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Central de Atendimento à Mulher – Ligue 180

**51st session of the Committee on the Elimination of Discrimination against Women
Geneva, February 13 to March 2, 2012.**

VII PRESENTATION OF BRAZILIAN NATIONAL REPORT TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

February 17, 2012

On behalf of the Brazilian delegation, I would like to first congratulate the committee on the elimination of all forms of women discrimination which commemorates this year 30 years of relevant work on defending and promoting women's rights around the world.

We take part in this 51a session, to present the Brazilian XII report to the CEDAW Convention and to establish a enriching dialogue with the members of this committee, as we are also very proud to have at this present moment a Brazilian president - Dra. Silvia Pimentel, a well known defender and promoter of women's rights in our country. In her name, I would like pay tribute to the committee and thank them for the important work that they perform.

We also salute the representatives of the United Nation's agencies systems that are present in this session and, especially, colleagues of the feminist movements e of Brazilian women that are present here today – permanent sources of dialogue and stimulus who enables us to advance on the implementation process of national policies towards women in our country.

In this presentation we will update the information sent before and highlight implemented policies that have already led to concrete changes in the lives of Brazilian women. I have the honor, as the state Minister of the Secretariat for Women Policies, to lead the Brazilian Delegation, composed by representatives of seven other ministries (Foreign Affairs, Labor, Health, Justice, Rural Development, Social Security and Promotion of Racial Equality). Also represented by two advisors of the National Counsel of Women's Rights, one from the National Forum of Black Women e another one from the

Articulation of Organizations of Brazilian Black Women, here representing the Council CNDM. And also six parliamentarians, the Senators Angela Portela and Ana Rita, and congresswomen Aline Correa, Cida Borghetti, Gorete Pereira e Janete Pieta.

Here I wish to publicly acknowledge the vital support we have received from Ambassador Maria Nazareth Farani Azevedo, the Deputy Chief John Genesis de Almeida Jr. and the entire staff of the Permanent Mission of Brazil to the United Nations and Other International Organizations in Geneva.

We are present here today with a high level delegation, as a demonstration that the implementation of the CEDAW Convention is a high priority to our government; and with the acknowledgment that the construction of a democratic country is only a reality with the participation of women in equal power and social conditions as those enjoyed by men.

I would like to highlight that I recently, in February 10th, took office as the Minister of the Secretariat for Women Policies (SPM), and therefore I would like to pay tribute to the two Ministers that preceded me, responsible for the policies implemented during the period of this report: Minister Nilcea Freire and Iriny Lopes, who led the Secretariat on the first year of Dilma Rousseff's administration.

To us, this presentation has a special flavor. After the general election in our country, in October 2010, Brazil elected its very first women president. In the inaugural speech, President Dilma Rousseff made known her first commitment on her agenda: "to honor Brazilian women so that it becomes a natural event, so that this can be replicated and strengthened in companies, civil institutions, and civil society as a whole."

When putting together her administration, President Dilma was clear on her intentions of increasing the number of women heading the Ministries. The government started with 9 women. Currently, there are 10 women as the head of different Ministries. www2.planalto.gov.br/presidencia/ministros

This presentation is also special to us because the world currently lives through a unique opportunity with the creation of UN Women. Brazil is honored to join The Executive Board of UN Women, under the leadership of Michelle Bachelet, its first Executive Director, with whom we had a strong bond with her as she presents strong advocacy views towards democracy.

Today we have an important role in the region. Brazil, represented by the Secretariat of Policies for Women (SPM), hosts until 2013 the Regional Conference about Latina American and Caribbean Women. The consensus of Brasília, approved in the last Regional Conference, in Brasília in July 2010, is most assuredly an important step on the construction of honorable standards of equality thresholds between men and women around the world.

Besides representing innovation and advances as the first women occupying the highest level in the Executive power of the Federal Republic of Brazil, president Dilma Rousseff has also inaugurated another position of power in the international community, one never performed before by a women - In August 21 of 2010 she was the first woman to give an opening speech at the General Assembly of the United Nations.

