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

Non-Detained

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
915 2nd Avenue, Suite 613
Seattle, Wa 98174

In the Matter of	)	
Rayane Cristina Gonsaga Guimaraes	)	**File No. A. 249-261-932**
In Removal Proceedings	)	

Immigration Judge: **Tisocco, Michael** Next Hearing Date: **August 21, 2026 at 1:00 PM.**

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

Rayane Cristina Gonsaga Guimarães
A#249-261-932

EXCERPTS FROM COUNTRY CONDITIONS REPORTS

CC 1

BRAZIL 2024 HUMAN RIGHTS REPORT – UNITED STATES DEPARTMENT OF STATE

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists.

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

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

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.

Since the promulgation of the Femicide Law (13.104/15) in 2015, Brazil saw an uninterrupted increase of femicide rates every year. [...] **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.

Besides typifying the different forms of domestic violence, **Law 11.340/2006 – known as Maria da Penha Law**– 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.

Law 13.104/201512– 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.

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.

CC 4

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.

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.

According to the latest edition of the Yearbook, only 12% of the military police force is 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 (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.

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.

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).

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.

CC 5

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.

CC 6

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

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.

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.**

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.

The law is contrary to 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.

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.**

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.

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.

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 t**he 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 7

MAN ARRESTED TWICE IN LESS THAN 10 DAYS FOR ASSAULTING HIS EX-WIFE DESPITE A RESTRAINING ORDER PROHIBITING HIM FROM APPROACHING HER, POLICE SAY – G1 NEWS

A man was arrested twice in less than ten days for assaulting his ex-wife in Goiânia, even though he had a restraining order prohibiting him from approaching her. After the first assault, he was arrested but was released at a custody hearing and then committed the crime again.

Fabíola also stated that protective measures often lead suspects of violence against women to reoffend.

“We also need some legislative action regarding preventive detention in cases involving the Maria da Penha Law. There has been a lot of talk and study about it, but effectively, we haven't seen any changes yet. But the rule is to continue reporting and requesting protective measures, and at the slightest sign that these measures are not being respected, you need to contact the authorities, call the police, so that other types of intervention can be made,” he said.

CC 8

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 NEWS

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 [Specialized Police Station for Women (DEAM)] 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.

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?".

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. [...] 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.

CC 9

THREE IN TEN FEMICIDE VICTIMS IN BRAZIL HAD ALREADY REPORTED THEIR ATTACKERS - FOLHA DE SÃO PAULO NEWS

Brazil recorded **1,561 femicide cases in 2025**, the highest number in the ten-year historical series, according to data from the Ministry of Justice. Of the total, **30% of the victims had already reported the aggressor before the crime.**

Among the 481 women who had filed a police report, 20% were killed within 24 months after the first complaint. The data do not indicate how many had access to protective measures.

One of the cases analyzed shows a 32-year-old woman who filed 19 police reports over six years, including assaults, threats and rape, before being killed in 2025.

According to the national secretary of Public Security, Chico Lucas, femicide is often the outcome of a sequence of violence.

Researcher Juliana Brandão points to failures in victim support. "In the period between the filing of the complaint and the lethal outcome, nothing was able to interrupt the cycle of violence," she said.

CC 10

BRAZIL SETS RECORD FOR FEMICIDE IN 2025, WITH AT LEAST FOUR WOMEN KILLED PER DAY - FOLHA DE SÃO PAULO NEWS

Brazil reached a new record of **1,470 femicides in 2025, the highest total registered in the past ten years.** According to data from the Ministry of Justice, the figure represents an average of **four women murdered per day in contexts of domestic violence or misogyny.**

The current total surpasses the 1,459 cases recorded in 2024, but final numbers are expected to increase, as states such as São Paulo and Pernambuco have yet to submit December data. Overall, 15 states reported increases, with the largest percentage rises concentrated in Brazil's North and Northeast regions. Since the crime was defined in law in 2015, the country has recorded 13,448 victims.

CC 11

FEMINICIDE: AN IGNORED EPIDEMIC - 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.

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

POLICE OFFICERS IN SANTA CATARINA COMMIT, ON AVERAGE, 20 CRIMES OF DOMESTIC VIOLENCE AGAINST WOMEN PER YEAR - CATARINAS PORTAL

Behind the rising rates of domestic violence against women, one piece of information is crucial in combating the problem: the identity of the aggressors. In Santa Catarina, a specific group stands out in this scenario. Assaults against women committed by military police officers have increased by 366.6% in the last six years.

[...] between 2019 and 2024, **male police officers committed, on average, 20.16 crimes classified under the Maria da Penha Law.**

The data refers to police reports filed for three crimes: **femicide, violation of emergency protective measures, and psychological violence**. In total, 121 crimes were recorded during the period.

In cases of violence committed by police officers, whether civilian or military, for example, it is presumed that the public agent does not break the law, which makes it difficult to recognize that he or she may be an aggressor in family or domestic contexts.

“Furthermore, there is an alignment between police institutions. Depending on the location where the crimes occur, there are few police officers and they all know each other. This, obviously, harms and frightens the victim,” he points out.

According to the lawyer, victims don't always report the incident, and when they do, they are often discredited and poorly received, a process she defines as "secondary criminalization," in which the victim's word is not taken seriously.

Firearms, one of the main tools of the military police's work, are frequently used as a means of threat, coercion, and violence against women, especially in domestic contexts.

In 2024, a survey released by the Sou da Paz Institute, using data from the Mortality Information System (SIM) and the Notifiable Diseases Information System (Sinan) , showed that **one in two women murdered in Brazil is killed with this type of**

weapon. Furthermore, the numbers indicate that in 43% of cases, **the perpetrators of armed threats against women are people close to them.**

“The chance of a domestic violence situation escalating into femicide is much greater with a firearm within reach of the aggressor. The power it gives to anyone is enormous, both in professional activity and in the family environment,” she emphasizes.

A protective order is one of the mechanisms used to legally protect women who feel threatened in the domestic environment. However, non-compliance with the order is frequent. The document is important for notifying the authorities about the need for support and protection, but alone it is not sufficient to prevent new episodes of violence by the same aggressor.

Data from the 10th National Survey on Violence Against Women by DataSenado, released in 2023, shows that 27% of women who suffered domestic or family violence stated that they had requested a protective order – **48% of them said that the order was violated** by their abuser.

The survey also showed that 68% of women said they knew little about the measure and 15% said they knew nothing about it.

In this year 's Violence Yearbook, **101,656 violations of protective measures by aggressors were recorded in 2024** – an increase of 10.8% compared to 2023.

CC 13

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 14

FEMICIDES 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.

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 15

HUSBAND SUSPECTED OF ATTACKING HIS WIFE AFTER SHE CUT HER WRISTS TO ASK FOR HELP IN HOSPITAL IS RELEASED - G1 NEWS

The husband of a 28-year-old woman, who allegedly slit her wrists to ask for help at a hospital, was released hours after being arrested in Goiânia. Ariston Alves Meira Filho, 56 years old, had been arrested red-handed after even trying to forcefully take his wife away from the hospital. He was released after a custody hearing, this Wednesday (4), which decreed protective measures for the victim.

CC 16

IN 3 DAYS, A MAN ASSAULTS HIS EX-GIRLFRIEND, IS ARRESTED, RELEASED BY THE COURTS, AND STABS HER TO DEATH - G1 NEWS

A 23-year-old resident of the Federal District was stabbed to death, this Wednesday (6), by an ex-boyfriend who said he was “unsatisfied with the breakup”. Three days earlier, he had already been arrested for assault and attempted murder against her.

Last Sunday, Vinicius was arrested in the act after attacking Tauane with punches and trying to choke her. The attack was witnessed by the couple's children – a 2-year-old boy and a 4-year-old girl.

Even though he was caught in the act, the man was released the following day at a custody hearing

In a statement to the Civil Police, still on Sunday (3), Tauane said that she had been attacked on other occasions by her boyfriend, but never reported it.

Last month, student Jéssyka Laynara was killed by her ex-boyfriend – a military police officer – – inside her home, in front of her grandmother and cousin. Ronan Menezes do Rego fired five shots. Two weeks before being murdered by her ex-boyfriend, the 25-year-old sent an audio to a friend saying that she was unable to walk because she had been punched in the stomach and kicked in the legs.

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Exhibit 1 - CC1

Brazil 2024 Human Rights Report

Executive Summary

The human rights situation in Brazil declined during the year. The courts took broad and disproportionate action to undermine freedom of speech and internet freedom by blocking millions of users' access to information on a major social media platform in response to a case of harassment. The government undermined democratic debate by restricting access to online content deemed to "undermine democracy," disproportionately suppressing the speech of supporters of former president Jair Bolsonaro as well as journalists and elected politicians, often in secret proceedings that lacked due process guarantees. The government also suppressed politically disfavored speech on the basis that it constituted "hate speech," a vague term untethered to international human rights law.

Significant human rights issues included credible reports of: arbitrary or unlawful killings; torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists.

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

Section 1. Life

a. Extrajudicial Killings

There were several reports police committed arbitrary or unlawful killings during the year. Some killings were attributed to a police operation against transnational criminal organizations in Sao Paulo State in the first half of the year and a police operation that took place from July 2023 to April in Baixada Santista, a coastal area including the port city of Santos.

In July, a São Paulo court charged two officers from a police shock battalion (ROTA) with aggravated homicide and obstructing evidence in the death of Fábio Oliveira Ferreira, who was killed in the operation in July 2023. One defendant was Captain Marcos Correa de Moraes Verardino, one of the coordinators of the operation, who allegedly fired three shots at Ferreira after he had surrendered. The other defendant, Corporal Ivan Pereira da Silva, also of ROTA, allegedly shot the victim twice in the chest while the victim was lying on the ground. In December, the two defendants were acquitted by courts in São Paulo State. The São Paulo Public Prosecutor's Office of appealed the decision, and higher courts were considering that appeal at year's end.

In April, Roraima State Civil Police reported it launched an operation to dismiss a group of officers from the military police of Roraima suspected of being part of a militia and an extermination group, according to a *Globo*

news report. More than 100 officers were investigated, and several arrests were made. The investigation examined cases in which police officers allegedly provided armed security for illegal miners, robbed and tortured competing invaders, and robbed the miner bosses themselves.

There were developments in the politically motivated 2018 killing of city councilwoman MarielIe Franco and her driver Anderson Gomes, in Rio de Janeiro. In March, police arrested Chiquinho Brazão, a Federal Chamber deputy (representative), and his brother, Domingos Brazão, a member of the Rio de Janeiro State Audit Court, for their alleged role in ordering the 2018 killing of Franco. The brothers remained in custody and were charged with qualified homicide and attempted homicide. Rivaldo Barbosa, who was the chief of police of Rio de Janeiro when Franco was killed, was also arrested in March for allegedly helping plan the killing and for obstruction of justice. In November, two former police officers were sentenced for the killings. Ronnie Lessa was sentenced to 78 years and nine months for firing the shots that killed Franco and Gomes and injured one of Franco's aides. Élcio de Queiroz was sentenced to 59 years and eight months for driving the getaway car.

b. Coercion in Population Control

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

Section 2. Liberty

a. Freedom of the Press

The constitution and law provided for freedom of expression, including for members of the press and other media. Supreme Court (STF) rulings, however, restricted the freedom of expression for individuals it deemed to be in violation of the law prohibiting antidemocratic speech.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

The law prohibited politically motivated judicial censorship, but there were reports of censorship. The government censored online content deemed in violation of STF orders, which instructed platforms to remove content that allegedly spread misinformation related to the electoral system or judicial institutions or to disparage judicial officials with online threats or harassment. Court records reveal that Justice Alexandre de Moraes personally ordered the suspension of more than 100 user profiles on the social media platform X (formerly Twitter), disproportionately suppressing the speech of advocates of former president Jair Bolsonaro instead of taking narrower measures to penalize content that incited imminent lawless action or harassment. The government telecommunications regulator Anatel ordered internet service providers to block X by order of the STF on August

31, after the company failed to appoint a legal representative and pay outstanding fines for failure to remove content in compliance with orders issued by the STF and the Superior Electoral Court. The STF authorized fines of 50,000 reais ($9,000) per day to individuals or companies who accessed the platform via a virtual private network (VPN), although no fines were reportedly assessed. The STF authorized X to resume its operations in the country on October 8 after the company complied with court orders and paid outstanding fines. Other media companies were subject to similar content removal orders. This broad repression blocked Brazilians' access to information and viewpoints on a range of national and global issues. Additionally, the court's temporary prohibition on the use of a VPN, under penalty of fine, further eroded freedom of the press by removing privacy protections from individuals whose ability to blow the whistle on government corruption hinged on their capacity to do so anonymously.

Nongovernmental criminal elements at times subjected journalists to threats or violence due to the journalists' reporting on their criminal activities.

b. Worker Rights

Freedom of Association and Collective Bargaining

The law provided for freedom of association for all workers (except members of the military, military police, and firefighters), the right to

bargain collectively with some restrictions, and the right to strike. The law prohibited antiunion discrimination, including the dismissal of employees who were candidates for, or holders of, union leadership positions, and it required employers to reinstate workers fired for union activity.

New unions were required to register with the Ministry of Labor, which would accept the registration unless objections were filed by other unions. The law stipulated certain restrictions, such as *unicidade* (in essence, one union per occupational category per city), which limited freedom of association by prohibiting multiple, competing unions of the same professional category in a single geographical area. Unions that represented workers in the same geographical area and professional category could contest another union's registration.

The law stipulated a strike could be ruled "disruptive" by the labor court and the union could be subjected to legal penalties if the strike violated certain conditions, such as if the union failed to notify employers at least 48 hours before the beginning of a walkout or end a strike after a labor court decision. Employers were not allowed to hire substitute workers during a legal strike or fire workers for strike-related activity, provided the strike was not ruled abusive as defined in the law.

The law obliged a union to negotiate on behalf of all registered workers in the professional category and geographical area it represented, regardless of whether an employee paid voluntary membership dues. The law included

collective bargaining rights, such as the ability to negotiate a flexible hourly schedule and work remotely. The law permitted the government to reject clauses of collective bargaining agreements that conflicted with government policy.

Freedom of association and the right to collective bargaining were generally respected, according to observers. Collective bargaining was widespread in establishments in the private sector.

In the view of nongovernmental organization (NGO) experts, the government usually effectively enforced applicable laws, and penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were regularly applied against violators.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Acceptable Work Conditions

Wage and Hour Laws

The law provided for a minimum wage, which was higher than the official poverty income level. The law limited the workweek to 44 hours and specified a weekly rest period of 24 consecutive hours, preferably on Sundays. The law also provided for paid annual vacation, prohibited

excessive compulsory overtime, limited overtime to two hours per workday, and stipulated any hour worked above the monthly limit had to be compensated with at least time-and-a-half pay; these provisions generally were enforced for all groups of workers in the formal sector. The constitution also provided for the right of domestic employees to work a maximum of eight hours per day and 44 hours per week, and to receive a minimum wage, a lunch break, social security, and severance pay.

Occupational Safety and Health

The Ministry of Labor set occupational safety and health (OSH) standards that were consistent with internationally recognized norms, although unsafe working conditions were prevalent throughout the country, especially in construction, according to media reports. The law required employers to establish internal committees for accident prevention in workplaces. Inspectors identified unsafe conditions and responded to worker complaints, but the number of inspections conducted was lower than necessary. The law also prohibited firing employees for their committee activities. Workers could remove themselves from situations that endangered their health or safety without jeopardy to their employment, although those in forced labor situations without access to transportation were particularly vulnerable to situations that endangered their health and safety.

