



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

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

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Summary record of the 616th meeting

Held at Headquarters, New York, on Monday, 7 July 2003, at 10 a.m.

Chairperson: Ms. Açar

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The meeting was called to order at 10.05 a.m.

At the invitation of the Chairperson, Ms. Fernandes and Ms. Ribeiro (Brazil) took places at the Committee table.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Replies by the representative of the Government of Brazil

1. **Ms. Fernandes** (Brazil) said that the combined initial, second, third, fourth and fifth periodic reports of Brazil had been the product of a partnership between the Brazilian Government, women's movements and feminist organizations. It had been presented to the public by the country's former President in a ceremony attended by members of the judiciary, the National Congress, the cabinet, human rights organizations and feminist organizations and diplomats. It had been distributed throughout the country through the Government's public information offices. A separate publication, "Human Rights of Women ... In Other Words", had been produced to give women simple and accessible information about their rights under the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to that Convention and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women (Convention of Belém do Pará). Following consideration of the reports, the Committee's concluding comments and recommendations would be publicized, targeting women's movements, the legislature and judiciary and all levels of Government.

2. Brazil's *Zero Hunger* programme centred around the right to nutrition, addressing the structural basis of hunger and participatory management. Its aims included creating jobs and revenue, especially in small towns and rural areas. The measures specifically targeted at women were directed to combat malnutrition and maternal and infant mortality, to improve health education, to address teenage pregnancy and to encourage breastfeeding.

3. The Special Secretariat of Policies for Women and the National Council of Women's Rights (CNDM) advised the President on policies for women, drew up programmes with a gender perspective, monitored the implementation of affirmative-action legislation and

regulations and sought to cater for the needs of all of the country's women: black and indigenous women, urban and rural workers, women heads of household, lesbians, the young, the old, women in difficult employment situations or women whose labour rights were threatened.

4. The representatives of Brazil said that they understood the Committee's concern about the use in Brazil's reports of the term "equity", which was often used to qualify or weaken the Convention's core principle of equality between men and women and thus to weaken the entire edifice of protection of human rights. Brazil's cultural and legislative traditions traced their roots back to the Romans, and the Brazilian understanding of "equity" was the opposite of restrictive: it sought to move beyond formal equality to consider substantive or material equality. The Government's objective was to ensure full enjoyment of all human rights and fundamental freedoms for men and women, including the right to development.

5. The Special Secretariat of Policies to Promote Racial Equality had been established as an acknowledgement of the deep-rooted, institutionalized social and racial inequality which deprived the country's black and indigenous populations of access to their rights as citizens and to goods and services. Of Brazil's 169 million people, 44.6 per cent were of African descent. Black women numbered over 36 million, or 44 per cent of the country's women.

6. Black women suffered double discrimination, being victims of both racism and sexism. They were a particular focus of the Special Secretariat's battle against the feminization of poverty. They were provided with training to improve their access to the formal labour market and adult literacy and citizenship classes had been made available to them. Black women also earned 55 per cent less than other women, and 60 per cent of domestic servants were black. Domestic servants were particularly vulnerable as a group because of a lack of regulation, the danger of harassment and violence at the hands of employers and long working hours and lower salaries.

7. The Special Secretariat of Policies to Promote Racial Equality had the status of a ministry, and advised the President directly on policy. Its functions included protecting the equality and individual rights of racial and ethnic groups affected by discrimination, to monitor the policies of all ministries and other

government agencies and to monitor the implementation of international agreements and conventions which Brazil had ratified. A major concern was to regularize the land-tenure status of the *Quilombos* (former fugitive slaves). The 1988 Federal Constitution had given them the right to full ownership of their traditional lands, but the deeds to that land had still not been issued.

8. Black women were predisposed to certain illnesses of genetic or acquired origin. The Ministry of Health had taken steps to make the recording of race or colour in the Single Health System (SUS) compulsory as a way to promote the national health policy for the black population. It had stepped up implementation of the Programme of Full Assistance to Women's Health (PAISM) to take account of the race/gender combination and had encouraged university training and research centres to study the illnesses that particularly affected the black population.

