

**Report to the Third Review of the Federative Republic of Brazil
by the UN Human Rights Committee - 138th session**

**GENDER POLICIES AND WOMEN'S RIGHTS IN
BRAZIL**

Submitted by Conectas Direitos Humanos

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A. Introduction:

1. Conectas Direitos Humanos¹ is a leading Brazilian non-governmental organization based in São Paulo, Brazil. We work to protect and expand the rights of all, especially for the most vulnerable. Conectas was accorded consultative status with the United Nations in 2006, and, since February 2022, it has been an observer of the Convention- UN Climate Change Framework.
2. This document is an alternative report for the Brazil's review by the UN Human Rights Committee during its 138th session. Considering the List of Issues, the State report and its Written Replies to List of Issues, Conectas examines the Brazil's compliance with its international human rights obligations to create and maintain a safe and enabling environment for women's rights in the country. Specifically, we analyse Brazil's fulfilment of the rights to gender policies and sexual and reproductive rights (section B).

B. Gender policies and women's rights in Brazil

Gender Equality (arts. 3 and 26)

3. The Brazilian government, in paragraph 46 of a Report² submitted on June 3, 2020, indicated an evolution in the employment level of women in the job market and a “moderate” reduction in the pay gap between men and women in the country, though it did not offer any concrete commitment in terms of legislative reforms that could secure equal pay between men and women. According to data from the Brazilian Geography and Statistics Institute, IBGE³, the gender pay gap, which had taken a downturn until 2020, began to rise once again and reached 22% by the end of 2022. This means that a Brazilian woman is paid, on average, 78% of what a man earns. The situation is even more severe for black or brown women: on average, they earn less than half of the wages paid to white men (46%).
4. It was only this year (2023) that a draft bill by the Executive Branch regarding the enforcement of equal pay was voted and passed in Congress.⁴ Draft bill 1,085/23 establishes salary and wage equality between men and women with the same jobs. The project has yet to pass the Senate, but this is already an important initiative for the federal government – after sanctioning the bill, it will have to ensure the conditions and control measures required for the bill to be observed.
5. In the item “women in positions of power” (paragraphs 51 to 59), the official report submitted by Brazil claims that there has been progress in what it refers to as the promotion and

¹ Conectas Human Rights, Homepage, 2023, accessed May 29, 2023, <https://conectas.org/>. Contact: arquias.cruz@conectas.org.

² International Covenant on Civil and Political Rights, CCPR/C/BRA/3, August 25, 2021, accessed May 26, 2023, <https://rb.gy/e5k57>.

³ Luciana Dyniewicz, "Diferença salarial entre homens e mulheres vai a 22%, diz IBGE." CNN Brasil, March 8, 2023, accessed May 29, 2023, <https://rb.gy/df4u>.

⁴ "PL 1085/2023," Câmara dos Deputados, March 2023, accessed May 26, 2023, <https://www.camara.leg.br/proposicoesWeb/fichadetramitacao?idProposicao=2351179>.

strengthening of equal, plural and multiracial participation of women in positions of power and decision making; paragraph 51 of the report mentions that the government has created mechanisms to encourage the participation of women in political parties, referring to the affirmative policy for women's electoral campaigns to political offices. It is important to note that, although Law no. 9,504/97 (Federal Election Law) establishes that each political party or coalition should have at least 30% and at most 70% of their positions reserved for individuals of each gender, structural issues prevent women from fully accessing these spaces. Gender inequality and the accumulation of household management and child rearing tasks, not to mention the context of aggression, harassment, and disrespect that they face on a daily basis, made more severe in contexts of political dispute, are the main obstacles that hinder women in reaching truly equal participation in politics.

6. In 2023, Brazil came in the 129th position in an international ranking on feminine representation in politics,⁵ staying behind all other Latin American countries between 2018 and 2020. According to the report, feminine political empowerment, or lack thereof, represents the greatest obstacle to Brazil's general performance in the ranking (Global Gender Gap Report 2020, by the World Economic Forum). In the 2022 elections, the Brazilian Lower House had an increase from 77 to 91 in the number of positions occupied by women, which corresponds to a percentage of 18% of total congress members.

7. The impunity that still surrounds Marielle Franco's case is a milestone in terms of human rights violations, and a threat to women's participation in politics and government. The case continues to be the reason for a permanent and collective articulation in pursuit of answers and justice. In August 2021, as a result of this work, the creation on March 14 of Marielle Franco's Day to confront political violence against black, LGBTI+ and peripheral women was approved in the Rio de Janeiro City Council.