Wage, Hour, and OSH Enforcement

The Ministry of Labor addressed problems related to minimum wage, overtime, and OSH laws. In the view of NGO experts, officials effectively enforced OSH laws. Penalties for violations included fines that varied widely depending on the nature of the violation. Penalties were in general commensurate with similar crimes such as fraud or negligence. Penalties were regularly applied against violators. The number of labor inspectors was insufficient to enforce compliance, according to the Labor Inspectors Union. Inspectors had the authority to make unannounced inspections and initiate sanctions.

According to the Brazilian Institute of Geography and Statistics, the informal sector represented almost 40 percent of the workforce.

Gig workers were not considered employees, and food delivery and ride-share companies did not consider the workers who provided services through their platforms to be employees. These workers were not protected by labor laws.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities.

In July, President Luis Inácio Lula da Silva reinstated the Special Commission on Political Deaths and Disappearances to deal with state crimes and political repression that occurred from 1961 to 1979. The commission was created in 1995 but was closed in 2022 by the government of then President Bolsonaro.

Prolonged Detention without Charges

The constitution prohibited arbitrary arrest and detention and provided for the right of persons to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements; however, political figures and rights groups alleged the government held hundreds of individuals accused of participation in protests that led to the invasion of government buildings on January 8, 2023, in detention for several months without filing charges. They also alleged these protesters were denied access to legal counsel.

Lengthy pretrial detention was a problem. The length of pretrial detention frequently equaled or exceeded the maximum sentence for the alleged crime, according to the National Security Forum. As of 2023, approximately one-quarter of the prison population was awaiting court trial, according to the Brazilian Forum on Public Security.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Section 3. Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibited such practices, but there were credible reports government officials employed them.

Military police officers in Porto Alegre, capital of the state of Rio Grande do Sul, were accused of torturing Vladimir Abreu de Oliveira for approximately 40 minutes before attempting to hide his body by throwing him from a bridge in May. An investigation revealed Abreu de Oliveira suffered multiple severe injuries while alive, leading to his death. Five officers were indicted, with charges ranging from torture resulting in death to omission of assistance, and two were in preventive detention. Civil police were

conducting a separate investigation.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/.

Child Marriage

The legal minimum age of marriage was 18, or 16 with parental or legal representative consent. While child marriage declined in recent years, the practice of early marriage (marriage before age 18), especially among girls, was common, according to UNICEF. The government did not always effectively enforce the law.

In March, a report from the newspaper *Econômico Valor* noted approximately one in five women married before turning 18.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Provision of First Asylum

The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

d. Acts of Antisemitism and Antisemitic Incitement

According to the Brazilian Israelite Federation, there were approximately 120,000 Jewish Brazilian citizens, of whom approximately 70,000 lived in the state of São Paulo, according to 2021 data, and 34,000 in the state of Rio de Janeiro.

The law criminalized the manufacture, sale, distribution, or broadcast of symbols, emblems, ornaments, badges, or advertising that used the swastika for purposes of publicizing Nazism. The penalty was two to five years' imprisonment.

In June, the Brazilian Israelite Confederation (CONIB) and the Israelite Federation of the State of São Paulo (FISESP) reported a sharp increase in the number of cases of antisemitism after the Hamas attack on Israel in October 2023. From January to May, 886 cases of antisemitism were recorded, almost six times more than in the same period in 2023. Most of the attacks occurred in digital environments, such as social networks and messaging apps.

Following Israel's military response in Gaza to the Hamas October 2023

terrorist attacks, on February 18, President Lula da Silva stated that "what is happening in the Gaza Strip... it's a genocide." In the speech, he then compared what was occurring in Palestine with "when Hitler decided to kill the Jews." On February 19, CONIB stated it "repudiated the unfounded statements by President Lula comparing the Holocaust to the State of Israel's defense against the terrorist group Hamas," saying the government had adopted an "extreme and unbalanced posture in relation to the tragic conflict in the Middle East."

On October 21, the Public Ministry of Santa Catarina's Special Task Force to Combat Organized Crime arrested four individuals, allegedly members of a neo-Nazi group, for inciting discrimination and planning violent acts in different regions of the country. The arrests were part of "Operation Overlord," which took place in the states of Santa Catarina, São Paulo, Sergipe, Paraná, and Rio Grande do Sul. According to CNN Brasil, the operation aimed to combat antisemitism and hate speech and prevent the planning of violent acts. The individuals arrested allegedly were part of a band that performed at neo-Nazi events in several regions.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's annual *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

Exhibit 2 - CC2

HUMAN RIGHTS WATCH

JANUARY 5, 2026

Brazil

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.

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.

Exhibit 3 - CC3

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Gender-Based Violence Country Profile

BRAZIL



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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



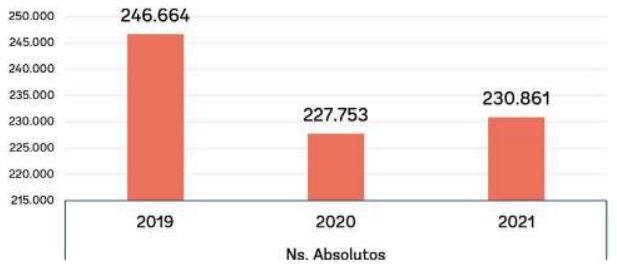
Source: Fórum Brasileiro de Segurança Pública. 2022. Violência contra mulheres em 2021.
(1) Rate per 100,000 women

[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/*

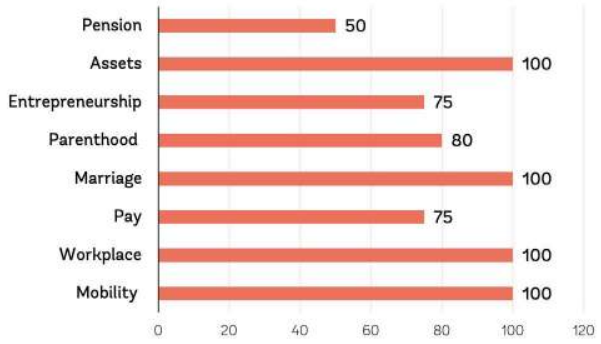
[6] *Data Popular/Instituto Avon (2015). Violência contra a mulher no ambiente universitário. Available at: https://dossies.agenciapatriciagalvao.org.br/dados-e-fontes/pesquisa/violencia-contra-a-mulher-no-ambiente-universitario-data-popularinstituto-avon-2015/*

[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.

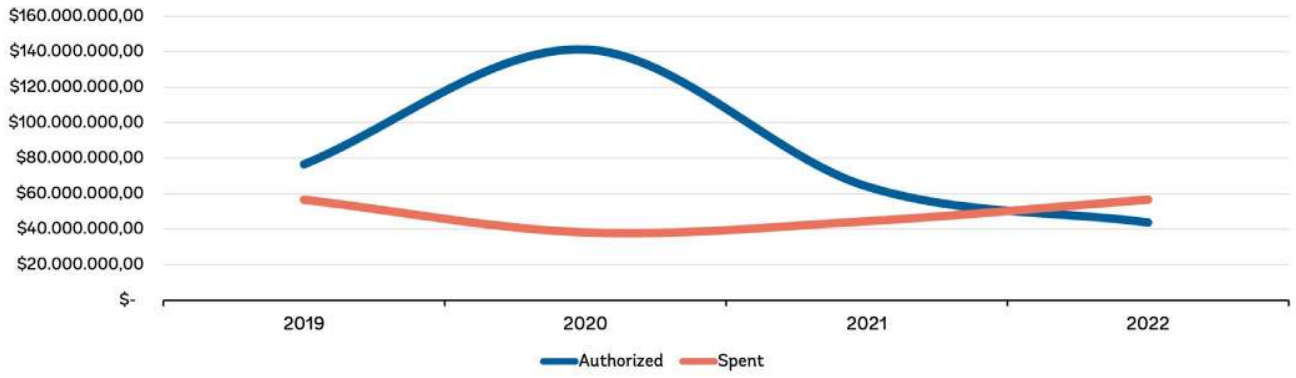
[18] *Created by Decree 10.906 from 20 December 2021. Available at https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2021/decreto/d10906.htm#:~:text=D10906&text=Institui%20o%20Plano%20Nacional%20de%20Enfrentamento%20ao%20Feminic%C3%ADdio.&text=Disposi%C3%A7%C3%B5es%20gerais-,Art.,a%C3%A7%C3%B5es%20governamentais%20integradas%20e%20intersetoriais*

[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*

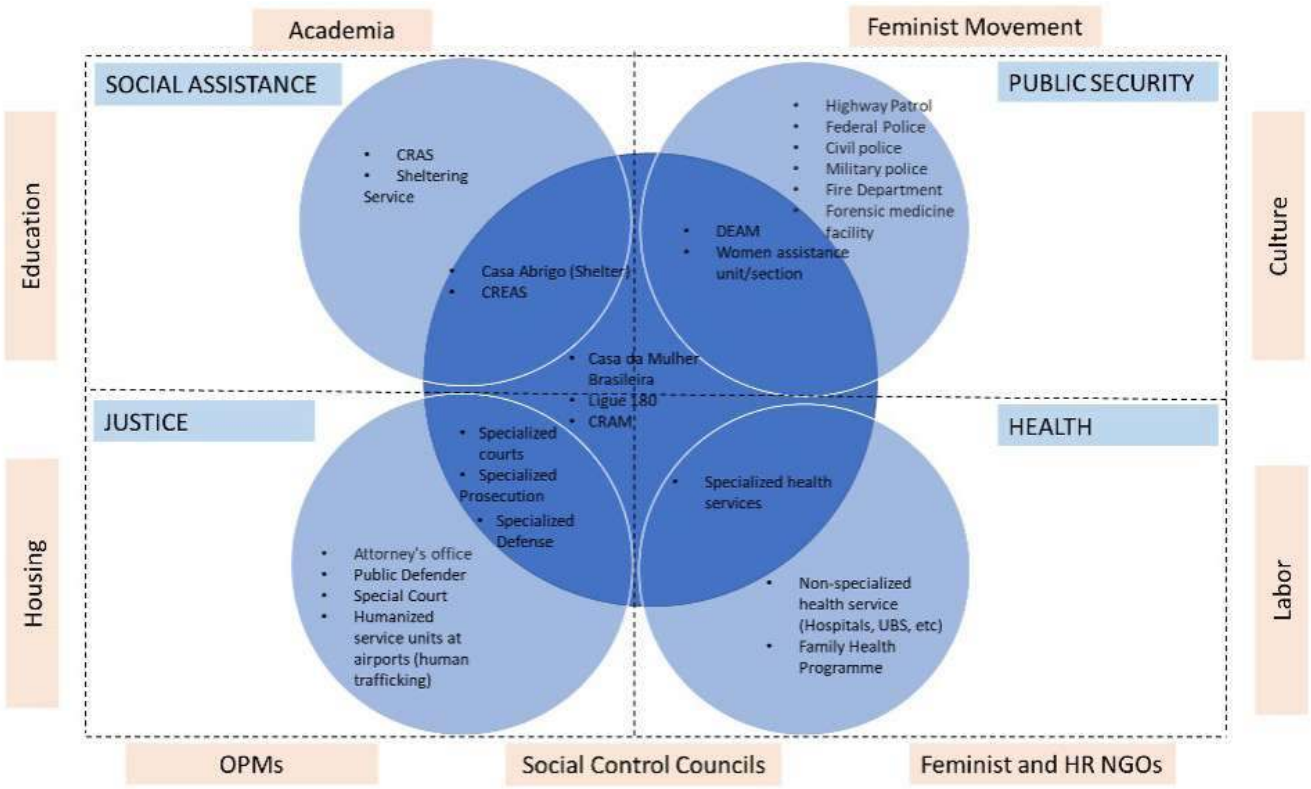
Justice. The Brazilian Justice System also encompasses different services targeted at women in situation of violence, such as the Public Defender's Office, Public Prosecutor's Office and the Judiciary. As per the Brazilian legislation, every survivor of domestic violence has the right to get legal assistance 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.

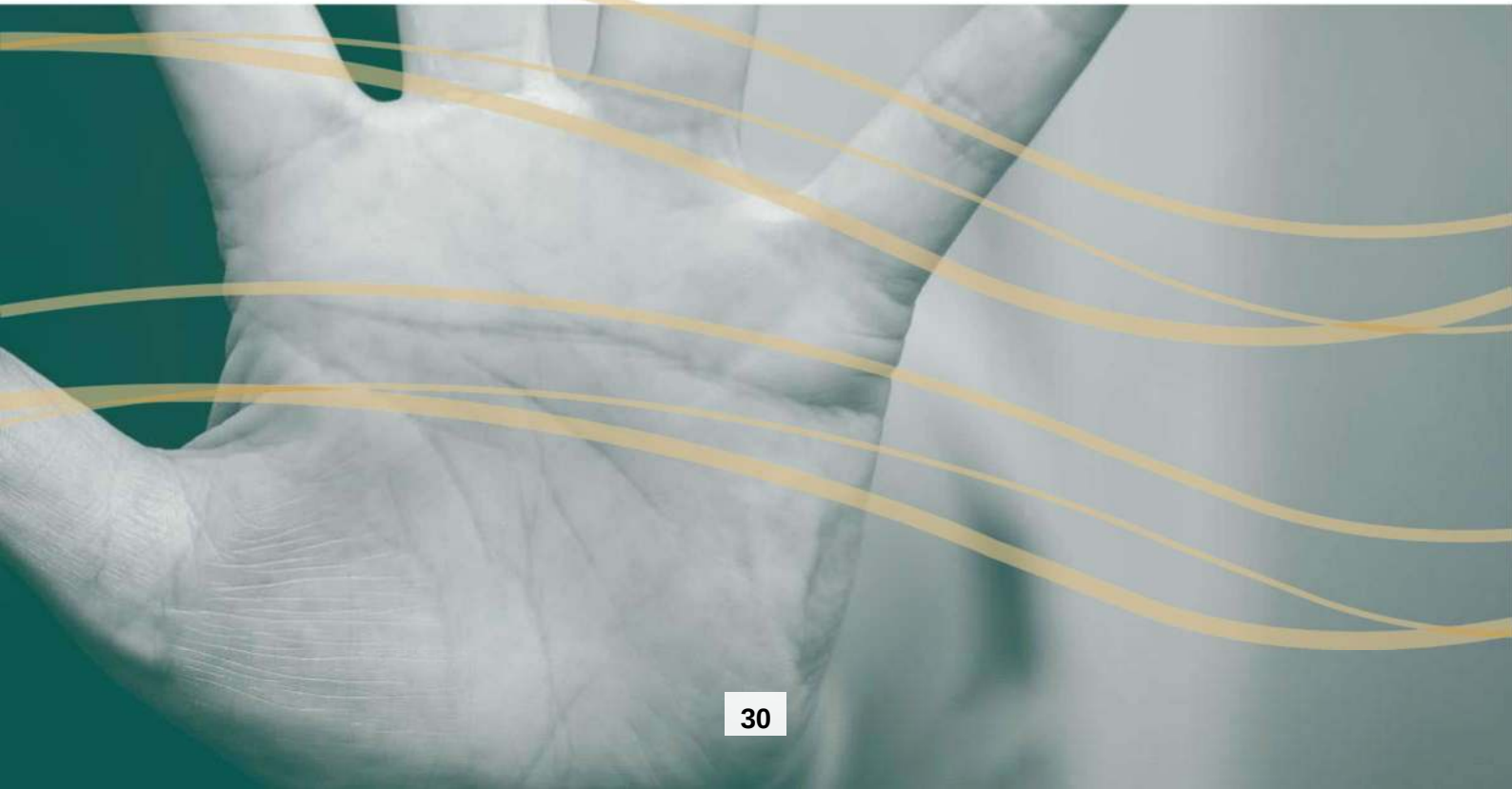
VI. **Development of educational actions and continuous awareness raising campaigns to tackle all forms of violence against women .** The Program foresees the development and wide dissemination of awareness campaigns aligned with the National Policy to End Violence against Women, which, in its preventive 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.