We acknowledge that we still have a lot to improve to reach gender equality in our country. However such an endeavor is a process, and as a part of this process it is also important to recognize that we had challenges and have fought them, especially in the last decade, in a firm and serious way. The creation of the Department of Women Policies (SPM) and the Department of Policy Promotion on Racial Equality (SEPPIR) stand as clear demonstrations of the Brazilian government deciding to strengthen the country grounded on principles of fairness and equality.

Plan Brazil without Misery

In the 8 years of Luis Inacio Lula da Silva's administration, Brazil grew by adopting distribution of income plan – by taking 28 million Brazilians out of poverty and moving 36 million people to the middle class. This successful story motivated the government to assume new commitments on improving the lives of another 16 million people living in extreme poverty. With the *Plan Brazil without Misery*, launched by President Dilma, the country launches a national collective challenge.

In the first six months of the Plan Brasil without Misery, the federal government overclammed the target for 2011 and identified 407,000 other families that were entitled to the program “*Bolsa Familia*”. Of these, 325,000 are already receiving this allowance.

In the rural areas, *Brazil Without Poverty* Plan includes actions to promote citizenship and productive inclusion of rural women by hiring extensionists with balanced representation between men and women, diagnosis and planning of specific activities benefiting women and inclusion of women as holders of productive promotion. With this, the Government promotes the elimination of gender inequality in the context of extreme poverty.

We know that no one faces poverty, permanently, without facing the so-called structural inequalities - gender and race. It is necessary to articulate the central strategy of the Government, the promotion of economic and social independence and women policies, also looking at the differences among women themselves.

On the understanding that employment is central and that the creation of good jobs is a necessity, the Government has recently launched the “Plano Brazil Maior” (Greater Brazil Plan) to strengthen the industry, increasing its competitiveness, which should result on the creation of more jobs.

It was also announced new rules for micro and small companies, to encourage an the sector, which is a big job creator. Changes include tax breaks of \$ 4.8 billion in federal taxes only.

To stimulate informal and individual entrepreneurs and micro enterprises, generating more income and more job opportunities, the micro credit program was expanded, now called 'Crescer' (To grow) - National Program of Micro-credit.

CONSOLIDATION OF NATIONAL POLICY FOR WOMEN

In 2011, two major policies that directly impact the direction of the National Policy for Women were implemented. On one hand, the construction of the Multi Annual Plan 2012-2015 , an government planning tool that sets guidelines, goals and objectives in order to facilitate the implementation and management of public policies, guide the setting of priorities and assist in promoting sustainable development. On the other, the organization of the 3rd National Conference for Women Policies, which evaluated and redefined the priorities of the SECOND National Plan for Women for the next period.

Multi Annual (PPA) Plan 2012-2015 and Budget

Once again, the elaboration process of the Multi Annual Plan has proved that we still have major steps to take so that the issues of equality between women and men and racial equality have the necessary insertion as the mainstream of Plan. However, the debate has also shown a growing understanding of the structuring character of these issues. After negotiations, the Multi Annual Plan 2012-2015 has as its first directive guideline the "human rights guarantee with the reduction of gender, ethno-racial, regional and social inequalities".

It is worth mentioning that the second National Plan for Women Policies was used as a basis-document by the Ministry of Planning, which led to the process of drafting the Multi Annual Plan. Other documents made during the conference were used for the same purpose, aiming to bring into reality the policies which have been discussed in these forum debates with Brazilian society.

One should also highlight that the Secretariat for Policies for Women had an important role in the dialogue and articulation in the different forums where the drafting of the PPA was under discussion, so that the issue of equality between women and men could be included in the aims, goals and initiatives are embraced by the different programs.

As a consequence of this work, actions that guarantee the promotion of women's rights and of gender equality are spread through a sizable part of the Multi Annual Plan.