8. The greater participation of women in politics must go hand in hand with effective measures to include women at all levels of decision-making. To this end, the Brazilian state must ensure adequate conditions for their permanence, as well as guarantee safe spaces for the exercise of their political functions, without any type of discrimination.

9. It is worth highlighting Law No, 14,192, of August 4, 2021, which establishes norms to prevent, repress, and combat political violence against women. This legislative reform is a significant advance in women's political rights in Brazil. According to this law, political violence against women is any action, conduct, or omission with the purpose of preventing, hindering, or restricting women's political rights. Threats, insults, aggression, harassment, attempted murder, and assassination are some of the ways in which the human rights of women candidates and elected officials are violated. All women are victims of these attacks, but black, lesbian, bisexual, transvestite, and transgender women are prime targets because they intersect other social markers.

⁵ "Monthly ranking of women in national parliaments," IPU Parline, 2023, accessed May 26, 2023, <https://data.ipu.org/women-ranking?month=1&year=2023>.

10. This legislative reform is a significant step forward for women's political rights in Brazil. Another source of progress is Constitutional Amendment no. 117, of 2022, which allocates a portion of party funds to women's electoral campaigns and to the promotion of women's participation in politics. However, there is a current concern with the processing of the Constitutional Amendment Proposal (PEC, *Proposta de Emenda à Constituição*) no. 9 of 2023, which seeks to prohibit the enforcement of sanctions against political parties should they not meet the minimum quota of funds destined to candidacies of women and Afro-Brazilians by the 2022 elections.⁶ This would be an evident setback in the expansion of political rights for women, particularly Afro-Brazilian women.

11. The Superior Electoral Court (TSE) launched in March 2022 the Women's Ombudsman's Office, created to prevent and combat cases of harassment, discrimination and other forms of abuse suffered by women, especially political violence. An instrument that, besides giving visibility to the specificity of this type of violence against women, is a step towards the recognition of the institutional obstacles that women face in the exercise of their participation in Brazilian politics. It is up to the state to ensure, through this resource, a specialized treatment in the attendance, reception, and forwarding of the demands that deal with situations of gender violence.

12. An important indicator, already mentioned in Brazil's 2020 report on paragraph 58, is the larger presence of women leading Federal Government ministries. It is worth noting that, in the current ministerial staffing, out of 37 ministries, 11 are led by women. Regardless, and in addition to it not being an equal distribution, the government must ensure political and economic conditions so that the women and the ministries that they represent can properly carry out their work.

Violence against women (arts. 2, 3, 6, 7 and 26)

13. The Brazilian government states, in paragraph 60 and 61 of its report, that violence against women is one of the main challenges faced by the country when it comes to promoting and protecting human rights. In order to take on this challenge and acknowledge the increase in this type of violence in recent years, the Brazilian government must prioritize the eradication of all forms of violence and efforts to ensure the full exercise of citizenship for all women, including safeguards for the rights of trans women and *travestis*.

14. According to Instituto Patrícia Galvão, 51,000 women suffered some kind of violence in Brazil in 2022, as stated in the survey entitled *Visível e invisível: a vitimização de mulheres no Brasil* ("Visible and invisible: the victimization of women in Brazil", in a free translation), carried out by DataFolha and Fórum Brasileiro de Segurança Pública. According to this survey, the year 2022 had the highest percentage of women being victims of multiple types of domestic violence in Brazil. The majority of the victimized women were between 16 and 24 years-old, Afro-Brazilian,

⁶ "PEC 9/2023," Câmara dos Deputados, 2023, accessed May 26, 2023, <https://www.camara.leg.br/propostas-legislativas/2352476>.

with children, residents of cities in the countryside and assaulted in their homes by former husbands, partners, or boyfriends.⁷

15. According to the 2021 Brazilian Annuary of Public Safety⁸, the country had 3,913 homicides with women as victims in 2020, out of which 1,350 were registered as femicides, an average of 34.5% of the total murders. As stated in the 2022 Brazilian Annuary of Public Safety⁹, between 2020 and 2021 there was a reduction of 3.8% in the rate of homicides with women as victims. In the case of femicides, the decrease was at the rate of 1.7% between both years. Even with that variation, the numbers are still harrowing: in the last two years, 2,695 women were murdered because they were women – 1,354 in 2020 and 1,341 in 2021. Considering that Brazil's legislation on femicides dates back to 2015, the data depends mainly on the advances of each state and the investigation and typification of gender-based violence. This highlights the probability that many cases of femicide have been classified only as homicides.