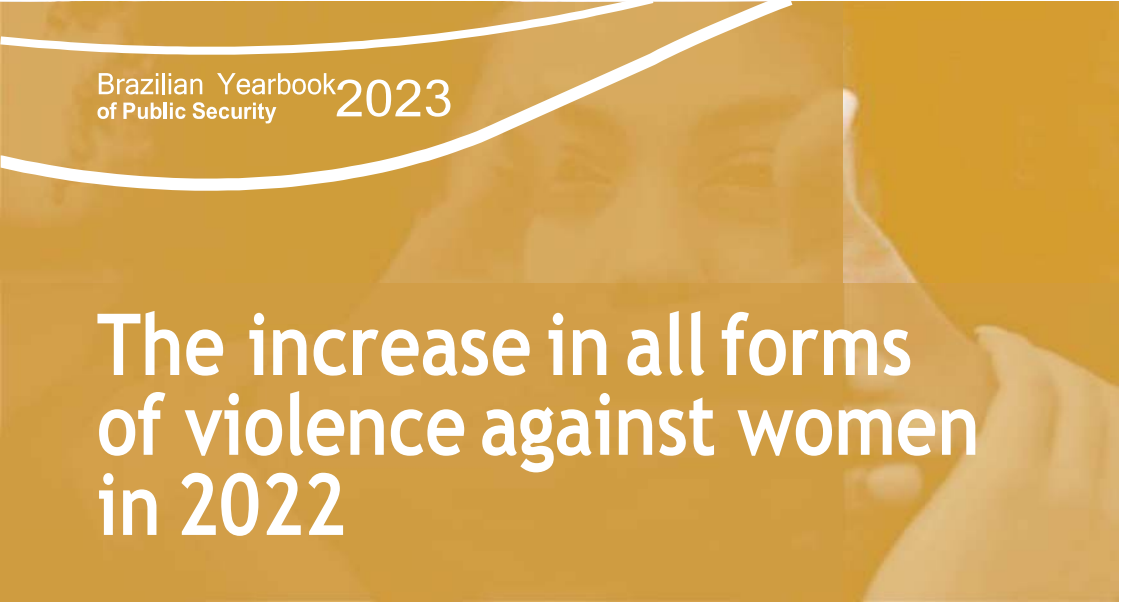
Exhibit 4 - CC4



Domestic and sexual **violence**

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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.

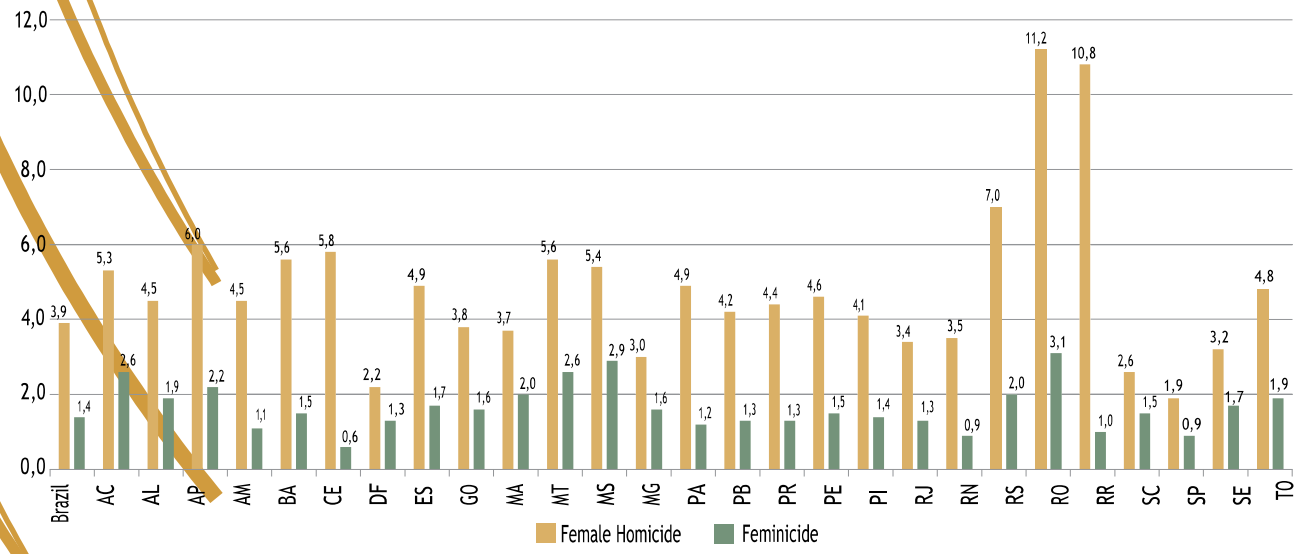
It was in the state of Rondônia, however, where the highest rates in the country were observed, both for feminicides (3,1 victims per 100 thousand inhabitants) and for female homicides (11,2). The data also indicates a high prevalence of homicides with female victims in Rio Grande do Sul, with a rate 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.

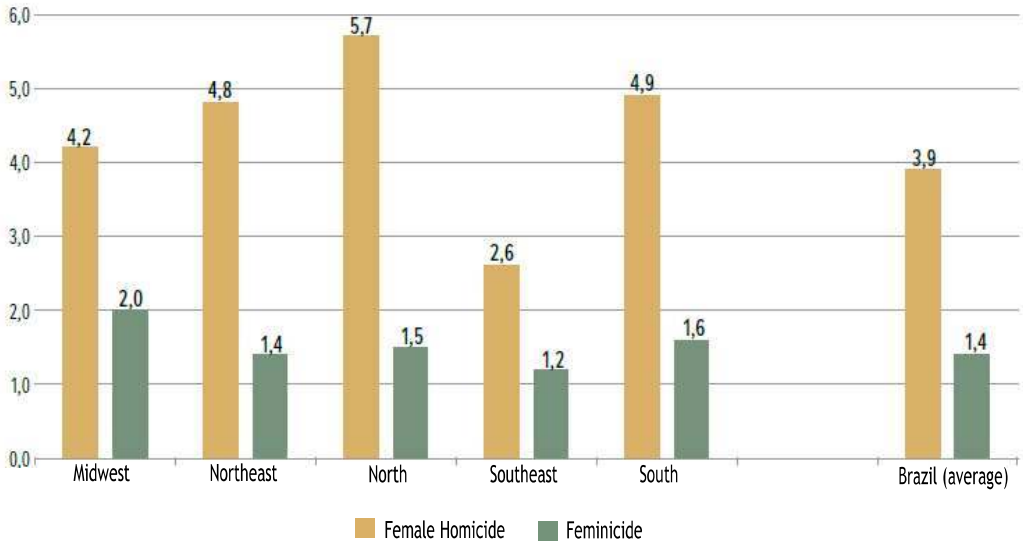
GRAPH 32
Rates of female homicides and feminicides
States, Brazil, 2022



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



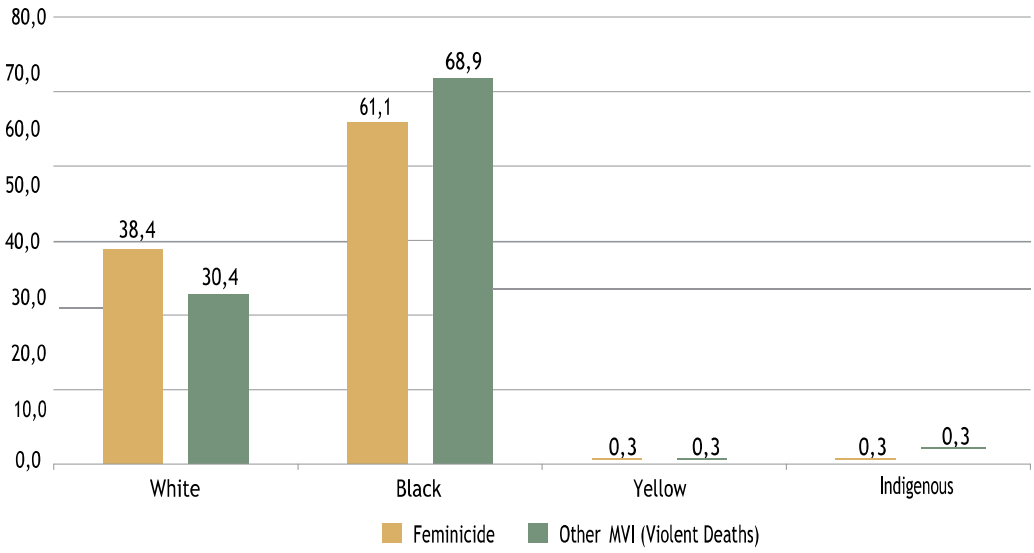
Source: State Secretariats of Public Security and/or Social Defense; Institute of Public Security/RJ (ISP); Estimates of the Resident Population in Brazil and Federative Units - IBGE, conducted through linear interpolation; Census 2022 - IBGE; Brazilian Forum on Public Security.

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

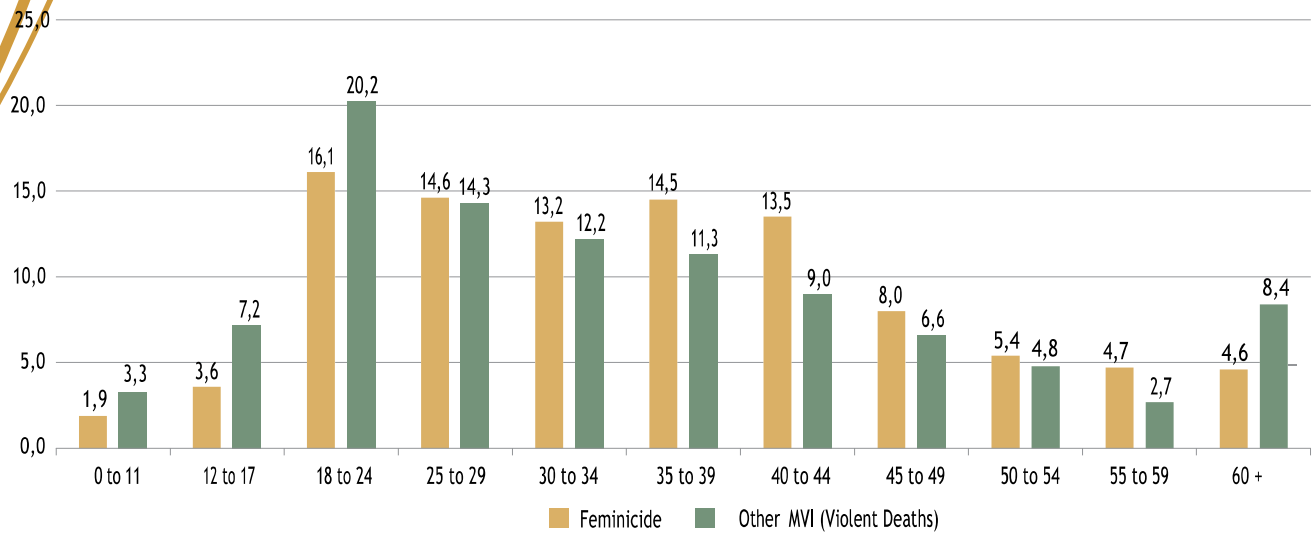


Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

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.

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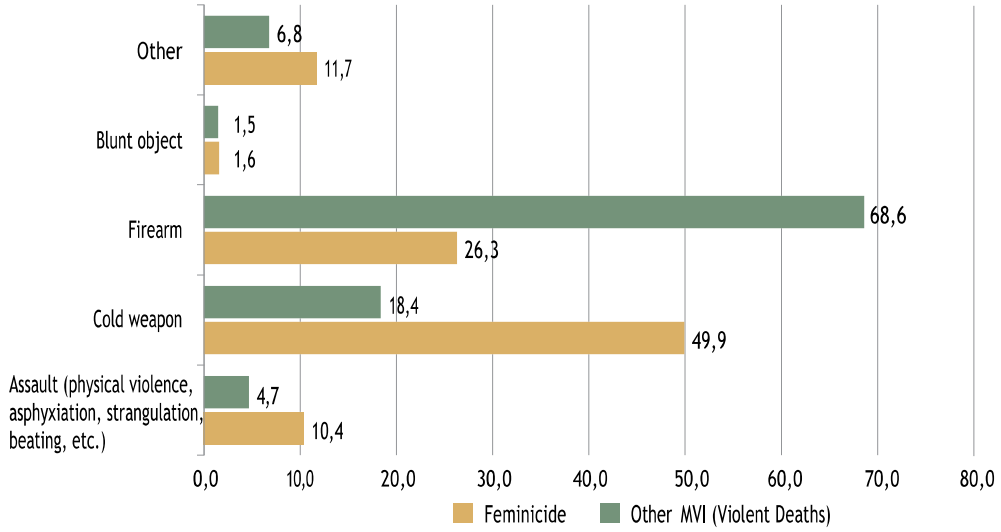
GRAPH 35
Percentage of age of victims of femicides and other violent deaths
Brazil, 2022



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



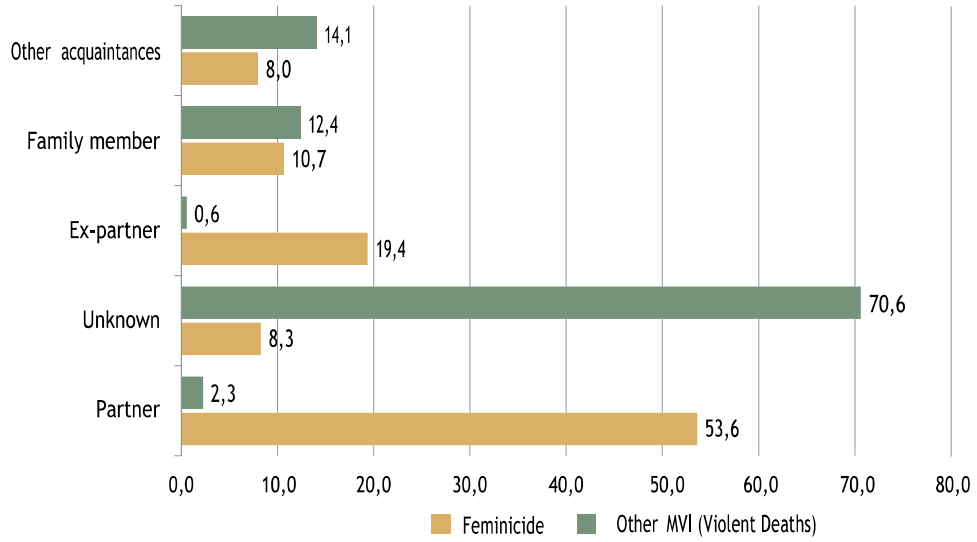
Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

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

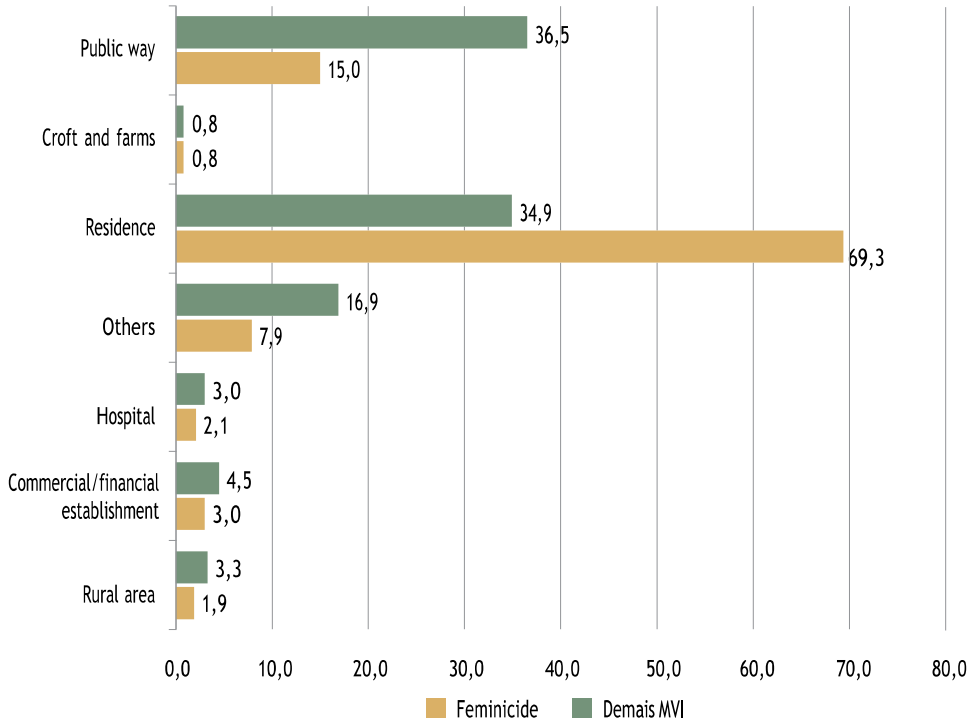


Source: Analysis produced from the microdata of police records and State Secretariats of Public Security and/or Defense. Brazilian Forum on Public Security, 2023.

