family Violence against Women in the Courts of Justice at state level has been consolidating.

Health. The Unified Health System (SUS) offers, through its diverse facilities, medical, nursing, psychological and social care for women victims of sexual violence and/or domestic violence. Health workers are trained to pay special attention to women who seek for health care more often than the average, have complaints of non-specific pain and have symptoms related to depression and other psychological disorders. It is mandatory to proceed with the notification and registration of cases of violence against women assisted in public or private health establishments (Law 10.778/2003).

Two categories of services are provided across the abovementioned sectors:

- **Non-specialized women's care services**, which, in general, constitute the woman's entry point into the network (namely, general hospitals, basic care services, family health program, common police stations, military police, federal police, Reference Centers for Social Assistance/CRAS, Specialized Reference Centers for Social Assistance/CREAS, Public Ministry, public defenders);
- **Specialized services for women**, which includes those that exclusively assist women and have expertise on violence against women.

Diagram 1. Service Network for Women in Situation of Violence.



Source: SPM (2010). Pacto Nacional pelo Enfrentamento à Violência contra as Mulheres. Available at: http://portal.mec.gov.br/docman/marco-2012-pdf/10182-14-pacto-enfrentamento-violencia-contra-mulheres/file
CRAS: Centro de Referência da Assistência Social (Social Assistance Reference Center)
CREAS: Centro de Referência Especializado da Assistência Social (Specialized Reference Center for Social Assistance)
DEAM: Delegacia Especializada de Atendimento à Mulher (Specialized Police Office for Women)
UBS: Unidade Básica de Saúde (Health Basic Unit)
CRAM: Centro de Referência e Atendimento à Mulher em Situação de Violência (Reference Center for Women in Situation of Violence)

As of March 2023, the main measure announced by the Government inaugurated in January 2023 to address the increasing GBV rates is the resuming of the Programme Mulher Viver sem Violência (Woman: Living Free of Violence), based on six pillars of action:

I. **Implementation of units of the Casa da Mulher Brasileira (Brazilian Woman's House):** launched in 2013, the units consist of multisectoral public facilities dedicated to VAWG survivors aimed providing, in a sole venue, the main services to assist women and girls in an coordinated way, preventing their revictimization. After being revoked in 2019, the initiative was re-launched in 2023, when the government announced the delivery of 40 new units, expanding assistance to women in small-scale municipalities.

II. **Restructuring of hotline Ligue 180.** In early 2023, the national hotline dedicated to women – the Ligue 180 - started being restructured, strengthened and expanded to assist and guide survivors through the public utility number 180. Calls can be made free of charge from any part of the national territory. It also refers woman to the nearest service facility, as well as provides information about other services available.

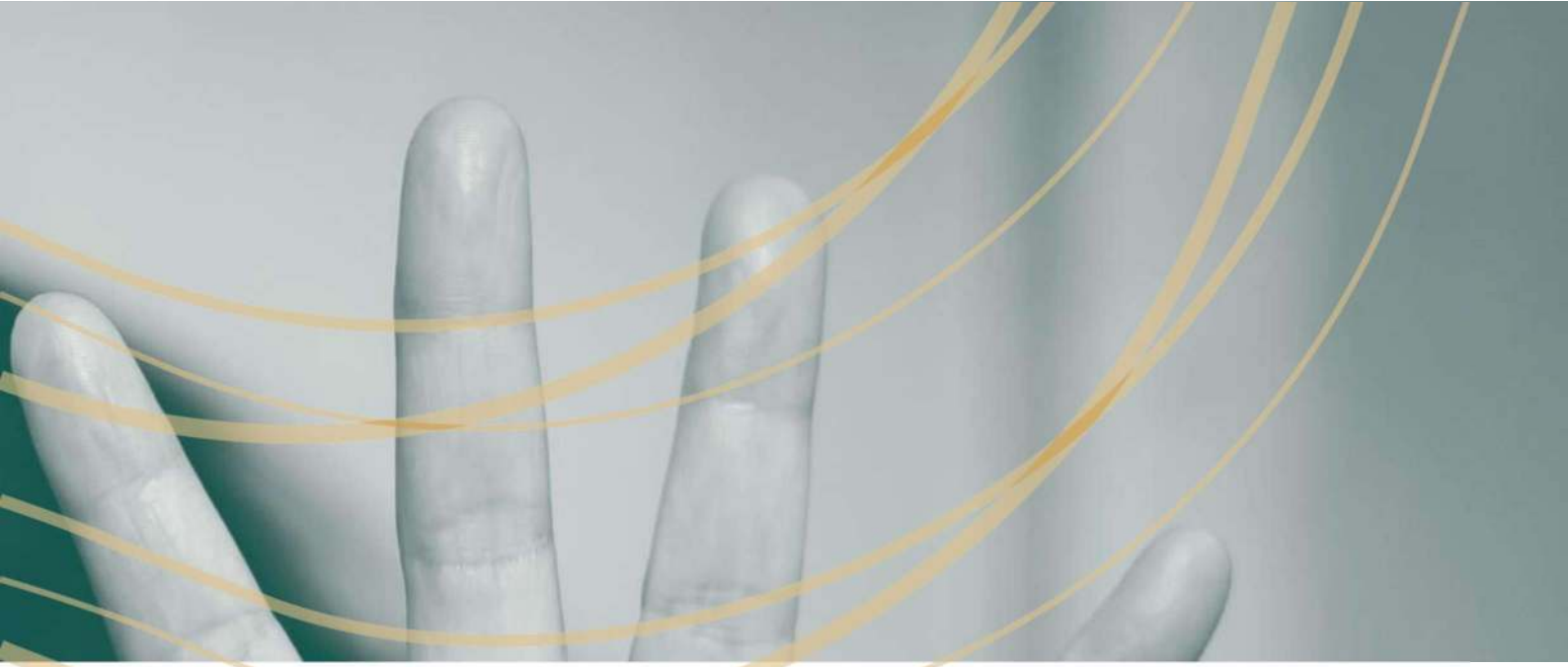
III. **Organization, integration and humanization of the assistance provided to sexual violence survivors, under a non-revictimization perspective.** Forensic medicine facilities and health services will be adequate for providing care and assistance to women who are victims of sexual violence. The following measures will be put in place: improvement of evidence collection methods; expansion of care flows and protocols; integration of health reference services; articulation of flows and care protocols between health and forensic medicine; building capacity of professionals that are part of the service network; and, finally, renovating and expanding facilities and acquiring equipment for reference hospitals that provides care for sexually abused women.

IV. **Implementation of itinerary service units to assist and provide guidance to women in situation of violence in places where no services are available or in remote areas.** The itinerary units provide specialized services that are part of the Assistance Network to Women in Situations of Violence using adapted buses and boats to reach remote areas of the country, such as rural, indigenous and Quilombola communities and settlements. Itinerary services include prevention, assistance, crime investigation and legal framing. The units also play an educational role by promoting lectures about the Maria da Penha Law and its application.

V. **Expansion and strengthening of measures to prevent and tackle femicide.** Launched in 2021, the implementation of the National Plan to End Femicide presented little progress due to budget cuts. As of March 2023, the new Government had not yet detailed the concrete actions that will be adopted to implement the plan and prevent and respond to femicide.

VI. **Development of educational actions and continuous awareness raising campaigns to tackle all forms of violence against women .** The Program foresees the development and wide dissemination of awareness campaigns aligned with the National Policy to End Violence against Women, which, in its preventive axis, aims to implement educational initiatives that challenge harmful gender norms and stereotypes and modify sexist patterns that perpetrate power inequalities between men and women and lead to violence against women.

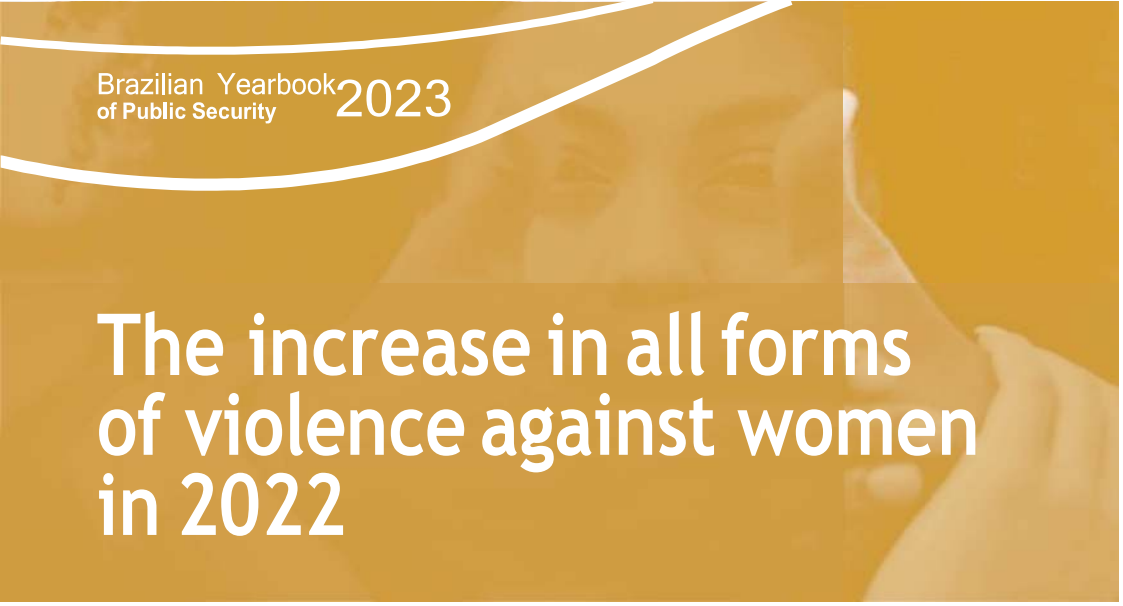
Exhibit 7



Domestic and sexual **violence**

Table of Contents 127





The increase in all forms of violence against women in 2022

Samira Bueno
Ph.D. in Public Administration and Government (FGV-EAESP). Executive Director of the Brazilian Forum on Public Security.

Juliana Martins
Psychologist, Ph.D. from the Institute of Psychology at USP, and Institutional Coordinator of the Brazilian Forum on Public Security

Amanda Lagreca
Master's student in Public Administration and Government (FGV-EAESP).Researcher at the Brazilian Forum on Public Security.

Isabela Sobral
Mater's in Public Administration and Government (FGV-EAESP). Supervisor of the Data Center at the Brazilian Forum on Public Security.

Betina Barros
Ph.D. candidate in Sociology(USP). Researcher at the Brazilian Forum on Public Security.

Juliana Brandão
Ph.D. in Human Rights (USP). Researcher at the Brazilian Forum on Public Security.

The violence against women increased in 2022. This was the conclusion of the report "Visible and Invisible: Women's Victimization in Brazil", released by the Brazilian Forum on Public Security in March of this year, with data based on victimization research. At that time, we pointed to the highest levels of victimization due to assault and harassment since the first edition of the research conducted in 2017.

The data released in this Yearbook reinforces the findings of the March report, but with a difference: they correspond to administrative records, meaning they are based on police reports, calls to emergency services (190), and requests for protective orders submitted to the judiciary. These are the cases that reached the authorities after girls and women sought help from the state.

Unfortunately, what the numbers reveal is not positive: femicides increased by 6,1% in 2022, resulting in 1.437 women killed simply because they were women. Willful homicides of women also increased (1,2% compared to the previous year), which makes it impossible to attribute the increase in lethal violence solely to improved reporting.

In addition to crimes against life, assaults in the context of domestic violence increased by 2,9%, totaling 245.713 cases; threats grew by 7,2%, resulting in 613.529 cases; and calls to 190, the emergency number for the Military Police, reached 899.485 calls, which means an average of 102 calls per hour.

Furthermore, reports of sexual harassment increased by 49,7%, totaling 6.114 cases in 2022, and sexual harassment increased by 37%, reaching the level of 27.530 cases in the last year. In other words, we are talking about a very significant growth that encompasses all criminal modalities, from harassment to rape and femicides.

Explaining this growth is a challenge. In the report "Visible and Invisible," we highlighted three main hypotheses: 1) Firstly, we emphasized the underfunding of women's protection policies by the administration of Jair Bolsonaro, which recorded the lowest budget

allocation in a decade for policies addressing violence against women (FBSP, 2022); 2) We drew attention to the impact of the COVID-19 pandemic on women's shelter and protection services, which, in many cases, faced restrictions on operating hours, reduced service teams, or were even interrupted; 3) Finally, it is impossible to dissociate the scenario of the growth of hate crimes from the rise of ultraconservative movements in Brazilian politics, which have identified the debate on gender equality as public enemy number one.

We would like, in this space, to include a fourth hypothesis for the sharp rise in all forms of gender-based violence. The world is still quite challenging for us, women, as we have to overcome difficulties and obstacles daily, in all spaces and social relationships. But we do, and even so, we can still see progress. Whether in spaces created for dialogue and reflection or in the improvement of protection mechanisms in the justice system, social assistance, businesses, the domestic realm, and the private sphere. Whether it's because we are, always, resistance.

There is a widely spread theory in feminist studies, that of "backlash," which can help us understand why violence against women continues to grow: As we advance in actions and intentions that promote gender equality in different spaces, violence against women increases. It would be a reaction to our attempt to break free from the social roles that have been historically and culturally assigned to us. It is common for women who start working outside the home after years of dedicating themselves to domestic work to begin experiencing violence from their husbands or partners[1]. Or that the level of violence is higher in relationships where the woman has a higher income or level of education. In these situations, violence is used as a way to reestablish male superiority over women and, in a way, return them to a place they shouldn't have left (Portella, 2020[2]).

Therefore, unfortunately, it does not surprise us that this year's Yearbook shows the growth of all indicators of domestic violence and other forms of violence against women. While we advance, resist, broaden the debate and courage, we suffer more violence.

AGGRESSION, THREAT, PSYCHOLOGICAL VIOLENCE, AND STALKING

Last year, 245.713 women filed police reports for assaults that occurred in the domestic environment or as a result of it. This means that, on a daily basis, 673 women went to a

1 Saffioti argues that the increase in women's economic power can act as a trigger, increasing tension in relationships between men and women, as they resort to violence to maintain their superiority. (apud Cerqueira et al, 2019).

2 PORTELLA, ANA PAULA. How does a woman die? Recife: UFPE Publisher, 2020.

police station to report an episode of domestic violence, a 2,9% increase compared to the previous year's records.

Threats also showed growth and resulted in a total of 613.529 records, representing an increase of 7,2% compared to 2021. Threat is one of the forms of psychological violence that the perpetrator can exert on the woman, causing emotional harm and keeping her under his control out of fear. Psychological violence as a criminal offense Was categorized in 2021, resulting in the registration of 24.382 police reports, with a rate of 35,6 women per group of 100 thousand (considering that eight states did not send data on the crime).

This means that, on a daily basis, 673 women went to a police station to report an episode of domestic violence, a 2,9% increase compared to the previous year's records.

Another recently categorized crime is stalking, which resulted in 56,560 cases of women victims in 2022, with a rate of 54.5 per 100 thousand. Monitoring this type of crime is crucial, as stalking is a risk factor for the occurrence of femicides. In a study conducted in Australia, involving the analysis of 141 feminicides and 65 attempted feminicides, the authors found that 76% of femicides victims and 85% of attempted feminicides Had been stalked by the perpetrator in the 12 months preceding the incident (McFarlane et al, 1999[3]). Even online stalking has been identified as a risk factor for lethal violence against women, indicating that technology facilitates control and pervasive violence against women (McLachlan, Harris, 2022[4]).

CALLS TO THE MILITARY POLICE

In 2022, 899.485 calls to 190 were registered related to cases of domestic violence. The emergency number of the Military Police is one of the most commonly used measures by victims as a quick access to police protection. The figures indicate that the military police received 102 calls per hour for the handling of these incidents in the last year, highlighting the pressure on organizations responsible for ostensive policing, often accused of not providing adequate assistance to victims.

It is worth noting that the Senate recently approved, under the supervision of Senator Fabiano Contarato (PT-ES), the draft Organic Law of the Military Police, which limits the entry of women into these organizations by setting a cap of 20% in selection exams. According to the latest edition of the Yearbook, only 12% of the military police force is

3 McFARLANE, J. M., CAMPBELL, J. C., WILT, S., SACHS, C. J., ULRICH, Y., XU, X. Stalking and intimate partner femicide. Homicide Studies, Vol. 3 No. 4, 300-316, November 1999.

4 McLachlan, F., & Harris, B. (2022). Intimate risks: Examining online and offline abuse, homicide flags, and femicide. Victims and Offenders, 17(5), 623-646. https://doi.org/10.1080/15564886.2022.2036658

composed of women, with an even lower percentage in states like Ceará (4%) and Rio Grande do Norte (5%). If it is already challenging to persuade law enforcement institutions to provide adequate training and conditions for assisting women in situations of domestic violence with broad female participation, the limitation on women set as a cap is evidence that the police have not yet fully understood the enormous responsibility they bear.

EMERGENCY PROTECTIVE MEASURES

Emergency Protective Measures (EPMs) are regulated by the Maria da Penha Law - Law 11.340 of 2006 - and legally represent the mechanism capable of protecting the physical, psychological, sexual, patrimonial, or moral integrity of women in situations of violence or their dependents. Such is the normative emphasis on this legal instrument that in April 2023, there was a legislative amendment that detached its granting from the need for prior police investigation or even a judicial process. In other words, the law acknowledged the existence of obstacles in the legal procedure itself that, at times, ended up undermining the effective confrontation of domestic and family violence.

It should also be emphasized that EPMs are driven by the interpretation that women themselves make of the situation of violence they are experiencing. Although the law designates the Public Prosecutor's Office as the legitimate party to request these measures, it is undeniable that it is the women's testimony that will shape the contours under which the request will be considered by the Judiciary.

It is reasonable to assume, therefore, that there are still obstacles in women's access to justice when seeking help from the judiciary. That is because, despite their reports of violence, not all emergency protective measures have been granted.

Taking into account the rates of requested and granted EPMs in 2022, despite the percentage increase compared to the previous year, it is noteworthy that only 85% of the requested measures were granted. In the state scenario, Minas Gerais and Alagoas do not reach a 70% grant rate for EPMs. And only six states (Amazonas, Rio Grande do Norte, Sergipe, Maranhão, São Paulo, and Bahia) surpass a grant rate of 90%.

It is reasonable to assume, therefore, that there are still obstacles in women's access to justice when seeking help from the judiciary. That is because, despite their reports of violence, not all emergency protective measures have been granted.

Indeed, we have a scenario that, at its limit, questions the victim's own account and increases the vulnerability of women seeking support from the Brazilian State.

FEMINICIDES AND WILLFUL HOMICIDES OF WOMEN

As we've mentioned before, 1.437 women were killed due to their gender last year, marking an increase of 6,1% compared to 2021. Feminicide, defined by Law 13.014 of 2015, is a

legal category applied to any killing of women based on their gender or when it involves domestic or family violence. Therefore, it is a death that necessarily involves discrimination based on gender (Campos, 2015[5]).

Femicide is understood by a significant portion of the literature as the final stage of an escalation of violence and can be seen as a continuum of terror (Pasinato, 2011[6]). As a result, it can be said that femicide is a preventable violence if public policies for prevention, protection, and support for victims of various forms of violence against girls and women are implemented.

Research conducted by Ávila et al, in 2023[7], shows that in most cases of feminicides, children, family members, or friends of the victims had already witnessed the aggressions. (Ávila, etal, 2023). Regarding access to public security institutions, however, the scenario seems to be the opposite. In the study " X-ray of femicide in São Paulo: it is possible to prevent death " by the Public Prosecutor's Office of the State of São Paulo, it was found that 97% of femicide victims did not have protective measures when they were killed. In the same vein, statistical reports produced by some police stations and women's protection departments at the state level often highlight the fact that the majority of victims had not yet sought help from law enforcement authorities when they were killed.

In 2022, female homicides also showed an increase, reaching 4.034 victims, a 1,2% rise compared to 2021.

In 2022, female homicides also showed an increase, reaching 4.034 victims, a 1,2% rise compared to 2021. In the country, 35,6% of women's murders were classified as femicides, but with significant differences between states. The highest proportion occurred in the DF (Federal District), where 59,4% of violent deaths were classified under the specific criminal category. The lowest percentage was in Roraima, where only 9,1% of the cases were classified with the aggravating factor of feminicide.

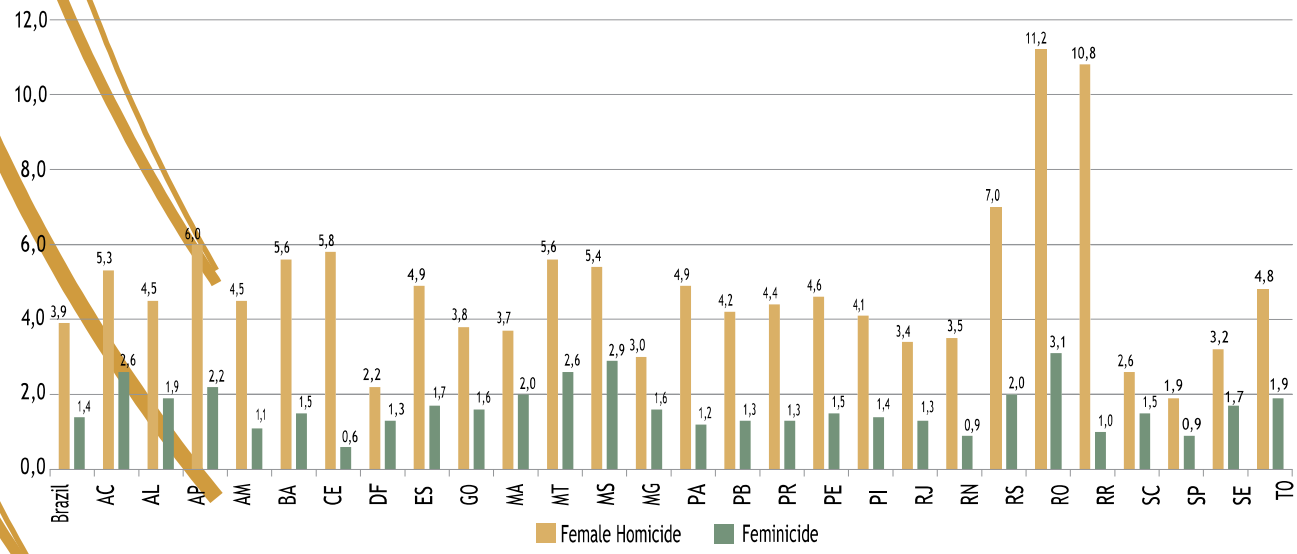
It was in the state of Rondônia, however, where the highest rates in the country were observed, both for feminicides (3,1 victims per 100 thousand inhabitants) and for female homicides (11,2). The data also indicates a high prevalence of homicides with female victims in Rio Grande do Sul, with a rate of 7,0 victims per 100 thousand inhabitants, representing an 18,0% increase compared to the previous year's rate.

5 CAMPOS, Carmen Hein. Femicide in Brazil: A Critical Feminist Analysis. Criminal System & Violence, Porto Alegre, v. 7, n. 1, p. 103-115, Jan.-Jun. 2015

6 Pasinato, Wania. "Femicides" and Women's Deaths in Brazil. Dossier: Violence: Different Perspectives • Cad. Pagu (37) • Dec 2011 • ht- tps://doi.org/10.1590/S0104-83332011000200008

7 Ávila, Thiago Pierobom de; Medeiros, Marcela Novais; Chagas, Cátia Betânia; Vieira, Elaine Novaes; Magalhães, Thais Quezado Soares; Passeto, Andrea Simoni de Zappa. Public Policies for Femicide Prevention and Intersections. Brazilian Journal of Public Policies, Brasília, v. 10, n. 2, p. 375-407, 2020.

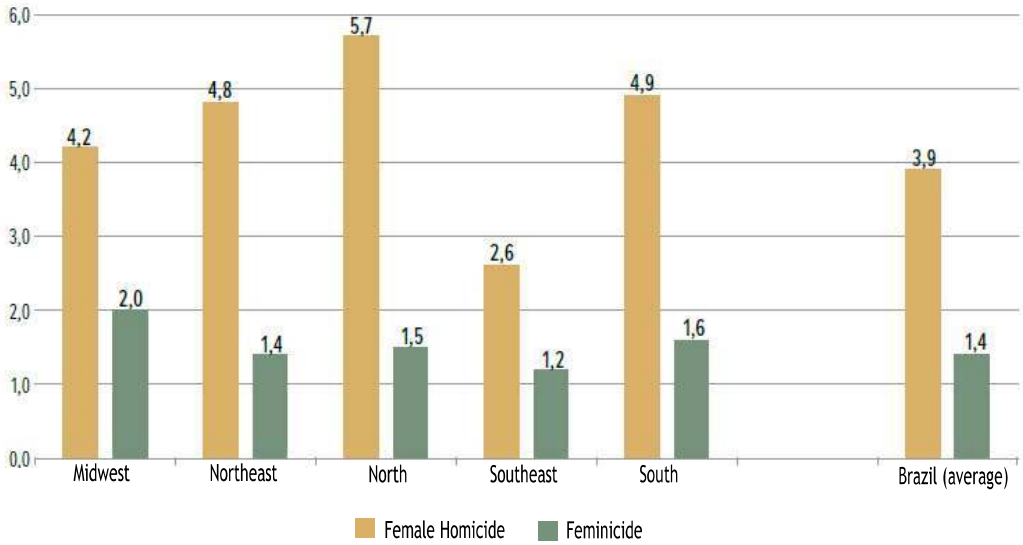
GRAPH 32
Rates of female homicides and feminicides
States, Brazil, 2022



Source: State Secretariats of Public Security and/or Social Defense; Institute of Public Security/RJ (ISP); Estimates of the Resident Population in Brazil and Federative Units - IBGE, conducted through linear interpolation; Census 2022 - IBGE; Brazilian Forum on Public Security.