16. Likewise, data collected by the Brazilian Public Security Forum 2022 states that in 2021, 56,098 rapes were reported (including rapes of the vulnerable and females), representing an increase of 3.7% over the previous year. In other words, in 2021, a girl or woman was a rape victim.

17. According to the Brazilian Institute of Applied Economic Research (IPEA), it is estimated that there are 882,000 cases of rape in Brazil each year. 80% of the victims are women. Out of this total, only 8.5% of the cases are brought to the police and only 4.2% are identified by the health system.¹⁰ The institute calls for attention on the deficit of information on rape and sexual violence in the country, which requires a steady commitment of the Brazilian government in fighting this type of violence through mechanisms and instances that ensure better-quality records, a multidisciplinary system to provide care to the victims, and specialized research offering support to the creation of effective public policies.

18. Though there have been some legislative reforms seeking to criminalize conducts and establish policies to fight violence against women in recent years, the government report does not mention how these policies were implemented or how effective they have been.

19. Furthermore, it is important to note the contradictions of a government that stated that it “considers gender-based violence a priority issue in the government agenda” (paragraph 61) and, at the same time, from 2019 to 2022 has assumed a reactionary position on gender and sexuality,

⁷ "Por dia, quase 51 mil mulheres sofreram violência no Brasil em 2022," *Violência contra as Mulheres em Dados*, 2023, accessed May 26, 2023, <https://dossies.agenciapatriciagalvao.org.br/violencia-em-dados/por-dia-quase-51-mil-mulheres-sofreram-violencia-no-brasil-em-2022/>.

⁸ "Anuário Brasileiro de Segurança Pública," *Fórum Brasileiro de Segurança Pública*, 2021, accessed May 29, 2023, <https://forumseguranca.org.br/wp-content/uploads/2021/10/anuario-15-completo-v7-251021.pdf>.

⁹ "Anuário Brasileiro de Segurança Pública," *Fórum Brasileiro de Segurança Pública*, 2022, accessed May 26, 2023, <https://forumseguranca.org.br/wp-content/uploads/2022/07/10-anuario-2022-feminicidios-caem-mas-outras-formas-de-violencia-contrameninas-e-mulheres-crescem-em-2021.pdf>.

¹⁰ "Dados sobre estupro no Brasil," *Instituto de Pesquisa Econômica Aplicada*, March 2023, accessed May 26, 2023, <https://www.ipea.gov.br/atlasviolencia/arquivos/artigos/1694-pbestuprofinal.pdf>.

through rhetoric and policies the category of gender is distorted and reduced in the perspective of the “biologization”. This official policy has contributed to the regression of rights, promoting feelings of aversion to public policies based on recognizing the diversity of gender and sexuality.

20. At the 2021 UN Human Rights Council, former Minister Damares Alves affirmed the creation of mechanisms to receive complaints of political violence against women and the increase in the portfolio's budget for measures to protect women, while the Bolsonaro government has made significant budget reductions for the portfolio, concretely threatening the execution of policies to confront violence.¹¹

21. According to data from the Federal Government's integrated planning and budget system, the MMFDH has spent only half of the proposed budget for 2021.¹² In more than one year, the portfolio has not used 50% of the initial budget allocation. Since 2016, when there was a significant drop in the transfer of funds for women's policies, the decrease in federal investment for this agenda was a constant until 2022.

Voluntary interruption of pregnancy and sexual and reproductive rights (arts. 6, 7 and 8)

22. In paragraph 49 of the document “Replies of Brazil to the list of issues in relation to its third periodic report”¹³ the government restates its commitment to the sexual and reproductive rights of women and girls, as long as they uphold “the strengthening of the family”, the principles of human dignity and responsible motherhood, and that they are immune to “progressive ideological agendas”. This statement is coherent with a state policy that is restrictive in terms of rights, gender diversity, and sexuality in education, health, public policy, and social assistance policies. This policy was present in the official discourse between 2019 and 2022, mobilizing anti-gender sentiments in human rights directives in Brazil and in its foreign policy.¹⁴

23. The fight against “gender ideology” and the defense of “traditional values” and “family” were core principles in the National Human Rights Policy promoted by the Ministry of Women, Family, and Human Rights (MMFDH) of the Bolsonaro administration. It is worth pointing out