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.

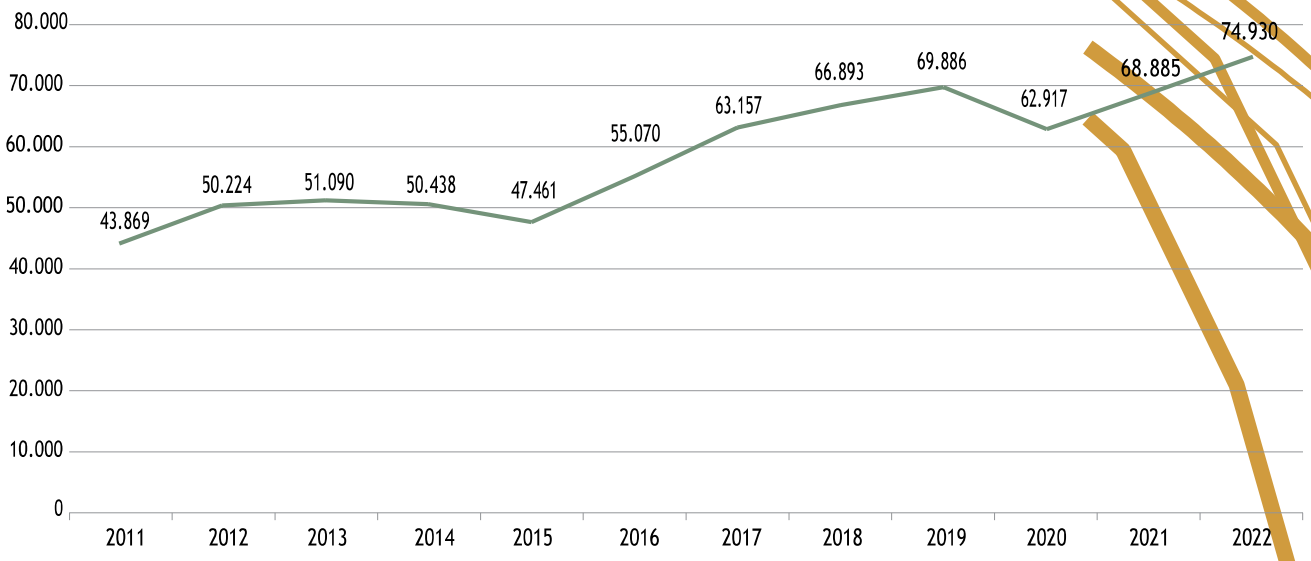
Marina Bohnenberger
Master's degree in Social Anthropology (USP). Researcher at the Brazilian Forum of Public Security.

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.

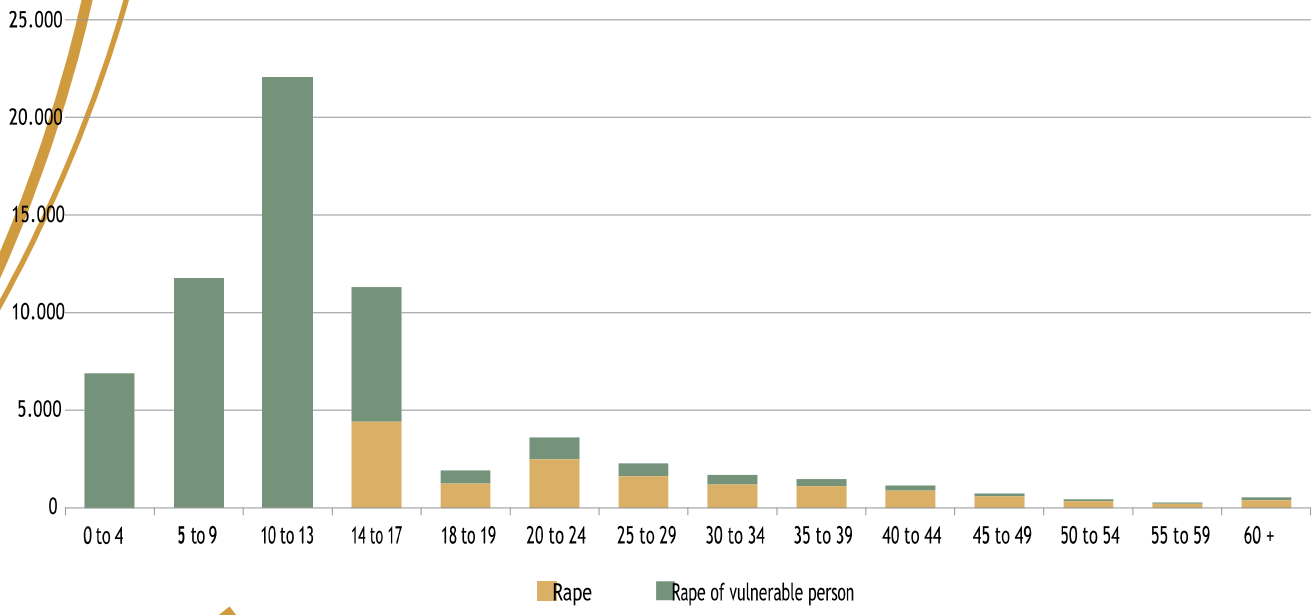
7 Available at https://www.childwelfare.gov/topics/responding/reporting/how/. Accessed on July 14, 2023.

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



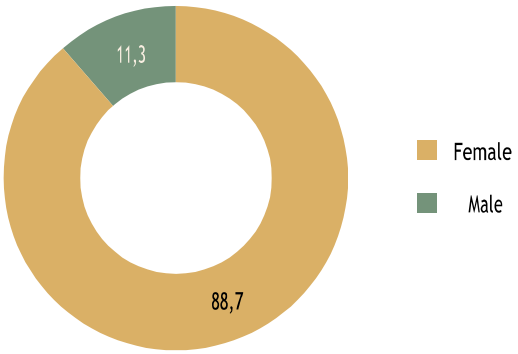
Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

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 %)

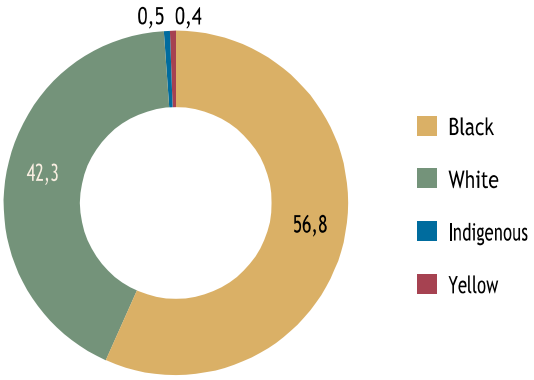


Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

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.

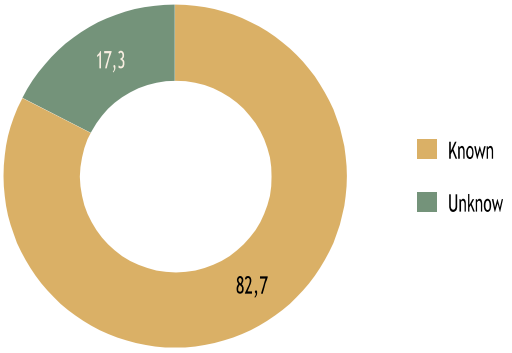
GRAPH 42
Victims of rape and rape of the vulnerable, by race/color
Brazil - 2022



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

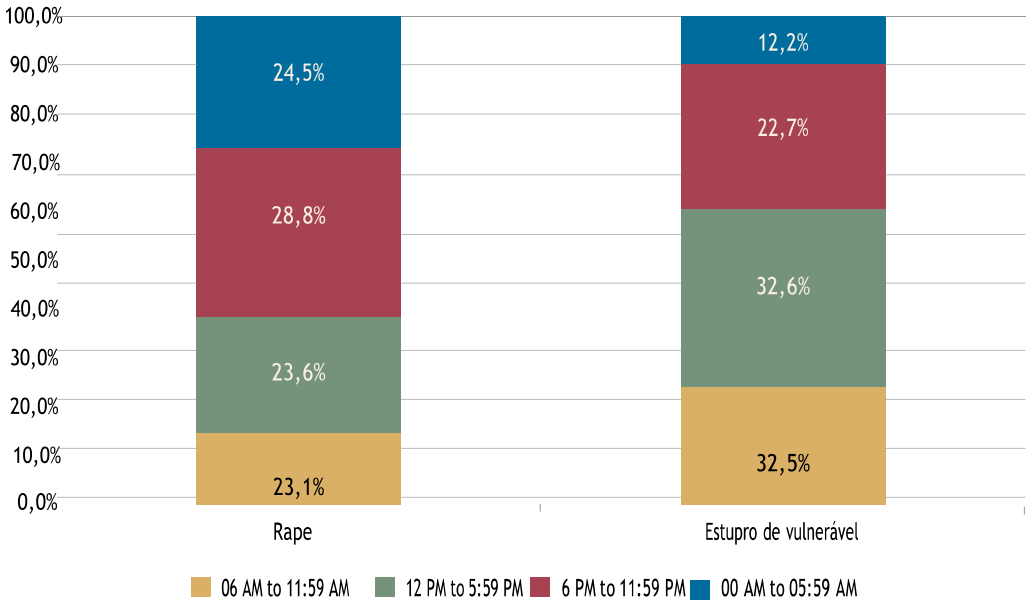
Source: Analysis produced from the microdata of police records and state Secretariats of Public Security and/or Social Defense. Brazilian Forum of Public Security, 2023.

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.

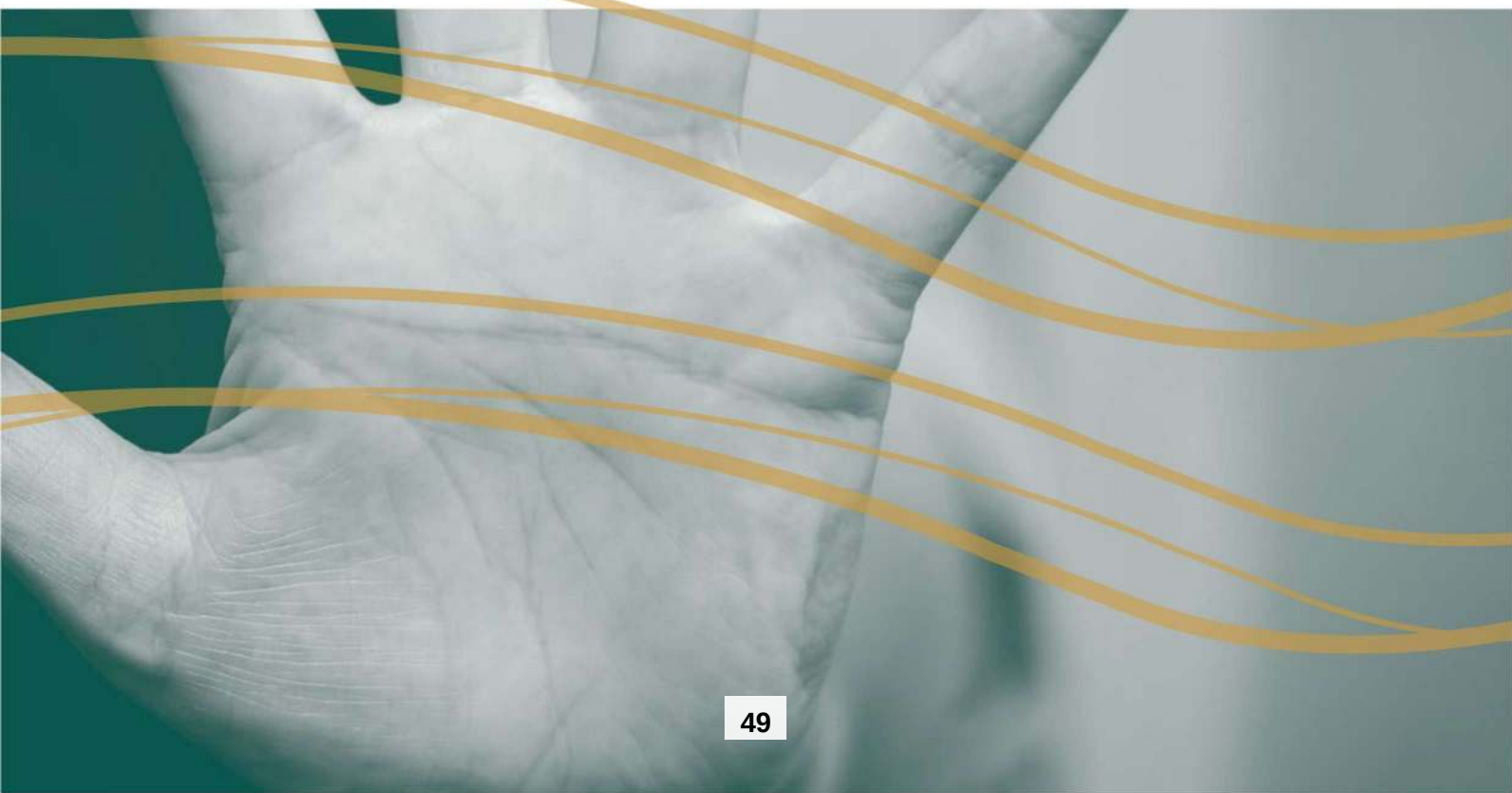


Date: December 19th, 2023.