9. Turning to the situation of education, she pointed out that the literacy and enrolment rates were 90 per cent and 78 per cent for white women and 83 per cent and 76 per cent for black women, respectively. However, black women's rate of entrance to university had increased at a rate three times that of white women for the period 1960 to 1980. In order to ensure black women's participation at all levels of education, it was necessary to revise curricula; train teachers; provide literacy training; ensure the quality of education and the adoption of interethnic, interracial and non-sexist teaching methodologies; and guarantee equality of opportunity and treatment in funding for research. Human rights violations caused serious psychological and social harm to black women. Accordingly, a programme designed to eradicate gender- and racially motivated violence and to build a country without racism, sexism or fundamentalism had to be developed.

10. As the country with the second largest black population in the world, Brazil should implement a foreign policy that emphasized the sovereignty of and solidarity with other peoples, particularly those of the African diaspora. The Special Secretariat was responsible for monitoring implementation of the Convention on the Elimination of Racial Discrimination, the Convention on the Elimination of Discrimination against Women, the Beijing Platform for Action and Political Declaration and the Durban Declaration and Programme of Action. It also must continue to train public officials to be sensitive to

racial problems and promote racial equality. That approach would involve the adoption of affirmative action policies in the areas of race, class and gender. During the first year of its existence, the Special Secretariat would focus on dialogue with other government bodies at the Federal, State and municipal levels and with civil society, particularly the anti-racism movement, and on international cooperation. It would also develop policies jointly with the Special Secretariat of Policies for Women.

11. **Ms. Barsted** (Brazil) explained that Brazil's 26 States, the Federal District and the municipalities were autonomous and had the capacity to promulgate any constitutions and laws that did not conflict with those of the Federation, which were binding on all citizens. Brazil's reservations to the Convention had been implicitly withdrawn with the adoption of the 1988 Constitution, under which the Convention, and now its Optional Protocol, were an integral part of Brazilian federal law. The Federal Government had exclusive jurisdiction over penal, civil, labour, electoral, procedural, agrarian, nationality, citizenship, naturalization, indigenous and advertising matters, all of which were crucial for women. It had shared jurisdiction on taxation, finance, prisons, economic, budget, environment, education, health, disability, child and adolescent issues, which were also highly relevant to women; however, in the event of a conflict, federal law prevailed over state law.

12. The current administration had been including gender, racial and ethnic mainstreaming initiatives in its agreements with States under the National Programme for Public Safety. States which agreed to participate in that Programme received government funds earmarked for efforts to eradicate violence, including sexual assault and domestic violence.

13. The 1988 Constitution gave the Public Prosecutor's Office and the Attorney-General's Office functional autonomy and administrative independence from the executive, legislative and judiciary branches. The Public Prosecutor's Office was responsible for defending the rights of indigenous peoples before the courts and for overseeing police activities. Dialogue between the Special Secretariat of Policies for Women and the Public Prosecutor's Office was essential to the monitoring and review of implementation of legislation guaranteeing the rights of women.

14. Article 5, paragraph 2, of the Constitution recognized that the rights and guarantees enshrined therein did not exclude other rights and guarantees derived from international treaties to which Brazil was a party. A growing number of legal experts were of the view that such instruments had a rank equal or superior to that of the Constitution and were self-executory, while the majority of experts considered that they had a rank equal to that of other federal legislation; the latter view predominated in the courts. Efforts must be made to sensitize judges and other law enforcement officials to the need to alter their interpretation of the status of international instruments.

15. The Constitution established that cases involving a threat to life must be tried before a jury composed of ordinary citizens, whose verdict could be set aside by a higher court only if it was contrary to the law. The fact that a crime was committed by a spouse, partner or relative was an aggravating circumstance; thus, domestic violence officially carried a higher penalty than ordinary assault. In practice, however, Brazil's sexist culture trivialized domestic violence and, in some circumstances, impunity was granted even in homicide cases. In 1991, the Superior Court of Justice had set aside the verdict of a jury which had acquitted a man accused of murdering his former wife on the grounds of "legitimate defense of honour". The court had ruled that the verdict had no legal basis and demonstrated a misconception of men's power over women. However, it had been unable to set aside a similar verdict by a jury in that same town. While the "honour" defence was no longer used in Brazilian cities as a result of pressure from the women's movement, lawyers in remote towns still used it to influence juries, which could be swayed by prejudice and discriminatory attitudes. Thus, it was not enough to educate judges, lawyers and law students; it was also necessary to carry out media campaigns aimed at changing the public's behaviour and raising awareness of international human rights instruments and the rights of women.