The breakdown of rates by region highlights the highest rate of female homicides in the North Region, with 5,7 cases per 100 thousand women, while the national average is 3,9 per 100 thousand. Regarding feminicides, the highest rate was observed in the Midwest Region, with 2,0 cases per 100 thousand women, while the national average is 1,4 per 100 thousand. The Southeast Region, in turn, has the lowest rates in both cases.

GRAPH 33
Rates of female homicides and feminicides, by region
Brazil, 2022



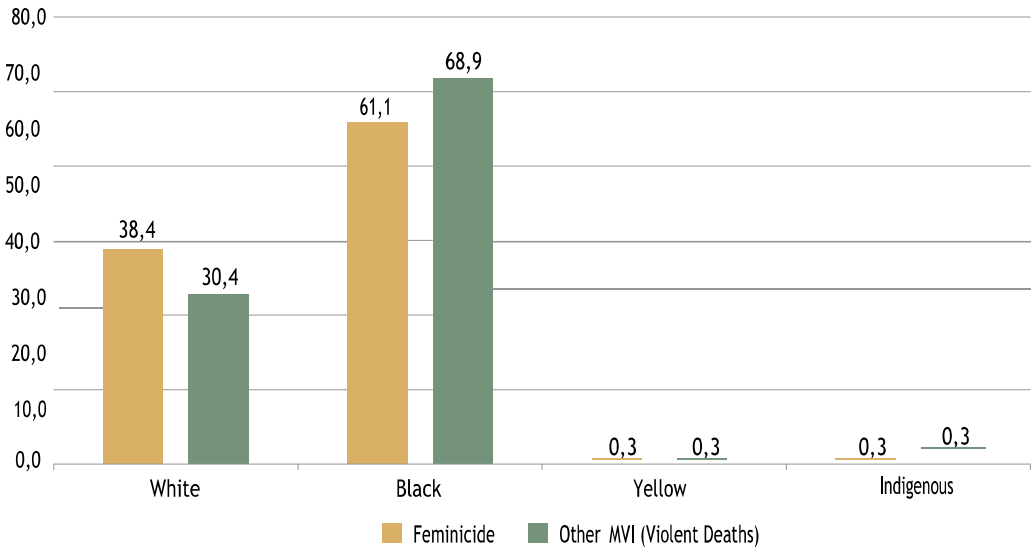
Source: State Secretariats of Public Security and/or Social Defense; Institute of Public Security/RJ (ISP); Estimates of the Resident Population in Brazil and Federative Units - IBGE, conducted through linear interpolation; Census 2022 - IBGE; Brazilian Forum on Public Security.

PROFILE OF VICTIMS OF LETHAL VIOLENCE

The segmentation in terms of race/color of women victims of lethal violence in the country reaffirms the elements of racism that permeate all criminal modalities in the country in one way or another. Among the victims of femicide, 61,1% were Black, and 38,4% were White. In other cases of female homicides, the percentage of Black victims is even higher, accounting for 68.9%, compared to 30.4% for White victims.

GRAPH 34

Percentage of race/ethnicity of femicide victims and other violent deaths
Brazil, 2022

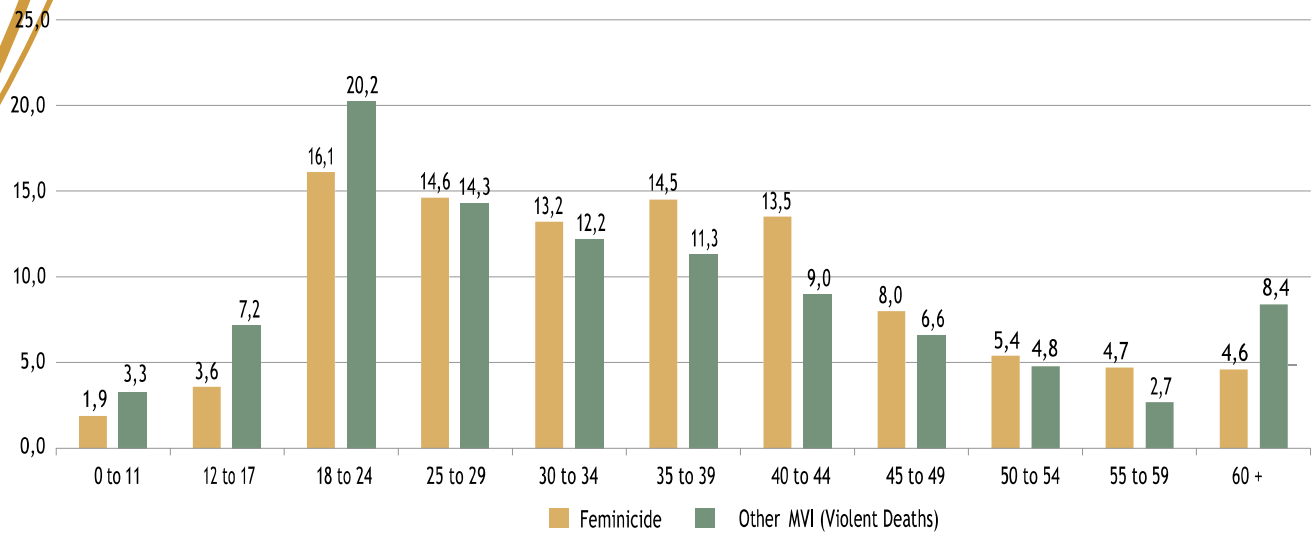


Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

Regarding age, 71,9% of femicide victims were between 18 and 44 years old when they were killed, with the highest percentage concentrated in the 18 to 24 age group. For other violent deaths, the age group at the highest risk is more concentrated in the youth of women, between 18 and 29 years old. Unlike men, whose risk of being a victim of violent death drops considerably from the age of 29, for women, the dynamics of feminicides imply a high risk for at least another 15 years.

The segmentation in terms of race/color of women victims of lethal violence in the country reaffirms the elements of racism that permeate all criminal modalities in the country in one way or another.

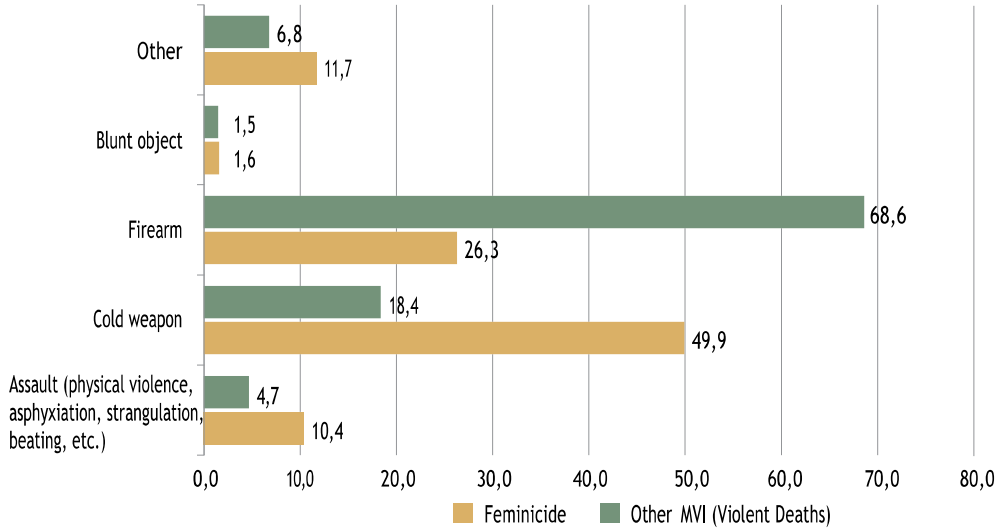
GRAPH 35
Percentage of age of victims of femicides and other violent deaths
Brazil, 2022



Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

The idea that femicide is a "crime of passion" often leads to hasty conclusions regarding the instruments used in the act of killing. Thus, even though cold weapons are the most common in femicide cases, accounting for half of the deaths, firearms were used in 26,3% of the cases. Assaults, on the other hand, were the modus operandi in 10,4% of the recorded fatalities. In the other murders of women, weapons play a more prominent role and represent 68,6% of cases, while cold weapons were used in 18,4% of violent events.

GRAPH 36
Percentage of the type of instrument used in feminicides and other violent deaths
Brazil, 2022



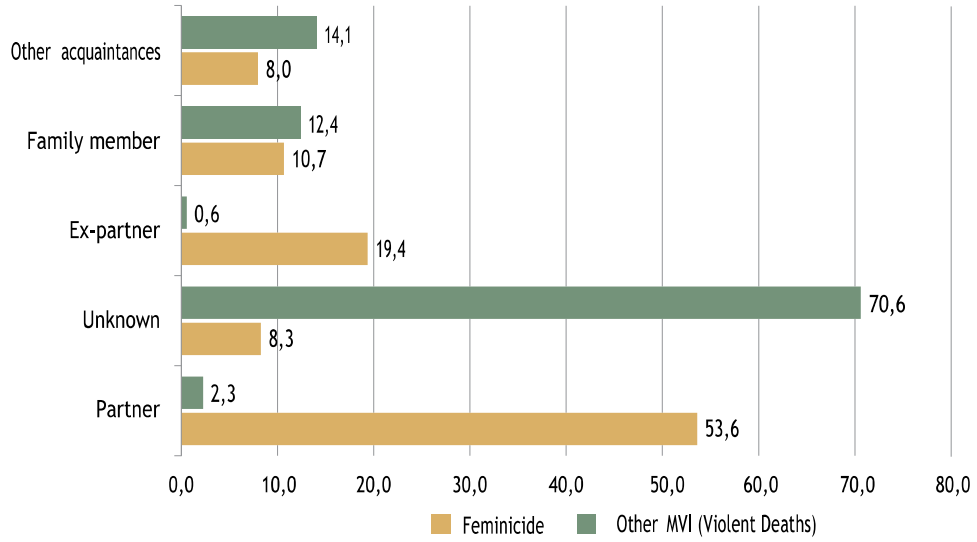
Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

The identification of the perpetrators of intentional violent deaths of women portrays a completely opposite reality when we compare femicides and other types of death. If we consider femicides, in over half of the cases (53,6%), the perpetrator is identified as the intimate partner, in 19,4% of cases as the former intimate partner, and in 10,7% of the records, another family member such as a son, brother, or father was noted; in the case of other female homicides, 70.6% of the perpetrators remain unknown at the time of the consolidation of crime statistics. These are women who often remain forgotten by law enforcement, with no answers given to their families regarding who was responsible for the tragic end of their lives.

GRAPH 37

Percentage of perpetrators of femicides and other violent deaths

Brazil, 2022

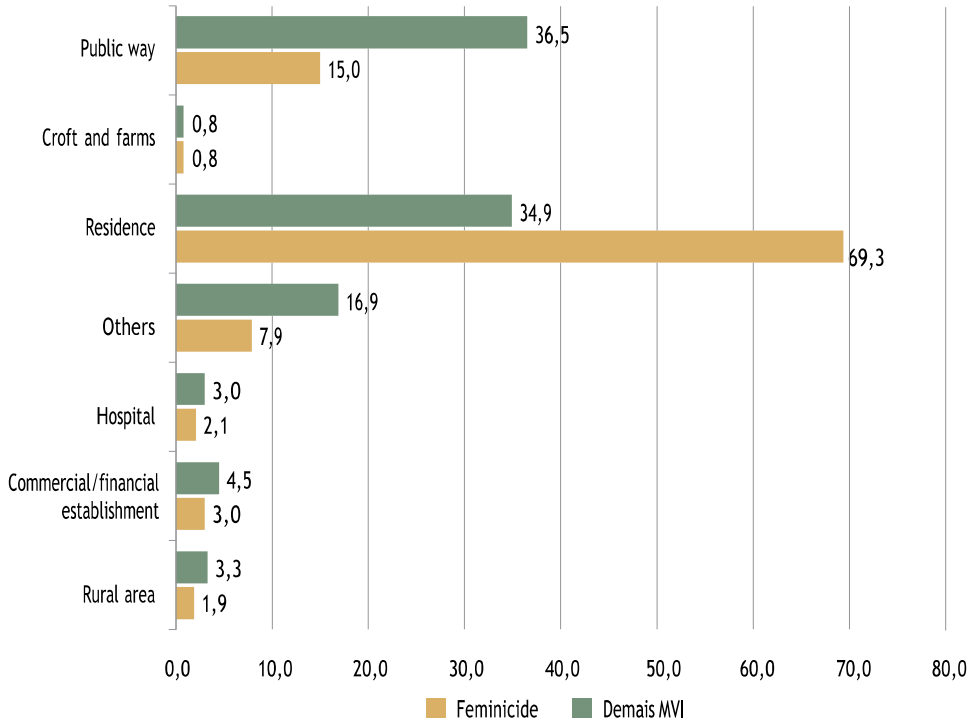


Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

Finally, confirming what the data has already shown, when it comes to violent deaths with female victims, there is a significant divergence in the criminal dynamics of femicides compared to other violent deaths. When it comes to the location of the violent event, 7 out of 10 femicide victims were killed inside their homes. In the case of other female homicides, the public street was the most frequent location, representing the place of death in 36,5% of cases, followed by the residence (34,9%).

GRAPH 38

Percentage of the occurrence location of femicides and other violent deaths of women
Brazil, 2022



Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

Distinguishing the commonalities and differences between feminicides and willful homicides, as well as other violent deaths of women regarding the dynamics of the violent act, the characteristics of the perpetrators and victims is just the first step in the process of a more in-depth understanding of this social phenomenon. In light of this, while feminicides increasingly make headlines, capture society's attention, and concern government policies, willful homicides withfemale victims - typically related to the dynamics of urban violence and drug trafficking, committed with firearms, in public ways and homes, with more black victims, younger victims, and often unknown perpetrators - almost never receive the same level of attention.

For a protection policy to be truly capable of changing this scenario, however, it is not enough to focus only on a portion of these victims.

As we made clear from the beginning, 2022 was a year in which the rates of all forms of gender-based violence and crimes affecting hundreds of thousands of women across the country increased. For a protection policy to be truly capable of changing this scenario, however, it is not enough to focus only on a portion of these victims. Also, Black women, homeless women, trans and transvestite women, sex workers, women from rural and urban areas, indigenous women, and quilombolas: they all deserve the right to a happy and safe future, with the realization of constitutionally guaranteed rights, so that they can be, live, and exercise everything they desire in their lives.

The explosion of sexual violence in Brazil

Samira Bueno
Executive Director of the Brazilian Forum on Public Security.

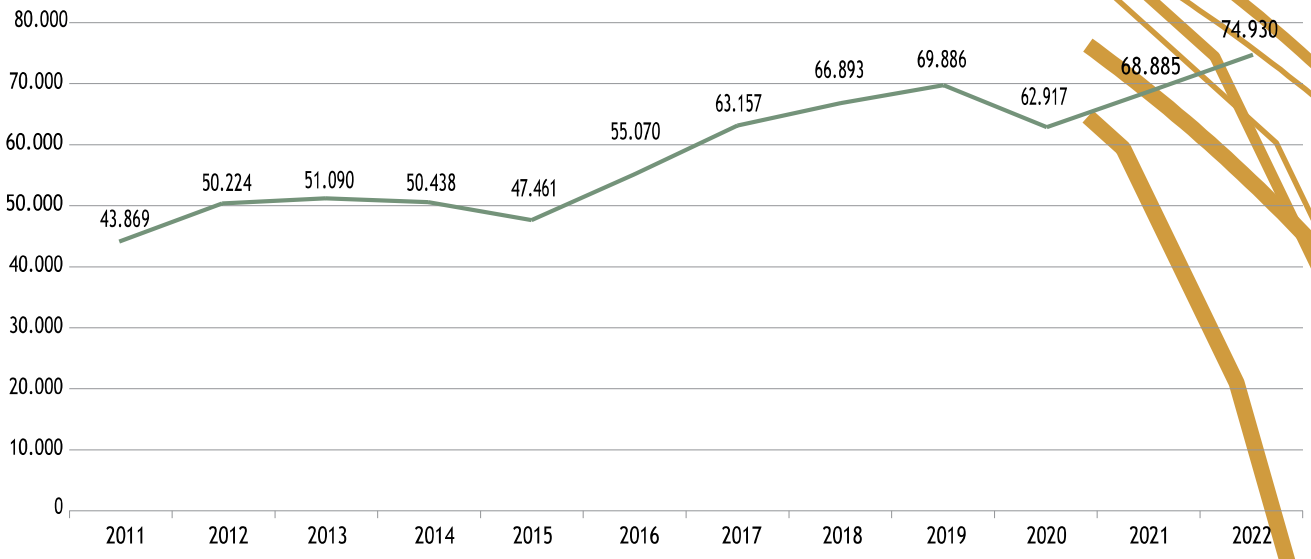
Marina Bohnenberger
Master's degree in Social Anthropology (USP). Researcher at the Brazilian Forum of Public Security.

Juliana Martins
Psychologist, Ph.D. from the Institute of Psychology at the University of São Paulo, and Institutional Coordinator of the Brazilian Forum of Public Security.

Isabela Sobral
Mater's in Public Administration and Government (FGV/EAESP) and Supervisor of the Data Center at the Brazilian Forum on Public Security.

The data released in this edition of the Brazilian Public Security Yearbook reveals a devastating scenario: the highest number of reports of rape and rape of vulnerable person in history, with 74.930 victims. These numbers correspond to cases that were reported to the police authorities and, therefore, represent only a fraction of the sexual violence experienced by women and men, girls, and boys of all ages. Compared to 2021, the rate of rape and sexual assault increased by 8,2%, reaching 36,9 cases per 100 thousand inhabitants.

GRAPH 39
Evolution of the number of rapes and rapes of vulnerable person
Brazil - 2011-2022



Source: Secretariats of Public Security and/or Social Defense; Institute of Public Security/RJ (ISP); Civil Police of the State of Amapá; Civil Police of the Federal District; Civil Police of the State of Roraima; Brazilian Forum on Public Security.

The numbers presented here include rape cases, totaling 18.110 victims in 2022, a 7% increase compared to the previous year, as well as cases of sexual assault, with a total of 56.820 victims, an increase of 8,6%. This means that 24,2% of the victims were men and women over 14 years old, and 75,8% were unable to consent, either due to age (under 14 years old) or for any other reason (disability, illness, etc.).

Explaining the growth of sexual violence in Brazil is not an easy task. Firstly, because underreporting is the rule in these cases and is far from being a specificity of the Brazilian context, being present in surveys worldwide (National Sexual Violence Resource Center, 2015[1]; Statistics Canada, 2019[2]; Jones et al, 2009[3]). A recent study released by researchers from IPEA[4] indicated that only 8,5% pf rapes in Brazil are reported to the police, and 4,2% through health information systems. Thus, according to the estimate provided by the authors, the number of rape cases in Brazil is on the order of 822 thousand cases annually. If we consider that since 2019 (the year considered in the study) the records have increased, the situation may be even more serious.

Be that as it may, we can hypothesize that we are facing an increase in reports as victims are more informed and empowered. The undeniable effect of campaigns like #PrimeiroAssédio (First Harassment), promoted by the organization Think Olga, which went viral on social media in 2015 and resulted in over 82 thousand shares in just five days.

However, this argument needs to be nuanced when we examine the profile of the victims. In Brazil, 6 out of 10 victims are vulnerable individuals aged 0 to 13, who fall victim to family members and other acquaintances. In other words, even though these children and adolescents are more informed about what abuse is, it is difficult to believe that empowerment is the sole explanation for the phenomenon.

Recent studies on child sexual abuse during the pandemic have suggested that the closure of schools due to social isolation measures may have increased the vulnerability of children, and, moreover, part of the reports may be attributed to abuses initiated and/or occurring during the lockdown but only came to light when children returned to school. Paramasivan et al.'s research (2023[5]) in Tamil Nadu, India, demonstrated a significant drop in reports of sexual abuse during the first and second waves of COVID-19, which coincided with strict mobility restrictions and the closure of various facilities, including schools, however, there was a sharp increase in notifications in the period following the lifting of restrictions. Similarly, Stevens et al.'s study (2021[6]) in Kenya indicated that school closures increased children's vulnerability to sexual violence, and the pandemic led to changes in victimization patterns, with younger victims experiencing violence during business hours, in residences, and by acquaintances.

1 National Sexual Violence Resource Center z Info & Stats For Journalists. Statistics about sexual violence, 2015.

2 Department of Justice Canada. Just Facts, Research and Statistics Division, April 2019.

3 Jones JS, Alexander C, Wynn BN, Rossman L, Dunnuck C. Why women don't report sexual assault to the police: the influence of psychosocial variables and traumatic injury. J Emerg Med. 2009 May;36(4):417-24. doi: 10.1016/j.jemermed.2007.10.077. Epub 2008 May 7. PMID: 18462905.

4 FERREIRA, H.; COELHO, D.S.C; CERQUEIRA, D.; ALVES, P.; SEMENTE, M.. Elucidating the prevalence of rape in Brazil from different databases. Institute of Applied Economic Research – IPEA 2023.

5 PARAMASIVAN, K., RAJ, B., SUDARASANAM, N., SUBBURAJ, R.. Prolonged school closure during the pandemic time in successive waves of COVID-19- vulnerability of children to sexual abuses - A case study in Tamil Nadu, India. Heliyon, Volume 9, Issue 7, July 2023.

6 STEVENS, L., ROCKEY, J. C., ROCKOWITZ, S. R., KANJA, W., COLLOFF, M. F., FLOWE, H. D.. Children's Vulnerability to Sexual Violence During COVID-19 in Kenya: Recommendations for the Future. PERSPECTIVE published: 24 February 2021 doi: 10.3389/fgwh.2021.630901

These findings reinforce the importance of schools as a protective space for children in situations of vulnerability. The Child Maltreatment 2019[7] report, produced by the Child Welfare Information Gateway, showed that professionals most likely to report incidents of maltreatment and abuse against children in the United States are those linked to education (21%), followed by law enforcement and other law enforcement agents (19.1%), and health services (11%). While we don't have research on this topic in Brazil, it is common to hear reports from education professionals or even from police indicating that it was the teacher who noticed differences in the child's behavior and first became aware of the abuse. Therefore, the school plays a fundamental role in identifying episodes of violence, mainly in providing the necessary knowledge for children to understand sexual abuse and be able to protect themselves (Du Bois, Mi- ley, 2005; Delport, 2010).

It is worth noting that it is common for a child not to have the capacity to recognize the abuse suffered, either due to a lack of knowledge on the subject or because of the bond with the aggressor.

It is worth noting that it is common for a child not to have the capacity to recognize the abuse suffered, either due to a lack of knowledge on the subject or because of the bond with the aggressor. This is because it is understandable that the child may have some feelings of love or even loyalty to the aggressor, as abuse is generally perpetrated by parents, stepfathers, grandfathers, and other family members (Conte, Simon, 2021[8]). Additionally, the abuser tends to manipulate the child with threats or bribes, ensuring the victim's silence (ibidem). Finally, feelings of guilt or shame are often present in the child, who ends up not revealing anything to family members. TV host Xuxa Meneghel revealed in her column in Vogue magazine a few years ago that she was a victim of sexual abuse from the age of 4 to 13 by different aggressors, all of whom were family members and/or acquaintances. She only had the courage to talk about the abuses suffered at the age of 50.

PROFILE OF VICTIMS OF RAPE AND RAPE OF VULNERABLE PERSON IN 2022

Children and adolescents continue to be the primary victims of sexual violence: 10,4% of rape victims were babies and children aged 0 to 4 years; 17,7% of victims were between 5 and 9 years old, and 33,2% were between 10 and 13 years old. In other words, 61,4% were at most 13 years old. Approximately 8 out of 10 victims of sexual violence were underage.

It is worth noting that, according to Brazilian legislation, a person is only considered capable of giving consent from the age of 14. In the age group from 14 to 17 years old, most rapes are still considered as vulnerable, meaning situations where the victim, for any reason, is not able to offer resistance.

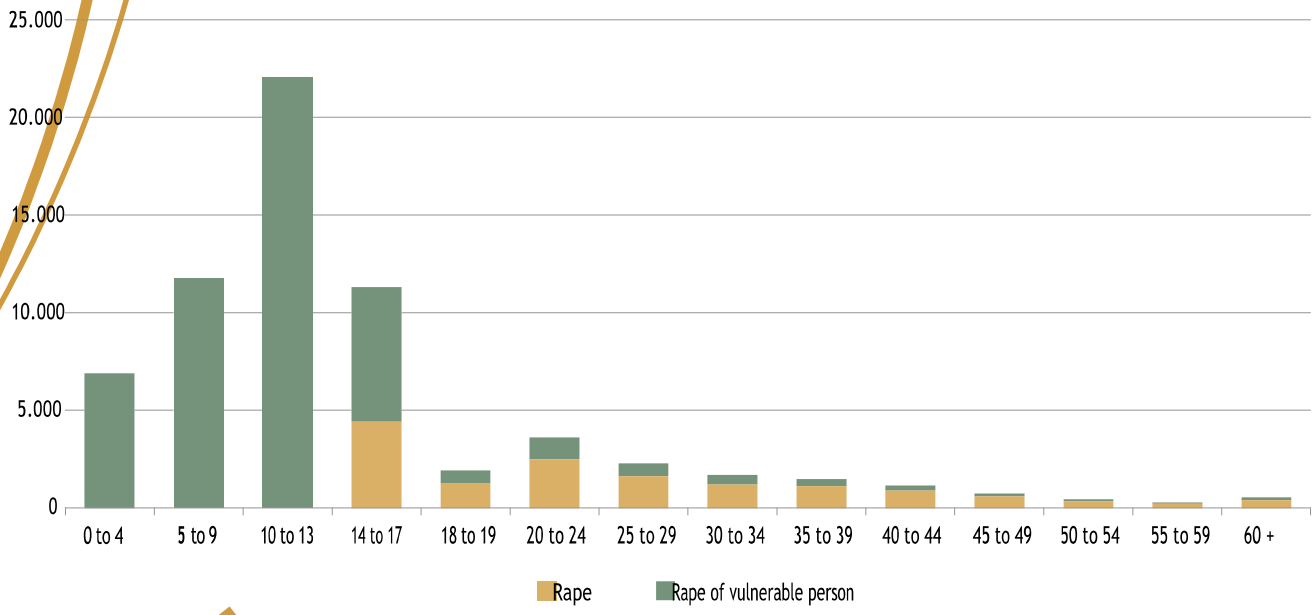
7 Available at https://www.childwelfare.gov/topics/responding/reporting/how/. Accessed on July 14, 2023.