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.

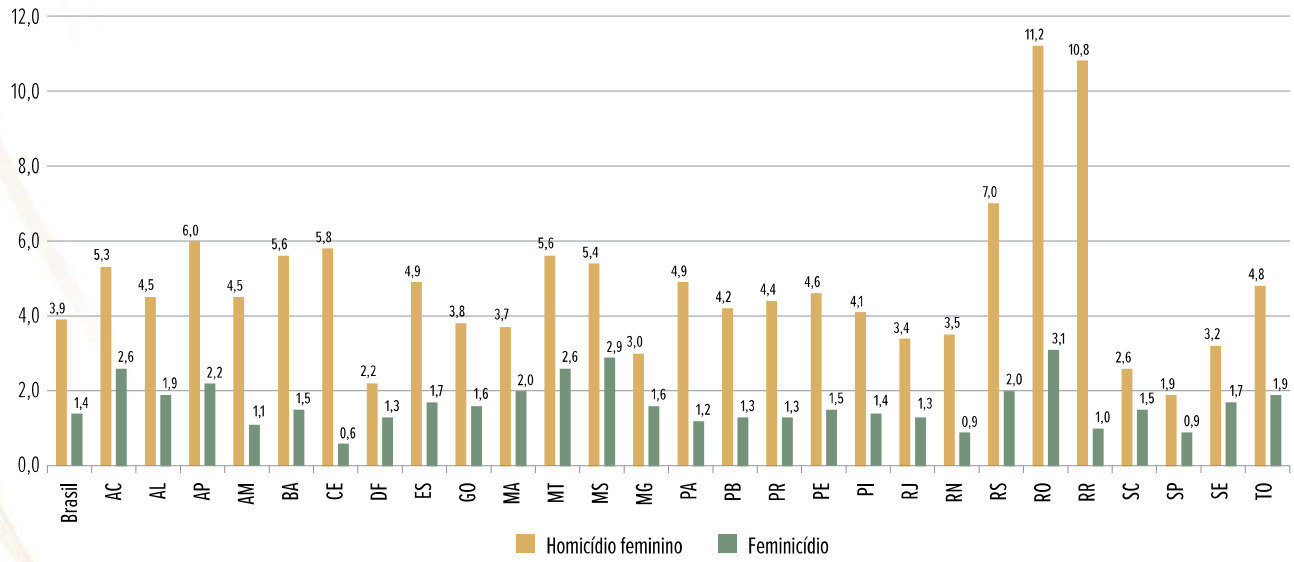
5 CAMPOS, Carmen Hein. Feminicídio no Brasil: Uma análise crítico-feminista. Sistema Penal & Violência, Porto Alegre, v. 7, n. 1, p. 103-115, jan.-jun. 2015

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

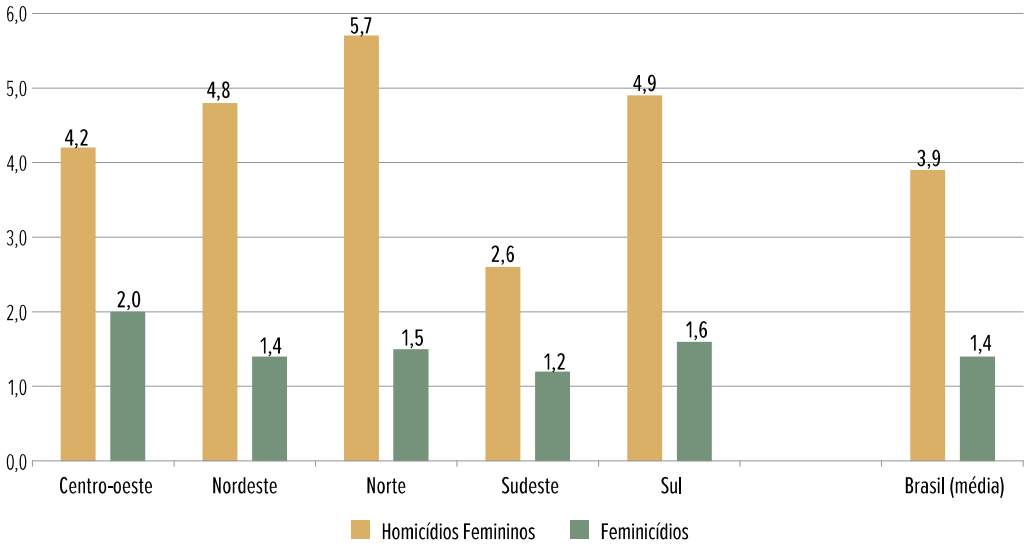


Fonte: Secretarias Estaduais de Segurança Pública e/ou Defesa Social; Instituto de Segurança Pública/RJ (ISP); Estimativas da população residente no Brasil e Unidades da Federação - IBGE, realizadas por meio de interpolação linear; Censo 2022 - IBGE; Fórum Brasileiro de Segurança Pública.

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



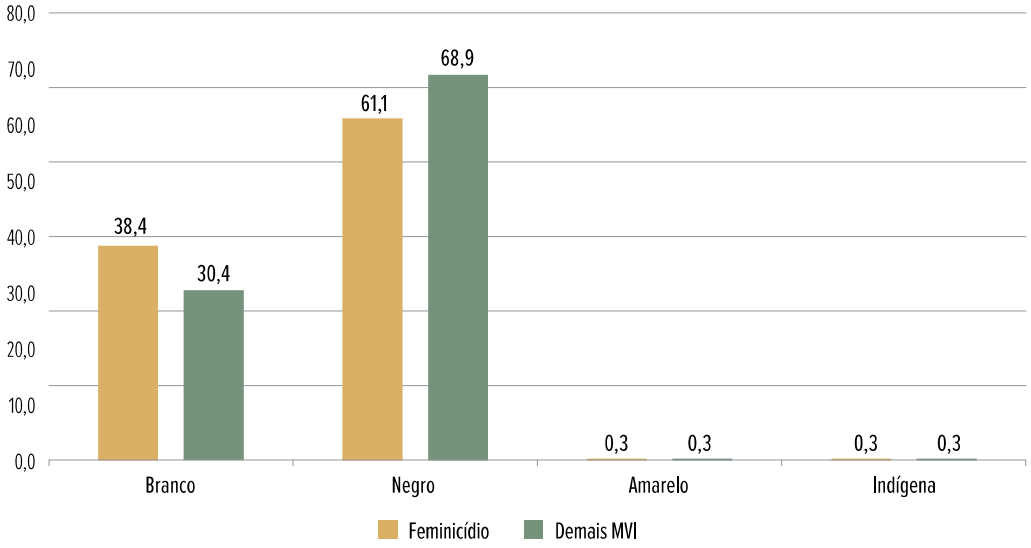
Fonte: Secretarias Estaduais de Segurança Pública e/ou Defesa Social; Instituto de Segurança Pública/RJ (ISP); Estimativas da população residente no Brasil e Unidades da Federação - IBGE, realizadas por meio de interpolação linear; Censo 2022 - IBGE; Fórum Brasileiro de Segurança Pública.

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



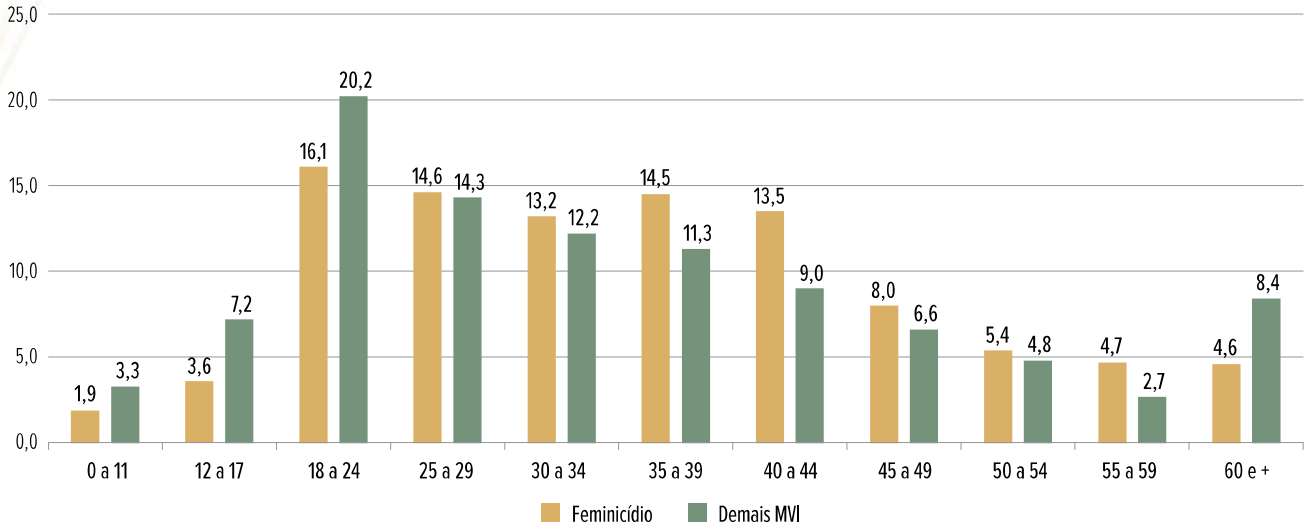
Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

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

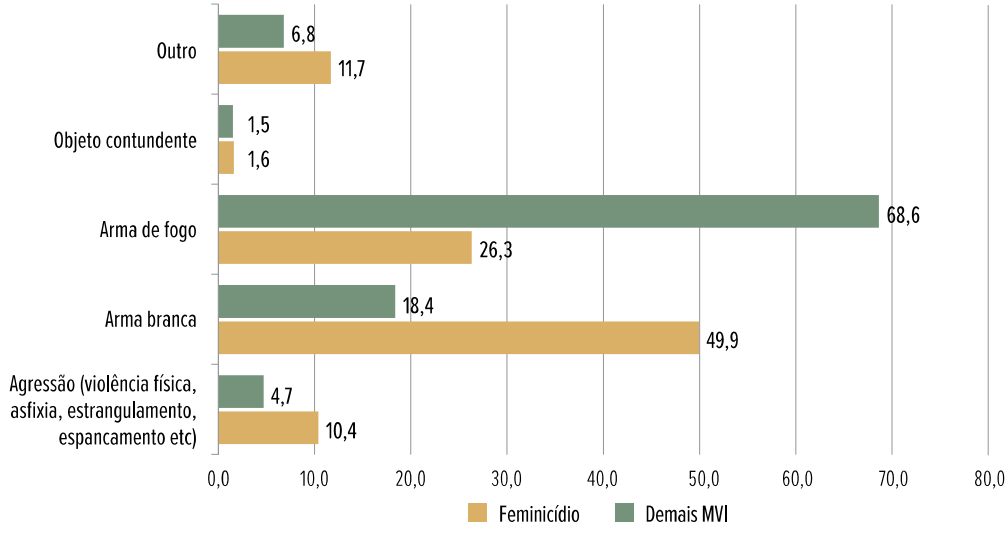


Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

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

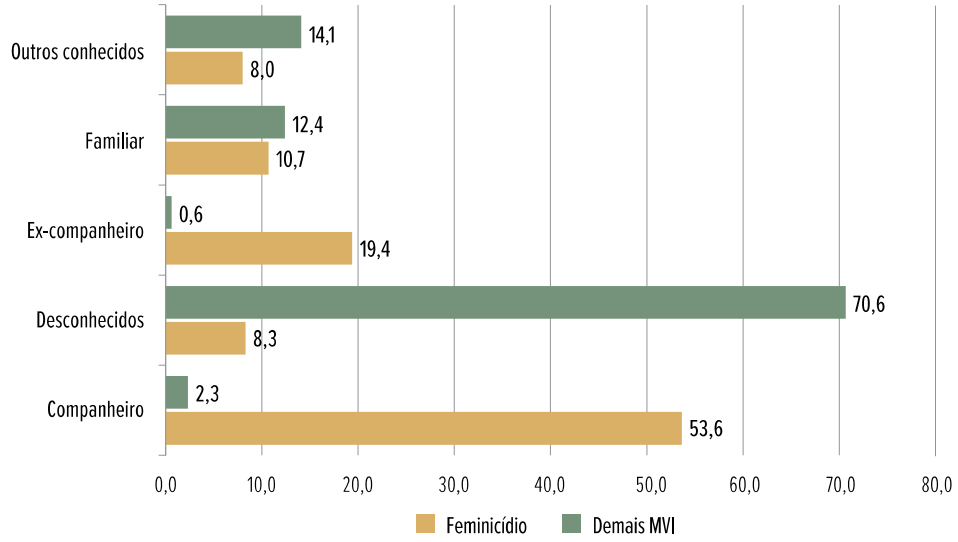


Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

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

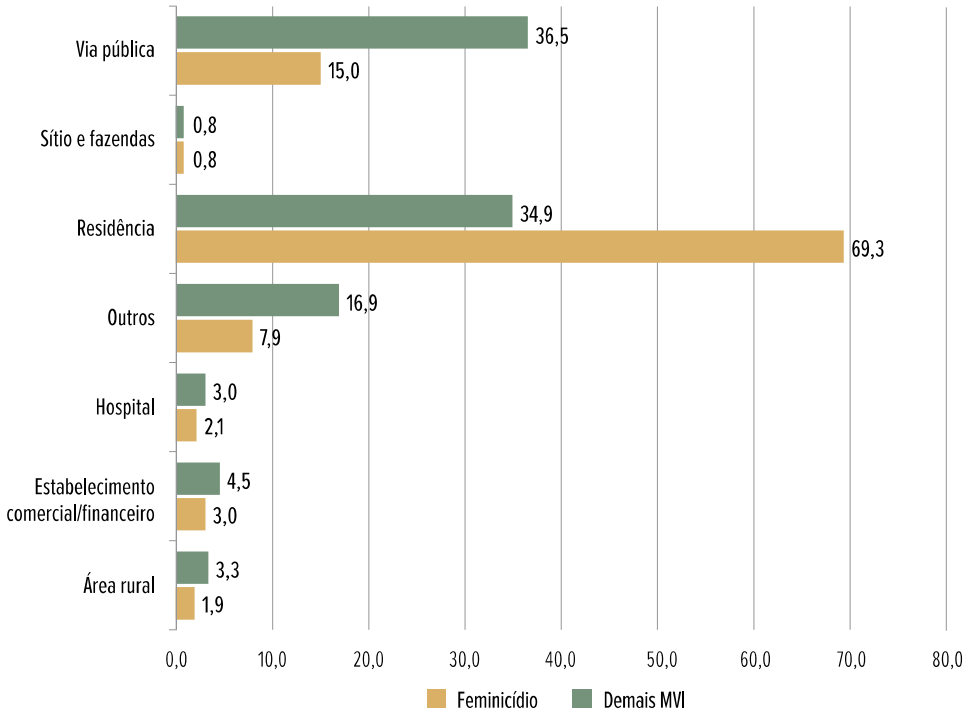


Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

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.