16. Although Brazil's Penal Code had been amended in 1984, it still allowed sexual aggressors to escape punishment by marrying their victims and made abortion illegal except where the mother's life was at stake or in rape cases. A draft amendment to the Code, currently before Congress, would eliminate such discriminatory provisions and permit the voluntary interruption of pregnancy under a wider range of

circumstances. Under Law No. 9,099, convicted perpetrators of domestic violence were merely sentenced to a fine or community service; that situation tended to trivialize such crimes and deterred victims from reporting them. The Special Secretariat of Policies for Women planned to submit to Congress a draft domestic violence act, prepared almost entirely by women's organizations, which would remove such cases from the jurisdiction of the Special Civil and Criminal Courts. The draft included both penalties for offenders and civil and protective measures for their victims and was designed to both safeguard women's rights and educate the judiciary. Law No. 10,224 defined sexual harassment as the act of using higher office, position or function to coerce another person into providing sexual favours. The offence was punishable by one to two years' imprisonment. In order to bring about such changes in Brazil's domestic law, the Special Secretariat worked continually with the legislative branch and, in particular, the Female Delegation in Congress.

17. **Ms. Cortês** (Brazil) pointed out that the new Civil Code, which had entered into force in January 2003, had eliminated most of the remaining legal provisions which promoted gender inequality; in fact, however, many discriminatory laws affecting marriage, divorce, alimony and the establishment of paternity had already been repealed under pressure from the women's movement.

18. Under the new Code, both men and women reached the age of majority at 18; they could be married at age 16 with the consent of their parents or legal guardians and, in connection with a sexist provision of the Penal Code, at an even earlier age where an aggressor wished to marry his victim in order to escape criminal sanctions or where the girl was pregnant. The Code made guardianship of a married couple's children compulsory only for the father. There had been no change in the archaic rule that a woman could not remarry until 10 months after she was widowed or divorced, despite the fact that paternity tests were available at no cost.

19. A married couple could take either partner's family name and divorced women could keep their married names unless otherwise stipulated in the divorce decree. In a legal separation, the spouse found guilty lost the right to keep the family name only if the innocent spouse so requested and if the change of name would not cause problems of identification or create a

distinction between the parent's name and that of the children born of the marriage. Since married women usually took their husbands' name, they were most likely to be affected by that provision. When a couple divorced, custody of the children was granted to the parent most fit to assume it. If one parent was without resources, the other must pay alimony; otherwise, each parent must support the children in an amount proportionate to his or her ability to pay. Adopted children and those born out of wedlock had the same rights as those born in marriage.

20. The Special Secretariat of Policies for Women, together with the Female Delegation in Congress, planned to propose amendments to the remaining discriminatory provisions of the new Civil Code, including those involving same-sex unions.

21. **Ms. Malheiros** (Brazil) said that affirmative action, including quotas, was gaining ground in Brazil. Quotas were used in some ministries, in elections to the municipal councils, the State legislatures and the federal House of Representatives, and in some political parties, unions, universities and corporations. The population groups for which quotas were established included persons with disabilities, women and people of African descent.

22. As at 2003, 5 of the 27 registered political parties, including the Workers' Party of which the President of the Republic was a member, had established quotas for women in their governing bodies or taken some other form of affirmative action to increase the latter's participation. About 14 parties included State and national women's groups responsible for ensuring the incorporation of a gender perspective and the promotion of women's empowerment. Training courses were offered for women interested in running for elected office.

23. A 20 per cent minimum quota for women candidates in municipal elections had been instituted through a federal law in 1995. In 1997, the quota had been increased to a 30 per cent minimum and a 70 per cent maximum and had been expanded to include all elections to State legislatures and to the federal House of Representatives.