8 Conte, J.R., Simon, J. (2022). Sexual Abuse of Children. In: Geffner, R., White, J.W., Hamberger, L.K., Rosenbaum, A., Vaughan-Eden, V., Vieth, V.I. (eds) Handbook of Interpersonal Violence and Abuse Across the Lifespan. Springer, Cham. https://doi.org/10.1007/978-3-319-89999-2_100

GRAPH 40

Age group of rape and rape of vulnerable victims

Brazil - 2022



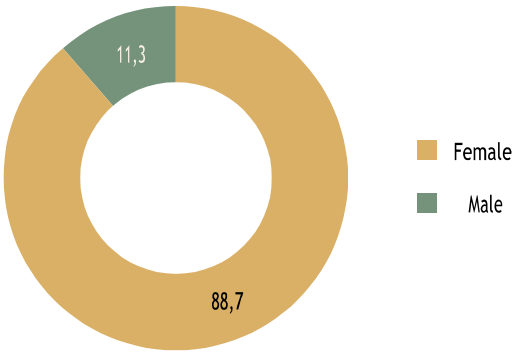
Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

Regarding gender, the proportions have remained the same over the years. Last year, 88,7% of the victims were female, and 11,3% were male.

GRAPH 41

Victims of rape and rape of vulnerable, by gender

Brazil - 2022 (in %)

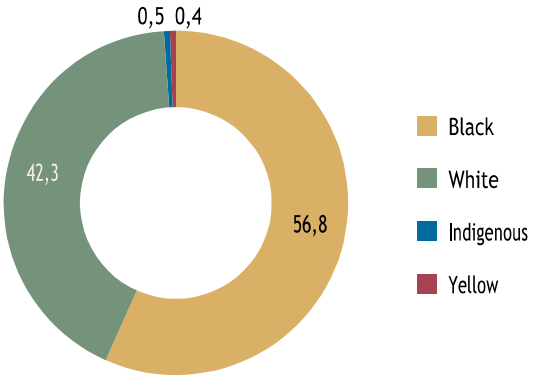


Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

Black individuals continue to be the main victims of sexual violence, but there has been an increase in the proportion compared to 2021. Last year, 56,8% of the victims were Black or mixed-race (compared to 52,2% the previous year). Regarding the others, 42,3% of the victims were white, 0,5% indigenous, and 0,4% yellow.

Some patterns stand out. Among children and adolescents between 0 and 13 years old who were victims of rape last year, the main perpetratorsare family members.

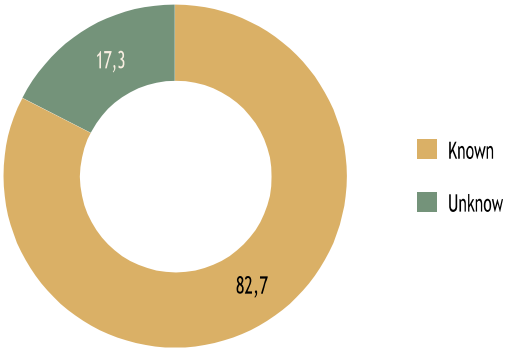
GRAPH 42
Victims of rape and rape of the vulnerable, by race/color
Brazil - 2022



Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

Considering the authorship indicated in the police report, as in previous years, in the vast majority of cases, the abusers are known to the victims (82,7%), and only 17,3% of the reports had strangers as perpetrators of sexual violence.

GRAPH 43
Victims of rape and rape of the vulnerable, by relationship with the perpetrator
Brazil - 2022



Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

When we analyze who the perpetrator of the abuse is according to the age of the victim, some patterns stand out. Among children and adolescents between 0 and 13 years old who were victims of rape last year, the main perpetrators are family members (64,4% of cases), and 21,6% are acquaintances of the victim but without a family relationship. It is important to mention that the collected data brought forward noteworthy information: 7,8% of the cases were recorded as being authored by partners or ex-intimate partners but were reclassified by us and included in "other acquaintances," given the impossibility of individuals at this age consenting to a sexual relationship. Only 13,9% of the incidents were authored by individuals unknown to the victims.

Among victims aged 14 or older, it is noteworthy that 24,4% of cases were perpetrated by partners or former intimate partners of the victims, 37,9% by family members, and 15% by other acquaintances. Only 22,8% of rapes involving individuals aged 14 or older were committed by strangers.

CHART 03

Connection between victim and perpetrator in reports of rape and rape of vulnerable, by age

Brazil - 2022

	Up to 13 years old	14 years and older
Intimate partner	-	14,2
Former intimate partner	-	10,2
Family member	64,4	37,9
Other acquaintances	21,6	15,0
Unknown	13,9	22,8

Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

The proportion of rapes of vulnerable person that occur at home is higher: 71,6% of cases, while in rapes, the average was 57,8%.

Regarding the location of the crime, the residence appears more frequently: on average, 68,3% of combined cases of rape and rape of a vulnerable person occurred at the victim's residence. The proportion of rapes of vulnerable person that occur at home is higher: 71,6% of cases, while in rapes, the average was 57,8%. The public way, often perceived in the social imagination as the most insecure place, was indicated as the location of sexual violence in 17,4% of rape records and 6,8% of vulnerable records. On average, only 1 in 10 rapes/sexual abuses in Brazil occurred in public places.

CHART 04

Location where rape or rape of vulnerable person occurred

Brazil - 2022

Location	Rape	Rape of vulnerable person	Rape + Rape of Vulnerable Person
Residence	57,8	71,6	68,3
Public way	17,4	6,8	9,4
School	1,0	2,6	2,2
Hospital	1,1	0,8	0,9
Rural area	2,9	3,3	3,2
Others	19,8	14,8	16,0

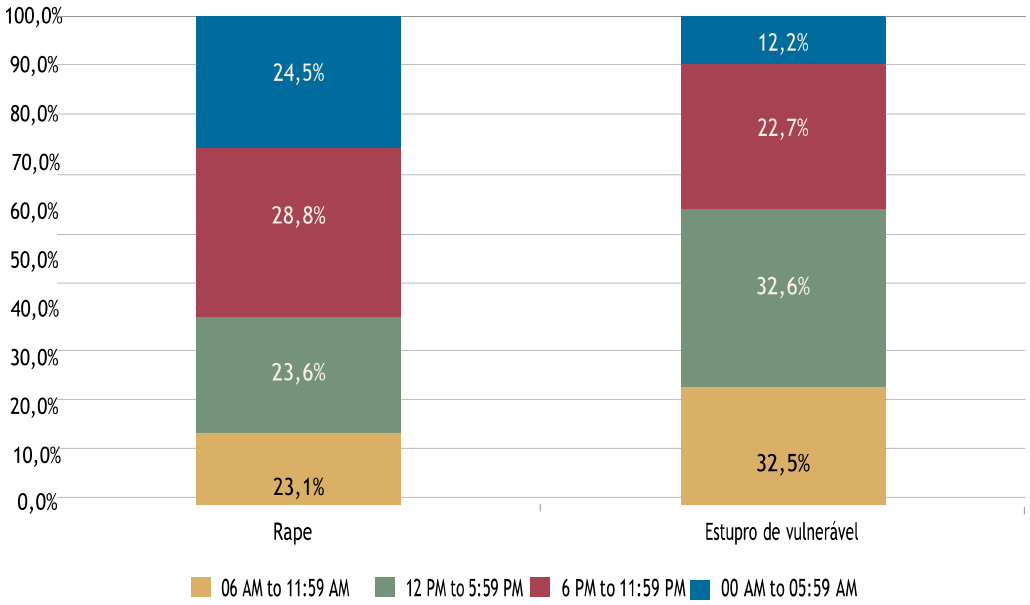
Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

Regarding the time when sexual violence occurs, while **53,3% of rape cases**

occur at night or early in the morning (between 6:00 PM and 05:59 AM), **65,1% of rapes of a vulnerable person, which mainly affects children, occurred during the day**, between 06 AM and 11:59 AM, or between noon and 5:59 PM, a period when the child's mother or caregiver is usually away, working.

GRAPH 44

Time of day when the rape/rape of a vulnerable person occurred
Brazil - 2022



Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

In summary, when we talk about the rapes and rapes of vulnerable person that occurred in 2022, we are talking about a type of violence that is essentially intrafamilial, occurring at home, during the day, and primarily affecting vulnerable individuals. These are factors that make addressing this type of sexual violence extremely challenging. We are probably dealing here with situations of deeply rooted gender-based violence, intertwined and normalized within family relationships, and therefore, transmitted through generations. This context makes it very difficult for victims to recognize the violence they suffer, and when they do, they often face challenges in reporting or seeking help. As a complicating factor, the justice and social protection system also struggles significantly to handle these cases, so it is common for the child to return to the conviviality with the aggressor, who is rarely punished. Given the complexity, responses to sexual violence are not simple and need to consider the various layers of the problem.

We are dealing here with situations of deeply rooted gender-based violence, intertwined and normalized within family relationships, and therefore, transmitted through generations.

I, André Vinícius Inacio Penna Mello, certify that I am competent to translate from Portuguese to English and that the above is a faithful extract/summary of the relevant information of the attached document in Portuguese.

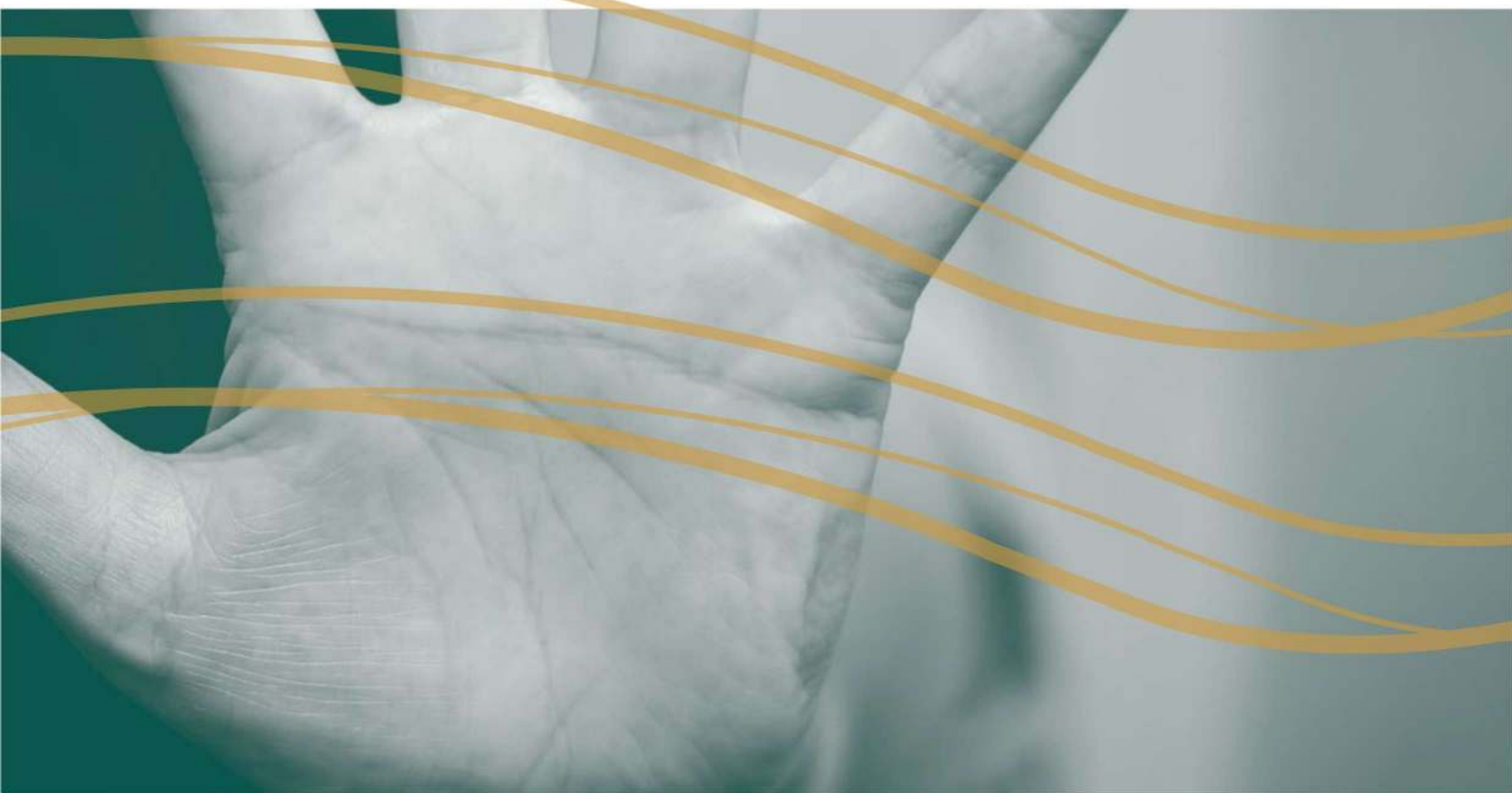


Date: December 19th, 2023.



Violência doméstica **e sexual**

Sumário 127





O crescimento de todas as formas de violência contra a mulher em 2022

Samira Bueno
Doutora em Administração Pública e Governo (FGV-EAESP). Diretora-executiva do Fórum Brasileiro de Segurança Pública.

Juliana Martins
Psicóloga, Doutora pelo Instituto de Psicologia da USP e Coordenadora Institucional do Fórum Brasileiro de Segurança Pública

Amanda Lagreca
Mestranda em Administração Pública e Governo (FGV-EAESP). Pesquisadora do Fórum Brasileiro de Segurança Pública.

Isabela Sobral
Mestre em Administração Pública e Governo (FGV-EAESP). Supervisora do Núcleo de Dados do Fórum Brasileiro de Segurança Pública.

Betina Barros
Doutoranda em Sociologia (USP). Pesquisadora do Fórum Brasileiro de Segurança Pública.

Juliana Brandão
Doutora em Direitos Humanos (USP). Pesquisadora do Fórum Brasileiro de Segurança Pública.

A violência contra a mulher cresceu em 2022. Essa foi a conclusão do relatório "Visível e Invisível: a Vitimização de Mulheres no Brasil", divulgado pelo Fórum Brasileiro de Segurança Pública em março deste ano, cujos dados são baseados em pesquisa de vitimização. Na ocasião, apontamos para os maiores níveis de vitimização por agressão e assédio desde a primeira edição da pesquisa, realizada em 2017.

Os dados divulgados neste Anuário reforçam os achados do relatório de março, mas com uma diferença: correspondem aos registros administrativos, ou seja, tratam de registros de boletins de ocorrência, acionamentos ao 190 e solicitações de medida protetiva ao Judiciário. São os casos que chegaram até as autoridades após meninas e mulheres buscarem ajuda do Estado.

Infelizmente, o que os números revelam não é nada positivo: os feminicídios cresceram 6,1% em 2022, resultando em 1.437 mulheres mortas simplesmente por serem mulheres. Os homicídios dolosos de mulheres também cresceram (1,2% em relação ao ano anterior), o que impossibilita falar apenas em melhora da notificação como causa explicativa para o aumento da violência letal.

Além dos crimes contra a vida, as agressões em contexto de violência doméstica tiveram aumento de 2,9%, totalizando 245.713 casos; as ameaças cresceram 7,2%, resultando em 613.529 casos; e os acionamentos ao 190, número de emergência da Polícia Militar, chegaram a 899.485 ligações, o que significa uma média de 102 acionamentos por hora.

Além disso, registros de assédio sexual cresceram 49,7% e totalizaram 6.114 casos em 2022 e importunação sexual teve crescimento de 37%, chegando ao patamar de 27.530 casos no último ano. Ou seja, estamos falando de um crescimento muito significativo e que perpassa todas as modalidades criminais, desde o assédio, até o estupro e os feminicídios.

Explicar esse crescimento é um desafio. No relatório "Visível e Invisível" nós destacamos três hipóteses principais: 1) em primeiro lugar, ressaltamos o desfinanciamento das políticas de proteção à mulher por parte da gestão de Jair Bolsonaro, que registrou a menor aloca-

ção orçamentária em uma década para as políticas de enfrentamento à violência contra a mulher (FBSP, 2022); 2) chamamos a atenção para o impacto da pandemia de covid-19 nos serviços de acolhimento e proteção às mulheres, que em muitos casos tiveram restrições aos horários de funcionamento, redução das equipes de atendimento ou mesmo foram interrompidos; 3) por fim, não há como dissociar o cenário de crescimento dos crimes de ódio da ascensão de movimentos ultraconservadores na política brasileira, que elegeram o debate sobre igualdade de gênero como inimigo número um.

Gostaríamos de, neste espaço, incluir uma quarta hipótese para o crescimento acentuado de todas as formas de violência baseada em gênero. O mundo ainda é bastante difícil para nós, mulheres, que temos que superar dificuldades e obstáculos cotidianamente, em todos os espaços e relações sociais. Mas conseguimos, ainda assim, vislumbrar avanços. Seja nos espaços criados para diálogos e reflexão, seja no aperfeiçoamento de mecanismos de proteção na justiça, na assistência social, nas empresas, no mundo doméstico e no privado. Seja por sermos, sempre, resistência.

Há uma teoria bastante difundida nos estudos feministas, a do "*backlash*", e que pode nos ajudar a entender por que a violência contra as mulheres continua crescendo: na medida em que avançamos em ações e intenções que promovam a igualdade de gênero em diferentes espaços, as violências contra as mulheres aumentam. Seria uma reação ao fato de tentarmos romper com os papéis sociais que nos foram histórica e culturalmente atribuídos. É comum que mulheres que passam a trabalhar fora, depois de anos se dedicando ao trabalho doméstico, comecem a sofrer violência por parte de seus maridos ou companheiros[1]. Ou que o nível de violência seja mais elevado em relações em que a mulher possui maior renda ou grau de escolaridade. Nessas situações a violência é utilizada como forma de restabelecer a superioridade masculina sobre as mulheres e, de certa forma, devolvê-las a um lugar do qual não deveriam ter saído (Portella, 2020[2]).

Por isso, infelizmente não nos surpreende que o Anuário deste ano traga o crescimento de todos os indicadores de violência doméstica e demais modalidades de violência contra a mulher. Enquanto avançamos, resistimos, ampliamos o debate e a coragem, sofremos mais violências.

AGRESSÃO, AMEAÇA, VIOLÊNCIA PSICOLÓGICA E *STALKING*

No ano passado, 245.713 mulheres registraram boletim de ocorrência para agressões ocorridas no ambiente doméstico ou dele decorrente. Isso significa dizer que, diariamente, 673

1 Saffioti argumenta que o aumento do poder econômico das mulheres pode funcionar como um gatilho, que aumenta a tensão nas relações entre homens e mulheres já que é na violência que eles buscam manter sua superioridade (apud Cerqueira et al, 2019).

2 PORTELLA, ANA PAULA. Como morre uma mulher? Recife: Ed. UFPE, 2020.

mulheres se deslocaram até uma delegacia de polícia para denunciar um episódio de violência doméstica, crescimento de 2,9% em relação aos registros do ano anterior.

As ameaças também apresentaram crescimento e resultaram em um total de 613.529 registros, o que significa um aumento de 7,2% em relação a 2021. A ameaça é uma das formas de violência psicológica que o agressor pode exercer sobre a mulher, causando dano emocional e mantendo-a sob seu jugo por medo. Já a violência psicológica enquanto tipo penal foi tipificada em 2021 e resultou no registro de 24.382 boletins de ocorrência, com taxa de 35,6 mulheres por grupo de 100 mil (considerando que oito UFs não enviaram os dados sobre o crime).

Isso significa dizer que, diariamente, 673 mulheres se deslocaram até uma delegacia de polícia para denunciar um episódio de violência doméstica, crescimento de 2,9% em relação aos registros do ano anterior.

Outro crime tipificado recentemente é a perseguição, prática também conhecida como *stalking*, que resultou em 56.560 casos de mulheres vítimas em 2022, uma taxa de 54,5 por 100 mil. O monitoramento desta modalidade criminal é fundamental, dado que o *stalking* é fator de risco para a ocorrência de feminicídios. Em uma pesquisa realizada na Austrália e que envolveu a análise de 141 feminicídios e 65 tentativas de feminicídio, os autores verificaram que 76% das vítimas de feminicídio e 85% das vítimas de tentativa de feminicídio sofreram perseguição do agressor nos 12 meses que antecederam a ocorrência (McFarlane et al, 1999[3]). Mesmo a perseguição no mundo digital tem sido apontada como fator de risco para a violência letal contra mulher, indicando que a tecnologia facilita o controle e uma violência onipresente contra a mulher (McLachlan, Harris, 2022[4]).

ACIONAMENTOS DA POLÍCIA MILITAR

Em 2022 foram registrados 899.485 acionamentos ao 190 relacionados a casos de violência doméstica. O número de emergência das Polícias Militares é uma das medidas mais utilizadas pelas vítimas como forma de acesso rápido à proteção policial. Os valores indicam que as polícias militares receberam 102 acionamentos a cada hora para o atendimento dessas ocorrências no último ano, evidenciando a pressão nas organizações responsáveis pelo policiamento ostensivo, frequentemente acusadas de não prestarem atendimento adequado às vítimas.

Vale destacar que recentemente foi aprovado no Senado, sob a relatoria do senador Fabiano Contarato (PT-ES), o projeto de Lei Orgânica da Polícia Militar que limita a entrada de mulheres nestas organizações com a fixação de um teto de 20% nos concursos de seleção. Segundo a última edição do Anuário, apenas 12% do efetivo das Polícias Militares é formado

3 McFARLANE, J. M., CAMPBELL, J. C., WILT, S., SACHS, C. J., ULRICH, Y., XU, X. Stalking and intimate partner femicide. Homicide Studies, Vol. 3 No. 4, 300-316, November 1999.

4 McLachlan, F., & Harris, B. (2022). Intimate risks: Examining online and offline abuse, homicide flags, and femicide. Victims and Offenders, 17(5), 623-646. https://doi.org/10.1080/15564886.2022.2036658

por mulheres, percentual ainda menor em estados como Ceará (4%) e Rio Grande do Norte (5%). Se com a ampla participação feminina já é difícil convencer as instituições policiais de garantir adequado treinamento e condições de atendimento às mulheres em situação de violência doméstica, a limitação de mulheres fixada em um teto é a prova de que as polícias não compreenderam ainda a enorme responsabilidade que possuem.

MEDIDAS PROTETIVAS DE URGÊNCIA

As Medidas Protetivas de Urgência (MPUs) são regulamentadas pela Lei Maria da Penha - Lei 11.340 de 2006 - e traduzem juridicamente o mecanismo hábil a proteger a integridade física, psicológica, sexual, patrimonial ou moral da mulher em situação de violência ou de seus dependentes. Tamanha é a aposta normativa nesse instrumento legal que tivemos em abril de 2023 uma alteração legislativa que desvinculou a sua concessão da necessidade de prévia apuração policial ou mesmo de processo judicial. Ou seja, a lei reconheceu a existência de obstáculos no próprio procedimento jurídico que, por vezes, acabavam por esvaziar o efetivo enfrentamento da violência doméstica e familiar.

Deve-se ressaltar também que as MPUs são impulsionadas pela leitura que as próprias mulheres fazem da situação de violência vivida. Embora a lei eleja o Ministério Público como polo legítimo para o requerimento dessas medidas, é inquestionável que é o depoimento das mulheres que dará os contornos sob os quais será feito o pedido a ser apreciado pelo Poder Judiciário.

É de se supor, portanto, que ainda há obstáculos no acesso à justiça das mulheres que buscam socorro no Judiciário. Isso porque, a despeito dos seus relatos de violência, nem todas medidas protetivas de urgência têm sido concedidas.

Tomando os índices de MPUs solicitadas e concedidas no ano de 2022, apesar do aumento percentual em relação ao ano anterior, chama atenção o fato de que apenas 85% das medidas solicitadas foram atendidas. No cenário estadual, Minas Gerais e Alagoas não chegam a atingir 70% de MPUs deferidas. E tão só seis Estados (Amazonas, Rio Grande do Norte, Sergipe, Maranhão, São Paulo e Bahia) superam o índice de 90% de deferimento.

É de se supor, portanto, que ainda há obstáculos no acesso à justiça das mulheres que buscam socorro no Judiciário. Isso porque, a despeito dos seus relatos de violência, nem todas medidas protetivas de urgência têm sido concedidas. Temos aí um quadro que, no limite, coloca em questionamento a manifestação da própria vítima e aumenta a vulnerabilidade das mulheres que buscam apoio do Estado Brasileiro.

FEMINICÍDIOS E HOMICÍDIOS DOLOSOS DE MULHERES

Conforme já afirmamos, 1.437 mulheres foram mortas em razão do seu gênero no ano passado, o que significa um crescimento de 6,1% em relação a 2021. O feminicídio, tipificado

pela Lei 13.014 de 2015, é categoria penal dada a toda morte de mulheres ocorrida por sua condição de gênero ou quando envolve violência doméstica ou familiar. Trata-se, portanto, de uma morte necessariamente discriminatória (Campos, 2015[5]).