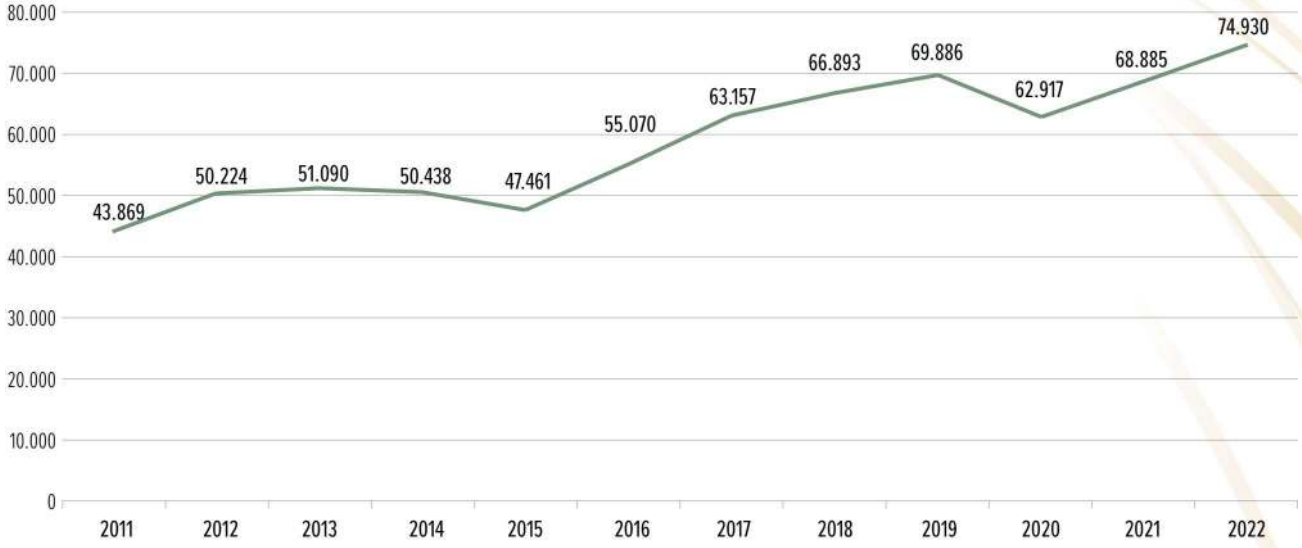
Marina Bohnenberger
Mestre em Antropologia Social (USP). Pesquisadora do Fórum Brasileiro de Segurança Pública.

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.

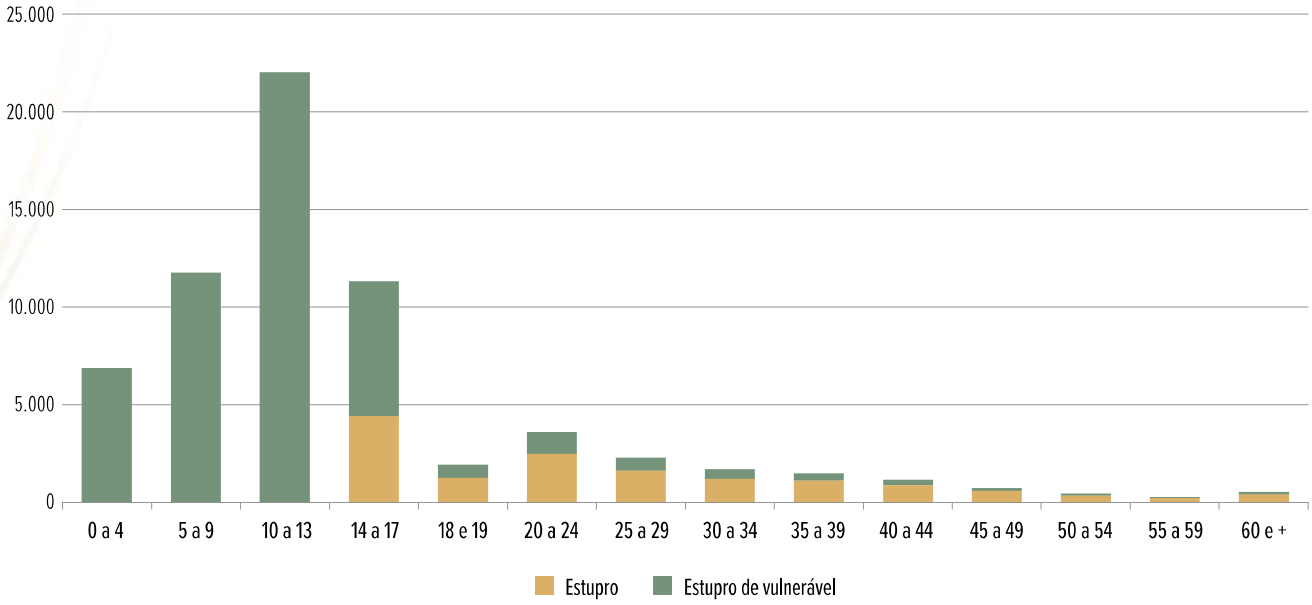
7 Disponível em https://www.childwelfare.gov/topics/responding/reporting/how/. Consulta em 14 de julho de 2023.

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



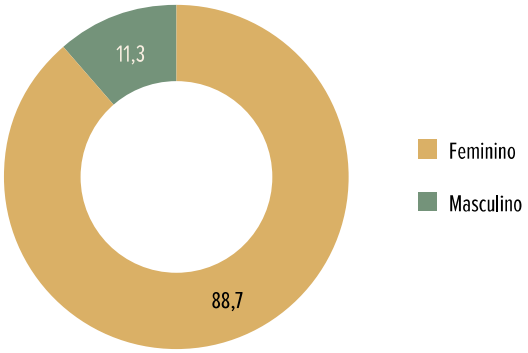
Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

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

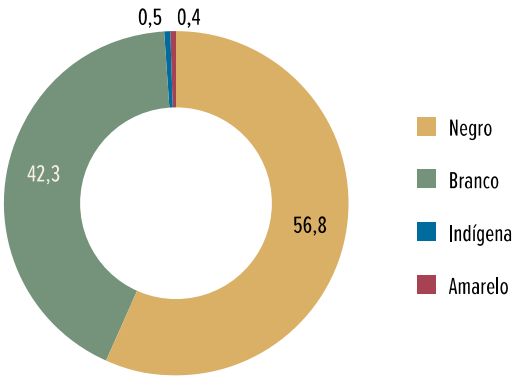
Brasil - 2022 (em %)



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.

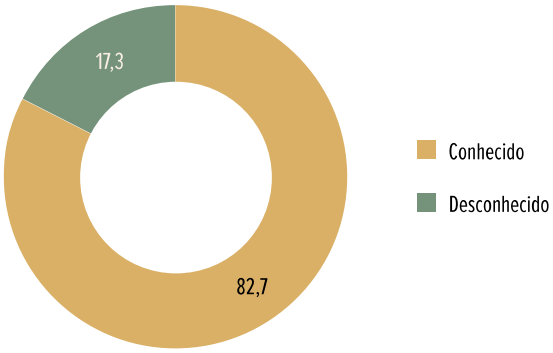
GRÁFICO 42
Vítimas de estupro e estupro de vulnerável, por raça/cor
Brasil - 2022



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

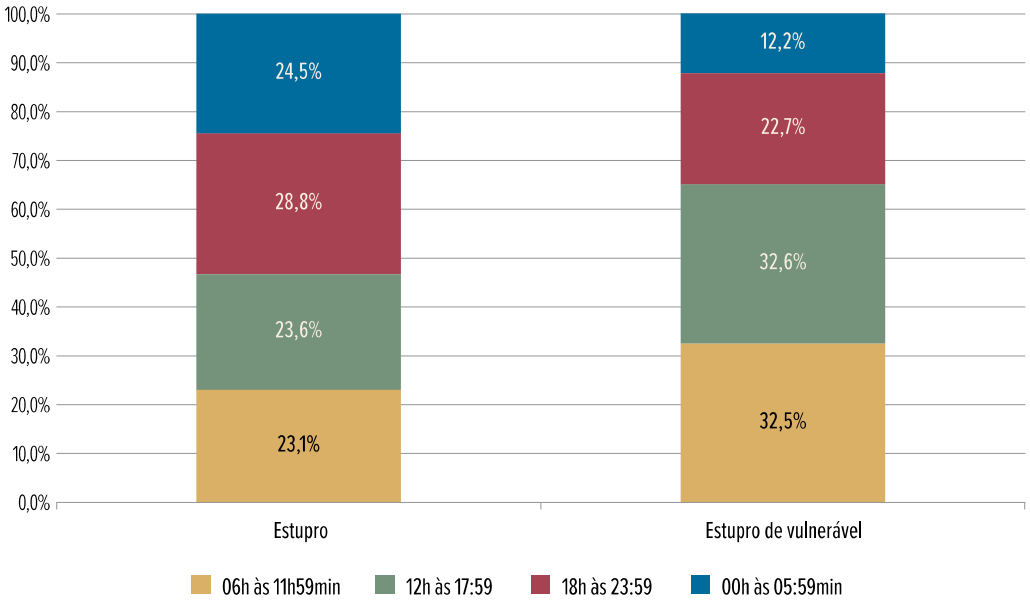
Fonte: Análise produzida a partir dos microdados dos registros policiais e das Secretarias estaduais de Segurança Pública e/ou Defesa Social. Fórum Brasileiro de Segurança Pública, 2023.

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 5 - CC5

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.

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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

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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

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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

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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 6 - CC6

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

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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 7 - CC7

Man arrested twice in less than 10 days for assaulting his ex-wife despite a restraining order prohibiting him from approaching her, police say.

After the first assault, he was arrested but was eventually released at a custody hearing. The second time, the police said he tried to resist arrest with a knife and that they shot him in the leg to subdue him.

By Danielle Oliveira, g1 Goiás
06/02/2023 15:58 · Updatedhá 3 anos

A man was arrested twice in less than ten days for assaulting his ex-wife in **Goiânia** , even though he had a restraining order prohibiting him from approaching her. After the first assault, he was arrested but was released at a custody hearing and then committed the crime again. In the second incident, the Military Police said that the suspect tried to resist arrest with a knife, and therefore a police officer shot him in the leg to subdue him.

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As of the last update to this report, **g1** had not been able to contact the suspect's defense attorney for comment.

The first attack was on January 28th of this year, at a house in the São Francisco Sector, in the capital, and the second was last Sunday (5), at the same residence.

Speaking to TV Anhanguera, the police said that upon arriving at the scene, they realized they had already arrested the same man at the same house a few days earlier. The victim's family told the police that they had been without news of the woman for several days and that the suspect was already free and violating the restraining order in effect.

READ ALSO:

- **A man was arrested on suspicion of assaulting his wife in front of their children after she managed to lock herself in the bathroom and call the police.**
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- **Man arrested for the second time suspected of threatening authorities drink the blood of prosecutors'**



Police said the suspect, who allegedly assaulted a woman, tried to resist arrest with a knife, and that's why they shot him in the leg — Photo: Reproduction/Police

On Sunday morning, family members went to the woman's house and found her with several bruises on her body, speaking incoherently, and also saw that the man suspected of assaulting her was in the house.

After receiving the report, the police went to the house and tried to approach the suspect, but, according to their account, he tried to resist with a knife and, to subdue him, a police officer shot him in the leg.

A medical team was called to the scene and the suspect was taken to the Governor Otávio Lage de Siqueira State Emergency Hospital (Hugol). As the suspect's name was not released, **g1** was unable to obtain an update on his health status from the health unit.

The victim of domestic violence underwent an examination at the Institute of Forensic Medicine (IML), where it was confirmed that she had injuries on her body.



Police said the suspect, accused of assaulting a woman, tried to resist arrest with a knife, and that's why they shot him in the leg. Goiânia, Goiás — Photo: Reproduction/PM

Recidivism

The president of the Women Lawyers Commission of the OAB-GO (Brazilian Bar Association of Goiás), Fabíola Ariadne Rodrigues, said that it is time to review public policies to prevent the recurrence of cases like this.

"Public policy has a cycle; it has to be reviewed, it has to be reevaluated, we have to see what is happening, where it can be improved, if it has to be revoked, what we can do to improve it," he said.

Fabíola also stated that protective measures often lead suspects of violence against women to reoffend.

"We also need some legislative action regarding preventive detention in cases involving the Maria da Penha Law. There has been a lot of talk and study about it, but effectively, we haven't seen any changes yet. But the rule is to continue reporting and requesting protective measures, and at the slightest sign that these measures are not being respected, you need to contact the authorities, call the police, so that other types of intervention can be made," he said.

Exhibit 8 - CC8

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 9 - CC9

Three in Ten Femicide Victims in Brazil Had Already Reported Their Attackers

Among those who filed complaints, 20% were killed within 24 months
Country records a femicide high, with 1,561 cases registered in 2025

Mar.25.2026 3:41PM

Brazil recorded 1,561 femicide cases in 2025, the highest number in the ten-year historical series, according to data from the Ministry of Justice. Of the total, 30% of the victims had already reported the aggressor before the crime.

Among the 481 women who had filed a police report, 20% were killed within 24 months after the first complaint. The data do not indicate how many had access to protective measures.

One of the cases analyzed shows a 32-year-old woman who filed 19 police reports over six years, including assaults, threats and rape, before being killed in 2025.

According to the national secretary of Public Security, Chico Lucas, femicide is often the outcome of a sequence of violence. "One of the main challenges is ensuring that women who seek help are effectively assisted," he said.

Researcher Juliana Brandão points to failures in victim support. "In the period between the filing of the complaint and the lethal outcome, nothing was able to interrupt the cycle of violence," she said.

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Exhibit 10 - CC10

Brazil Sets Record for Femicide in 2025, with at Least Four Women Killed per Day

There were 1,470 cases last year, the highest number recorded in a decade
Figures are expected to rise as December data from Alagoas, Paraíba, Pernambuco and São Paulo are added

Jan.20.2026 4:38PM

Raquel Lopes (https://www1.folha.uol.com.br/autores/raquel-lopes.shtml)

BRASÍLIA Brazil reached a new record of 1,470 femicides in 2025, the highest total registered in the past ten years. According to data from the Ministry of Justice, the figure represents an average of four women murdered per day in contexts of domestic violence or misogyny.

The current total surpasses the 1,459 cases recorded in 2024, but final numbers are expected to increase, as states such as São Paulo and Pernambuco have yet to submit December data. Overall, 15 states reported increases, with the largest percentage rises concentrated in Brazil's North and Northeast regions. Since the crime was defined in law in 2015, the country has recorded 13,448 victims.

In 2024, femicide became classified as a standalone crime, punishable by 20 to 40 years in prison, rising to up to 60 years with aggravating factors—the harshest penalty under Brazil's Criminal Code. More recently, October 17 was established as a national day of mourning and remembrance for victims, in reference to the Eloá Pimentel case.

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Exhibit 11 - CC11

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.

