



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-ninth session

23 July-10 August 2007

List of issues and questions with regard to the consideration of periodic reports

Brazil

1. The pre-session working group examined the sixth periodic report of Brazil (CEDAW/C/BRA/6).

Legislation and national mechanisms

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

3. The report indicates that currently, 23 out of 27 federal states have State Councils for Women’s Rights. Please provide information on the financial and human resources of these councils and whether there are plans to establish such councils in the four states where they do not exist. Please also elaborate further on the relationship between the National Council for Women’s Rights and the State Councils for Women’s Rights, namely as regards the shared responsibility of monitoring the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

Stereotypes

4. The report states that the principles of respect for gender diversity and fight against discrimination against women are the basis of the National Plan on Education in Human Rights, and that central actors to the implementation of the



Plan will be invited to meetings in 2005-2006 in all States of the Federation, among whom educators from the state and municipal education networks, and people responsible for the civil police, military, firefighter and municipal guard academies. Please indicate how many of these meetings were held in 2005-2006 and how many persons responsible for the implementation of the National Plan on Education in Human Rights have participated to such meetings. Please also indicate the topics dealt with in such meetings and whether, and how, the impact of these activities is monitored on an ongoing basis.

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

Trafficking; and sexual or labour exploitation

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

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

8. How many girls have benefited from the Program for the Eradication of Child Labour described in the report, and what is the overall impact of this program, in particular in terms of prevention of child labour?

Violence against women

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

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

11. According to the report, an Ombudsperson Office was established in March 2003 by Decree No. 4.625 (Article 3, section VIII) in order to deal with allegations of discrimination and violence against women. How many allegations and complaints relating to discrimination and violence against women has the

Ombudsperson received and forwarded to the respective competent body for investigation, and what have been the outcomes of these cases?

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

Political and public life

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

14. How many women candidates have attended the workshops on capacity-building actions for women candidates developed by the Special Secretariat on Policies for Women, and what was the impact of these workshops in relation to an increase in women’s political participation?

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

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

Education

17. Considering the assessment that the male dominated culture guides men and women into specific careers, what measures does the Government take or envisage to correct this trend and promote diversification of academic and professional options?

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

19. The report notes that the educational exclusion of older and poor women is still significant and deserves the formulation of specific policies. For example, the proportion of illiterate women progressively increases for women over 40 years of age. The report also notes that black and indigenous women (and men) are under represented in the Brazilian education system. Please describe whether the Government has adopted specific policies to increase the literacy and improve the

education of older and poor women, including black and indigenous women. Please also indicate any results achieved in the implementation of such policies.

Employment

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

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

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

Health

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

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

25. The Special Rapporteur on the right to education (E/CN.4/2004/45) noted that in Brazil there are between 50 and 100 births per 1,000 girls aged 15-19. Please provide information on measures taken by the Government to prevent unwanted pregnancy among adolescents, and the impact of such measures over time.

Rural women

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

27. The report notes that data from research undertaken by the Santa Catarina Agricultural Women Movement MMA/SC (2002) about the various forms of violence suffered by rural women show that 10 out of every 100 women suffer

aggression from their husband. Please provide information on measures taken to prevent and eliminate violence against rural women.

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

Marriage and family relations

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

Optional Protocol

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