O feminicídio é compreendido, por boa parte da literatura, enquanto a parte final de um processo de agravamento da violência e que pode ser entendido como um *continuum* de terror (Pasinato, 2011[6]). Por conta disso, é possível dizer que o feminicídio é uma violência evitável se forem empregadas políticas públicas de prevenção, proteção e acolhimento das vítimas dos diversos tipos de violência contra as meninas e mulheres.

Pesquisa realizada por Ávila et al, 2023[7], mostra que na maior parte dos casos de feminicídios, filhos, familiares ou amigos das vítimas já haviam presenciado as agressões (Ávila, et al, 2023). No que se refere ao acesso às instituições de segurança pública, contudo, o cenário parece ser o oposto. No estudo "Raio-X do feminicídio em São Paulo: é possível evitar a morte", do Ministério Público do Estado de São Paulo, constatou-se que 97% das vítimas de feminicídio não tinham medidas protetivas quando foram mortas. Nesse mesmo sentido, relatórios estatísticos produzidos por algumas delegacias e departamento de proteção às mulheres a nível estadual costumam chamar a atenção para o fato de que a maior parte das vítimas ainda não havia buscado ajuda das autoridades policiais quando foi morta.

Em 2022, os homicídios femininos também mostraram crescimento, chegando a 4.034 vítimas, um aumento de 1,2% em relação a 2021.

Em 2022, os homicídios femininos também mostraram crescimento, chegando a 4.034 vítimas, um aumento de 1,2% em relação a 2021. No país, 35,6% dos assassinatos de mulheres foram classificados como feminicídios, mas com diferenças importantes entre os estados. A maior proporção se deu no DF, onde 59,4% das mortes violentas foram classificadas no tipo penal específico. Já o menor percentual foi em Roraima, onde apenas 9,1% dos registros foram tipificados com a qualificadora do feminicídio.

Foi no estado de Rondônia, contudo, onde se constatou as maiores taxas do país, tanto a de feminicídios (3,1 vítimas por 100 mil habitantes), quanto a de homicídios femininos (11,2). Os dados também indicam a alta prevalência de homicídios com vítimas mulheres no Rio Grande do Sul, com taxa de 7,0 vítimas por 100 mil habitantes, o que significa um aumento de 18,0% em relação à taxa do ano anterior.

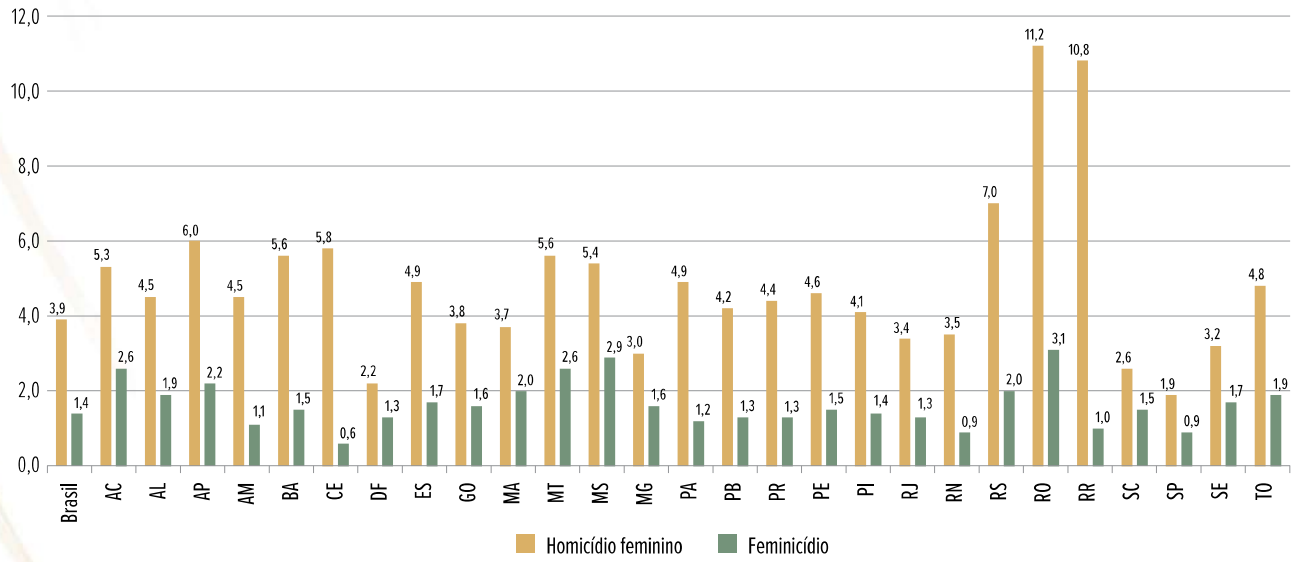
5 CAMPOS, Carmen Hein. Feminicídio no Brasil: Uma análise crítico-feminista. Sistema Penal & Violência, Porto Alegre, v. 7, n. 1, p. 103-115, jan.-jun. 2015

6 Pasinato, Wania. "Femicídios" e as mortes de mulheres no Brasil. Dossiê: Violência: outros olhares • Cad. Pagu (37) • Dez 2011 • https://doi.org/10.1590/S0104-83332011000200008

7 Ávila, Thiago Pierobom de; Medeiros, Marcela Novais; Chagas, Cátia Betânia; Vieira, Elaine Novaes; Magalhães, Thais Quezado Soares; Passeto, Andrea Simoni de Zappa. Políticas públicas de prevenção ao feminicídio e interseccionalidades. Revista Brasileira de Políticas Públicas, Brasília, v. 10, n. 2, p. 375-407, 2020.

GRÁFICO 32

Taxas de homicídios feminino e feminicídios
UF's, Brasil, 2022

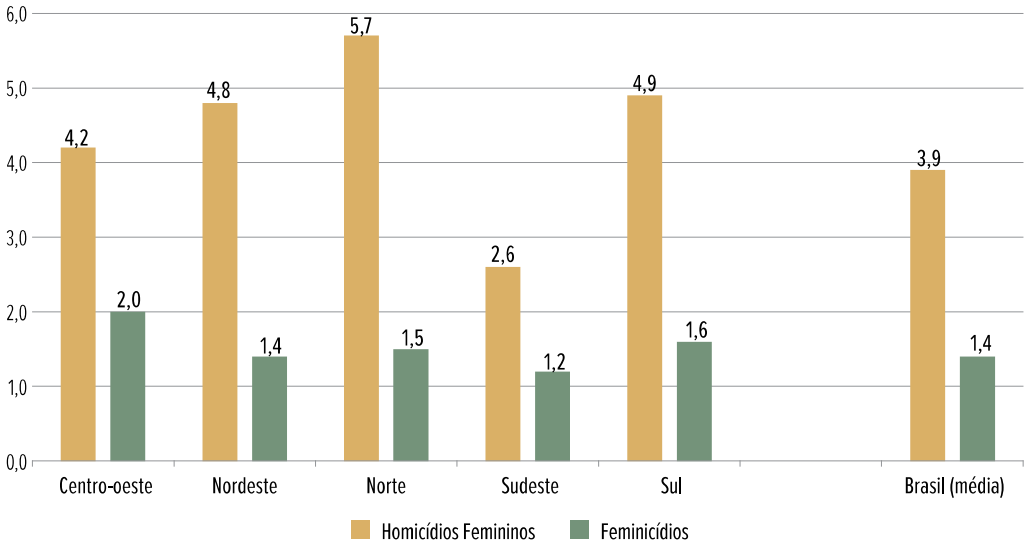


Fonte: Secretarias Estaduais de Segurança Pública e/ou Defesa Social; Instituto de Segurança Pública/RJ (ISP); Estimativas da população residente no Brasil e Unidades da Federação - IBGE, realizadas por meio de interpolação linear; Censo 2022 - IBGE; Fórum Brasileiro de Segurança Pública.

O recorte das taxas por região evidencia a maior taxa de homicídios femininos na Região Norte, com 5,7 casos para cada 100 mil mulheres, enquanto a média nacional reside em 3,9 por 100 mil. Já para os feminicídios, a maior taxa foi verificada na Região Centro-Oeste, com 2,0 casos para cada 100 mil mulheres, sendo que no Brasil a média é de 1,4 por 100 mil. A Região Sudeste, por sua vez, possui as menores taxas em ambos os casos.

GRÁFICO 33

Taxas de homicídios feminino e feminicídios, por região
Brasil, 2022



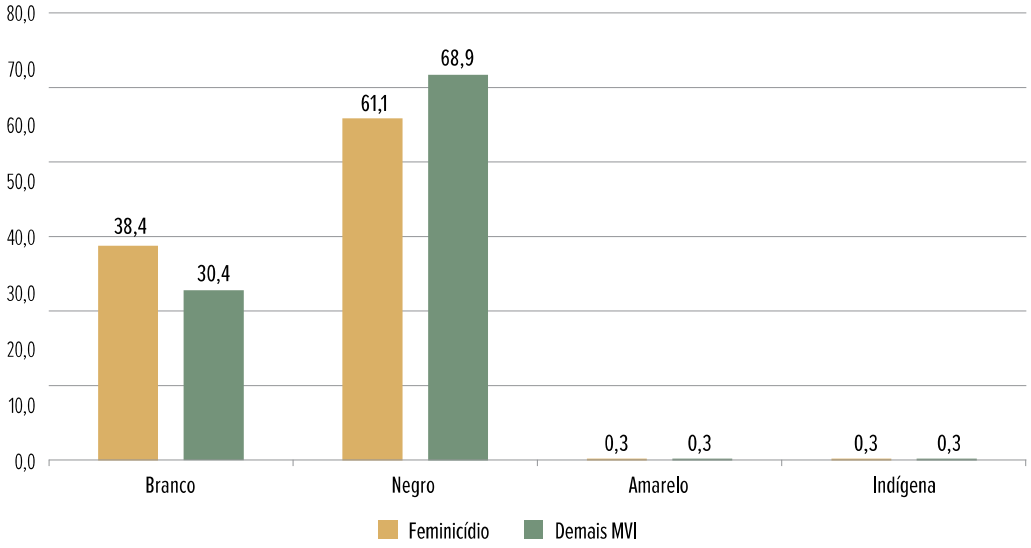
Fonte: Secretarias Estaduais de Segurança Pública e/ou Defesa Social; Instituto de Segurança Pública/RJ (ISP); Estimativas da população residente no Brasil e Unidades da Federação - IBGE, realizadas por meio de interpolação linear; Censo 2022 - IBGE; Fórum Brasileiro de Segurança Pública.

PERFIL DAS VÍTIMAS DE VIOLÊNCIA LETAL

O recorte em termos de raça/cor das mulheres vítimas de violência letal no país reafirma os elementos de racismo que perpassam todas as modalidades criminosas no país, de um jeito ou de outro. Entre as vítimas de feminicídio, têm-se que 61,1% eram negras e 38,4% brancas. Nos demais assassinatos de mulheres, o percentual de vítimas negras é ainda maior, com 68,9% dos casos, para 30,4% de brancas.

GRÁFICO 34

Percentual de raça/cor das vítimas de feminicídios e demais mortes violentas
Brasil, 2022



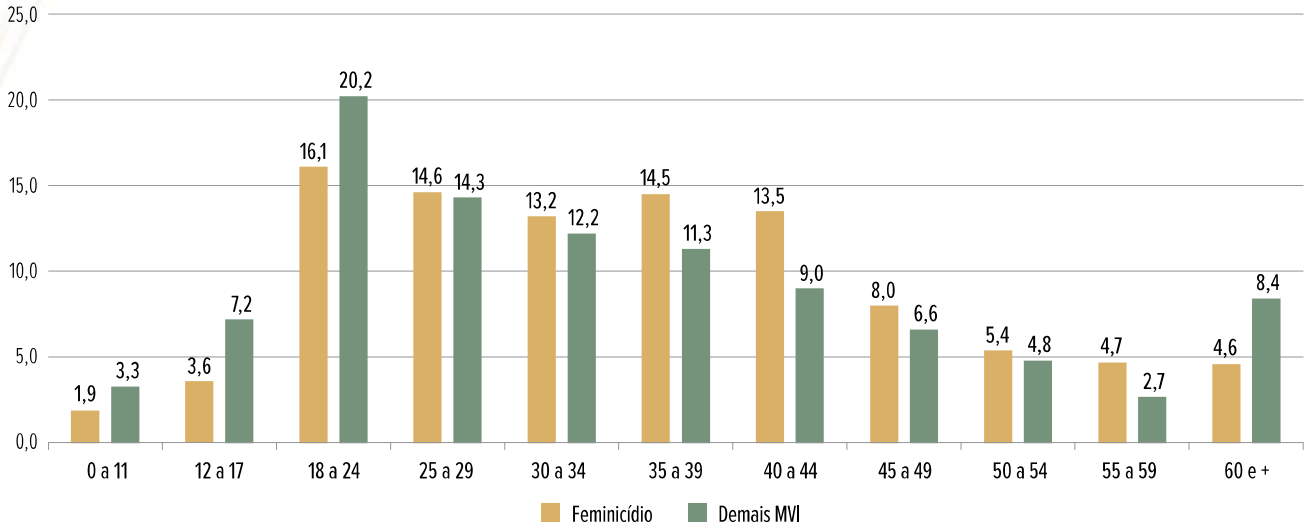
Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Quanto à idade, 71,9% das vítimas de feminicídio tinham entre 18 e 44 anos quando foram mortas, sendo que o maior percentual se concentra na faixa entre 18 e 24 anos. Já para as demais mortes violentas, a faixa etária de maior risco está mais concentrada na juventude da mulher, entre os 18 e os 29 anos. Diferente dos homens, portanto, cujo risco de ser vítima de morte violenta cai consideravelmente a partir dos 29 anos, para as mulheres a dinâmica dos feminicídios implica em um elevado risco por pelo menos mais 15 anos.

O recorte em termos de raça/cor das mulheres vítimas de violência letal no país reafirma os elementos de racismo que perpassam todas as modalidades criminosas no país, de um jeito ou de outro.

GRÁFICO 35

Percentual de idade das vítimas de feminicídios e demais mortes violentas
Brasil, 2022

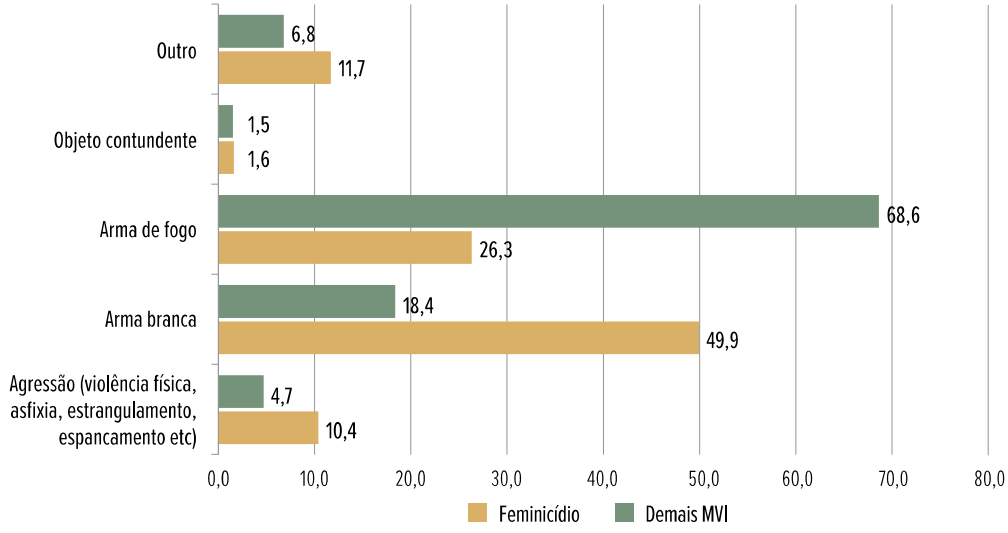


Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

A ideia de que o feminicídio é um crime "passional" acaba gerando conclusões muitas vezes precipitadas em relação aos instrumentos empregados no ato de sua morte. Assim, ainda que nos casos de feminicídios, a arma branca seja a mais frequente, responsável pela metade das mortes, a arma de fogo foi o instrumento utilizado em 26,3% dos casos. Agressões, por sua vez, foram o *modus operandi* de 10,4% das fatalidades registradas. Nos demais assassinatos de mulheres as armas ganham maior protagonismo e representam 68,6% dos casos, enquanto a arma branca foi utilizada em 18,4% dos eventos violentos.

GRÁFICO 36

Percentual de tipo de instrumento empregado em feminicídios e demais mortes violentas
Brasil, 2022

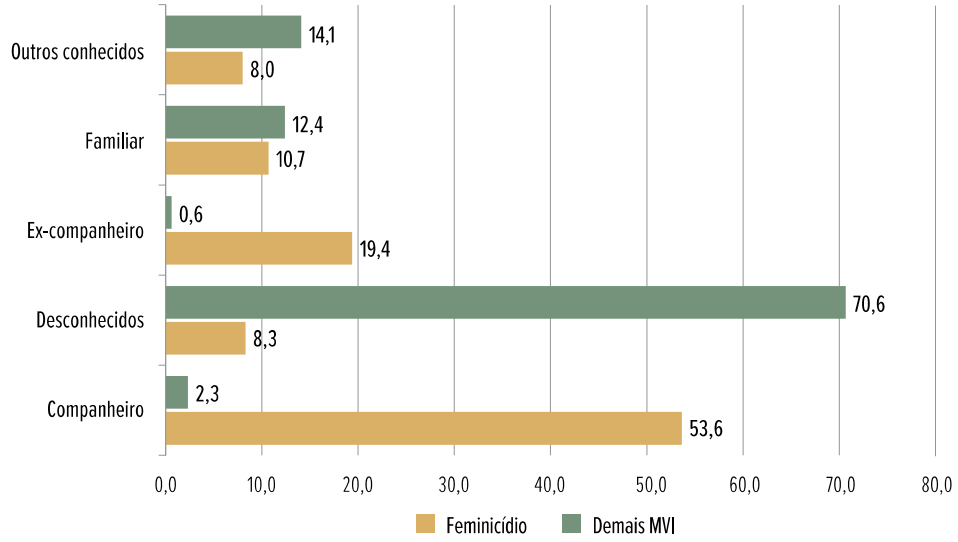


Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

A identificação dos autores das mortes violentas intencionais de mulheres retrata uma realidade completamente oposta quando comparamos feminicídios e as demais modalidades. Se nos casos dos feminicídios, em mais da metade dos casos (53,6%) o autor é identificado como o parceiro íntimo, em 19,4% dos casos como o ex-parceiro íntimo e em 10,7% dos registros constava outro familiar, como filho, irmão ou pai; nos demais assassinatos de mulheres, 70,6% dos autores restam desconhecidos no momento da consolidação da estatística criminal. São mulheres que muitas vezes restarão esquecidas pelas autoridades policiais, sem que uma resposta seja dada aos familiares a respeito do que e de quem foi o responsável pelo fim trágico da sua vida.

GRÁFICO 37

Percentual de autores das vítimas de feminicídios e demais mortes violentas
Brasil, 2022

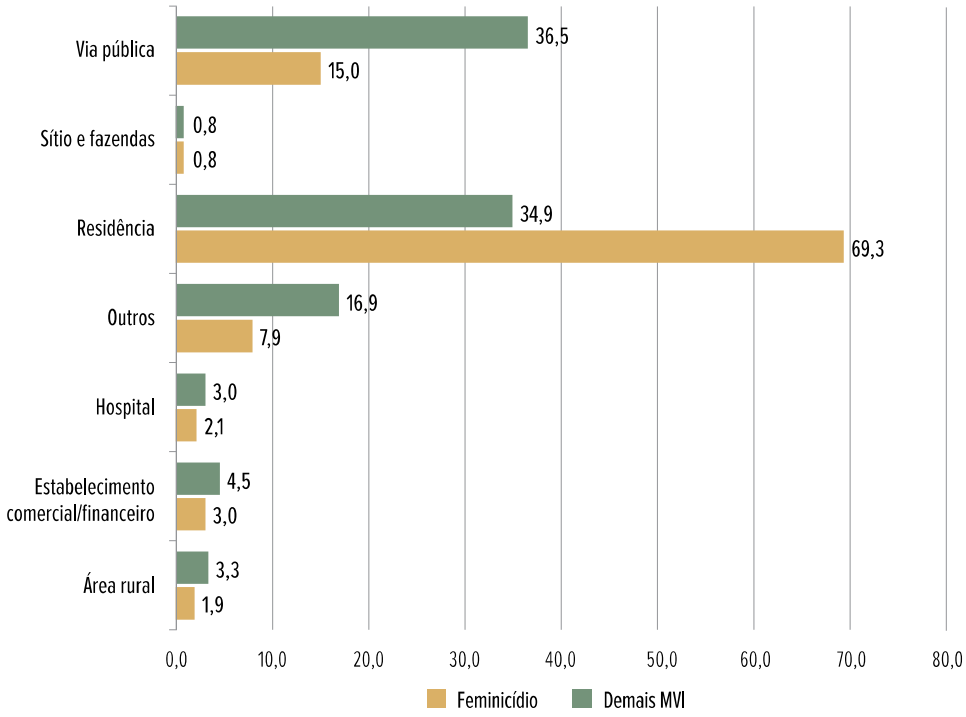


Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Por fim, confirmando o que os dados até aqui já evidenciaram, quando se trata de mortes violentas com vítimas mulheres, há uma clivagem importante na dinâmica criminal dos feminicídios em comparação com as demais MVI's. Em se tratando do local de ocorrência do evento violento, 7 em cada 10 vítimas de feminicídio foram mortas dentro de casa. Já nos demais assassinatos de mulheres, a via pública foi o lugar mais frequente, representando o local da morte de 36,5% dos casos, seguido da residência (34,9%).

GRÁFICO 38

Percentual do local de ocorrência dos feminicídios e das demais mortes violentas de mulheres
Brasil, 2022



Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Distinguir os pontos em comum e as diferenças dos feminicídios e dos homicídios dolosos e demais mortes violentas de mulheres no que diz respeito à dinâmica do fato violento, às características dos autores e das vítimas é apenas o primeiro passo no processo de compreensão mais aprofundada deste fenômeno social. Diante disso, se os feminicídios ganham cada vez mais manchetes jornalísticas, atenção da sociedade e preocupação por parte das políticas de governo, os homicídios dolosos com vítimas mulheres – normalmente relacionados à dinâmica da violência urbana e do tráfico de drogas, cometidos com arma de fogo, nas vias públicas e residências, com mais vítimas negras, mais jovens e com autores que restam quase sempre desconhecidos – quase nunca ganham o mesmo destaque.

Para que uma política de proteção seja realmente capaz de mudar esse cenário, contudo, não basta voltar os olhares apenas para uma parte dessas vítimas.

Como deixamos claro desde o início, 2022 foi um ano em que cresceram os índices de todas as formas de criminalidade marcadas pela violência de gênero e que atingem centenas de milhares de mulheres em todo o país. Para que uma política de proteção seja realmente capaz de mudar esse cenário, contudo, não basta voltar os olhares apenas para uma parte dessas vítimas. Também as mulheres negras, as moradoras de rua, mulheres trans e travestis, trabalhadoras do sexo, mulheres do campo e da cidade, indígenas e quilombolas: são todas merecedoras do direito a um futuro feliz e seguro, com a efetivação das garantias constitucionalmente previstas, para que possam *ser, viver e exercer* tudo aquilo que desejarem em suas vidas.

A explosão da violência sexual no Brasil

Samira Bueno
Diretora-executiva do Fórum Brasileiro de Segurança Pública.

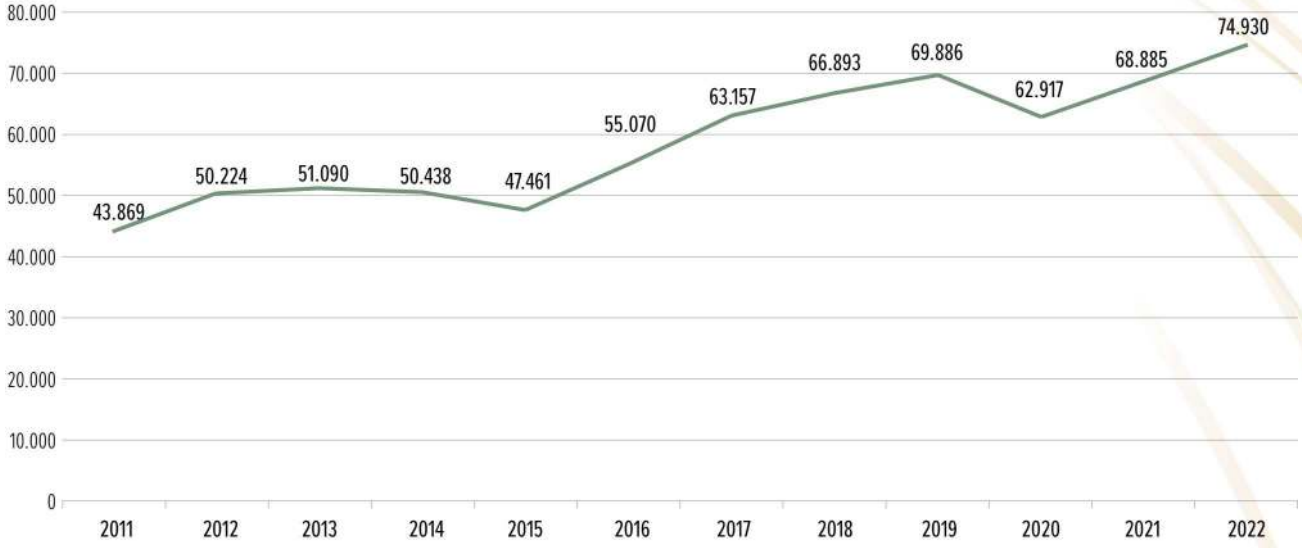
Marina Bohnenberger
Mestre em Antropologia Social (USP). Pesquisadora do Fórum Brasileiro de Segurança Pública.