¹¹ Vitória Régia da Silva, "Má execução do orçamento ameaça políticas de enfrentamento à violência contra mulheres para 2022." *Gênero e Número*, November 23, 2021, accessed May 25, 2023,

<https://www.generonumero.media/orcamento-mulheres-2022/>; and Carmela Zigoni and José Antonio Moroni, "Há recursos para salvar as mulheres na pandemia: Damares precisa gastar." *Instituto de Estudos Socioeconômicos*, May 21, 2020, accessed May 26, 2023,

<https://www.inesc.org.br/ha-recursos-para-salvar-as-mulheres-na-pandemia-damares-precisa-gastar/>.
¹² Havolene Valinhos, "Ministério de Damares tem em 2022 menor orçamento para mulheres em 4 anos." *Folha de S.Paulo*, March 8, 2022, accessed May 26, 2022,

<https://www1.folha.uol.com.br/cotidiano/2022/03/ministerio-de-damares-tem-em-2022-menor-orcamento-para-mulheres-em-4-anos.shtml?origin=folha>.

¹³ International Covenant on Civil and Political Rights, CCPR/C/BRA/RQ/3, January 13, 2023, accessed May 29, 2023, <https://rb.gy/3n4y2>.

¹⁴ "Ofensivas anti-gênero no Brasil: Políticas de Estado, legislação, mobilização social," *Sexuality Policy Watch*, October 21, 2021, accessed May 25, 2022, <https://sxpolitics.org/ptbr/ofensivas-antigenero-no-brasil-politicas-de-estado-legislacao-mobilizacao-social/1215>.

that in relation to the defense of the family, no parameters are offered for the recognition of the diversity of family structures in Brazil.

24. As such, paragraph 49 of the replies of the Brazilian state conditions the country's commitment to sexual and reproductive rights to "conformity" with restrictive parameters of family, gender, and sexuality, demonstrating the lack of state alignment with international recommendations that encourage the strengthening of services provided for pregnancy interruption, seeking to offer sexual and reproductive health to women and girls in a comprehensive manner.

25. In 2022, under minister Eduardo Pazuello, the Secretariat of Primary Healthcare of the Department of Programmatic and Strategic Actions, under the Ministry of Health, released the first edition of the manual *Atenção Técnica para Prevenção, Avaliação e Conduta nos Casos de Abortamento* (Technical Attention for Prevention, Assessment, and Conduct in Cases of Abortion, in a free translation)¹⁵, as a guide for professionals who handle obstetric health and abortion cases. The document, which discusses clinical, legal, and ethical aspects of pregnancy interruption, states that "there are no legal abortions" in Brazil and that, in truth, all cases of abortion that do occur are "permitted illegal activities", and therefore "every abortion is a crime".

26. The manual also defends that abortion is not one of the main causes of maternal mortality, and hence should not be mentioned for ideological causes or in attempts to "inflate numbers to support political actions". In spite of this statement, maternal mortality in the Brazilian context is alarming, with abortion being the fourth leading cause.¹⁶ The report *Trends in maternal mortality 2000 to 2020*¹⁷, the result of research by the UN, indicates that, all over the world, unsafe abortions are among the main causes of maternal mortality.

27. In 2020, the Ministry of Health published ordinances¹⁸ that, instead of fulfilling Brazil's commitment to expanding access to termination of pregnancy, imposed even more obstacles to access to the service, in addition to promoting disinformation about the procedure and coercion of the women. In its first version, the ordinance (i) instituted compulsory notification to the

¹⁵ "Atenção técnica para prevenção, avaliação e conduta nos casos de abortamento," Ministério da Saúde, 2022, accessed May 26, 2023, https://www.andes.org.br/diretorios/files/renata/2022/atencao_prevencao_avaliacao_conduta_abortamento_1edrev.pdf.

¹⁶ Sávaia Cassia and Heloísa de Souza, "'Aborto é a quarta causa de morte materna no Brasil', afirma pesquisadora." *Brasil de Fato*, July 31, 2018, accessed May 29, 2023, <https://www.brasildefato.com.br/2018/07/31/aborto-e-a-quarta-causa-de-morte-materna-no-brasil-afirma-pesquisadora>; and Mikaella Mozer, "Brasil tem 55,82 de taxa de mortalidade materna, e o aborto é uma das principais causas, segundo pesquisa." *Revista Universidade*, March 23, 2021, accessed May 24, 2023, <https://blog.ufes.br/revistauniversidade/2021/03/23/brasil-tem-5582-de-taxa-de-mortalidade-materna-e-o-a-bortoe-uma-das-principais-causas-segundo-pesquisa/>.