24. In Brazil, votes were cast primarily for one candidate, and all votes cast in favour of all the candidates of a given party were added up and the result corresponded to a proportion of the overall vote, a figure known as the "election factor". If a party

achieved, for example, 10 times that factor, its top 10 candidates in terms of votes cast would be elected. That system could also result in a woman candidate not being elected even when she had obtained a very good result, because her party had achieved only a low "election factor".

25. In addition to those difficulties, the implementation of quota policies in Brazil also encountered resistance within the political parties, with many women reluctant to engage in politics because they were accustomed to a culture which had historically denied access to women. Notwithstanding those difficulties, and although the number of women elected had not significantly increased as a result of current policies, the general evaluation of the quota system was favourable, and it had led to an increase in the number of women candidates at all levels of government, even though that increase was not directly reflected in the number of women elected. Currently, 42 of the 513 members of the House of Representatives were women; 133 of the 1,059 representatives in the 27 state legislatures were women; there were 317 women mayors in the 5,516 municipalities, and 7,000 councilwomen out of about 60,000 representatives on municipal councils. The trend was clearly favourable if those results were compared with the figures for 1985, when the political participation of women was significantly lower.

26. Another positive aspect of the quota policy was that it encouraged political parties, civil society and women themselves to acknowledge that political power in Brazil was still male and white and that laws and budgets were still being conceived and defined by men. Clearly, the Government needed to perfect the existing legislation and adopt other measures and instruments to bring political parties into line with the quota system and encourage participation by women in all political spheres. Legal sanctions would be needed in order to force parties to comply with the minimum and maximum quotas by gender, and proposals to that effect were currently under consideration in the National Congress.

27. The various proposals that had been put forward to improve the representation of women in politics included campaigns by the female caucus in the National Congress, feminist organizations and the Councils of Women's Rights to encourage women to become involved in politics and to stand for election to government positions. The campaigns made use of

radio broadcasts, videos, publications and training activities. The Special Secretariat for Women's Policies was promoting a national seminar on women in politics for the second half of 2003, to design strategies to support women candidates in the municipal elections of 2004.

28. Spearheaded by women's groups and feminist movements, other quota proposals had been gaining visibility in Brazilian society, including a proposal to increase the representation of women in the judiciary. Draft legislation currently under consideration proposed that the House of Representatives should change its internal rules in order to apply the gender quota system to its bureau.

29. Only very recently had the quota policy been taking account of a racial perspective. A number of proposals before the National Congress suggested the adoption of political quotas for persons of African descent and some public universities had already adopted a quota policy for such persons. Black women had already been increasing their participation in the Government, where three out of the five women ministers who currently held office were black. There were also quotas for rural areas where officials were being trained to take a gender perspective into account. Until 2001, only 12 per cent of those who had received land titles under the agrarian reform were women.

30. One of the short-term objectives of the Special Secretariat for Women's Policies was to evaluate the effectiveness of measures taken so far. The Government was determined to promote the implementation of quotas and other affirmative action mechanisms to give women the opportunity to attain senior decision-making positions in the executive branch of government on an equal footing with men.

31. No comprehensive study had yet been made on the participation of women in diplomatic careers. The percentage of women in the Brazilian diplomatic service had increased from 12.87 per cent in 1981 to 18.08 per cent in 2002 and, of the latter, about 48 per cent were concentrated in such intermediate levels as First Secretary and Counsellor. Of those admitted to the diplomatic service each year, between 20 and 30 per cent were women, and that percentage remained largely unchanged up to the rank of Counsellor, but there was a significant reduction in the participation of women in the highest diplomatic positions, and only 8 of the total of 98 ambassadors were currently women.

The Government was seeking to remedy that situation by organizing a series of seminars at the Brazilian Diplomatic Academy on careers for women and a round table on women in diplomacy, with the participation of women ambassadors from a number of countries.

32. People's subjective attitudes were certainly a serious obstacle to women's progress in diplomatic careers. The fact that the Committee deciding on promotions was entirely made up of men had a direct influence. To counteract that situation, the current Minister for Foreign Affairs had appointed a woman Ambassador to fill the position of Under-Secretary for Political Affairs, the highest position occupied by a woman in the Brazilian foreign service in recent years and one that would make her a member of the promotions committee.