Juliana Martins
Psicóloga, Doutora pelo Instituto de Psicologia da USP e Coordenadora Institucional do Fórum Brasileiro de Segurança Pública.

Isabela Sobral
Mestre em Administração Pública e Governo (FGV/EAESP) e Supervisora do Núcleo de Dados do Fórum Brasileiro de Segurança Pública.

Os dados divulgados nesta edição do Anuário Brasileiro de Segurança Pública revelam um cenário devastador: o maior número de registros de estupro e estupro de vulnerável da história, com 74.930 vítimas. Estes números correspondem aos casos que foram notificados às autoridades policiais e, portanto, representam apenas uma fração da violência sexual experimentada por mulheres e homens, meninas e meninos de todas as idades. Em relação ao ano de 2021 a taxa de estupro e estupro de vulnerável cresceu 8,2% e chegou a 36,9 casos para cada grupo de 100 mil habitantes.

GRÁFICO 39
Evolução do número de estupros e estupros de vulnerável
Brasil - 2011-2022



Fonte: Secretarias Estaduais de Segurança Pública e/ou Defesa Social; Instituto de Segurança Pública/RJ (ISP); Polícia Civil do Estado do Amapá; Polícia Civil do Distrito Federal; Polícia Civil do Estado de Roraima; Fórum Brasileiro de Segurança Pública.

Os números aqui apresentados consideram os casos de estupro, que somaram 18.110 vítimas em 2022, crescimento de 7% em relação ao ano anterior, bem como os casos de estupro de vulnerável, com um total de 56.820 vítimas, incremento de 8,6%. Isto significa dizer que 24,2% das vítimas eram homens e mulheres com mais de 14 anos, e que 75,8% eram incapazes de consentir, fosse pela idade (menores de 14 anos), ou por qualquer outro motivo (deficiência, enfermidade etc.).

Explicar o crescimento da violência sexual no Brasil não é tarefa fácil. Em primeiro lugar, porque a subnotificação é regra nestes casos e está longe de ser uma especificidade do contexto brasileiro, estando presente em levantamentos em todo o mundo (National Sexual Violence Resource Center, 2015[1]; Statistics Canada, 2019[2]; Jones et al, 2009[3]). Estudo recente divulgado por pesquisadores do IPEA[4] indicou que apenas 8,5% dos estupros no Brasil são reportados às polícias e 4,2% pelos sistemas de informação da saúde. Assim, segundo a estimativa produzida pelos autores, o patamar de casos de estupro no Brasil é da ordem de 822 mil casos anuais. Se considerarmos que desde 2019 (ano considerado no estudo) os registros cresceram, a situação pode ser ainda mais grave.

Seja como for, podemos ter como hipótese que estamos diante de um aumento das notificações já que as vítimas estão mais informadas e empoderadas. É inegável o efeito de campanhas como a #PrimeiroAssédio, promovida pela organização Think Olga, que viralizou nas redes sociais em 2015 e resultou em mais de 82 mil compartilhamentos em apenas cinco dias.

No entanto, este argumento precisa ser relativizado quando verificamos o perfil das vítimas. No Brasil, 6 em cada 10 vítimas são vulneráveis com idades entre 0 e 13 anos, que são vítimas de familiares e outros conhecidos. Ou seja, ainda que estas crianças e adolescentes estejam mais informadas sobre o que é o abuso, é difícil crer na hipótese do empoderamento como única explicação para o fenômeno.

Estudos recentes sobre abuso sexual contra crianças no período da pandemia têm sugerido que o fechamento das escolas em função das medidas de isolamento social pode ter ampliado a vulnerabilidade de crianças e, inclusive, que parte das notificações decorre de abusos iniciados e/ou ocorridos durante o *lockdown*, mas que só vieram à tona quando as crianças voltaram a frequentar as escolas. A pesquisa de Paramasivan et al (2023[5]) em Tamil Nadu, na Índia, demonstrou que os registros de abuso sexual caíram fortemente durante a primeira e a segunda ondas de covid-19, períodos de fortes restrições de mobilidade e fechamento de diferentes equipamentos, inclusive escolas, mas observou crescimento agudo das notificações no período posterior às restrições. No mesmo sentido o estudo de Stevens et al (2021[6]), no Quênia, indicou que o fechamento das escolas ampliou a vulnerabilidade de crianças à violência sexual e que a pandemia determinou mudanças nos padrões de vitimização, com vítimas mais jovens, sofrendo violência em horário comercial, em residências e por conhecidos.

1 National Sexual Violence Resource Center z Info & Stats For Journalists. Statistics about sexual violence, 2015.

2 Department of Justice Canada. Just Facts, Research and Statistics Division, April 2019.

3 Jones JS, Alexander C, Wynn BN, Rossman L, Dunnuck C. Why women don't report sexual assault to the police: the influence of psychosocial variables and traumatic injury. J Emerg Med. 2009 May;36(4):417-24. doi: 10.1016/j.jemermed.2007.10.077. Epub 2008 May 7. PMID: 18462905.

4 FERREIRA, H.; COELHO, D.S.C; CERQUEIRA, D.; ALVES, P.; SEMENTE, M.. Elucidando a prevalência de estupro no Brasil a partir de diferentes bases de dados. Instituto de Pesquisa Econômica Aplicada – IPEA 2023.

5 PARAMASIVAN, K., RAJ, B., SUDARASANAM, N., SUBBURAJ, R.. Prolonged school closure during the pandemic time in successive waves of COVID-19- vulnerability of children to sexual abuses – A case study in Tamil Nadu, India. Heliyon, Volume 9, Issue 7, July 2023.

6 STEVENS, L., ROCKEY, J. C., ROCKOWITZ, S. R., KANJA, W., COLLOFF, M. F., FLOWE, H. D.. Children's Vulnerability to Sexual Violence During COVID-19 in Kenya: Recommendations for the Future. PERSPECTIVE published: 24 February 2021 doi: 10.3389/fgwh.2021.630901

Estes achados reforçam a importância da escola como espaço de proteção de crianças em situação de vulnerabilidade. O relatório Child Maltreatment 2019[7], produzido pelo Child Welfare Information Gateway, mostrou que os profissionais que mais reportam episódios de maus-tratos e abusos contra crianças nos EUA são aqueles vinculados à educação (21%), seguidos das polícias e demais agentes da lei (19,1%), e os serviços de saúde (11%). Embora não tenhamos pesquisas sobre o tema no Brasil, é comum ouvir relatos de profissionais de educação, ou mesmo de policiais, que indicam que foi o professor ou a professora que notou diferenças no comportamento da criança e primeiro soube do abuso. Assim, a escola tem um papel fundamental para identificar episódios de violência, mas, principalmente, em fornecer o conhecimento necessário para que as crianças entendam sobre abuso sexual e sejam capazes de se proteger (Du Bois, Miley, 2005; Delport, 2010).

Vale destacar que é comum que a criança não tenha sequer capacidade de reconhecer o abuso sofrido, seja pela falta de conhecimento sobre o tema ou pelo vínculo com o agressor.

Vale destacar que é comum que a criança não tenha sequer capacidade de reconhecer o abuso sofrido, seja pela falta de conhecimento sobre o tema ou pelo vínculo com o agressor. Isto porque é compreensível que a criança tenha algum sentimento de amor ou mesmo lealdade pelo agressor, já que em geral o abuso é praticado por pais, padrastos, avôs e outros familiares (Conte, Simon, 2021[8]). Além disso, o abusador tende a manipular a criança com ameaças ou subornos, o que garante o silêncio da vítima (ibidem). Por fim, o sentimento de culpa ou mesmo vergonha costuma estar presente na criança, que acaba por não revelar nada a familiares. A apresentadora Xuxa Meneghel revelou em sua coluna na revista Vogue há alguns anos que foi vítima de abusos sexuais dos 4 aos 13 anos por diferentes agressores, todos familiares e/ou conhecidos. Ela só teve coragem de falar sobre os abusos sofridos aos 50 anos de idade.

PERFIL DAS VÍTIMAS DE ESTUPRO E ESTUPRO DE VULNERÁVEL EM 2022

As crianças e adolescentes continuam sendo as maiores vítimas da violência sexual: 10,4% das vítimas de estupro eram bebês e crianças com idade entre 0 e 4 anos; 17,7% das vítimas tinham entre 5 e 9 anos e 33,2% entre 10 e 13 anos. Ou seja, 61,4% tinham no máximo 13 anos. Aproximadamente 8 em cada 10 vítimas de violência sexual eram menores de idade.

Vale lembrar que, segundo a legislação brasileira, uma pessoa só passa a ser capaz de consentir a partir dos 14 anos. Na faixa que vai de 14 a 17 anos, a maior parte dos estupros ainda é de vulnerável, ou seja, situações em que a vítima, por qualquer razão, não é capaz de oferecer resistência.

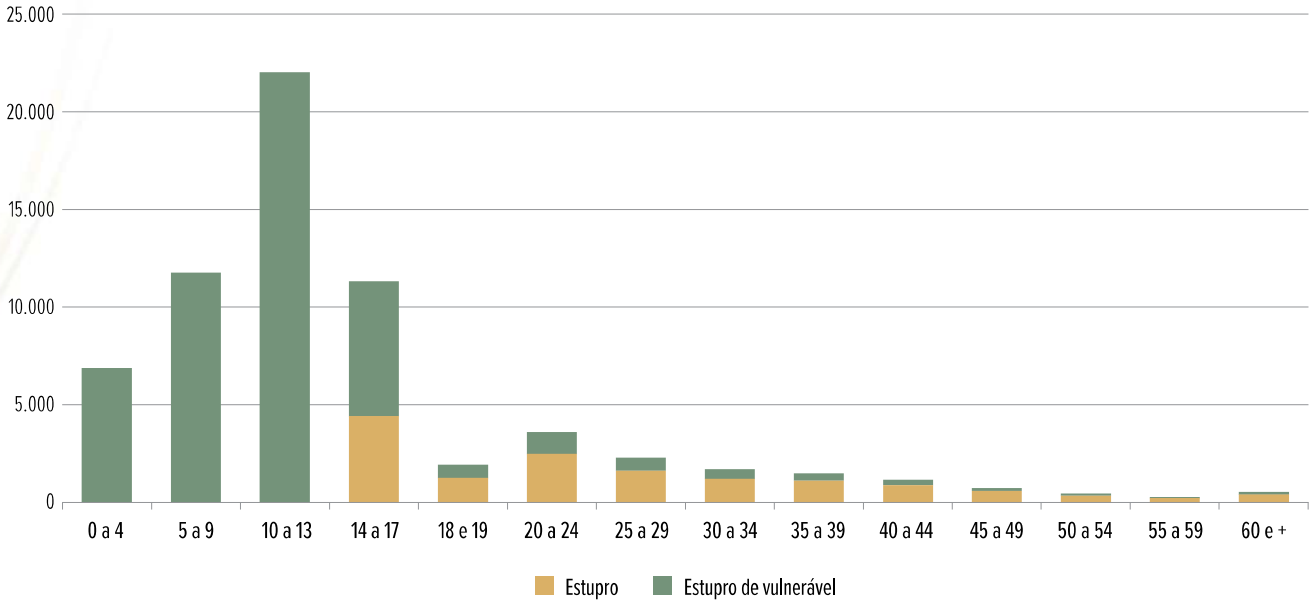
7 Disponível em https://www.childwelfare.gov/topics/responding/reporting/how/. Consulta em 14 de julho de 2023.

8 Conte, J.R., Simon, J. (2022). Sexual Abuse of Children. In: Geffner, R., White, J.W., Hamberger, L.K., Rosenbaum, A., Vaughan-Eden, V., Vieth, V.I. (eds) Handbook of Interpersonal Violence and Abuse Across the Lifespan. Springer, Cham. https://doi.org/10.1007/978-3-319-89999-2_100

GRÁFICO 40

Faixa etária das vítimas de estupro e estupro de vulnerável

Brasil - 2022



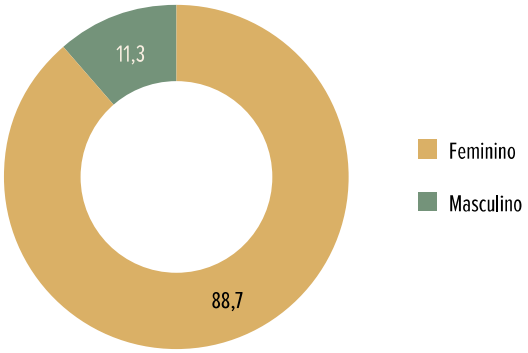
Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Em relação ao sexo, as proporções têm se mantido as mesmas ao longo dos anos. No ano passado, 88,7% das vítimas eram do sexo feminino e 11,3% do sexo masculino.

GRÁFICO 41

Vítimas de estupro e estupro de vulnerável, por sexo

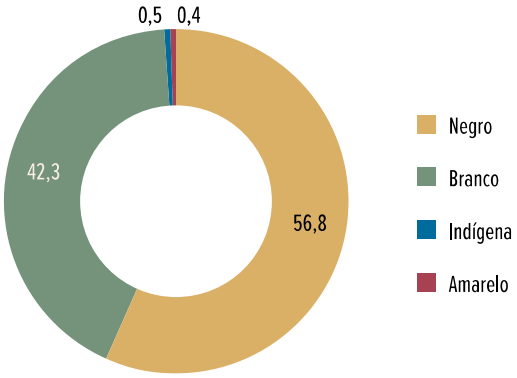
Brasil - 2022 (em %)



Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Pessoas negras seguem sendo as principais vítimas da violência sexual, mas houve crescimento da proporção em relação a 2021. Ano passado, 56,8% das vítimas eram pretas ou pardas (no ano anterior eram 52,2%). Em relação as demais, 42,3% das vítimas eram brancas, 0,5% indígenas e 0,4% amarelas.

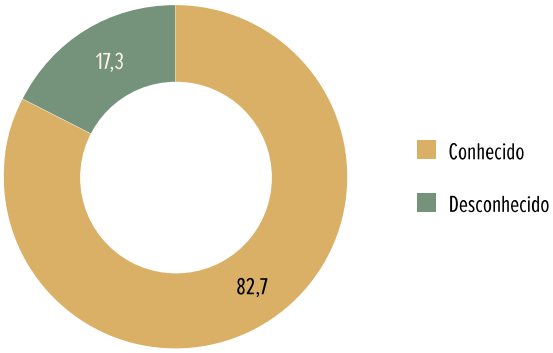
GRÁFICO 42
Vítimas de estupro e estupro de vulnerável, por raça/cor
Brasil - 2022



Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Considerando a autoria indicada no boletim de ocorrência, assim como em anos anteriores, na maioria absoluta dos casos os abusadores são conhecidos das vítimas (82,7%), e apenas 17,3% dos registros tinham desconhecidos como autores da violência sexual.

GRÁFICO 43
Vítimas de estupro e estupro de vulnerável, por relação com o autor do abuso
Brasil - 2022



Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Quando analisamos quem é o autor do abuso de acordo com a idade da vítima, alguns padrões chamam a atenção. Dentre as crianças e adolescentes entre 0 e 13 anos de idade vítimas de estupro no ano passado os principais autores são familiares (64,4% dos casos) e 21,6% são conhecidos da vítima, mas sem relação de parentesco. Importante mencionar que os dados coletados trouxeram uma informação que merece destaque: 7,8% dos casos foram registrados como sendo de autoria de parceiros ou ex-parceiros íntimos, mas foram reclassificados por nós e incluídos em "outros conhecidos", dada a impossibilidade de pessoas nessa idade consentirem a uma relação sexual. Apenas 13,9% das ocorrências foram de autoria de pessoas desconhecidas das vítimas.

Alguns padrões chamam a atenção. Dentre as crianças e adolescentes entre 0 e 13 anos de idade vítimas de estupro no ano passado os principais autores são familiares.

Entre as vítimas de 14 anos ou mais, chama a atenção que 24,4% dos casos foram praticados por parceiros ou ex-parceiros íntimos da vítima, 37,9% por familiares e 15% por outros conhecidos. Apenas 22,8% dos estupros de pessoas com mais de 14 anos foram praticados por desconhecidos.

QUADRO 03

Relação entre vítima e autor para registros de estupro e estupro de vulnerável, por idade

Brasil - 2022

	Até 13 anos	14 anos e +
Parceiro íntimo	-	14,2
Ex-parceiro íntimo	-	10,2
Familiar	64,4	37,9
Outros conhecidos	21,6	15,0
Desconhecido	13,9	22,8

Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

A proporção dos estupros de vulnerável que ocorrem em casa é maior: são 71,6% dos casos, sendo que nos estupros a média foi de 57,8%.

Em relação ao local em que ocorreu o crime, a residência aparece com mais frequência: em média, 68,3% dos casos somados de estupro e estupro de vulnerável ocorreram na residência da vítima. A proporção dos estupros de vulnerável que ocorrem em casa é maior: são 71,6% dos casos, sendo que nos estupros a média foi de 57,8%. A via pública, tida no imaginário social como o local de maior insegurança, foi o local apontado como da ocorrência da violência sexual em 17,4% dos registros de estupro e em 6,8% dos de vulnerável. Em média, apenas 1 em cada 10 estupros/estupros de vulnerável no Brasil ocorreram em via pública.

QUADRO 04

Local em que ocorreu o estupro ou estupro de vulnerável

Brasil - 2022

Local	Estupro	Estupro de vulnerável	Estupro + Estupro de Vulnerável
Residência	57,8	71,6	68,3
Via pública	17,4	6,8	9,4
Escola	1,0	2,6	2,2
Hospital	1,1	0,8	0,9
Área rural	2,9	3,3	3,2
Outros	19,8	14,8	16,0

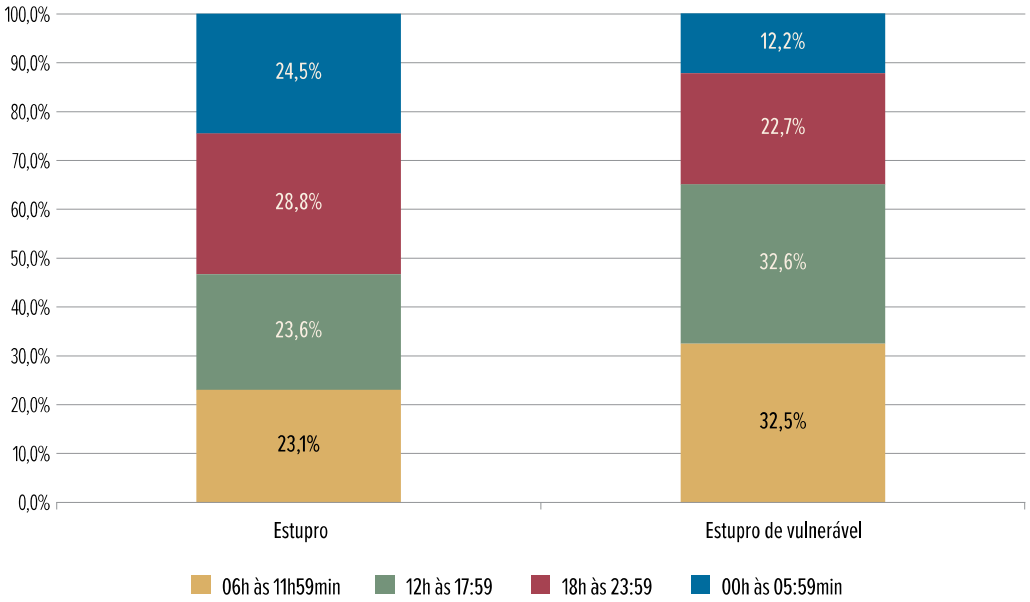
Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Sobre o horário em que ocorre a violência sexual, enquanto **53,3% dos casos de estupro**

ocorrem à noite ou na madrugada (entre 18h e 05:59min), **65,1% das ocorrências de estupro de vulnerável, que atingem principalmente crianças, ocorreram ao longo do dia**, entre 06h e 11h59min, ou entre meio-dia e 17h59min, período em que a mãe ou cuidadora da criança em geral está fora, trabalhando.

GRÁFICO 44

Horário em que ocorreu o estupro/estupro de vulnerável
Brasil - 2022



Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

Em suma, quando falamos dos estupros e estupros de vulnerável que ocorreram em 2022, estamos falando de um tipo de violência essencialmente intrafamiliar, que acontece em casa, durante o dia, e que tem como principais vítimas pessoas vulneráveis. Esses são fatores que tornam o enfrentamento a esse tipo de violência sexual extremamente desafiador. Provavelmente estamos lidando aqui com situações de violências de gênero muito arraigadas, imbricadas e naturalizadas nas relações familiares e que são, portanto, transmitidas através das gerações. Esse contexto faz com que seja muito difícil para as vítimas reconhecerem as violências que sofrem e, quando o fazem, terem muita dificuldade em denunciar ou buscar ajuda. Como agravante, o sistema de justiça e de proteção social também tem enorme dificuldade em lidar com estes casos, de modo que é comum que, após a denúncia, a criança volte ao convívio com o agressor, que raramente é punido. Dada a complexidade, as respostas às violências sexuais não são simples e precisam considerar as diversas camadas do problema.

Estamos lidando aqui com situações de violências de gênero muito arraigadas, imbricadas e naturalizadas nas relações familiares e que são, portanto, transmitidas através das gerações.

Exhibit 8

PRESS RELEASES | SPECIAL PROCEDURES

Brazil: Parliament must repeal harmful parental alienation law says Special Rapporteur

03 September 2025

Non-official UN languages: Brasil Portuguese Version ()

Share

Geneva – The UN Special Rapporteur on violence against women and girls, Reem Alsalem, has welcomed a new Brazilian bill that would scr

the Parental Alienation Law and the concept of “parental alienation” present in Law 13.431/2017, commonly known as the Specialised Hearing Law, from the country’s statute books.

The new bill would also remove the concept of parental alienation from Article 699 of Brazil’s Code of Civil Procedure, Alsalem said.

“This initiative, led by a group of feminist congresswomen is an important step by legislators to bring Brazil in line with international human rights standards established under binding international and regional human rights treaties and standards on gender equality and child protection,” the Special Rapporteur said.

Alsalem noted that since the enactment of Law 12.318/2010, international and regional human rights mechanisms, including her mandate, had raised concerns about the gendered and harmful ways in which the Law has been abused against mothers that have come forward with credible allegations of domestic abuse they have suffered together with their children at the hands of their actual or former male partners.

“The abuse includes sexual abuse inflicted on the children. There are reports of women having been stripped of the right to the custody of their children, and the children are then sent back to their abusers,” she said. Given the reported pattern of egregious harm inflicted on mothers and their children, human rights mechanisms have repeatedly and firmly recommended to the Government of Brazil that it repeals law 12.318/2010.

Alsalem noted that Brazil is the only country that continues to explicitly define and penalise acts of parental alienation as a legal offense through Law No. 12.318/2010, which defines and penalises acts of parental alienation as a civil offense with criminal consequences.

“The continued existence of such a law in Brazil is incompatible with the country’s commitment to human rights,” she said. “To ensure the non-repetition of harm, the final bill must repeal the Parental Alienation Law 12.318/2010 fully, clearly and in unequivocal terms.”

Concerning a scheduled hearing on the draft bill at the Commission on Constitution, Justice and Citizenship, the expert urged Congress to ensure that the hearing centres the voices of children and women that have been gravely affected by the misuse of parental alienation allegations in safety and in dignity.

“Victims, organisations and experts that have highlighted the harms done by the application of Law 12.318/2010 and that have supported survivors continue to be threatened and attacked,” she warned.

Alsalem urged the Government of Brazil, its legislators, law enforcement and judiciary to ensure that such actions are sanctioned and stopped.

Reem Alsalem is the **Special Rapporteur on violence against women and girls, its causes and consequences**

Special Rapporteurs/Independent Experts/Working Groups are independent human rights experts appointed by the United Nations Human Rights Council. Together, these experts are referred to as the **Special Procedures** of the Human Rights Council. Special Procedures experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. While the UN Human Rights office acts as the secretariat for Special Procedures, the experts serve in their individual capacity and are independent from any government or organization, including OHCHR and the UN. Any views or opinions presented are solely those of the author and do not necessarily represent those of the UN or OHCHR.

Country-specific observations and recommendations by the UN human rights mechanisms, including the special procedures, the treaty bodies and the Universal Periodic Review, can be found on the **Universal Human Rights Index**

UN Human Rights, country page – **Brazil**

Exhibit 9

HIR
HARVARD INTERNATIONAL REVIEW



Femicide in Brazil: Inter-American Condemnation

03.JUL.2023 . 8 MIN READ

Femicide, the killing of women based on their gender, has been a pressing problem around the globe, but it has been a growing concern in Latin America due to the higher rate in recent years. In 2021, over 4,000 women died from gender-based violence in Latin America. This can be attributed to multiple factors, especially a weak justice system regarding the rights of women and a reluctance from governmental agencies to implement policies and training programs to educate citizens and governmental employees about femicide.



Nicolette Reale

Nicolette Reale is a staff writer for the HIR. She is a first-year studying Government and Psychology with interests in Latin American policy,

The federal government in nearly every Latin American country has taken little legal action to condemn femicide or slow the rate of the murders. For example, in Brazil—despite femicide cases increasing 39 percent from 2019 to 2020—the sentencing and case filings for this crime have only increased 24 percent. Jair Bolsonaro, the former president of Brazil, had cut funding to combat gender-based violence, while other government entities such as the Chamber of Deputies stalled the passage of legislation to help domestic violence victims. Due to the governments' lack of urgency and failure to implement change, international legal institutions have been brought in to help condemn and combat femicide in Latin America.