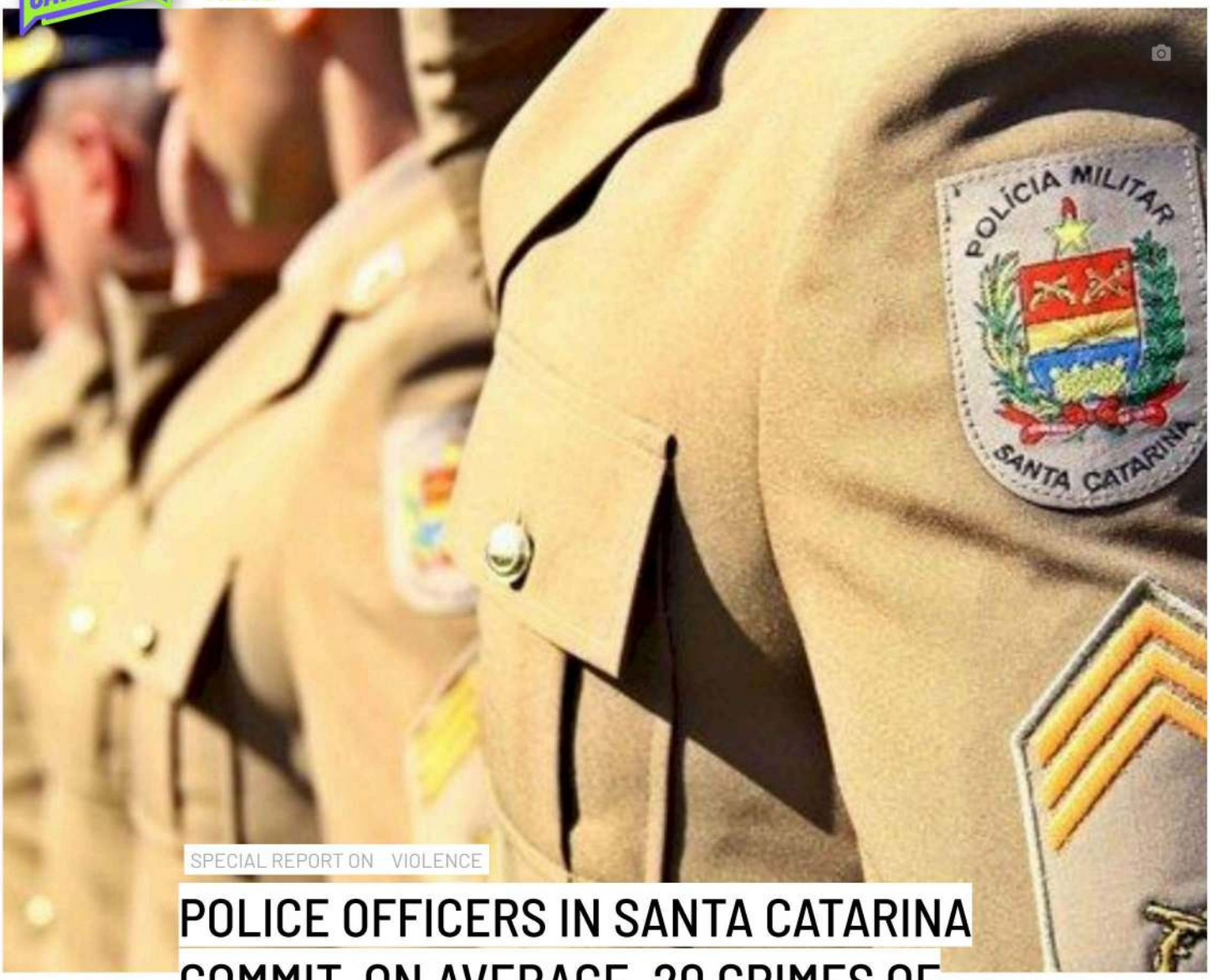
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Exhibit 12 - CC12



SPECIAL REPORT ON VIOLENCE

POLICE OFFICERS IN SANTA CATARINA COMMIT, ON AVERAGE, 20 CRIMES OF DOMESTIC VIOLENCE AGAINST WOMEN PER YEAR.

An exclusive survey with data from 2019 to 2024, obtained through the Access to Information Law, shows an increase of 366% in the last six years.

Put Laura Machado

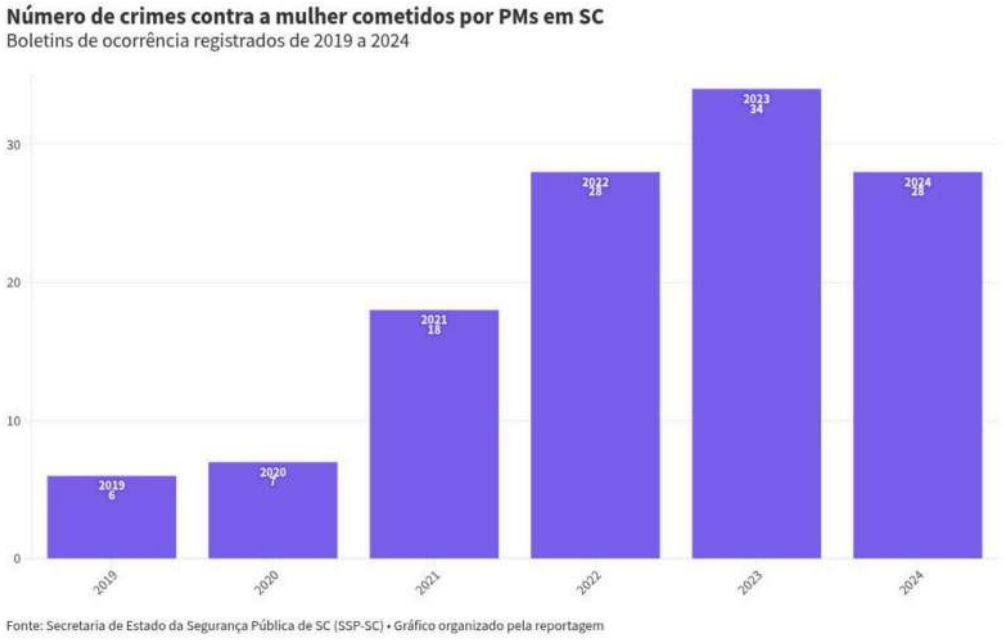
September 3, 2025, 9:43 AM

Behind the rising rates of domestic violence against women, one piece of information is crucial in combating the problem: the identity of the aggressors. In Santa

Catarina , a specific group stands out in this scenario. Assaults against women committed by military police officers have increased by 366.6% in the last six years.

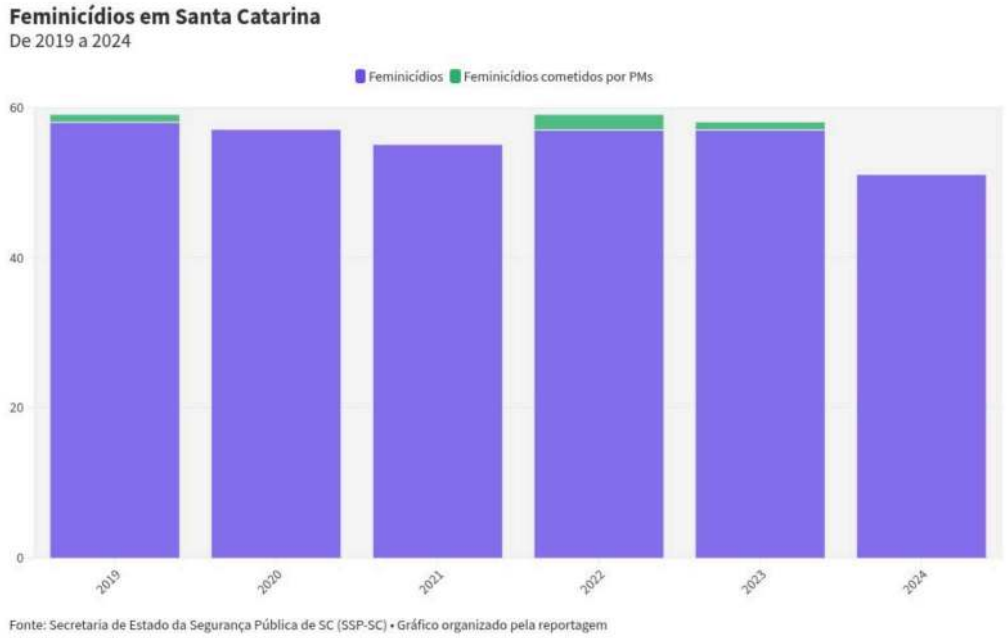
An exclusive survey conducted by the news team, using data from the Public Security Secretariat of Santa Catarina (SSP-SC) obtained through the Access to Information Law , reveals that, between 2019 and 2024, male police officers committed, on average, 20.16 crimes classified under the Maria da Penha Law .

The data refers to police reports filed for three crimes: **femicide, violation of emergency protective measures, and psychological violence** . In total, 121 crimes were recorded during the period.



Femicide and discrediting of victims

The 2025 Brazilian Public Security Yearbook , with data from 2024, reveals that the number of femicides in the country increased by 0.7%, totaling 1,492 victims—the highest number ever recorded. Attempted femicides also increased, rising by 19% to 3,870 victims. In Santa Catarina, annual femicide records have remained above 50 cases since 2019.



According to Daniela Felix, a feminist lawyer and doctoral candidate in Law at the Federal University of Santa Catarina (UFSC), a number of factors exacerbate this situation and make the victims even more vulnerable.

In cases of violence committed by police officers, whether civilian or military, for example, it is presumed that the public agent does not break the law, which makes it difficult to recognize that he or she may be an aggressor in family or domestic contexts.

“Furthermore, there is an alignment between police institutions. Depending on the location where the crimes occur, there are few police officers and they all know each other. This, obviously, harms and frightens the victim,” he points out.

Daniela assists women who need legal support in cases of violence. According to her, the lack of preparedness and support from many police station teams discourages victims from officially reporting their cases.

According to the lawyer, victims don't always report the incident, and when they do, they are often discredited and poorly received, a process she defines as "secondary

criminalization," in which the victim's word is not taken seriously.

> “She is not welcomed, she is questioned about the narrative reported in the complaint. This is very common, not only when the aggressor is a security agent, but it also happens in specialized police stations,” she points out.

From 2021 to 2023, a project developed by the research group 'Transverso – Studies in Journalism, Public Interest and Criticism' , from UFSC, collected data on the number of femicides that occurred and were reported in Santa Catarina, starting in March 2015, the year the femicide law was enacted .

The research identified 776 news articles on the topic, 587 of which were about attempted or completed femicides . Articles that addressed the topic without focusing on a specific crime totaled 189. Of the total identified by the project, 9 articles involved male military police officers – two of whom committed suicide after the crimes.

Firearms: lethal power in the hands of aggressors.

Firearms, one of the main tools of the military police's work, are frequently used as a means of threat, coercion, and violence against women, especially in domestic contexts.

In 2024, a survey released by the Sou da Paz Institute, using data from the Mortality Information System (SIM)

and the Notifiable Diseases Information System (Sinan) , showed that **one in two women murdered in Brazil is killed with this type of weapon** . Furthermore, the numbers indicate that in 43% of cases, **the perpetrators of armed threats against women are people close to them.**

Íris Rosa, a researcher at the Fogo Cruzado Institute , the largest open database on armed violence in Latin America, considers access to this tool a determining factor in extreme episodes.

> "The chance of a domestic violence situation escalating into femicide is much greater with a firearm within reach of the aggressor. The power it gives to anyone is enormous, both in professional activity and in the family environment," she emphasizes.

The researcher warns of the lack of accountability and commitment from the top ranks of corporations in suppressing this type of crime, including restricting or suspending the use of these weapons. She also points out that there has been no significant progress in policies aimed at aggressors, especially within public security institutions.

"When the media reports on femicides committed by officers, the official discourse usually states that it is necessary to combat violence against women — but, ultimately, by whom? There is rarely a demand for police chiefs to remove aggressors from the streets,

restrict their access to weapons, or refer them for psychosocial treatment."

According to the researcher, treating this crime as a subjective and broad problem prevents concrete actions. She says that police institutions must be held accountable for what their agents do, including in the domestic context.

These cases are marked by impunity.

During the period analyzed, data from the SSP-SC (Santa Catarina State Public Security Secretariat) reveals that 56 military police officers were dismissed, administratively and judicially, for crimes such as robbery, threats, drug trafficking, and criminal association, but none for violence against women.

The list also mentions military personnel dismissed "for disciplinary reasons" due to serious disciplinary infractions, but without specifying the offense committed—which may or may not include cases of domestic violence.

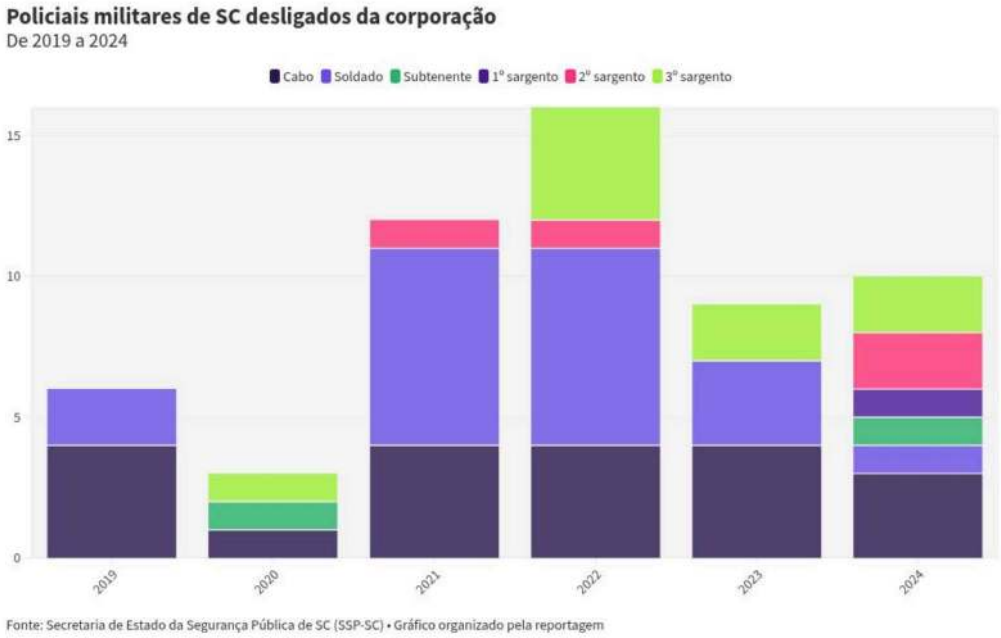
When questioned about the lack of dismissals of police officers responsible for violent crimes against women, especially femicide, and whether there is an internal policy for handling such cases, the SSP-SC (Santa Catarina State Public Security Secretariat) responded that:

"Crimes, according to the law, are governed by the Penal Code and the Code of Criminal Procedure; therefore, it is up to the Judiciary, and not the Police or Security forces, to determine whether or not a crime has been committed."

According to prosecutor Chimelly Louise de Resenes Marcon, coordinator of the Victim Assistance Center (NAVIT) of the Public Prosecutor's Office of Santa Catarina (MPSC), crimes of domestic and family violence are classified as common crimes and, therefore, are not covered by the Military Penal Code (CPM) .

According to Chimelly, domestic violence crimes are investigated by specialized agencies. The investigation is the responsibility of the Child, Adolescent, Woman and Elderly Protection Police Stations (DPCAMIs), and the trial is conducted by the Specialized Domestic Violence Courts, not by the Military Justice system.

“Regardless of their police role, the aggressor will be subject to the provisions of the Maria da Penha Law and may have urgent protective measures applied against them, including electronic monitoring, and other criminal sanctions for the offenses committed, which include the imposition of a prison sentence,” explains the prosecutor.



Legal consequences

Loss of public office is one of the possible consequences of a conviction, as stipulated in article 92 of the Penal

Code . However, with the entry into force of Law No. 14.994/2024 , this effect became mandatory and automatic in cases of femicide.

The new rule also establishes the loss of parental rights, guardianship, or curatorship in cases of intentional crimes punishable by imprisonment and committed in the context of domestic and family violence against women. These effects take place upon a final court ruling (res judicata).

The prosecutor also clarifies that the Public Prosecutor's Office (MP) does not act in the administrative sphere related to the investigation of disciplinary infractions committed by members of the corporation — a responsibility that falls to the Military Police's Internal Affairs Department.