33. **Ms. Viola** (Brazil) said that the Federal Constitution recognized the rights of both men and women to health care and family planning and acknowledged the responsibility of the State to ensure enjoyment of those rights. The right to family planning had been regulated in 1996 through federal legislation which had introduced the concept of women's integral health throughout their life cycle and guaranteed access to reversible contraceptive methods. It had also recognized the right to tubular sterilization and vasectomy, protecting both sexes from being misled or coerced into undergoing sterilization.

34. Women's health in Brazil revealed a gap between the legal guarantees of the right to health and its actual enjoyment by women. Maternal mortality rates remained high despite a downward trend from 1980 to 1987. When data from the 1996 census were compared to those from the research conducted in 1986 and 1989 using a similar methodology, the trend was undeniable. In a period of 10 years, family-planning coverage had reached 76.7 per cent of married women or those living with a common-law partner. Likewise, 91.5 per cent of births took place in hospitals or health facilities. The high rates of maternal mortality were related to the unfavourable social and economic conditions in which the population lived. They included low school enrolment, unemployment, low wages, and lack of access to social services, especially in rural areas. Specific programmes in the health sector were not sufficient to reduce maternal mortality; they must be complemented and harmonized with social policies and with expansion of and improvement in the quality of

the services provided through the public health system. Owing to the continental dimensions of the country and its decentralized health system, it was necessary to strengthen the instruments of social and governmental control, monitoring and evaluation of health policies to identify and overcome the remaining obstacles.

35. The difficulty of access to contraception and the limited availability of care and support services to women in situations of sexual violence had led to great numbers of unwanted pregnancies and clandestine abortions. For many years, abortion had been the second or third greatest cause of maternal mortality, but since 1998, it had fallen to fifth place. Brazilian legislation had not yet been harmonized with the recommendations contained in the Beijing Platform for Action, which recognized abortion as a public health issue and pointed to the need for review of repressive laws. The various initiatives already described, the drafting of regulations to provide care for complications derived from abortion, and the continuous availability of contraception would help to reduce maternal mortality and morbidity resulting from abortion.

36. Rural women did not have the same health-care coverage as urban women in respect of reproductive health and health in general. Rural women also had lower literacy rates and were generally more vulnerable because of the poverty in which most of them lived. The Ministry of Health had invested since the mid-1990s in community and family health programmes, and, more recently, in a programme to bring health professionals to the interior regions of the country and to provide training for midwives and obstetric nurses. Health-care coverage in rural areas had improved as a result, but such initiatives were still insufficient and the current Government was focusing its efforts on the rural population, implementing social programmes to combat hunger and poverty and stepping up the process of agrarian reform.

37. The Ministry of Health had increasingly invested in women's health from 1997 to 2002, and in 2003, an estimated US\$ 300 million would be allocated to reducing maternal mortality. Other Ministry programmes which covered both sexes included those relating to cancer prevention, family health, sexually transmitted diseases and HIV/AIDS, the control of preventable communicable diseases, programmes for workers and older persons and those relating to mental health, the indigenous population and persons with

disabilities. The Ministry had adopted the goal of reducing maternal mortality by 25 per cent over the next few years in the capitals of the country's 27 states.

38. The Ministry intended to follow several lines of action, taking into account both ethnic and racial diversity. It had signed a protocol with the Special Secretariat for Women's Policies, under which notification of maternal deaths was compulsory, the National Commission on Maternal Mortality was reactivated, a telephone hotline was set up to provide information on the services available and a national debate on sexual and reproductive rights, focusing on family planning and responsible fatherhood was launched. It was also developing programmes and actions which included the provision of transportation for pregnant women, the establishment of a cross-referencing system relating to health care for pregnant women and women victims of sexual and domestic violence and measures to reduce the rate of Caesarean sections. It had also developed financial incentives to improve pre-natal and perinatal care, increased the number of hospitals performing tubular ligation and vasectomy, increased the availability of reversible contraceptive methods and trained obstetric nurses and community midwives.