International organizations—such as the United Nations Humans Rights Office and the Inter-American Court of Human Rights (IACHR)—have officially condemned the legal impunity that femicide offenders have in Latin America. Both organizations have created protocols and model legal implementations for federal governments in the region to adopt.

The Inter-American Court of Human Rights

One of three regional human rights tribunals—with the others located in Europe and Africa — this institution was created to apply and interpret the American Convention, an international treaty that asserts the rights and liberties of individuals that must be respected by the governments of each state in the region. The court has the authority to supervise judgements, resolve cases, and order provisional measures based on certain rulings. Recognizing the powers of the IACHR and the insufficient efforts of individual domestic governments, the women of Latin America have turned to this international entity to address femicide. Although the IACHR has not heard femicide cases from every country in the Americas, it has heard a pressing case from Brazil: *Barbosa de Souza et al. v. Brazil*.

Background: Femicide and Anti-Femicide Legislation in Brazil

Brazil has one of the highest femicide rates in the region, with about 3.5 per 100,000 women falling victim to this gender-based violence. In 2019, the IACHR issued a statement regarding femicide in Brazil, emphasizing the role of deeply rooted sexist values both in fueling this violence and in obstructing efforts to slow the rate of it. For example, in Brazil, only 56 percent of women are part of the paid workforce because men believe that they should stay home despite their wishes to work. The report also

environmental justice, and human rights law.

RECENT POSTS

1.
Digital Nomadism: Transnational Economic Relations in the Emerging Economies
27.OCT.2023



2.
Sall's Senegal: A Slippery Slope for Democracy
25.OCT.2023



3.
Safeguarding cultural property: a vital component of climate adaptation
23.OCT.2023



4.
Running Dry: The Battle for Water Security in Uruguay and Why It Foreshadows a Greater Issue
20.OCT.2023



5.

highlighted the complications with ethnic, racial, and sexual orientation intersectionalities surrounding the violence. Acknowledging all these factors, the IACHR urged the federal government of Brazil to strengthen prevention and protection measures to eliminate discrimination against women.

With pressures from outside organizations, Brazil has implemented some legislation to protect female-identifying citizens. The largest effort to condemn gender-based violence was the Maria da Penha Law, which was passed in 2006 to prevent and prosecute domestic violence across all racial backgrounds with an emphasis on providing equal human rights to both women and men. Since 2006, new laws such as the Law of Femicide (2015), which indicates the exact punishments for different acts of femicide, and Law 14.188 (2021), which explains the punishments for any form of domestic violence against women, have been implemented to criminalize femicide and psychological gender-based violence.

Despite these efforts, femicide and other forms of violence against women have persisted at alarming rates across the country. Femicide has actually increased in Brazil since UN and IACHR statements were released in 2019 and has been under-reported for decades. The official government data from 1980 to 2019 were 28.62 percent lower than the actual number of femicide victims. This discrepancy is due to poor reporting measures that are required by the government. The deaths of these women are often classified by "undetermined intent," which may write off the deaths as suicides or non-femicide murders. With authorities reporting these reasons as the causes of death, the number of femicides goes under-reported. Furthermore, in specific areas—such as the more conservative areas where gender-based violence is more common or in regions that have a higher Black population—there are fewer accessible means of reporting sexual assault or domestic violence. With these obstacles and poor reporting regulations, the government is unable to fulfill its promises to condemn and combat femicide.

The Case of *Barbosa de Souza et al. v. Brazil*

With femicide on the rise, the case of *Barbosa de Souza et al. v. Brazil* was brought to the IACHR in 2021 to settle a case of gender-based violence in the region. This case is significant because it addressed the power of government officials from a legal accountability standpoint, while also seeking justice for the family of Marcia Barbosa de Souza. In 1998, the

Turkish Interventionism: Calculated Chaos to Consolidate Control

18.OCT.2023



TAGS

Agriculture

Anniversary

April-May 1980

Archives

Arts & Culture

Asia

Book Review

China

Cybersecurity

Defense

Democracy

Development

Education

Employment & Immigration

Energy & Environment

Europe

Fall 2011

Fall 2013

Fall 2014

Fall 2016

state deputy at the time murdered her, and her family ultimately brought the case to the IACHR because of the prolonged period it took to process the crime. The case was filed in Brazil during the year of the murder (1998), but the entire process did not conclude until 2007. With the trial taking over nine years, the investigation being unresolved, and an overall discriminatory delay in the criminal proceedings, the case was brought to the IACHR to address the poor procedural tactics of the case hearing in Brazil.

There were three major takeaways from the rulings of this case. Firstly, the IACHR called for not just Brazil, but *all* countries of Latin America to reconsider their laws of immunity and impunity for certain authorities employed by the government. This call for action was implied by the Court when it ruled that the impunity of the state deputy violated the right of access to justice for Marcia Barbosa de Souza. Secondly, the Court indicated that the domestic legal systems of Brazil should take further action to pursue femicide cases with due diligence and reasonable time. This demand responded to the Brazilian state's failure to fully investigate the homicide in a timely, efficient, and punctilious manner. Lastly, the legal system of Brazil, along with those of other Latin American states, ought to consider gender equity when processing criminal cases. In this case, the "right of access to justice without discrimination was not guaranteed, along with the right to equality."

Barbosa de Souza et al. v. Brazil highlighted nearly every issue with the government's handling of femicide. The case also brought attention to horrifying femicide statistics, especially those noting that femicide rates are higher for Afro-descendants. Overall, this case was crucial for indicating specific steps and procedures that should be taken to help combat the issue.

IACHR Policy Recommendations in Response to the Case

At the end of the brief, the Commission of the IACHR included multiple suggestions for how femicide should be handled in Latin America, both in a legal sense and in terms of data collection and education. Regarding Brazil, the IACHR recommended that the state design a national and centralized system for the collection of data disaggregated by multiple demographics to allow for the quantitative and qualitative analysis of acts of violence against women. This first mandate was to be designed one

Fall 2018
February 1980
Finance & Economics
Human Rights
Interviews Iraq
Japan
Law & Diplomacy
March 1980
Mexico
Middle East & Africa
Military Nepal
North Korea
Oceania
October 1980
Perspectives
Philippines
Public Health
Religion
Science & Technology
September 1980
Service
South-East Asia
Space
Spring 2009
Spring 2017
Spring 2018
Summer 2013
Summer 2017

year after the closing of the case and brought into full effect after three years.

Regarding due diligence and discrimination, the Court ordered Brazil to create a plan for the continuous education and sensitization of police forces in charge of investigations and justice operators, so that they are able to better identify acts and signs of gender-based violence against women. This mandate set a timeline of two years for creation and implementation. Furthermore, during the same two-year period, the Court ordered the Brazilian government to implement a national protocol that presents clear and uniform criteria for the investigation of femicides.

Barbosa de Souza et al. v. Brazil initiated the fight against gender-based violence in Brazil by calling upon the government to take accountability for discriminatory practices not only in the legal system but also in societal norms. The IACHR recognizes that Brazil has deeply rooted sexist values that must be addressed at a national level to combat femicide. Additionally, impunity protections for government officials who perpetrate violence against women perpetuate the idea that this behavior is normal throughout society and permissible among authority figures. According to the IACHR, addressing the patriarchal norms that restrict the rights of women would make law and program implementation more effective.

Some Steps Forward, Some Steps Back

The Court declared that Brazil should take important measures to combat femicide, but little action has been taken since the decision. Since 2021, the efforts of the Brazilian government to combat femicide have actually declined. There have been no known federal actions to implement a centralized data system for femicide, a continuous education program for police authorities, or a national protocol for the handling of femicides. Instead, Bolsonaro cut the budget for fighting violence against women by 90 percent, dropping from US$19 million in 2020 to about US$1.7 million in 2021. While the exact reason for this dramatic budget cut is unclear, this trend in the Brazilian federal government's spending demonstrates their movement in the wrong direction.

Fortunately, some government organizations have made some progress within the country. For example, the Ministry of Women, Family and Human Rights — a government agency dedicated to establishing equality for women and promoting human rights in Brazil — established a national

Summer 2019
The Americas
Trade
Transportation
Ukraine
United Nations
United States
Urban Planning
War
Winter 2013
Winter 2014
Winter 2017
Winter 2018
Winter 2019
Winter-Spring 2000
Women

hotline to report domestic violence. Other actions have sought to improve the socioeconomic well-being and the overall health of women, but they do not directly address the issue of femicide. There are also about seven "Casas de Mulher Brasileira," which are emergency centers that provide legal, health, and socio-psychological services to female survivors. These are small, but important steps toward assisting the women in the country. Although Brazil has yet to implement the Court's requests, there are hopes that the mandates will be addressed within the time allotted, which varied from two to six years among the multiple requests.

The Role of the IACHR in Other Countries

Although *Barbosa de Souza et al. v. Brazil* is centered around legal actions in Brazil, the entire region of Latin America can learn from the decision. The Court mentioned the faulty legal systems of other countries several times throughout the hearing. Some countries have higher femicide rates and less legal action than Brazil, which raises concerns and emphasizes the importance of international intervention. Currently, Honduras has the highest rate of femicide in Latin America, with 4.6 victims per 100,000 women. Despite UN efforts to protect women in Honduras, as recently as March 24, 2023, there were protests within the country over murders of women. Similarly, the Dominican Republic and El Salvador have 2.7 cases per 100,000 women and 2.4 cases per 100,000 women, respectively. The UN has also put effort into dismantling the root causes of femicide in these countries, but there has yet to be a significant decrease in the number of victims.

The IACHR indicated that nearly every Latin American country should reconsider the impunity of authority in gender-based violence cases and should consider implementing uniform protocols for dealing with femicide. Some of the other recommendations — such as a centralized data collection system and educational procedures for legal authorities— should also be taken into consideration by other countries.

Barbosa de Souza et al. v. Brazil helped demonstrate the importance of international authorities in addressing discriminatory practices across Latin America. Even with the lack of action by Brazil, the case brought international attention to femicide while generating feasible ways to approach the problem. It is to be hoped now that Brazil and other neighboring countries will recognize the importance of the issue and utilize the practical programs outlined by the IACHR to combat femicide.

Exhibit 10

The ineffectiveness of emergency protective measures provided for in the Maria da Penha Law, Law No. 11.340/06

nucleodoconhecimento.com.br/lei/medidas-protetivas

Estephanie Dias dos Santos December 17, 2021

ORIGINAL ARTICLE

SANTOS, Estephanie Dias dos [1]

SANTOS, Estephanie Dias dos. **The ineffectiveness of emergency protective measures provided for in the Maria da Penha Law, Law No. 11.340/06.** Multidisciplinary Scientific Journal Nucleus of Knowledge. Year 06, Ed. 12, Vol. 08, pp. 127-147. December 2021. ISSN: 2448-0959, Access link: https://www.nucleodoconhecimento.com.br/lei/medidas-protetivas , DOI: 10.32749/nucleodoconhecimento.com.br/lei/medidas-protetivas

SUMMARY

The Maria da Penha Law represents progress in the fight against violence against women. It emerged late in Brazil, as throughout the country's history, domestic violence was rarely punished, tending to normalize the phenomenon in society, especially in some social contexts affected by significant social inequality. Emergency protective measures are fundamental to protecting abused women. This article analyzes these measures, seeking to answer the following question: in what sense are emergency protective measures ineffective? It begins with a bibliographic research, largely conducted in online databases, consulting dissertations and theses, as well as scientific articles and books. It is found that the ineffectiveness does not necessarily lie in the emergency protective measures themselves, but in their implementation. The implementation of these measures disregards the fact that the cultural and institutional characteristics present in families, which cause domestic violence perpetrated by men against women, are not present in police stations, politics, the judiciary, or the public prosecutor's office. Given that the causes of domestic violence are associated with sociocultural mechanisms of male domination, class relations, and power dynamics, it is plausible to conclude that state institutions that implement protective measures need to undergo significant social learning to overcome a culture that normalizes violence against women. The idea of a women's police station is an example of state action that recognizes this fact, and more such actions, mediated by the same assumptions that underpin the need for this type of police station, are the solution to achieving the effectiveness of emergency protective measures.

Keywords: Violence, Women, Maria da Penha Law, Sexism.

1. INTRODUCTION

This article discusses emergency protective measures for women against their abusers. It seeks to highlight the ineffectiveness of these emergency measures established by the Maria da Penha Law.

This research presents a broad analysis of the factors contributing to the inefficiency of emergency protective measures, from internal and external influences involving historical, social, and legal contexts and their consequences for the environment discussed. It addresses the absence of mechanisms that ensure the effectiveness and safety of women experiencing violence, as well as the failure to break paradigms regarding sexism and established societal patterns. This also hinders state actions in the necessary reduction of this violence, whether physical or psychological, and appears to be negligent in certain aspects, such as the "taboo" surrounding sexuality.

Due to the difficulty in dismantling the culture of machismo to make the Maria da Penha Law more effective, this study is justified by analyzing the points that render the protective measure ineffective in practice, with the advantage of obtaining solutions to this major problem.

Therefore, given the aforementioned context, the following question arises: even after the Maria da Penha Law, violence against women still occurs at a high rate, suggesting some degree of ineffectiveness. In light of this, in what sense are the emergency protective measures provided for in the Maria da Penha Law ineffective in combating violence against women?

Therefore, the objectives are to demonstrate the reasons for the failures and possible means of reversing the situation regarding emergency protective measures against crimes of violence against women in the family environment.

It is worth remembering that the discussion that follows is based on bibliographic research, which operated from searches in online databases of scientific articles, dissertations, and theses. In addition, books by scholars who developed relevant analyses to answer the research question were also used.

Regarding this issue, it is observed that violence against women is not a contemporary phenomenon. Since the beginning of time, the female gender has been characterized as an inferior being, and this type of thinking is still commonplace among certain individuals today. Consequently, there is discrimination and prejudice established by their "social bubbles."

It is noticeable that when the law was enacted, there were claims that it was unconstitutional, based on the belief that it "violated" the principle of equality before the law. However, it was not considered that violence against women is a real problem that often goes unnoticed, thus requiring debate.

Therefore, it is of necessary relevance to report on the emergency protective measures, in their legality and practice, highlighting the articles of Law 11.340/06 with their protective measures and demonstrating their challenges in finding possible solutions.

2. DEVELOPMENT

2.1 Violence Against Women in Brazil

When the State decides to protect cultural diversity, this presupposes a process of social coexistence with all types of diversity, which also includes sexual diversity. It also involves a recursive approach to what we understand or interpret as economics, as law, regarding biology, gender, sexual orientation, race, ethnicity, and religious belief. The scope of the discussion undertaken by the State includes various aspects of social life and sociability that contextualize the phenomenon of prejudice and violence resulting from discrimination (SIMMEL, 2006).

Prejudice, which can be defined as unfavorable attitudes towards certain social groups, has been identified in the dominance practices adopted by social groups and classes. Discrimination, on the other hand, can be defined as violence directed at specific groups. Prejudice tends to cause social isolation and establish limits in symbolic and material areas that alienate certain groups (SANTOS, 2017). This is because prejudice and discrimination are based not only on the ultimate execution of violence, but also on the construction of means and legitimation for it, which are, strictly speaking, ideas that affirm when the other is worthy and "less".

Discrimination is the process by which members of a socially defined group belong to that group and are treated in a particularly and irrationally different way, resulting in social and moral disadvantages. These are observable behaviors, attitudes characterized by different unequal treatment of people or groups due to their origin, belongings, appearance, or opinion, at school, at home, or on the street. It manifests itself in the field of action as an expression of prejudice. Prejudice is a socially and historically constructed idea about a "type" of person, formed according to their personality. In addition to prejudice, stigma is correlated with discrimination. This occurs because the attributes of an individual result in unfair or different treatment for individuals with different attributes. Stigma is based on the subject, the body,

and experience, and is described as a mark, a difference in negative value related to social inequality (BADALOTTI et al., 2019).

In Brazil, few studies have analyzed the implications of discriminatory experiences by different groups and demographics from a holistic perspective that is not limited to a specific type of discrimination, but to an association between the violence studied and the general characteristics of Brazilian society as a whole in terms of culture, national myth, and social structure. Furthermore, little is known about effective strategies for dealing with discrimination in different situations (BADALOTTI et al., 2019).

The issue of violence has been discussed in various fields of knowledge. This problem of accepting sexual diversity is represented by prejudice, justifying intolerance and gaining more and more space today with the "anti-victimhood" ideologies that are fashionable in Brazil (HERZOG, 2019).

The process to begin social change in the fight against violence in Brazil is to "break" the paradigm that reproduces prejudice, starting with a change in morality, as Bourdieu (2003) says, with a major modification of the social structure. The symptoms of violence and the persistent power relations, the cultural pattern of "heterosexuality," cannot be discarded, as has been the case when schools fail to combat the association between marriage and the difference between the sexes.

According to Saffioti (1999), violence against women, especially domestic violence, has a gender: the masculine. This is independent of the physical sex of the dominant partner. Even in cases where aggression is perpetrated by women, this would be in the exercise of their patriarchal role, where actions are understood as signs of a lack of power, occurring due to socialization to which women are subjected.

This perspective from the aforementioned author demonstrates that domestic violence is essentially masculine, even when perpetrated by women. Here, a duality between victim and perpetrator is constructed to explain the violence. This duality tends to leave room for victimhood, which is detrimental in the field of human sciences for understanding violence, as well as in social life, because it mitigates possibilities for transformation. According to Gregori (1993), the idea of victimhood is present in several feminist studies due to the emphasis on occurrences where women are directly victims, in contrast to other cases where women perpetrate violence, which are seen from a feminist perspective as an act of resistance or as externally institutionalized behavior. This "perpetrator and victim" duality is also criticized by critical and politically left-leaning authors such as Marilena Chauí (cited in SANTOS and IZUMINO, 2005). This author perceives violence against women as an expression of male domination, where women lack autonomy and are seen as accomplices or victims of male

domination. However, according to the author, this complicity does not stem from the woman's free will, as her subjectivity lacks autonomy. The woman and her subjectivity are instrumentalized in the process of male domination.

Violence against women is omnipresent in Brazil, occurring across all social classes, although this violence is the rule rather than the exception in marginalized social groups, as Jessé Souza (2009) points out. However, the violence that occurs in the country does not have only individual causes, but is primarily social: it is not merely the choice of men, but the reproduction of socially conditioned behaviors. Research on violence tends to obscure this fact by failing to understand what it means to say that violence is social: there is a tendency to see "social" in the sense of relationships, where the perpetrator of violence is within a society and is influenced by it. But violence is social in a much more radical sense: it is socially constructed from scratch. Violence is entirely social, and this means that violence against women is not only about gender, but also about social class. Overcoming the individualization of violence against women means going beyond the discourse on male domination, including the discussion of power and social class, because, as Jessé Souza (2009) states,

For a significant portion of experts in the "area of violence," believe it or not, dear reader, there is no relationship whatsoever between social violence and social inequality. The dominant liberal-conservatism is, in these cases, applied to avoid perceiving the sub-political "class war" in the periphery of large Brazilian cities, and to interpret it, as always, as mere "individual deviations." All the social causality of this conflict is obscured in favor of a superficial perspective that makes it perceptible only as a struggle between "individuals," whose greatest and most evident metaphor is the combat between the police officer and the delinquent.

This is important for the discussion in this article because the Maria da Penha Law foresees institutional efforts beyond the mere punishment of the aggressor, efforts aimed at preventing violence against women. However, in Brazil, when any minimally effective policy exists regarding violence against women, it tends to punish the aggressor without undertaking policies guided by an understanding of the problem of social inequality: violence against women does not belong to a specific class, but while in some social classes it is the exception, occurring sporadically, in the Brazilian "underclass" it is the rule, with the absence of violence against women being the exception. In empirical studies, Jessé Souza analyzed two common social types within this social class: the domestic worker and the prostitute. One who lives within the standards that society demands, and another who does not live within those standards, almost falling into the category, according to the social imaginary, of delinquent, which is the case for prostitutes in Brazil. In both cases, there is a history of violence, from a young age, perpetrated by men, first by the stepfather, then by boyfriends, and finally by the husband.

What the life stories of the women interviewed have in common is a type of disruptive family socialization, which prevents the affective transmission of values such as discipline, self-control, and forward-thinking, in a family context marked by the absence of a father figure and the presence of instrumental relationships of all kinds, beginning with the frequency and normalization of sexual abuse suffered by these women in childhood. In addition to the lack, to any significant extent, of knowledge resulting from an incorporated educational capital, these women were never perceived in their childhood as "an end in themselves," as children with desires, feelings, aspirations, fears, and anxieties who needed care, protection, and affection. (SOUZA, 2009, p. 176)

In this passage, the author proposes that in Brazil, there is an entire social class for whom violence against women is a "daily bread," mainly in the form of physical aggression, sexual abuse, and harassment. Beyond this violence, there is everyday psychological violence, where the author recounts the case, which he considers also very common, of teenagers who feel harassed by stepfathers, as in the real case narrated below by Souza (2009) concerning a teenager whose stepfather regularly checked her sanitary pads.

I got pregnant and hid my belly because my stepfather would check if I was using sanitary pads. So, I would take a sanitary pad, go into the bathroom, prick my finger, and smear the blood on the pad to pretend I was menstruating because my stepfather would check the pad and everything. (SOUZA, 2009, p. 190)

In cases of violence covered by legislation, upon reporting the assault, the accused undergoes a trial process. While this is happening, they may remain at liberty, which presents a risk of further aggression, coercion, and psychological and emotional pressure on the victim. In light of this context and other problems, the Maria da Penha Law provides the judiciary with a range of urgent protective measures for women. These are various measures available, and the judge chooses the most appropriate depending on each case.

According to recent data, violence against women affected 42% of women in the country in 2019, rising to 48.8% in 2020 in the context of the pandemic. There was a decrease in assaults against women in the streets, but an increase in domestic violence, from 29% to 19% (PAULO, 2021; PAULO and ACAYABA, 2019). In other words, almost half of women suffered some type of physical aggression in the country in recent years. If we add to these more visible aggressions the symbolic type of aggression, which goes unreported due to its invisibility, it can be stated that in Brazil, violence against women is the rule, not the exception.

Law No. 11,340 of 2006 (BRAZIL, 2006) is named "Maria da Penha Law" because of the physical and psychological abuse that Maria da Penha Maia Fernandez suffered in her family at the hands of her husband, a university professor. It created an international response. As a

result, Maria da Penha only gained more power to elevate her fight for women's human rights to international levels, despite the ineffectiveness of the Brazilian legal system. The country had a negative image in this respect in relation to human rights conventions and needed to take action and protect women from abuse.

However, these measures failed to reduce inequality between men and women. The rate of attacks on women was very high when the law was applied, especially considering domestic violence. Studies conducted by non-governmental organizations and opinion polls indicate a high incidence of domestic violence in the country, with many women reporting it, despite the effectiveness of punishment and protection measures.

The law goes against the very mediocre culture of treatment given by men to women in Brazil, from the beginning to the present, which was considered common behavior for many generations. The law requires a definition of violence against women that can manifest itself in various ways, including physical, moral, psychological, patrimonial, and sexual.

Article 1. This Law creates mechanisms to curb and prevent domestic and family violence against women, in accordance with paragraph 8 of article 226 of the Federal Constitution, the Convention on the Elimination of All Forms of Violence against Women, the Inter-American Convention to Prevent, Punish and Eradicate Violence against Women, and other international treaties ratified by the Federative Republic of Brazil; provides for the creation of Domestic and Family Violence Courts against Women; and establishes measures of assistance and protection for women in situations of domestic and family violence (BRAZIL, 2006).

According to Thiago Ávila, when the law was enacted and applied, it was under intense debate, with society seeking mechanisms to curb violence against women. Therefore, the new legislation clearly states that it is the state's responsibility to change gender inequality in order to guarantee women's right to a life free from violence within their families and societies (article 3). The law includes a declaration of women's rights, generally prescribed in the constitution, but the description of women in certain legal documents is an important form of social communication. For women, it suggests a paradigm shift regarding the non-acceptance of violence (ÁVILA, 2007).

The proposed changes, implemented as a way to end the practice of men abusing women in the family and domestic sphere, are not only cultural but also legal. While this violence was significant, it was always directed against women who lived for their families alongside their partners, often abandoning their own lives to care for their husbands, homes, and children. According to Marcelo Lessa Bastos, the number of women beaten by their husbands is staggering, in addition to suffering all types of violence, from humiliation to physical attacks.

Sexual violence is probably the most concerning form of violence. Literally, in these cases, victims are forced to sleep with the enemy due to the absolute lack of alternatives (FREITAS, 2007).

Faced with this violence, there is a profound penetration into a world of pain and suffering, where women and children live in submission. Stella Cavalcanti points out in her opinion on the subject that in Brazil violence against women does not adhere to restrictions of age, social status, ethnicity or religion. Its symptoms vary and many have strong cultural roots. Among them, physical, sexual and emotional attacks stand out (CAVALCANTI, 2018).

Article 7 of Law No. 11,340/06 defines domestic violence, clearly explaining each mechanism used to generate violence against women, presented with the same meaning as family violence, in this case, physical, moral, psychological, sexual, and patrimonial violence. Violence has always been used by men to place women in lower positions, indicating their legitimate position in society. Because he has to control the woman and the family. After all, he is a "man of the house." She should limit herself to domestic work (TELES and MELO, 2002).

These attacks suffered by women not only produce physical pain, but also extend to the mind, which is completely shaken; the helplessness causes loneliness, acceptance, resentment, shame, and exacerbates the situation. Women cannot see this relationship as one of submission. The existence of violence and discrimination against women is not new. In Brazil, until 1830, men could legitimately kill unfaithful women. But the same did not happen when men betrayed women (TELES and MELO, 2002).

An example of non-physical violence is the case outlined by Rogerio Sanchez Cunha, who describes psychological violence as an emotional attack (physical or more serious). Typical behavior occurs when an agent threatens, rejects, humiliates, or discriminates against a victim, shows joy when others feel fear, inferiority, weakness, and constitutes an obsession (CUNHA; PINTO, 2008).