Among the advances in relation to countering racism and promoting racial equality, there is the adoption of the Statute of Racial Equality (Law 12.288/2010) in July 2010, establishing a series of measures aimed at reducing the racial inequalities and the Multi Annual Plan approved for the period 2012-2015, which includes not only a thematic program called Combat Racism and racial Equality, also mentions explicitly the issue of racial or Goals and Initiatives 25 other thematic programs .

3rd National Conference for Policies for Women

From 12 to 15 December 2011, Brazil held the 3rd National Conference for Policies for Women, mobilizing more than 200 thousand women in the entire country. Those were 4 days of intense debates. In the opening of the Conference, President Dilma Rouseff reaffirmed the importance of the Secretariat for Women Policies (SPM).

With nearly 2,300 delegates elected in the preparatory stages, the national stage of the 3rd CNPM gathered nearly 2,800 participants. The agenda of the National Conference was the Autonomy of Women and Equality.

The promotion of women's autonomy was established as a priority by the new management of SPM and is understood as economic and social autonomy, personal autonomy (which includes aspects of health and combating violence), political autonomy and cultural autonomy (involving educational and communication aspects).

The Conference reaffirms one of our government: the dialogue as social movements and the strengthening of popular participation.

Budget

The Annual Budget Law - LOA reserved for the Secretariat for Women Policies (SPM) R\$ 107.2 million reais for the year 2012. The federal budget is set in two consecutive moments: a proposal sent to Congress by the federal government (PLOA), and the final amount resulting from the amendments added to the budget by Congress, comprising the Budget Law (LOA). As can be seen in the table below, the Executive has increased the value relevant to the proposed budget of the SPM last year. The amount proposed by the executive (PLOA) set for 2012, is R\$ 74.9 million on expenditure to the Secretariat, 35.9% higher than the value proposed in 2011.

Table 1 - PLOA e LOA 2010-12

R\$ millions

Year	PLOA	LOA
2010	53,5	88,3
2011	55,1	109,0
2012	74,9	107,2

Thus, the budget execution is limited by the effective release of resources. As shown in Table 2, the committed expenditure in 2011 grew 2.9% compared to 2010, totaling R \$ 78.1 million, or roughly the volume of resources released.

Table 2 – Budget Execution - SPM 2009-11

R\$ millions	
Year	Committed Value
2009	73,8
2010	75,8
2011	78,1

When facing violence, the following issues are worthy of mention:

The Maria da Penha Law

On February 9 2012, Ministers of the Supreme Court unanimously concluded for the Declaratory Action of Constitutionality (ADC No. 19/2007) to declare constitutional Articles 1, 33 and 41, of the Maria da Penha Law (Law 11.340/06). The Ministers agreed that the Act does not offend the principle of equality (Article 1) and acknowledged the criminal courts as the proper forum for the trial of civil and criminal proceedings relating to such forms of violence. It was also ratified the prohibition of such actions to be processed in the special courts for "small claims" (Article 41).

This Declaratory Judgement Action was filed by the Presidency with the objective of incentivizing a uniform judicial interpretation of the Law Maria da Penha.

ADI - Direct Action of Unconstitutionality

With 10 votes against 1, the Supreme Federal Tribunal also decided in February 9th, the criminal suits grounded on the Maria da Penha Law can be filed, even without the representation of the victim. This means that even if the woman does not press charges against her aggressor, or if she drops the charges, the State must act, due to what it called and **unconditional public act (ação pública incondicionada)**. This possibility was defended by in the Direct Action of Unconstitutionality, brought forth by the General Attorney's Office, who questioned the opposite legal provision which punished domestic violence against women.

It is worthy to highlight that the Maria da Penha Law is known by 94% of the Brazilian population. It is Brazil's most popular law, considering the great extension and quantity of its norms. Its implementation is gradual due to the its procedures in the most areas: public security, in the judiciary, Public Ministry, the executive powers in states and municipalities.