39. **Ms. de Oliveira** (Brazil) said that the struggle to prevent violence against women, particularly domestic and sexual violence, required the commitment of the executive, legislative and judicial branches of government and the involvement of civil society and national and international bodies. The Special Secretariat for Women's Policies was implementing a national plan of action for the prevention of all forms of violence against women. The goals of the plan as they related to the Special Police Departments for Assistance to Women (DEAMs) involved coordination among the federal, State and municipal levels of government in order to train officials to provide a higher quality of services and to mainstream gender. It called for evaluation and training of the Special Police Departments and definition of a methodology for permanent capacity-building, incorporation of substantive references to gender, ethnicity, race, citizen and human rights in entrance exams for the civil service and for coordination among public security agencies, United Nations agencies, the European Union, universities and non-governmental organizations in order to define indicators for public policy in the area of gender. The plan further provided

for a review of evaluation and monitoring criteria for the funding of shelter-home projects for women in situations of violence, the monitoring of performance by existing services, the elaboration of a special protocol for shelter homes, and coordination with the Special Secretariat for Human Rights through a partnership with the Programme of Support for Victims and Threatened Witnesses in order to extend similar treatment to women and children under 18 coming from shelter homes and who remained in life-threatening situations.

40. Activities to be implemented in partnership with the Ministry of Education included training for teachers and other education workers in gender issues and in the prevention of violence against women and domestic violence, the literacy programmes for mothers living in situations involving violence, and inclusion of the issue of violence against women and domestic violence in school programmes and in school books distributed through the public school system.

41. Her Government recognized the seriousness of the problem of trafficking in human beings, and had signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol). Initiatives to put a stop to trafficking and to punish those responsible included a recent agreement between the Ministry of Justice and the United Nations Crime Prevention and Criminal Justice Programme, which also involved other international entities and the three levels of government in Brazil. The main purposes of the agreement were to train law enforcement officials and create a national database on the trafficking of human beings for sexual exploitation.

42. The case of Maria da Penha Fernandes had provoked repercussions at both the national and international levels. The slowness of the Brazilian judiciary in judging the accused had caused indignation in the women's movement in Brazil, which had taken the case to the Inter-American Commission on Human Rights. As a result of the indictment submitted by two Brazilian non-governmental organizations, the Commission had recommended to the Brazilian Government that it should quickly and effectively conclude the prosecution of the person who had assaulted Ms. da Penha, investigate the delays and irregularities in the prosecution and take measures

against those responsible, and provide both symbolic and material reparations to the victim. It had further recommended that the Government should take steps to simplify and streamline legal proceedings, and promote awareness among those working in the area of the law to prevent State tolerance of domestic violence and violence against women.

43. The person who had attacked Ms. da Penha Fernandes had been sentenced to ten years imprisonment in 1991, had subsequently been apprehended and had been in prison since October 2002. The other sanctions had not yet been carried out by the Government, but the Special Secretariat would be following the case. As for the general recommendations, the Special Secretariat had decided to give priority to developing a plan of action to prevent all forms of violence against women.

44. The Constitution specified that the abuse and sexual exploitation of children and adolescents were to be severely punished. Such exploitation was among the worst human rights violations, and the silence of the victims and their families tended to prevent the keeping of accurate records concerning those crimes. Family members themselves were often involved. The situation was aggravated by social inequalities and financial hardships and the underreporting of the problem. The Government had realized that the problem would require a joint effort by the executive, legislative and judicial powers and civil society. Children and adolescents living in the streets were not themselves the problem to be tackled but were a symptom of a more serious sickness from which Brazilian society suffered. Policies to deal with the situation must be harmonized with other social policies including education, health, housing and income.

45. Brazilian labour legislation had always been concerned with maternity protection. Norms had been created to include paid maternity leave of 120 days and guarantee employment during the pregnancy and 90 days after the end of the period of leave. A bill extending those rights to domestic servants was being considered by Congress.

46. The legislation also guaranteed day care centres and free primary education. In line with the standards of the International Labour Organization, Brazilian legislation prohibited children under 17 from working, yet poverty forced many children and adolescents into the labour market under precarious conditions. The

current Administration was taking action to eradicate child labour.