When a woman is beaten, her dignity is violated. The Federal Constitution is based on human dignity (Article 1, III), and this basic principle cannot be violated by anyone, nor can it be waived by the victim herself (CAVALCANTI, 2018).

There are various types of violence against women, such as rape, sexual harassment, injuries, intimidation, murder, and even the psychological suffering of the victim. Sexual harassment is covered by Brazilian Penal Law No. 10.224, of May 15, 2001. Article 216-A establishes punishment for the detention of a person who humiliates someone for personal gain or favor, using their superior hierarchical status, such as a position held (BRAZIL, 1940).

Sexual harassment is generally linked to unwanted advances that occur in the workplace, but it can involve intimidation and have an aggressive character. Persistent harassment causes physical and moral distress in the victim, for example, leading them to succumb to intimidation for fear of losing their job (TELES and MELO, 2002).

When it comes to domestic violence against women, bodily harm is one of the most common crimes. In Brazilian criminal law, article 129 typically addresses bodily harm that impairs integrity or health, carrying a prison sentence of three months to one year. Injuries that render them incapacitated from their usual occupations for more than 30 (thirty) days are considered serious. This compromises life, permanent weakness of limbs, sensation or function, and work. In the case of abortion, the penalties are two to eight years in prison. If death occurs, the penalty for bodily harm is 4 to 12 years in prison (BRAZIL, 1940).

Article 129, §9, states that domestic violence is defined as violence committed against an ascendant, descendant, sibling, spouse, or partner who lives together or is staying with the victim. Before Law 11.340/2006, the penalties specified in this paragraph were six months to one year of imprisonment. With the advent of the law, the sentence was increased from three months to three years, remaining a sentence of detention (BRAZIL, 1940).

2.2 Constitutional Foundations of the Maria da Penha Law

When the law was announced, it was criticized and some flaws were pointed out, questioning its constitutionality, hindering its effectiveness, and attempting to limit its efficacy. By mentioning the difference in treatment between men and women and the underlying causes of the problem, a patriarchal society is attempting to justify, in a mediocre way, the constitutionality of the protective measures under the law.

The main point discussed here is precisely the constitutionality of Law 11.340/06, which treats women as fragile, and some political leaders who say that leaving men vulnerable is discriminatory. In this sense, it refers to the understanding of João Paulo de Aguiar Sampai and Tiago Abu Dada Fonseca. These authors state that it does not take much effort to realize that the legislation treats the situation of men and women and the situation of children differently. The constitutional power treated them equally, but the Maria da Penha Law is causing inequality within the family unit (SOUZA; FONSECA, 2006).

In this discussion, Alexandre Magnokoleia states that, suddenly, small daily conflicts can be considered a crime or cause alleged moral damages. Under the guise of protecting women, the law considers them incapable of taking care of their mental health and that their words and dissonance with their partners can "harm their self-esteem" (CORREIA, 2016).

The constitutionality of the aforementioned law has been criticized for being a feminist text that demonstrates excessive protection for women and further proves that women are always treated as the "weaker sex." The first criticism of the law concerns the evaluation of Article 5 of the 1988 Constitution, which states in its preamble that all are equal before the law, without distinction of any kind, guaranteeing that Brazilians and foreigners have inviolable rights: rights to life, liberty, equality, security, and property, and its subsection I states that men and women are equal in rights and obligations.

If the comparison is made in the criminal field, the treatment is equal, and men and women are held responsible for crimes of murder or bodily harm to the extent possible, and there is no difference in penalties. Some provisions of Law 11.340/06 indicate that it is unconstitutional because they violate principles of equality, proportionality, etc., as they distinguish between men and women with a presumption of guilt.

In this regard, Judge Maria Berenice Diaz from Rio Grande do Sul argues that the favorable treatment of women is justified by evaluation criteria, for example, to provide existential social balance. The Maria da Penha Law is therefore constitutionally compatible (DIAS, 2007) because it serves as an element of de facto equality and conformity with the conditions of the Magna Carta.

The law brought something new: protective measures for women who suffer the most domestic violence at home. In this case, the principle of equality is formal and legal; therefore, there is no harm to the principle of equality. In this context, we seek a balance of equality between the parties, so that men do not harm women. Considering the high rate of discrimination, women are the most affected by violence. Therefore, achieving significant equality is achieved through legal provisions. There is criticism of equality between men and women, children, and stepchildren. They frequently suffer from this type of violence, are discriminated against by their parents, stepparents, etc., and are humiliated and raped.

As for men, she should be treated in a completely different way. There is no discrimination or injustice in favor of women. On the contrary, what we seek to balance are the precautionary measures offered by law. In the cultural context in which we live, women are not yet ready to respond to the strength of men. Reaching the physical potential of men requires protection, as she is the one who suffers the most.

In these cases, attacks on children are judged by the Special Criminal Court (JECrim), and attacks on daughters are judged as domestic violence. Therefore, they fall under the Maria da Penha Law (domestic violence law). This is no longer done under Law No. 9.099/1995. If family violence is committed against a man or woman in the case of an attack by the parents, it is discriminated against. It falls under the jurisdiction of the Court of Violence against

Women. But it does not resolve the following problems: hitting a minor daughter falls under the Maria da Penha Law, while hitting a minor son is something distinct. However, remember that sporadic attacks need to be differentiated from those that are repeated in a cycle of violence.

Most women give up on blaming husbands, partners, brothers, fathers, etc., out of fear or guilt. The biggest problem in these cases is the prejudice itself, which is already socially relevant, with many remaining patriarchal traits treating male violence against women as normal. A man has been classified as the strong, winning sex from the start; he believes he has greater power of command because he is the one who "works harder." This view is one of the great foundations of domestic violence, although outdated. The way men are raised maintains this foundation firmly with popular proverbs. Children are told that men don't cry and that sensitivity is for women.

Prejudice forbade girls from playing with boys in childhood and was instilled by parents in a critical and gender-sensitive view that women needed to learn to cook to take care of their home and husband. However, this situation changed with the rise of modernization and independent women, but the world is still something that can generally be classified as heterosexual and has not yet been prepared for the great evolution of women. Because it comes from women themselves. Especially when you know it's normal and try to pass it on to your daughter or granddaughter, as in the case of a grandmother who grew up with this system, these events have serious problems. The system needs to address its prevention and repression.

Aggression is the way men use to reaffirm their power. In other words, it's simply a form of control. This control binds the woman, belittling her, verbally and physically attacking her, trying to put her down, and making her believe in some way that he is superior. As can be seen in the ways of guiding, it is often worth mentioning that psychological violence causes more trauma and damage than physical violence itself. Depression is more common among abused women who don't even know they are suffering from this disorder. They are afraid of how they will be seen by society. The worst moment is when women are unable to overcome this problem.

Regarding the conflict with the regulations of Article 98, I, of the Federal Constitution, which provides for the creation of a special criminal court, according to Law No. 11,340/06, it is noted that the principle of equality and the fact that the Maria da Penha Law does not apply to other crimes were at issue. Article 88 of Law 9,099/95 does not apply to justify unconstitutionality. However, in this latter case, the principle of equality may justify the unconstitutional and constitutional nature of Law 11340/06, since the new legal expression is a type of affirmative action, as in the case of quotas for Black people.

The Maria da Penha Law was emphasized in the form of its punishment, which is a conditional criminal action, but is claimed to be unconditional in relation to serious injuries, making the matter very controversial. It is taking shape. Brazilian tradition states that it is up to women to take care of their children and their homes, but this view is increasingly shifting towards women seeking equality, thus giving men a sense of loss of control. Using attacks to regain "power" in preventing such violence in situations that evoke and guide them. In this context, Law No. 11.340/06 replaces Law No. 9.099/95.

Even after reporting abuse, many women seek to withdraw their complaints regarding threats or repression from their own families, but currently, there is no way to withdraw them. Victims of domestic violence can request at the hearing that no charges be filed against the abuser and maintain their physical integrity. Therefore, it is possible to request the withdrawal, in court, of the complaint filed against the abuser. However, the Court will decide whether or not to accept the request for retraction. This understanding comes from the TJDF (Court of Justice of the Federal District). According to the judges, this possibility is foreseen in article 16 of the Maria da Penha Law. However, the judge and the prosecutor must be careful to determine whether the victim's action is spontaneous or not. All decisions will depend on the analysis of each case.

If a complaint is filed, it will be of public interest, and the process will be in the interest of the Public Prosecutor's Office, represented by its attorney, to investigate whether the victim truly wishes to withdraw the complaint or feels threatened or pressured to do so. Before that, she must undergo a preliminary hearing with the judge and explain why the case was dismissed.

2.3 Ineffectiveness of protective measures

Emergency protective measures binding aggressors are described in Article 22 of Law 11.340. According to the provisions of this Law, after confirming acts of violence against women, judges may immediately apply, among other things, the following measures against aggressors jointly or separately: restrictions on carrying weapons with contact with the competent authority; removal from the home, place of residence, or contact with the victim. There may also be a prohibition on certain acts: approaching the victim, her family, and witnesses, establishing a minimum distance between the aggressors and witnesses, as well as their families; ceasing contact with certain places in order not to offend the victim; suspension of visits or restriction on minor dependents after consultation with a multidisciplinary team or similar services; provision of food. Judges may request police assistance at any time to ensure the effectiveness of the measures stipulated in Article 22 of the aforementioned Law.

Many cases go unreported due to fear of the aggressor. The abused woman hides the sad reality, living in fear of her partner's threats. The Maria da Penha Law was introduced to try to end this situation that women were experiencing, urging them to seek help and end the violent reality they lived in at home. It is important to note that all violence against women is harmful to their physical integrity and health, and not only bodily injury. To constitute bodily injury, the victim must present some damage to the body, which can be harmful to health and even cause psychological shock (NUCCI, 2009).

Even though there is protection for victims, the situation cannot remain solely within the purview of the Criminal Justice system, because the State needs to institutionalize programs to treat aggressors. The Penal Code lists several restrictive penalties for the aggressor. One of them is the weekend restriction stipulated in Article 43, VI, which requires the aggressor to remain in a halfway house for 5 hours a day on Saturdays and Sundays. During this time, they must participate in lectures as an educational activity, as explained by Dias (2007) when citing Article 48, sole paragraph of the Penal Code and Article 15 of the Law on Criminal Execution.

After the aforementioned penalty is applied, the Maria da Penha Law authorizes the judge to order the defendant to participate in rehabilitation and re-education programs. The judge may also decide to apply other measures to the aggressor, in addition to serving the communities and public bodies, temporarily prohibiting the exercise of rights and freezing assets (DIAS, 2007).

These measures are taken to acknowledge that the aggressor is incapable of committing such an act because he is not the owner of the woman (DIAS, 2007). It is known that the state is failing in this regard, since the penalty is described in criminal law, but there are not enough specialists in the psychosocial sphere. It is therefore up to the State to act directly with aggressors and victims, and to guarantee attention to victims and the ongoing training of specialists to deal with aggressors (TELES and MELO, 2002).

Law 11.340 creates a mechanism to prevent violence against women and establishes some support and safeguards for them. The verbs associated with this law help to prevent, punish, and eradicate all forms of violence against women that can be prevented, punished, and eliminated. For this reason, actions were clarified between federal, state, municipal, and non-governmental organizations with the objective of adopting prevention programs to curb violence against women (CUNHA and PINTO, 2008).

The law stipulates that appropriate legal action must be taken as soon as police authorities become aware of acts of violence. It also requires ensuring police protection for women, including sending them to a hospital, clinic, or forensic laboratory. If there is a life-threatening

risk, providing safe shelter is necessary. The woman must be taken back to her place of origin to retrieve her belongings and to be informed of her rights under this law and the available services. Such measures support women seeking safety with the assistance of the authorities (CUNHA and PINTO, 2008).

Thus, the symbolic features of the devices present in Law 11.340 have a substantial degree of practical efficiency, and stimulate social learning and the formation of new ideas that guide effective measures to solve discrimination against women (SOUZA, 2008).

Protective measures aim to suppress aggressors and protect victims. This was not realistic in everyday life, as women are at the mercy of their violent partners. Law 11.340 was created to protect women from men. But while it is effectively applied in some aspects, in another dimension, due to a lack of preparedness on the part of state institutions, the competent authority cannot enforce all the requirements of the Maria da Penha Law. In other words, protective measures are effective in their logical form; the major problem lies in their practical implementation by public bodies. The ineffectiveness of protective measures is not in their structure or what they propose, which they actually do fully: if efficiently implemented by public bodies, the measures do indeed protect women from their aggressors. The problem lies precisely in the implementation of protective measures.

The ineffectiveness of protective measures lies in the connection between the various bodies that work to implement them. The law provides a series of guidelines for the protection of women, and the judiciary establishes the necessary measures to be followed. However, compliance depends not only on the judge, but also on the police system, anchored in sexist values, and other public bodies.

However, for the law to be effective, it is necessary that the proposed result be achieved in all its articles. It is observed in the current scenario that the data on violence against women do not suggest reasons for celebration, since the decrease in aggression is still insufficient (LACERDA et al, 2018), with not only a lot of violence against women in the country, but also numerous cases of recidivism.

Bruno (2010) states that there is significant negligence in the application of the law by state bodies, both judicial and executive, which facilitates impunity regarding aggression, precisely due to the lack of effectiveness of the Maria da Penha Law. This seems to occur because the institutions responsible for enforcing the law act inadequately for cultural and institutional reasons. These institutions have an obligation to create ways to facilitate monitoring and applying protection for the victim. As Carneiro (2010) states, the law guarantees the right, but it is up to the responsible institutions to apply the law. They must give women favorable

conditions to deal with the situation of aggression and the possibility of preventing its recurrence.

When signing the Maria da Penha Law, the president should have also established official bodies for its full implementation and oversight, as well as institutions to support women victims. The Maria da Penha Law alone is not enough. Without specialized institutions for its oversight and support, it does not achieve full effectiveness (MATTJE, 2015). Bruno (2010) states that even though the law exists to protect the victim through protection and assistance, verbs such as "eradicate," "curb," "punish," and "prevent" convey the presupposed idea that domestic violence can be punished, but in practice women continue to be violated at an alarming rate in various ways, with cases going unreported due to threats or other reasons.

The government has failed to achieve the desired effectiveness due to negligence, since the punishments are outlined in the penal code, Law 2.848 of 1940, for use by judges. The problem is that the measures that should be taken to prevent violence, coupled with the lack of oversight from police stations and courts, are not being implemented as stipulated by the Maria da Penha Law. State institutions need to act more responsibly with assertive public policies (LACERDA et al, 2018).

The ineffectiveness of protective measures is an empirical fact easily observed when considering quantitative data on aggression and the degree of recidivism. The lack of oversight and specialized public policies is one of the causes of this ineffectiveness. The law exists and constitutes a significant advance, but the problem lies in its applicability. Recidivism has even been the subject of major debates on domestic violence, with recidivism rates around 70% in general crimes (SAPORI et al., 2017), and similar data for domestic violence according to Silva (2015). This suggests that domestic violence is a very complex crime and cannot be mitigated solely through the operation of the criminal justice system. Policies are needed to unite efforts in combating this ineffectiveness of protective measures.

In the case of Law 13.827 of 2019, which modifies the Maria da Penha Law, its fundamental objective was to facilitate the application of protective measures. It sought to simplify decision-making by the courts and police stations, giving these two bodies greater power to adopt emergency measures to protect women. Thus, upon noticing a risk to the woman or her children, the aggressor must be urgently removed from the home. Those arrested are not granted freedom until it is established that there is no longer a risk to the victim. This is to ensure greater rigor in protection, as per Article 12, C, § 2.

But even with these changes, it cannot be said that protective measures have become effective, although there has been progress. Even after advances in Brazilian legislation in

recent decades, women are beaten in a way that is almost normalized in society (LANGLEY and LEVY, 1980).

The problem, to reiterate, is that the difficulties in fully implementing protective measures lie in the actions of police stations, judges, and prosecutors. It is necessary to understand that the root of domestic violence is associated with prejudice and discrimination where gender domination occurs. The cultural and institutional elements (in Foucault's terms, 1993) that create domestic violence are also present in the people who make up the institutions responsible for implementing emergency protective measures. Above all, it is necessary to overcome the view of a justice system separate from society, as if the law and law enforcement officers were asocial beings living outside of society, thematizing and acting upon it. Police officers, judges, prosecutors, and public officials are men and women, and there is no reason to assume that the same values, prejudices, discrimination, and power relations between genders are not present there as well.

3. CONCLUSION

The Maria da Penha Law is a major step forward in protecting women from violence perpetrated against them by men. The root of this violence lies in a patriarchal culture that, historically, has failed to establish a set of institutions equipped for the proactive protection of women: schools that constantly discuss violence against women, and cultural policies aimed at enabling social learning related to citizenship and gender equality.

The Maria da Penha Law came to make a difference in a trajectory of progress that had been very slow in Brazil. Until its enactment, women did not have their own legislative apparatus for their protection, which is necessary given the context of power and vulnerability in gender relations. In this context, the law was a major milestone in women's rights in Brazil. Its provisions seem to have been drafted with seriousness and genuine concern for making a change.

Within this law, protective measures were a significant step forward, since while the aggressor is being judged, and not only afterward, it is necessary to protect the woman through the intervention of the judiciary, which must use protective measures to prevent the aggressor's actions against the woman, whether through coercion or further aggression.

The guiding question of this article focused on the ineffectiveness of emergency protective measures. It can be concluded that the reason is as follows: the law has a clear intention to protect women and prevent the recurrence of domestic violence. The law has provisions that, if applied, can bring about significant changes in the landscape of violence, contributing to its radical reduction. However, the ineffectiveness lies in the practical application of protective

measures. The proposal here is this: this occurs because the State's position has not recognized that the cultural and institutional elements present in families that cause domestic violence are also present, to some extent, in police stations and other agencies. As pointed out in this article, violence against women is structured by mechanisms of male domination and by mechanisms of social class in its degree of incidence in certain social contexts. The State needs to develop policies that take into account the fact that sexism can also exist within the police force, as well as in police stations, the public prosecutor's office, and the judiciary. It is possible to propose the thesis that protective measures are ineffective because it is assumed that those bodies responsible for their implementation are imbued with prejudices and cultural elements subject to male domination.

REFERENCES

ÁVILA, Thiago André Pierobom de. **Maria da Penha Law: an analysis of the new instruments for the protection of women** . Jus Navigandi, Teresina, year 12, no. 1611, Nov. 29, 2007. Available at: <http://jus2.uol.com.br/doutrina/texto.asp?id=10692>. Accessed on: Apr. 28, 2021.

BADALOTTI, TS et al. **Addressing the phenomenon of discrimination in an adult population** . Physis: Revista de Saúde Coletiva, 29(4), e290415. Epub November 25, 2019. Available at: <https://doi.org/10.1590/s0103-73312019290415>. Accessed on: Apr. 28, 2021.

BOURDIEU, P. **On Symbolic Power** . Rio de Janeiro: Bertrand Brasil, 2003. Page 118

BRAZIL. **Penal Code** . Decree Law 2,848 of December 7, 1940. Available at: <http://www.planalto.gov.br/ccivil_03/decreto-lei/del2848compilado.htm>. Accessed on: April 28, 2021.

BRAZIL. **Decree Law No. 13,827** , of May 13, 2019. Available at: <http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/lei/L13827.htm>. Accessed on: April 28, 2021.

BRAZIL. **Decree-Law No. 2,848** , of December 7, 1940 – Penal Code. Available at: <http://www.planalto.gov.br/ccivil_03/decreto-lei/del2848.htm>. Accessed on: April 28, 2021.

BRAZIL. **Law No. 11,340** , August 7, 2006. Official Gazette of the Federative Republic of Brazil. Brasília: August 8, 2006. Available at: <http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/l11340.htm>. Accessed on: April 28, 2021.

BRUNO, Tamires Negrelli. **Maria da Penha Law vs. Ineffectiveness of Protective Measures** . 2010. Available at: <https://monografias.brasilescola.uol.com.br/direito/lei-maria-

penha-x-ineficacia-das-medidas-protetivas.htm>. Accessed on: April 28, 2021.

CARNEIRO, Fabiana D. **The State in Guaranteeing Compliance with the Protective Measure Prohibiting the Aggressor from Approaching the Victim under Law 11.340** of August 7, 2006. Monograph. Faculdade do Norte Novo de Apucarana – FACNOPAR. 2010. Available at: <https://facnopar.com.br/conteudo-arquivos/arquivo-2017-06-14-14974685662075.pdf> Accessed on April 28, 2021.

CAVALCANTI, Stela Valéria Soares de Farias. **Domestic violence as a violation of human rights** . 2018. Available at: <www.jus2.uol.com.br/doutrina/texto.asp?is=7753>. Accessed on: April 28, 2021.

CORREIA, Alexandre Magno. **The constitutionality of Law No. 11.340/06** . 2016. Available at: <www.direitonet.com.br/artigos/x33>. Accessed on: April 28, 2021.

CUNHA, Rogério Sanches; PINTO, Ronaldo Batista. **Domestic Violence - Maria da Penha Law (Law 11.340/2006) Commented article by article** . São Paulo: Editora Revista dos Tribunais, 2008. Page 132.

DIAS, Maria Berenice. **The Maria da Penha Law in Justice: the effectiveness of Law 11.340/2006 in combating domestic and family violence against women** . São Paulo: Editora Revista dos Tribunais, 2007. Page 36.

FOUCAULT, M. **History of Sexuality I: The Will to Knowledge** . Rio de Janeiro: Graal, 1993. Page 138.

FREITAS, André Guilherme Tavares de **. Studies on the new laws on domestic violence against women and on narcotics (Law 11.340/2006 and 11.343/2006**). Rio de Janeiro. Editora Lumem Júris, 2007. Page 47.

HERZOG, Regina. **From Prejudice to Intolerance: When Humanity is Stolen from the Other** . Agora: Studies in Psychoanalytic Theory, 22(3), Epub September 23, 2019. Available at: <https://doi.org/10.1590/1809-44142019003002>. Accessed on: Apr. 28, 2021.

LACERDA, Antonio Wilson et al. **The Ineffectiveness of Applying Protective Measures in Light of the Maria da Penha Law** (Law No. 11,340/06). 2018. Page 17.

LANGLEY, Roger; LEVY, Richard C. **Battered Women: An Invisible Phenomenon** . 2nd ed. São Paulo: HUCITEC, 1980. Page 193.

MATTJE, Gustavo André. **Non-compliance with Emergency Protective Measures in Domestic and Family Matters against Women** : Aspects and Consequences. UNIVATES

University Center. Lajeado, June 2015. Page 129.

NUCCI, Guilherme de Souza. **Manual of criminal law: general part** : special part. 5th ed. São Paulo: Editora Revista dos Tribunais, 2009. Page 327.

PAULO, Paula Paiva. G1 – **One in four women was a victim of some type of violence during the pandemic in Brazil, research shows** . 2021. Available at: https://g1.globo.com/sp/sao-paulo/noticia/2021/06/07/1-em-cada-4-mulheres-foi-vitima-de-algum-tipo-de-violencia-na-pandemia-no-brasil-diz-datafolha.ghtml. Accessed on: August 10, 2021.

PAULO, Paula Paiva; ACAYABA, Cíntia. **G1 – Violence against women perpetrated by neighbors is increasing; one in five reports aggression** , says Datafolha. 2019. Available at: https://g1.globo.com/sp/sao-paulo/noticia/2019/02/26/violencia-contra-mulheres-praticada-por-vizinhos-cresce-uma-em-cada-cinco-relata-agressao-diz-datafolha.ghtml Accessed on: August 10, 2021.

SANTOS, CJ **Crimes of prejudice and discrimination** . Saraiva Publishing House: São Paulo, 2017. Page 72.

SAPORI, Luis Flávio et al. **Social Factors Determining Criminal Recidivism in Brazil – The Case of Minas Gerais** . Pontifical Catholic University of Minas Gerais (PUC-Minas), Belo Horizonte. 2017. Page 9.

SILVA, Auricélia Costa de Aguiar. **Profile of Recidivism in Domestic Violence Against Women in the Municipality of Santarém** . Monograph. Federal University of Pará. Belém/PA. 2015. Available at <http://dspace.sti.ufcg.edu.br:8080/jspui/handle/riufcg/11296?mode=full> Accessed on: April 28, 2021.

SIMMEL, G. **Fundamental questions of sociology** . Rio de Janeiro: Jorge Zahar Editor, 2006. Page 38.

SOUZA, Beatriz Pigossi. **Domestic violence – "Maria da Penha" Law: Solution or just another palliative measure?** Presidente Prudente, SP, 2008. 62 p. (Undergraduate thesis). Faculty of Law of Presidente Prudente "Faculdades Integradas Antônio Eufrásio de Toledo". Page 114.

SOUZA, Jessé. **Brazilian rabble: who they are and how they live** . Horizonte: Editora UFMG, 2009. Page 342.

SOUZA, João Paulo Aguiar Sampaio; FONSECA, Tiago. **The application of Law 9.099/1995 in cases of domestic violence against women** . IBCCrim Bulletin, no. 168, 2006. Page 56.

SAFFIOTI, HIB On the razor's edge: violence against children and adolescents in present-day Brazil. In: MADEIRA, FR (Org.). **Who ordered her to be born a woman? Studies on children and adolescents in Brazil.** Rio de Janeiro: Record/Rosa dos Tempos, 1997. Page 139.

TELES, Maria Amélia de Almeida; MELO, Mônica de. **What is violence against women** . São Paulo: Brasiliense, 2002. Page 92.

[1] Bachelor of Law.

Submitted: July 2021.

Approved: December 2021.