Within all the measures taken, the Resolution of the National Council of Justice n.128, 17th of March of 2011 deserves special attention. I was signed on the V section of the Law Maria da Penha and establishes that Tribunals of Justice of all Brazilian states

should create within 180 days, in their organizational structure, a Coordination Office for the Woman in Situations of Domestic and Familiar Violence as permanent organs of the Advisory Office of the Court Presidency.

Central of Women's Assistance - *Dial 180* - International

The Central of Women's Assistance - *Dial 180* is a toll-free hotline that the Secretariat for Women Policies established in 2005 with the aim of providing a space for the Brazilian population to manifest itself on gender violence in its various forms . Call The 180 attends, on average, 65,000 women per month. By December 2011, there were over two million calls.

From November 2011 *Dial 180* expanded the service to Brazilian living in situations of violence in countries like Spain, Portugal and Italy. This service was formalized through an agreement between the Secretariat for Women Policies, Ministry of Foreign Affairs and Ministry of Justice to the National Secretariat of Justice and the Federal Police.

National Pact to Combat Violence against Women

The National Pact to Combat Violence against Women, launched in August 2007, was signed by the governments of 27 states and is divided into five major areas: 1) Ensuring the Implementation of Law Maria da Penha, 2) expansion and strengthening the network of services for women victims of violence, 3) Ensuring public safety and access to justice; 4) Guarantee sexual and reproductive rights, combating the sexual exploitation and trafficking of women and 5) Assurance empowerment of women in situations of violence and expansion of their rights.

Parliamentary Commission of Inquiries - Investigation of Violence situations against women in Brazil

The National Congress established in December 2011, the Parliamentary Commission of Inquiries in order to investigate situations of violence against women in Brazil. The CPMI has 180 days to investigate complaints of omission of the public power in relation to the application of legal instruments created for the protection of women.

The Commission was built after the initiative of the senators, Ana Rita (PT-ES), Lidice da Mata (PSB-BA), Lúcia Vânia (PSDB-GO), Marta Suplicy (PT-SP) and to Congress women Célia Rocha (PTB-AL), Elcione Barbalho (PMDB-PA), Janete Pietá (PT-SP) and Jô Moraes (PCdoB-MG), with the support of other 45 people from the Parliament.

The Health field/Healthcare in Brazil

The theme of women's health has historically been the subject of important policies, with heavy investment to reduce maternal death, such as the:

- Ordinance of the Minister's Office n. 653/2003 which mandates the reporting of maternal deaths
- Ordinance of the Minister's Office n. 1119/2008 which regulates the surveillance of maternal death and redefines the role of the Committees for the Prevention of Maternal Death
- 2010: Course of Distance Education, funded by the Technical Sector on Women's Health, to strengthen the Committee on the Prevention of Maternal Death and the notification and investigation of such.
- 2011: The *Stork Network*: A Strategy of the Ministry of Health, seeking to integrate the health care system to women during pregnancy and childbirth, based on the woman's right to have quality humane care, live the experience of pregnancy and childbirth in safety and dignity, as well as guarantee a safe labor to the child.
- Prenatal care quality that assures the binding of the pregnant woman to the place where delivery is to be made, the right to escort and safe transportation to the hospital's maternity sector.
- Implementation of good practices for care during labor and birth as well as reducing the number of unnecessary C-sections, increase in the number of Childbirth Centers in the country, training of traditional midwives, implementation of humanized delivery, presence of nurses obstetricians at the birth scene, reducing the number of episiotomies, entitlement of anesthesia (epidural) for pain relief and other good practices such as choice of position for childbirth and ambience on restructuring hospitals.
- It is worth noting that pregnancy among young women, ages 10-19 years, fell 20% between 2003 and 2009, consolidating the downward trend since the beginning of the decade. The reduction is directly related to expansion on access to contraceptives methods in public schools and drugstores connected to the "Aqui tem Farmacia Popular" (Here we have People's Pharmacy) Program, as well as the strengthening of prevention and family planning.
- Since 2009 the Technical Sector on Women's Health has been offering to Brazilian states and the DF courses to enhance qualification of doctors and nurses for emergencies and emergency obstetric care (more than 1500 professionals were trained in the last three years).