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In these cases, the role of the Public Prosecutor's Office focuses on assisting victims, assessing risks, analyzing requests for urgent protective measures, and filing charges, with the aim of ensuring that perpetrators are held accountable and that damages are repaired.

Military crime x crime committed by a soldier

Despite legal limitations, lawyer Anderson Farias, a specialist in Criminal, Military, and Administrative Disciplinary Law, states that corporations can adopt internal measures to curb and punish violent practices against women, and may even apply disciplinary sanctions that result in expulsion to maintain discipline.

The Military Penal Code (CPM) , created in 1969, classifies military crimes in two ways: in **wartime** and in **peacetime** . The word 'woman' appears only in two places in the document:

- Chapter III, Title V, Article 407 – "To abduct an honest **woman** , by means of violence or serious threat, for lewd purposes, in place of effective military operations." (Wartime)

- Chapter II, Article 70 – "The following are circumstances that always aggravate the penalty, when not integral or qualifying elements of the crime: h) against a child, a person over 60 (sixty) years of age, a sick person, a pregnant **woman** , or a person with a disability." (Peacetime)

The document, created during the period of the military dictatorship (1964-1985), contains a number of terms that are now obsolete, either due to adjustments in the Portuguese language or because they reinforce stereotypes and prejudices.

The term 'honest woman', for example, was only removed from the Brazilian Penal Code in 2005 by Law 11.106 . However, in the Military Penal Code (CPM), even after its most recent update in 2023, the expression still remains.

According to Farias, the Military Penal Code (CPM) does not provide a complete list of crimes related to domestic violence, but Article 9, item II allows crimes foreseen in common legislation to be considered military crimes by extension, provided they meet the legal requirements. Otherwise, the military member is tried in domestic and family violence courts.

"Thus, the military member can be judged according to the legal provisions and procedures outlined in the Military Criminal Procedure Code, or, in the case of a crime against life committed against a civilian, before the Jury Court," explains the expert.

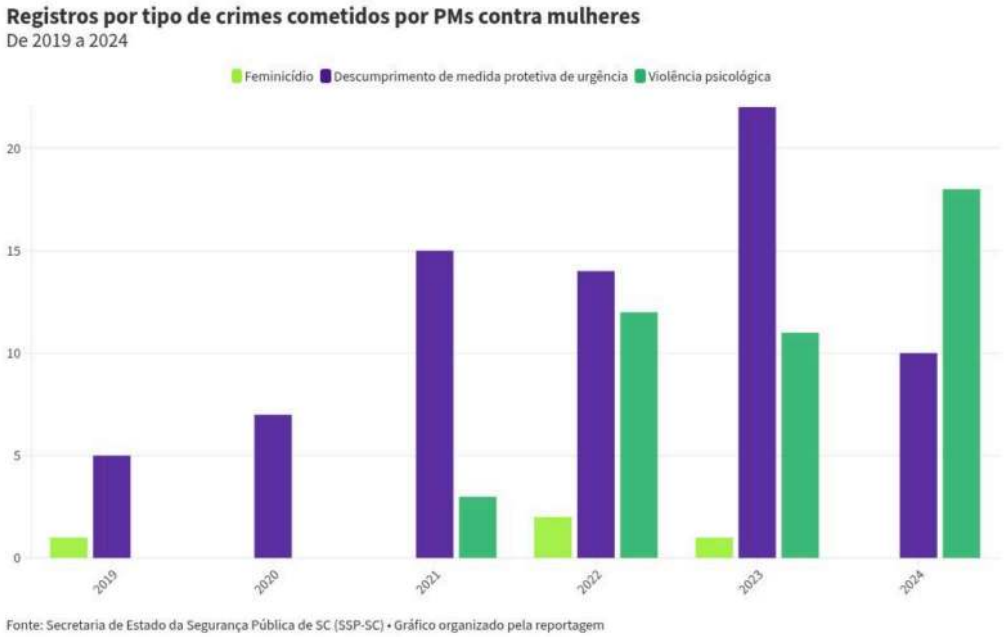
Farias emphasizes that the limitations of the Military Penal Code are contemplated in the application of common criminal law, including the Maria da Penha Law, and in the Penal Code itself, in cases of domestic violence committed by military personnel. For cases that do not fit these characteristics, the proceedings continue in the competent court.

Protective measures do not guarantee safety.

A protective order is one of the mechanisms used to legally protect women who feel threatened in the domestic environment. However, non-compliance with the order is frequent. The document is important for notifying the authorities about the need for support and protection, but alone it is not sufficient to prevent new episodes of violence by the same aggressor.

Of the three types of crimes listed at the beginning of the report, **non-compliance with emergency protective measures** is the only one that appears in every year of the series and showed a growth of 340% until 2023. The number jumped from 5 records (2019) to 22 records (2023).

In 2024, the number of police reports for this crime dropped to 10; however, incidents of **psychological violence** reached the highest number recorded in the category during the period analyzed.



"The victim obtains a protective order, the aggressor violates it, and the judiciary is slow to respond. By the time the public authorities decide whether or not to arrest, place an electronic ankle bracelet on, or enroll

the victim in a protection program, the aggressor has already had enough time to violate the order multiple times," explains Daniela Felix.

Data from the 10th National Survey on Violence Against Women by DataSenado , released in 2023, shows that 27% of women who suffered domestic or family violence stated that they had requested a protective order – **48% of them said that the order was violated** by their abuser.

The survey also showed that 68% of women said they knew little about the measure and 15% said they knew nothing about it.

In this year 's Violence Yearbook , 101,656 violations of protective measures by aggressors were recorded in 2024 – an increase of 10.8% compared to 2023.

Silent violence

The investigation also found that, on average, a police report for **psychological violence** against women was filed every 20 days in 2024 in Santa Catarina – all against police officers. This crime is one of the five types of domestic and family violence covered by the Maria da Penha Law , which includes:

- Humiliation;
- Embarrassment;
- Threats;
- Distortion of the victim's perception of their own sanity (*gaslighting*)
- Manipulation;
- Isolation (prohibition of contact with other people and places);
- Pursuit and surveillance;
- Bribery.

"Psychological violence is silent. The victim's mental organization is undermined. Even recognizing that she is being abused is often difficult. And, since there is no

'proof,' there are various arguments to say that it is anxiety, depression, or other problems. That's why it's so difficult [to recognize],” warns physician and activist Rosaura de Oliveira Rodrigues, a member of the National Committee on Maternal Mortality.

This difficulty in recognition is reflected in official records, which only began to include psychological violence in 2021, after the approval of Law 14.188/2021 .

Rosaura, who chaired the Santa Catarina State Council for Women's Rights (CEDIM-SC) for four years and is a member of the National Committee on Maternal Mortality, points out that military police officers are in a corporation where sexism, patriarchy, and violence are valued. She observes that, although violence is common among men in general, in this context it becomes the norm and a mechanism of power.

“There is still a belief that it is necessary to have proof, a body. A weapon, in cases of femicide, a motive. We know what the motives are in femicide, but not in psychological violence,” the activist adds.

Breaking the silence can help other victims.

In addition to legal loopholes, the system faces structural and cultural challenges, such as delays in proceedings, narratives that blame victims, and a lack of support policies.

> “When I see these victims, many have been in this situation for years, but they can’t identify it. Political-feminist

> education is still not a reality for everyone," says Daniela Felix.

Criminal lawyer Letícia Parucker emphasizes that reporting is crucial for registering incidents, but it depends on the victim's initiative, who often avoids speaking out of fear. She estimates that around 70% to 80% of sexual crimes do not reach the judiciary. "Women are afraid, ashamed, and have a complete disbelief that they will receive justice for it," she states.

As a full member of the Human Rights Commission and vice-president of the Commission for Studies on Gender Violence of the Brazilian Bar Association (OAB-PR), she emphasizes that many hearings often take months or even years, even in cases where the victim is at risk, prolonging the suffering of those waiting for justice. Despite this, she encourages people to report these incidents.

> "When a woman asks me for guidance, I always say: 'Yes, report it, speak up. Talk to a friend, your mother, or someone you are close to, because you are not alone.' When that woman speaks up, she also helps others."

In order for women to truly protect themselves and break cycles of violence, Daniela Felix emphasizes that a series of affirmative policies are necessary—psychological, social, labor, and health-related—capable of guaranteeing autonomy, strengthening support

networks, and helping them identify abusive relationships.

Without these structures, the fight against violence will remain limited and without significant progress in guaranteeing justice and protection for victims.

How to seek help and file complaints:

- **Mobile Emergency Care Service (SAMU)** – Call 192
- **Military Police** – Call 190
- **Dial 100** – Channel for anonymous or identified reports of human rights violations.
- **Ministry of Human Rights and Citizenship (MDHC)** –
  - WhatsApp: (61) 99611-0100
  - Telegram: type "DireitosHumanosBrasil" in the search bar.
- **AtendeLibras** – Exclusive channel for complaints made by deaf or hard-of-hearing people.
- **Women's Ombudsman of the National Council of the Public Prosecutor's Office** –
  - WhatsApp: (61) 3315-9476
  - Email: Ouviriadasmulheres@cnmp.mp.br
- **Healthcare professionals** – Psychologists, nurses, doctors, technicians, among others. According to Law No. 10.778/2003 , it is mandatory to report cases of violence against women treated in public and private health services.

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Keywords: weaponry femicide PMSC Santa Catarina gender violence

Exhibit 13 - CC13



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 14 - CC14

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 - CC15

Husband suspected of assaulting wife after she cut her wrists to seek help at a hospital is released hours after being arrested.

g1.globo.com/go/goias/noticia/2023/01/04/marido-suspeito-de-agredir-a-mulher-apos-ela-cortar-os-pulsos-para-pedir-ajuda-em-hospital-e-solto-horas-apos-ser-preso.ghtml

4 de janeiro de 2023



Man arrested after woman cuts her wrists to be taken to hospital and report assaults in Goiânia — Photo: Press Release/PMGO

The husband of a 28-year-old woman who allegedly cut her wrists to ask for help at a hospital was released hours after being arrested in Goiânia . Ariston Alves Meira Filho, 56, had been arrested in flagrante delicto after even trying to forcibly take his wife away from the hospital. He was released after a custody hearing on Wednesday (4), which decreed protective measures for the victim *(see below)* .

The suspect's arrest took place on Tuesday (3). According to the Military Police, the woman reported that she cut her own wrists to be taken to the hospital and to be able to report that she was suffering domestic violence. She reportedly told the medical team that she was being assaulted, held captive and had no contact with her family. The professionals then called the Military Police.

Speaking to **g1** , lawyer Naama Cabral de Lima Moreira, who is defending the man, said that Ariston "at no time had any intention of committing any act of domestic violence, nor does he have any history of aggression against women" *(see the full statement at the end of the text)* . According to the lawyer, he was released around 5 pm this Wednesday.

READ ALSO

Protective measures

During the custody hearing, Judge Danilo Farias Batista Cordeiro granted Ariston provisional release, stating that he saw no grounds for "preventive detention, and that the application of precautionary measures other than imprisonment would suffice."

After ordering the suspect's release, the magistrate decreed that he must comply with the following measures while at liberty:

- He is prohibited from approaching the victim, her family members, and witnesses, with a minimum distance of 300 meters required.
- He is prohibited from contacting the victim, her family members, or witnesses by any means of communication, and must leave the house where they both lived immediately.

Hospital care

During the consultation, the woman reportedly told one of the nurses that she was tired of suffering during the 10 months she had been with Ariston, and therefore, she had taken the step of cutting her wrists so that he would take her to the hospital or let her die.

"At the moment Ariston was outside, she asked the nurse and medical team for help, claiming that she was being held captive and suffering violence. And that the only way she could find to get medical help and call for assistance was to cut her wrist, as she could no longer endure the situation," describes the police report.

Exhibit 16 - CC16

In 3 days, a man assaults his ex-girlfriend, is arrested, released by the courts, and stabs her to death.

g1.globo.com/df/distrito-federal/noticia/em-3-dias-homem-agride-ex-namorada-e-preso-solto-pela-justica-e-mata-ex-a-facadas.ghtml

7 de junho de 2018



Tauane Morais was killed by her ex-boyfriend Vinícius Rodrigues de Sousa in the Federal District — Photo: Personal archive

A 23-year-old resident of the Federal District was stabbed to death this Wednesday (6) by an ex-boyfriend who said he was "unsatisfied with the breakup". Three days earlier, he had already been arrested for assault and attempted murder against her.

Tauane Morais was a cashier and lived in Samambaia Norte. According to the Civil Police, the suspect's name is Vinícius Rodrigues de Sousa, and he is 24 years old. After the crime, he attempted suicide, was rescued, and hospitalized. Tauane died instantly.

Last Sunday, Vinicius was arrested after assaulting Tauane with punches and attempting to strangle her. The assault was witnessed by the couple's children – a 2-year-old boy and a 4-

year-old girl.

That day, Tauane told the police that her ex-boyfriend had grabbed a dagger and torn the curtains in the house, broken furniture, the refrigerator, and the family's television.



Furniture was destroyed after a resident of the Federal District assaulted his ex-girlfriend over the weekend — Photo: Civil Police/Disclosure

Even though he was caught in the act, the man was released the following day at a custody hearing. Judge Aragonê Nunes Fernandes, who reviewed the case, determined that the protective order granted by the court to Tauane was "sufficient" to keep the aggressor away from the victim and "preserve her physical integrity."

After the murder and attempted suicide, the man was rescued at the scene by the Fire Department and taken to the Taguatinga Regional Hospital (HRT). His health status was not reported.

In a statement to **G1** , the Court of Justice of the Federal District said that it does not comment on legal actions, and that the judge responsible for the release could not comment either because he is prevented from doing so by the Organic Law of the National Judiciary.

'Aggressive and jealous'

In her statement to the Civil Police, also on Sunday (3), Tauane said that she had been assaulted by her boyfriend on other occasions, but never reported it. To **G1** , the delegate investigating the case, Eduardo Galvão, stated that the suspect, who is from Piauí, had no prior police record in the DF.

> "She said he was very jealous, that he had been abusing her for some time, but she never said anything. That's when she decided to end the relationship."



Vinícius Rodrigues de Sousa tore down the curtains of the property after assaulting his ex-girlfriend, Tauane Morais, in the Federal District — Photo: Civil Police/Disclosure

Galvão stated that the police officers who assisted the woman over the weekend offered her protection at Casa Abrigo, a government institution in the Federal District that shelters women who are victims of violence.

> "She said she was interested in the protective order, but didn't want to go to the shelter with her children."

Femicide in the Federal District

According to the Public Security Secretariat, between January and April of this year, 10 femicides were recorded in the Federal District. In the same period last year, there were 8.

Last month, student Jéssyka Laynara was killed by her ex-boyfriend – a military police officer – inside her home, in front of her grandmother and cousin. Ronan Menezes do Rego fired five shots. Two weeks before being murdered by her ex-boyfriend, the 25-year-old sent an audio message to a friend saying she couldn't walk because she had been punched in the stomach and kicked in the legs.

After killing Jessyka, later that same day, the police officer went to the gym frequented by his ex-girlfriend and shot the instructor, Pedro Henrique Torres, 29. Pedro underwent surgery and is recovering at home.

Ronan was off duty, not in uniform, but used a police-issued pistol to commit the crime. The victim's family says he acted out of jealousy.

Read more news about the region on G1 DF .

Rayane Cristina Gonsaga GuimarAes **File No. A 249-261-932**

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P.O. Box 90487
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