4.9/5 - (28 votes)

Exhibit 11

Challenges of providing support: less than 10% of Brazilian municipalities have a women's police station, and the quality of listening in reporting spaces still leaves much to be desired.

oglobo.globo.com/celina/assedio/desafios-do-acolhimento-menos-de-10-dos-municipios-brasileiros-tem-delegacia-da-mulher-qualidade-da-escuta-em-espacos-de-denuncia-ainda-deixa-desejar-25327011

O Globo December 22, 2021

Experts point to the need for public policies and ongoing training to provide more humane care to victims of gender-based violence.
The Globe
22/12/2021 - 08:33 / Updated on 22/12/2021 - 08:41

When experiencing sexual harassment or any other form of gender-based violence, women face a long road ahead. Beyond the discomfort and trauma they endure, victims also encounter a lack of qualified spaces for reporting such incidents, often finding themselves revictimized instead of receiving support. The first Specialized Police Station for Women (DEAM) in Brazil, inaugurated in 1985 in São Paulo, was a pioneer not only in the country but worldwide, exporting a model of attention to the specific needs of sexual crimes and domestic violence cases targeting women. However, almost 30 years after its creation, only 7% of Brazilian cities have Women's Police Stations, and these are concentrated in larger municipalities: only nine of the 3,600 cities with up to 20,000 inhabitants have them. And considering that, despite there being more support channels for women who are victims of physical or sexual violence, including initiatives from non-governmental organizations, the main points of entry for victims are still hospitals and police stations, the difficulty increases.

Rosmary Corrêa, known as Delegate Rose, founder of the first Women's Defense Police Station and currently vice-president of the State Council on the Status of Women (CECF), points out that, despite the existence of a support network for women victims of violence, "these women cannot access the network because they were not assisted in the way they should have been." The lack of preparedness of those who are there to listen hinders and reduces reports. And the fear of embarrassment, blame, and further violence keeps those who should be supported away.

Unfortunately, the support received in these places is, more often than not, not what women expect to find. There is a lack of sensitivity among the professionals providing care, failing to understand what is happening to the victim. Hospitals and emergency rooms have an obligation to report cases of physical or sexual violence they attend to to the competent

authorities, but this does not always happen. In police stations, the support is often nonexistent; the woman receives no guidance or referral, and is even discouraged from filing a complaint, as the first question asked is "what did she do to make him assault her?", treating her as the guilty party instead of the victim. In cases of sexual violence, the woman's word is often questioned, and she is forced to hear things like "didn't you give any indication that you were interested in him?" or "what were you doing in that place at that time?". "There is a lack of humanity and proper reception at the existing entry points," observes Rosmary, who does not deny, however, the progress made in handling crimes in recent years.

Advances and setbacks

- We still have problems, but we can't deny that there has been an improvement in service. The creation and work of the 1st Women's Defense Police Station, the first in the world, brought changes in the care provided to women victims of any type of violence. The Women's Police Station was the first public policy for women in Brazil. Domestic violence stopped being treated as "a husband and wife issue" and began to be seen as a crime, as it should be. The service channels began to register cases, something that was often not done; in cases of physical violence, the woman was often dismissed under the pretext that the matter was not for the police to handle. The services provided by the specialized police stations yielded statistics on the number of cases of violence, forcing the competent authorities to create new public policies for service. Several training courses were held for members of the civil and military police careers, which addressed gender violence and demonstrated the importance of good service - says Rosmary.

The problem of revictimization of victims in the places where they seek to report abuse has been discussed by organizations working on the issue of gender-based violence. Within the police, the Public Prosecutor's Office, the Judiciary, and the Public Defender's Office, there are specialized groups to handle cases of physical and sexual violence against women. Lawyer Claudia Patricia de Luna, president of Elas por Elas Vozes e Ações das Mulheres (Women for Women Voices and Actions), also points to the lack of training for service providers as one of the biggest bottlenecks in the support channels.

"And it's not just the moment these service channels are structured; there's a lack of ongoing and continuous training," says Luna, who also points out flaws in the flow and methodology used for handling and forwarding complaints. "Sometimes, the women we assist tell us that they are directed by the staff to go to agencies that are no longer functioning; there's a lack of updating of the agencies in the service network," she states.

The lawyer explains that another peculiar situation among the cases that come to her is that of women who receive advice that does not conform to protocols. Phrases like "You need to

have faith," "You need to have patience" are still common in support channels and, according to Luna, "very symbolic of the scenario in which we live."

- The support channels for women experiencing violence, especially harassment and sexual violence, need to be more effective and prepared to understand and support these victims without ever judging them. Currently, there is a level of support that is not based on support, but rather on the perspective of the person providing the service, focusing on what is best for the victim, without guaranteeing their agency or respecting their dignity. Notably in cases of sexual violence or harassment, there is a reflection of sexism and patriarchal culture, which normalizes the violence these women suffer and blames them for the clothes they wear, the time of day they were out, or the circumstances they were in at the time of the crime, says Luna.

An expert in gender and violence issues, the lawyer observes that there has been an evolution in the understanding and comprehension of the subject in the country, but also episodes of setbacks, especially when considering how public policies have been implemented.

"All of this needs to be carefully observed. We have a system not only permeated by a sexist culture, but structured on patriarchy. And guiding services and practices, there is also the expression of a racist and segregating culture. Depending on their race, color, and geographic location, the violence and the services provided change. Black women, women from marginalized communities, and poor women, as well as women in migratory situations, with disabilities, or elderly women, are more vulnerable. There are even more vulnerabilities at the intersections of these oppressions. Preparation, training, and awareness-raising are needed across the entire network, considering it in its broadest sense, including the justice, health, public safety, and education systems," says Luna.

Training and improving victim support channels can prevent greater violence, as Rosmary notes:

"I have no doubt that cases of sexual harassment, if not reported and dealt with to the full extent of the law, can escalate into future assaults or even femicides. Awareness of the seriousness of these events must be conveyed to those who provide assistance, through courses, lectures, or any type of training," she concludes.

Exhibit 12



Brazil

This article is more than **2 years old**

Violence against women in Brazil reaches highest levels on record

Brazilian Forum on Public Safety finds every indicator of gender-based violence increased in 2023, including murder, harassment and stalking

Tiago Rogero *in Rio de Janeiro*

Thu 18 Jul 2024 14.07 BST

Prefer the Guardian on Google

Brazil has recorded unprecedented levels of rape and other forms of gender-based violence for the second year running, amid growing concerns over rightwing efforts to criminalize rape victims who have an abortion.

The data, released on Thursday in the annual report by the Brazilian Forum on Public Safety, showed that reported cases of rape rose by 6.5% from the previous year to a new historic high of 83,988 - or one every six minutes.

Experts say the figures are “even more alarming” against a backdrop of far-right activism, which includes a bill currently before the lower house of Congress that seeks to penalize rape survivors who seek a termination.

Every single indicator of gender-based violence increased in 2023 compared with the previous year, including murder (0.8%), sexual harassment (48.7%) and stalking (34.5%).

In contrast, the total number of homicides (against men and women) fell for the sixth consecutive year, dropping 3.4% from 47,963 in 2022 to 46,328 last year.

One possible explanation for the continued increase in gender-based violence may be the lingering after-effects of the Covid-19 pandemic, said the forum’s executive director, Samira Bueno.

“Since 2021, the figures for violence against women have been increasing at an accelerated rate, and they’re much higher than in the pre-pandemic period,” she said.

“Brazil has always been a very violent country … but it seems that the pandemic changed something. The tensions that arose in the domestic environment potentially exacerbated all these forms of violence,” she said.

Many states do not record details of the racial background of rape victims, but the data where available suggested that at least 52% of them were black.

Children continued to be dramatically overrepresented among rape survivors, with 61.6% aged 13 or younger - most of whom who were assaulted by family members or acquaintances (84.7%), a profile that remained unchanged.

Activists warn that they risk further victimisation under proposed legislation in the chamber of deputies which would penalise women who undergo an abortion after 22 weeks, even in cases of rape.

Abortion is illegal in Brazil, but there is an exception for rape. The new legislation, backed by supporters of the rightwing former president Jair Bolsonaro, would impose prison sentences of up to 20 years for a termination - equal to that for homicide and longer than that for rape (up to 15 years).

After an outcry from feminist and human rights movements, the legislation is now dormant in the lower house, but activists fear it could be revived - and warn that it would inevitably penalise victims of child sexual abuse.

“These are children who don’t have the maturity to understand that they’re being victims of rape,” said Bueno, who added that many young victims do not even realise they are pregnant.

“So criminalising the victim for a supposed ‘delay’ in having an abortion is yet another form of violence against these girls,” she said.

“Our Congress is completely disconnected from what is happening to the population, especially to girls and women,” said Bueno. “Shouldn’t we be discussing how to support these victims?”

For the first time, the report also ranked rape rates in cities with more than 100,000 inhabitants. The highest rate was record in in Sorriso in Mato Grosso state.

There were 77,000 cases of stalking reported in 2023, an increase of 34%. “This data is particularly relevant because stalking is a crime that often precedes other forms of violence - such as murder,” said Bueno.

Stalking was recognised as a crime in Brazil only in 2021, so the rates are expected to increase yearly as more people become aware of the law.

Despite a new decrease in the total number of homicides, Brazil still accounts for 10% of the world’s murders from just 3% of the global population.

“Brazil was able to reduce murders for another year, but it has also become much more unsafe for girls and women,” said Bueno.

More on this story

Most viewed

Exhibit 13

This content has been translated using DeepL

CULTURE AND SOCIETY

Feminicide: an ignored epidemic

Priscilla Bacalhau
03/09/2025

Campaigns alone are not enough to halt the escalation of domestic and family violence

Every day, four women are murdered in Brazil simply for being women. Ten others survive attempted feminicide daily. Most aggressors are men close to the victims: partners or ex-partners. Not even at home are we safe.

The figures from the Brazilian Yearbook of Public Security represent real people, with stories that repeat across police reports. Ironically, this month is also marked by August Lilac, a national awareness campaign against violence against women.

The high rates show that, although necessary, campaigns alone are not enough to stop the escalation of domestic and family violence, which often culminates in death. A systematic situation like the violence rooted in machismo cannot be solved merely through awareness campaigns.

The legal framework has advanced. The Feminicide Law, which will complete ten years in 2025, established the crime in the Penal Code—characterized by the murder of a woman due to her female gender in a context of domestic or gender-based violence. This type of crime is now considered heinous, ensuring harsher penalties, ranging from 20 to 40 years of imprisonment. Even so, the application of the law reveals inconsistencies.

Naturally, defining what constitutes a “reason of being female” carries a degree of subjectivity. Two recent cases illustrate this aspect. The first occurred in Rio Grande do Norte on July 24: a woman was

brutally attacked by her partner inside an elevator, with everything recorded by security cameras. She was punched 61 times.

The second case occurred just a week later in the Federal District, where another similar attack was recorded in the same manner. However, while the case in Rio Grande do Norte was recorded as attempted feminicide at the police station, the one in the capital was initially classified as qualified bodily injury due to domestic violence, a crime with a much lighter penalty. What more had to happen to indicate that the aggressor intended to kill?

The law serves as a milestone for protecting women, but it is insufficient. In 2024, the number of feminicides was the highest ever recorded, and attempts increased by 19% compared to 2023. Furthermore, the data may be underestimated, considering that many cases go unreported and, when they do, may be classified differently.

The awareness brought about by laws and campaigns contributes to increased reporting of cases that were previously unrecognized by the victims themselves and not notified to authorities.

Potentially, many women have been spared from violence and death due to the proper enforcement of laws and support measures. However, after a decade of the Feminicide Law and nearly two of the Maria da Penha Law, we wish to see a consistent reduction in these rates.

Strengthening effective policies for prevention, victim support, punishment, and offender rehabilitation is essential to change a persistent scenario. Feminicide is not merely a statistic: it is an epidemic we continue to ignore.

Article originally published in Folha de S. Paulo on 28/08/2025.

Share:

AUTORES

As opiniões expressas neste artigo são de responsabilidade exclusiva do(a) autor(a), não refletindo necessariamente a opinião institucional

Exhibit 14

Femicides will increase by 4.7% in 2025; small cities have the highest rates.

www12.senado.leg.br/institucional/procuradoria/noticias/feminicidios-crescem-4-7-em-2025-pequenas-cidades-tem-maiores-taxas

Senado Federal

05/03/2026 14:48

Brazil continues to face an alarming reality in combating gender-based violence. A survey by the Brazilian Public Security Forum released this Wednesday (March 4th) indicates that 8 out of 10 femicide cases in the country are committed by partners or ex-partners — which shows that the greatest risk for many women is still within their own homes.

In 2025, 1,568 femicide victims were recorded, a 4.7% increase compared to the previous year. The data also reveal a worrying racial disparity: 62.6% of the victims are Black women, highlighting the structural inequality and greater socioeconomic vulnerability faced by this segment of the population, often with less access to protection networks and effective public policies.

Most crimes occur within the home itself (66.3%), reinforcing the domestic nature of this violence. In 48.7% of cases, common objects are used, such as knives or axes—instruments readily available in everyday life, demonstrating how femicide is often the extreme outcome of continuous cycles of violence.

The numbers reinforce the urgency of strengthening prevention policies, expanding the support and protection network, and ensuring the effective application of existing laws. Since the creation of the Femicide Law in 2015, at least 13,703 women have been murdered because of their gender. Combating femicide requires coordinated action from the State, continuous investment, and a permanent commitment to the lives of Brazilian women.

Intimate and domestic violence

An analysis of 5,729 cases between 2021 and 2024 points to a recurring pattern:

- 59.4% of the victims were killed by their partner;
- 21.3% by the former partner;
- 10.2% by other family members;

- Only 4.9% of the authors were unknown.

In 97.3% of cases, the perpetrator was male.

The victim's residence was the crime scene in 66.3% of cases, followed by public roads (19.2%).
Regarding the means used:

- Bladed weapon: 48.7%;
- Firearm: 25.2%.

The data reinforces the fact that femicide predominantly occurs within the home and in the context of intimate relationships.

Victim profile

- 62.6% were black women;
- 36.8% were white;
- 50% were between 30 and 49 years old;
- 15.5% were 50 years of age or older;
- 5.1% were under 18 years old.

The racial and age breakdown highlights structural inequalities that cut across gender, race, and territory.

Small municipalities concentrate the greatest risk.

In 2024, municipalities with up to 100,000 inhabitants recorded a rate of 1.7 femicides per 100,000 women—above the national average (1.4).
In cities with up to 20,000 inhabitants, the rate reached 1.8, 28.5% higher than the national average.

Although 41% of Brazilian women live in municipalities with up to 100,000 inhabitants, these cities accounted for 50% of femicides.

The protective infrastructure is more limited in these locations:

- Only 5% have a Specialized Police Station for Women;

- 3% have access to a shelter home;
- 27.1% have at least one specialized service from the protection network.

In practice, this means that women living in rural areas often cannot find specialized services in their own municipality capable of receiving complaints, assessing risk, or offering protection.

But the lack of resources is only part of the problem. In smaller cities, seeking help can be more socially difficult. The proximity between residents makes secrecy difficult, increases the fear of exposure, and reinforces family and community pressures for women to remain in abusive relationships. Reporting can mean confronting not only the abuser but also social judgment. Many stories of violence remain invisible until it is too late.

Protective measures and failures in prevention.

In 16 states analyzed, 13.1% of victims had a valid Emergency Protective Order at the time of the crime. States such as Acre (25%), Mato Grosso (22.2%), and São Paulo (21.7% in the capital) showed percentages above the average.

The numbers indicate that, although there have been legal advances — especially since the Maria da Penha Law — there are still shortcomings in the effectiveness of public policies, particularly in the monitoring and enforcement of protective measures.

This scenario reveals a worrying mismatch between where the greatest risks are and where institutional resources are concentrated to address them. While policies to combat violence against women have been structured mainly in large cities, a significant portion of Brazilian women live in territories where this network practically does not exist.

Addressing femicide in Brazil requires more than just strict laws or increased penalties. It demands widespread territorial reach, effective monitoring of protective measures, continuous investment, and a permanent institutional commitment. While the country has made progress in building the legal framework, the challenge for the next decade will be ensuring that the protection provided for in the Maria da Penha Law reaches all women, regardless of where they live.

Because no public policy can be considered effective while half of the victims are dying precisely where the State is least able to reach.

Source: Brazilian Forum on Public Security.

Exhibit 15

Four girls are raped every hour in Brazil, study finds

edition.cnn.com/2019/09/11/americas/brazil-women-girls-domestic-violence-rape-intl-hnk

Helena Cavendish de Moura, Julia Hollingsworth 11 de setembro de 2019



In Brazil, four girls under 13 are raped every hour and every two minutes police receive a report of violence against women.

Those are just two of the findings from a new study released Tuesday by non-governmental organization Brazilian Forum of Public Security, which found that violence against women and girls is worsening in the country.

Brazil – which is home to over 200 million people – is already among the most dangerous places on earth to be female.

The report found that femicides – when a woman is murdered for being a woman – increased by 4% last year on the previous year, even as the national homicide rate fell 10.8%. In 88% of those cases, the perpetrator was the woman's partner or former partner.

Over 263,000 women suffered serious injuries at the hands of their partner, according to the study, which was based on governmental data.

The country also saw the largest ever number of reported rapes, and almost 54% of the victims were girls under 13 years old.

A dangerous place for women

Violence against women is a problem that Brazil has been facing for some time.

“Brazil is still one of the most dangerous places in the world for women,” Valeria Scarance, a public prosecutor, told Brazilian newspaper Globo’s Jornal Nacional show on Tuesday. “And the most dangerous place for a woman is her own home.”

A 2015 study found that Brazil had the fifth highest rate of female homicides in the world.

According to non-governmental organization Human Rights Watch (HRW), domestic violence remains widespread. But not enough is being done, according to HRW. Each year, thousands of cases are not properly investigated, and in 2017, 23 shelters for victims of domestic violence were closed in Brazil due to budget cuts.

Federal Judge Ben-Hur Viza said that domestic violence persists because it remains culturally acceptable. “It’s something that happens behind the walls, inside the house,” he said in a documentary about femicide that was released last year.

Some fear the situation may only get worse under far-right President Jair Bolsonaro, who has been in office since the start of this year, and who has made openly misogynistic comments.

Bolsonaro once told a congresswoman that she did not deserve to be raped because she was “very ugly,” Brazil’s TV Globo reported.

Exhibit 16



Global development

This article is more than **3 years old**

UN to investigate use of ‘parental alienation’ tactic in custody cases

Fears an increase in allegations, particularly against mothers, of deliberately alienating a child against the other parent in domestic abuse cases may put victims at further risk

Supported by

the guardian .org

About this content

Hannah Summers

Wed 14 Dec 2022 07.45 GMT

Prefer the Guardian on Google

The UN special rapporteur on violence against women and girls is to investigate how family courts around the world approach “parental alienation” (PA) and how this may lead to the double victimisation of those who have suffered domestic abuse.

There is no single agreed definition of parental alienation but a generally accepted description is a child’s rejection of one parent as a result of psychological manipulation by their preferred parent.

Reem Alsalem will examine what is behind an increase in allegations of PA in highly acrimonious child custody cases, in particular when used to counter claims of domestic abuse.

Alsalem claims the majority of parents accused of “alienating” their child while alleging abuse are women. In some cases, mothers who have been accused of alienation have had their children permanently removed from their care or faced imprisonment.

“The tendency to dismiss the history of domestic violence and abuse in custody cases extends to cases where mothers or children have brought forward credible allegations of child physical or sexual abuse,” said the UN commissioner for human rights, who issued the call for evidence.

“In several countries, family courts tend to judge such allegations as deliberate efforts by the mothers to manipulate their child and pull them away from their father.

“This supposed effort by a parent alleging abuse is often termed ‘parental alienation’. The term generally refers to the presumption that a child’s fear or rejection of one parent, typically the noncustodial parent, stems from the malevolent influence of the preferred, typically custodial parent.”

The theory of "parental alienation syndrome" was coined in the 1980s by US child psychiatrist Richard Gardner. The syndrome element went on to be largely rejected. But the idea of alienation in the family courts has gained traction in many countries, including Brazil, Spain, Italy, England, Ireland, Australia and Croatia.

The UN claims there are emerging patterns across various jurisdictions that indicate that courts worldwide are using the concept of PA as a litigation tool, despite it lacking "a universal clinical or scientific definition".

Earlier this year, it condemned a decision by a Spanish court to grant full custody of a seven-year-old girl to her father, despite allegations he had sexually abused her.

The court argued that the mother maintaining custody would risk further damaging the relationship between daughter and father, as the mother would be "inducing in the child the belief that her father is evil".

The UN claimed children in Spain are exposed to risk of violence and sexual abuse by a "judicial system that appears to favour male parents in custody cases, even in cases where there is a history of domestic violence or evidence of abuse against children and their mothers".

Meanwhile, it has called on the newly elected government of Brazil to repeal a law passed in 2010 making parental alienation illegal, meaning someone accused of alienating their child in the criminal courts could be jailed.

The legislation means that many mothers remain silent regarding abuse of their children by their partner or former partner, fearing they could be accused of alienation and lose custody rights.

The use of parental alienation in litigation has contributed to the playing down of violence against women and girls in Brazil, where a high level of domestic violence against children – in particular, girls – takes place against the backdrop of high rates of femicide, says the UN.

Proponents of PA claim it is a widespread problem and a form of child abuse.

The charity Shared Parenting Scotland expressed concern over the UN investigation, claiming the approach was based on "generalised assertions that are not well founded" and presented an "incomplete, inaccurate and prejudicial picture of a very important and serious issue".

It added: "Our experience, supported by a number of recent Scottish and English court decisions, is that the unjustified rejection of one parent due to the intentional or unwitting influence of the other parent does happen in some families after separation … We know of both fathers and mothers in Scotland who have been rejected in this manner."

More on this story

New rules ease reporting restrictions in family courts across England and Wales
27 Jan 2025



'I can't sleep, I'm terrified': the rise in mothers having their babies taken away within days of giving birth in England
25 Jan 2025



Legal aid cuts deny parents their human rights, says ex-supreme court president
5 Jan 2025



Family court judges use victim-blaming language in domestic abuse cases, finds AI project
8 Oct 2024



"The Guar… the family c… principle mu…
3 Oct 2024



Exhibit 17

Child Marriage Accepted in Brazil to Escape Abuse at Home: Researchers

jakartaglobe.id/news/child-marriage-accepted-brazil-escape-abuse-home-researchers

Anastasia Moloney July 21, 2015



Sex workers and their children walk in a protest against child marriage in Calcutta, India, in 2006. (EPA Photo/Piyal Adhikary)

Bogota. Child marriage is widely accepted in Brazil, where girls seek older husbands to escape from sexual and other violence in the home, or because of teenage pregnancies or the lack of job opportunities, according to new research.

There has been scant research in Brazil on child marriage, and little has been done to tackle it, researchers from Plan International, Brazil's Federal University of Para and the gender equality charity Promundo said.

"Child marriage in Brazil is very normalized and accepted," said Alice Taylor, lead author of the report, whose researchers say it is the first study of its kind in Brazil.

Brazil is ranked fourth in the world in the number of girls married to or living with a partner by the age of 15, with 877,000 women aged 20 to 24 reporting they were married by 15, according to a Brazilian government census in 2010.

Legally, Brazilians can marry at 16 if both parents consent, or earlier in certain circumstances such as pregnancy.

The researchers examined child marriage in the two states with the highest prevalence of the practice in the country -- the northern state of Para, and Maranhao in the northeast.

"There’s an assumption ... that child marriage ... happens only in the most remote and rural areas of Brazil. But the research shows it happens also in urban areas and in state capitals, like Belem and Sao Luis," Taylor told the Thomson Reuters Foundation in a telephone interview.

Child marriage in Brazil and across Latin America is "mostly informal and consensual," unlike South Asia and sub-Saharan Africa which have a "more ritualized and formal nature of the practice," the report found.

In Brazil it is fueled by sexual and other violence at home, often at the hands of relatives and stepfathers, which drives girls to seek refuge with older men outside the family, Taylor said.

"Child marriage is an expression of a girl's limited opportunities in terms of education and employment. They get married based on an expectation that their life will be better and that they will have more independence, and that expectation is usually unfulfilled."

Researchers interviewed government officials, men married to girls, and girls aged 12 to 18 married to or living with men who were on average nine years older.

They found that pregnant girls can come under pressure from relatives to get married to protect the family's reputation and in the hope of receiving more financial support from the child's father.

"My mum thought it was a good idea to marry, to resolve it [the pregnancy], to avoid the gossip that would have happened," a 15-year-old pregnant girl who had married a man aged 20, was quoted as saying in the report.

Researchers also interviewed men aged 25 to 60 who are married to or live with girls.

"For a man, the responses we most often heard were desire to marry a young girl because she is easier to control or because of a belief that younger girls are more attractive," Taylor said.

Efforts to stem child marriage have largely focused on sub-Saharan Africa and South Asia, where it is most prevalent, and have ignored Latin America, the report said.

Early marriage makes it more likely that girls will drop out of school, and campaigners say it also increases the risks of exploitation, sexual violence, domestic abuse and death in childbirth.

Child marriage also affects a country's overall development, a problem that will be highlighted this year when the United Nations finalizes its sustainable development goals at the end of the year.

Stopping child marriage and forced marriage is one of the proposed development goals.

Reuters

Tags: Keywords:

Isabelle Kauany Bueno Ferreira **File No. A 246-934-756**

Proof of Service

On October 5, 2026, I, Otavio Haverroth Silva, served a copy of the following documents:

RESPONDENT'S COUNTRY CONDITIONS IN SUPPORT OF ASYLUM AND WITHHOLDING OF REMOVAL

To the Department of Homeland Security, Office of the Principal Legal Advisor, through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.



Otavio Silva (Bar N. 343486)
Attorney at Law
P.O. Box 90487
San Diego, CA 92169
Counsel for Respondent