Provisional Measure 557 (MP 557)

Published in the Union Official Gazette in December 2011, the Provisional Measure 557 establishes the National System of Registration, Surveillance and Monitoring of Pregnant and Postpartum women for the Prevention of Maternal Mortality and additional aid for prenatal care and childbirth.

This measure arose from the need to establish a legal strategy of transferring the resources of aid to pregnant women and to create a way of monitoring the quality of care for pregnant women during prenatal care.

It is noteworthy that the registration of pregnant women is the same as that already existent “SISPRENATAL” system, which is a monitoring system of health care for pregnant women and that now becomes mandatory, but now it will be done only when the pregnant woman seeks the service.

Still on the MP report, made by the National Council of Health, Ministry of Health, Secretariat for Women Policies and representations of feminist movements and women in order to discuss and clarify the weak points of the same and to establish strategies that, if passed by the legislature, effectively serves to guarantee the rights of women to good quality health care. The MP will also be evaluated by Congress.

During 2011, the women's movement and feminists contributed on the incorporation of the perspective of comprehensive care to women's health in their pregnancy and childbirth in the “*Stork Network*” (Rede Cegonha).

The projection of the female population of childbearing age (10-49 years), according to the IBGE 2010, is 62 million women, 77% were current users of modern contraceptive methods, which corresponds to 47 500 million women. Of this total, approximately 74% are users of SUS (Unique Health System), in other words 34,327 million depend on access to public health methods. Today, SUS covers the needs of practically 100% of female clients in childbearing age.

In 2011, on seeking to improve women's access to contraceptive methods, the MS (Ministry of Health) increased the amount of all contraceptive methods, except the pill, which has shown a reduction in its use, since the MS has been consistently providing other methods, as injectables and DIU (intrauterine device).

One of the challenges still present is to extend and improve the quality of care for female victims of sexual violence

Alyne Pimentel Case

Regarding the Alyne Pimentel case, we would like to inform that Brazil has delivered its response to the Committee. We answer this question that was available before our presentation so that we could take advantage of this dialogue to reaffirm and strengthen the policies addressing maternal mortality in our country. I leave my commitment to make efforts with the Governor of the State of Rio de Janeiro to meet the recommendations of this Committee.

Rio + 20

Currently, we have a big challenge ahead - the Rio +20. The holding of the next United Nations Conference on Environment and Development demands from us to set priorities in this field. The triad: environmental, economic and social, bringing, as a new paradigm, the fact that it can no longer ignore incorporating the social dimension and the presence of women as beneficiaries and participants of the process of equal sustainable development that we are building in our country.

The presence and participation of women are crucial in the process of sustainability. In particular, the analysis of the conditions of workers have been revealing the unequal ways that characterize these conditions - whether in rural, urban or in the forest.

Several recent developments indicate how the organization of rural women have increased their participation in public spaces, which means improvements to their communities. Relevant example is the "*Marcha das Margaridas*" (March of the Daisies), which brought the theme: "Sustainable development with justice, autonomy, equality and freedom," and emphasized the fact that poverty, inequality, oppression and violence predominate among women workers in rural areas.

Policies towards some working sectors, almost invisible to policy makers but of extreme necessity to society, are precarious and need more attention. Such working fields include: housecleaners, street sweepers, fishers, indigenous women, disabled women and black women, among many other categories of workers.

The challenge now is to make real what was proposed in the National Plan for women, with updates discussed at the 3rd Conference on Women Policies. At the same time, one must not overlook that in the sexual division of labor, women stay with a disproportionate responsibility in society, since they are responsible for social reproduction. Recognizing this reality and change it - today, in our country - also means valuing their contribution in the process of national development, integrating them in the economy and in national accounts.