¹⁷ "Trends in maternal mortality 2000 to 2020: estimates by WHO, UNICEF, UNFPA, World Bank Group and UNDESA/Population Division," World Health Organization, February 23, 2023, accessed May 26, 2023, <https://www.who.int/publications/i/item/9789240068759>.

¹⁸ "Portaria 2.282, de 27 de agosto de 2020," *Diário Oficial da União*, August 28, 2020, accessed May 25, 2023, <https://www.in.gov.br/en/web/dou/-/portaria-n-2.282-de-27-de-agosto-de-2020-274644814>; and "Portaria 2.561, de 23 de setembro de 2020," September 24, 2020, <https://www.in.gov.br/en/web/dou/-/portaria-n-2.561-de-23-de-setembro-de-2020-279185796>.

police in case of suspected rape; (ii) determined that the possibility of viewing the fetus or embryo using ultrasound should be offered; and (iii) forced doctors to provide inaccurate information about the risks of legal and safe abortion. After a reformulation resulting from the pressure of the civil society and justice institutions, compulsory notification to the police was maintained. This was opposed to measures such as the exemption of police registration for access to abortion, implemented in previous governments, which were based on evidence that reporting at the time of access to healthcare services does not contribute to the effective protection of women and girls.

28. However, it was not just through ordinances by the Ministry of Health that the Brazilian government moved towards a stance of human rights restrictions and violations when it comes to sexual and reproductive health. During her tenure as minister of the MMFDH, Damares Alves made multiple statements against legal abortions¹⁹ and, in 2020, became directly involved in the case of a 10-year-old girl who was to undergo the procedure after being sexually assaulted by an uncle. Alves and her team attempted to transfer the child to another hospital, pressured and intimidated the health professionals responsible for carrying out the procedure and even disclosed personal data on the child and the address where the pregnancy would be interrupted²⁰ to prevent the procedure from occurring.

29. It is important to note that, in January 2023, Ordinance no. 2,561/20²¹ was revoked by current minister of health, Nísia Trindade, who already indicated in her inaugural address that measures against science and human rights would be revised.²² The government also took down the website that displayed the manual on “Technical Attention for Prevention, Assessment, and Conduct in Cases of Abortion”.

30. Another action that should be highlighted is Brazil withdrawing from the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family on January 2023,²³ since the government considers that the document contains a limiting understanding of sexual and reproductive rights and of the concept of family.

¹⁹ Hamilton Ferrari, "Sou contra o aborto", diz futura ministra Damares Alves." *Correio Braziliense*, December 6, 2018, accessed May 26, 2023, https://www.correiobraziliense.com.br/app/noticia/politica/2018/12/06/interna_politica,723731/sou-contr-a-o-aborto-diz-futura-ministra-damares-alves.shtml.

²⁰ Carolina Vila-Nova, "Ministra Damares Alves agiu para impedir aborto em criança de 10 anos." *Folha de S.Paulo*, September 20, 2020, accessed May 26, 2023, <https://www1.folha.uol.com.br/cotidiano/2020/09/ministra-damares-alves-agiu-para-impedir-aborto-de-crianca-de-10-anos.shtml>.

²¹ "Ministério da Saúde publica nova portaria sobre interrupção da gravidez," Ministério da Saúde, September 24, 2020, accessed May 26, 2023, <https://www.gov.br/saude/pt-br/assuntos/noticias/2020/setembro/ministerio-da-saude-publica-nova-portaria-sobre-interruptao-da-gravidez>.

²² "Ministério da Saúde revoga portaria que dificultava aborto legal no SUS," *Conectas*, January 18, 2023, accessed May 26, 2023, <https://www.conectas.org/noticias/ministerio-da-saude-revoga-portaria-que-dificultava-aborto-legal-no-sus/>.

²³ "Desligamento do Brasil do Consenso de Genebra – Nota Conjunta do Ministério das Relações Exteriores, do Ministério da Saúde, do Ministério das Mulheres e do Ministério dos Direitos Humanos e da Cidadania," Ministério das Relações Exteriores, January 17, 2023, accessed May 25, 2023, https://www.gov.br/mre/pt-br/canais_atendimento/impressao/notas-a-impressao/desligamento-do-brasil-do-consenso-de-genebra.