47. Both women and men increasingly relied on informal labour without contracts or social security benefits and unemployment was rising. There were significant salary differences between men and women in both the formal and informal sectors, and the situation was even worse for black women. The Ministry of Labour, Social Promotion and Assistance and the Ministry of Justice, together with the Special Secretariat, had developed a number of different programmes, placing priority on combating child labour, monitoring sectors which employed mostly women, and providing protection to domestic workers and information regarding their rights.

48. There were 16 million women rural workers in Brazil, the large majority of whom had no income because they worked for family enterprises. The goals of the Ministry of Agrarian Development included implementation of the Programme for Gender, Race and Ethnic Equality 2004-2007, increasing the special resources allocated for women, and promoting gender equality policies applied to division of labour, women's access to land, equipment and credit. Some of the structural proposals contained in the *Zero Hunger* programme were targeted to income and employment generation in rural areas, and included support to family farms.

49. Progress had been made regarding the legal status of indigenous people with the entry into force of the new Civil Code; they were no longer considered legally incapacitated, as in the 1916 Code. The situation of indigenous women, however, remained appalling. Very little statistical data was available on that segment of the population. Several government agencies, including the Special Secretariat of Racial Equality, the National Indigenous Peoples Foundation, the Department of Indigenous Health of the Ministry of Health, the National Council to Combat Discrimination and the Special Secretariat of Human Rights, dealt with their concerns. Since the Durban Conference on racism, those bodies had increased their efforts to prevent and punish violence against indigenous women. One of the main Federal Government initiatives was to raise the visibility of indigenous women and to give greater recognition to their culture. The *Zero Hunger* programme also contained a component dealing with food security for indigenous communities.

50. **Ms. Fernandes** (Brazil) reaffirmed her Government's commitment to the Cairo Programme of Action and the Beijing Platform for Action as the guidelines of its internal policy. The granting of ministry status to the Special Secretariats on Women's Policy and on Racial Equality Promotion Policies was proof of its commitment to combat inequality and the negative effects of exclusion and gender and racial violence.

51. **Ms. Shin** said that she appreciated the clarification of the use of the terms "equity" and "equality". The Convention asked its States parties to aim for full equality, and she hoped that term would be utilized in the next report. She also welcomed the efforts to expand the coordination of the special police to provide assistance to women, but she would still like to know if their numbers would be increased.

52. **Ms. Fernandes** (Brazil) said that she shared that understanding of the meaning of equality, and assured the Committee that full equality of men and women was what the Special Secretariat was striving for. She was working with the Ministry of Justice to increase both the number of special police stations and the quality of the services they offered to women victims of violence through training for officers at 192 police stations. In addition, 29 new women's shelters would be opened in the near future.

53. **Ms. Tavares da Silva** said that, she was impressed by the vast array of initiatives the Brazilian Government had taken for women despite all the barriers it faced. However, she wished to underline the need for better coordination of those actions.

54. **The Chairperson** said that the Committee had welcomed the opportunity to engage in a dialogue with Brazil and the high degree of civil society involvement in the preparation of the report. It expected wide dissemination of its concluding comments. She was also pleased that the difference between "equity" and "equality" was understood.

55. The report of Brazil had shed light on the phenomenon of multiple forms of discrimination against women, and she welcomed the courage of the Government to face that challenge openly and urged it to keep the issue on the national agenda.

56. In the next report, the Committee would like to see more about concrete policies and measures in such areas as education, employment, health, decision-

making and the results of those policies. The Government was also to be congratulated for its ratification of the Optional Protocol and the removal of its reservations to the Convention. Accordingly, she urged it to remove the remaining discriminatory provisions of civil law and continue to work to change the mindset towards women's equality among the judiciary and the general public.

57. The system of quotas for women candidates was a good start, but the electoral system itself did not support it, which could be discouraging to women and perpetuate stereotypes. Finally, she expressed the Committee's concern at the high maternal mortality rates and urged the Government to address that problem. The Committee also expected that the next periodic report of Brazil, which would be its sixth, would be submitted on time.

The meeting rose at 12.15 p.m.