31. One of the obstacles to expanding access to sexual and reproductive health services in Brazil are sanitary rules that impose excessive restrictions on the use of misoprostol. In addition to treating gastric issues, the drug also causes contractions in the uterus and the opening of its cervix, with the capacity to induce labor or abortion. This is currently considered one of the most important and safest methods to interrupt gestation worldwide (combined with another drug, mifepristone).

32. Of the six South American countries compared (Argentina, Bolivia, Brazil, Colombia, Peru, and Uruguay), Brazil is the only one that does not make the drug directly available to women in pharmacies or healthcare services.²⁴ Misoprostol is subject to an exceptional regulatory regime compared to other “medicines subject to special control”. Under this regime, the substance is restricted to hospital use and is subject to a series of unnecessary administrative requirements.

33. Together with the restrictive regulation of misoprostol is the unavailability of mifepristone in Brazil. In other countries, the medication is used in combination with misoprostol, increasing abortion effectiveness rates. The isolated use of misoprostol, although allowing for effective and safe termination of pregnancy, tends to take longer and to have more side effects. Both drugs are safe and increase the quality of sexual and reproductive healthcare services in the country, so regulatory barriers are not justified

34. In paragraphs 49, 50, 51 and 53 of the document *Replies of Brazil to the list of issues in relation to its third periodic report*, the Brazilian government sheds light on its order of priorities in protecting women’s sexual and reproductive rights (49), emphasizing its commitment to international instruments that defend the protection of life since conception (50) and stating its understanding of the superiority of the rights of children who have been born and conceived, and that the protection and assurance of their rights “prevail over each and every interest which entails exploitation of the unborn child, or even its elimination” (53).

35. These replies by Brazil oppose the recognition of women as rights bearers with autonomy and control over their sexuality and reproduction by promoting the idea that the fetus has rights that may overlap with the rights of women. The debate on life since conception, supported by article 4.1 of the American Convention of Human Rights, for instance, has been discussed within the case law of the Inter-American Court of Human Rights, with diverging interpretations, such as in the *Artavia Murillo* case.²⁵

36. The Brazilian Lower House of Representatives is currently discussing Draft Bill no. 434/2021, referred to as the Statute of the Unborn, which proposes the comprehensive

²⁴ “Mifepristona y Misoprostol en seis países de América Latina: procesos de registro y disponibilidad,” Consorcio Latinoamericano Contra El Aborto Inseguro, 2017, accessed May 26, 2023, <https://clacaidigital.info/handle/123456789/1000>.

²⁵ “Ficha Técnica: Artavia Murillo y otros (Fertilización in Vitro) Vs. Costa Rica,” Corte Interamericana de Derechos Humanos, 2012, accessed May 26, 2023, https://www.corteidh.or.cr/cf/Jurisprudencia2/ficha_tecnica.cfm?nId_Ficha=235.

protection of the "unborn", that is, "the human individual that is conceived, but not yet born".²⁶ The Statute of the Unborn is a proposal from 2007 (Draft Bill 478/2017) and according to data collected by the Feminist Center for Studies and Advisory - Cfemea show that, in 15 years, the Statute of the Unborn had 19 projects added. Of these, 12 were presented in the last legislature. The wording in the draft bill suggests that it will never be admissible to directly cause the death of the unborn, even if one of its genitors has committed sexual violence, because "the unborn conceived from an act of sexual violence has the same rights as all the other unborn".

37. This project is an immense assault against women's rights and represents a setback in terms of reproductive health; it re-victimizes and attempts to criminalize women and girls who have suffered sexual violence by preventing them from accessing pregnancy interruption procedures, even though this right is established by law. The draft bill also ignores UN recommendations on sexual and reproductive rights, as well as the rights to dignity, freedom and self-determination of women as a crucial part of the fight for gender equality.²⁷

38. Currently, around 72 bills in the National Congress seek to restrict the right to abortion. On the other hand, a Claim of Noncompliance with a Fundamental Precept (ADPF 442) that discusses the decriminalization of abortion has been before the Supreme Court since 2017; this action has so far not been judged.

²⁶ "PL n.434/2021," Câmara dos Deputados, February 11, 2021, accessed May 26, 2023, https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra?codteor=1963422&filename=PL%20434/2021.

²⁷ "Aborto," OHCHR, 2015, accessed May 26, 2023, https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WRGS/SexualHealth/INFO_Abortion_WEB_SP.pdf.