



RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIR's](#) | [Help](#)

05 December 2005

BRA100766.FE

Brazil: Domestic violence (2005)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

General situation

Domestic violence is still widespread and underreported in Brazil (Brazil Mar. 2005, 2; *Country Reports 2004* 28 Feb. 2005, Sec. 5).

A 2004 study of 16,433,682 women in 27 Brazilian towns (Brazil, Mar. 2005, 3), conducted by the Federal Senate, Research and Public Opinion Undersecretariat (*Senado Federal, Subsecretaria de pesquisa e opiniao pública*), indicated that 17 per cent of the women interviewed had experienced domestic violence at some point in their lives (ibid., 9). Of these, 55 per cent experienced physical abuse, 24 per cent mental abuse, 14 per cent emotional abuse, and 7 per cent sexual abuse (ibid.). The population of Brazil numbers 184.2 million (Canada Oct. 2005), of which women, according to a *brazzil magazine* article, make up 50.77 per cent of the total (1 Mar. 2004).

In 2003, approximately 340 "Police Stations for the Defence of Women" (*Delegacias Especiais de Atendimento a Mulher*) were operating in Brazil (OMCT 1 Oct. 2005, 22; see also *Country Reports 2004* 28 Feb. 2005, Sec. 5). Established in 2003 to provide better access to police services for women, the stations are staffed with female officers. (ibid.; OMCT 1 Oct. 2005, 22). However, according to *Human Rights Violations in Brazil*, a report published by the World Organisation Against Torture (Organisation mondiale contre la torture, OMCT), "most of the existing special police stations are ill equipped to respond to the needs of female victims of domestic violence" (OMCT 1 Oct. 2005, 23). The same source further reported that "therapy and social services are not considered essential, despite having been clearly demonstrated as an important part of the help process" (ibid.).

The study on domestic violence conducted by the Federal Senate, Research and Public Opinion Undersecretariat indicated that 16 per cent of women who experience domestic violence of some type report the attack to regular police, whereas 22 per cent report their case to a police station for the defence of women (Brazil Mar. 2005, 19). The same study, however, showed that 25.2 per cent of women who experience domestic violence do not report it and 22.3 per cent confide only in family members (ibid., 26). Of the women interviewed for this study, 71 per cent had been victims of domestic violence more than once and, of those victims, 50 per cent reported four or more incidents (ibid., 10). Based on such data, the study characterized domestic violence as a practice that repeats itself (ibid.).

According to correspondence from a representative of the Feminist Studies and Consultation Centre (*Centro Feminista de Estudos e Assessoria*, CFEMEA) in Brasilia, police stations do not compile statistics on the number of domestic violence cases reported (28 Nov. 2005). The CFEMEA representative added that, in Brazil, no one is willing to initiate and oversee such a task (28 Nov. 2005). Furthermore, the representative stated that the issue of domestic violence is skirted round rather than given the attention it needs (CFEMEA, 28 Nov.

2005). Organizations, including the CFEMEA, that have studied the issue of domestic violence in Brazil are pressuring the government to collect statistics in order to better understand the extent of the problem (ibid.).

Legal situation

On 3 June 2004, the Government of Brazil enacted Decree No. 5.099, which requires public and private health centres to report all cases of domestic violence against women to legal authorities (OMCT 1 Oct. 2005, 74-75; *Country Reports 2004* 28 Feb. 2005, Sec. 5; *brazzil magazine* 1 Mar. 2004).

On 17 June 2004, Brazil adopted Law No. 10.886, which amended the 1940 penal code and criminalized domestic violence (UN 14 Jan. 2005; see also OMCT 1 Oct. 2005, 75). Law No. 10.886 "imposes a prison sentence of six months to one year on a person who injures his or her mother or father, grandmother or grandfather, child, spouse or domestic partner" (UN 14 Jan. 2005). No information on whether or not such sentencing is enforced could be found among the sources consulted by the Research Directorate.

Correspondence sent to the Research Directorate on 28 November 2005 by a CFEMEA representative indicated that the Brazilian feminist movement had presented the government with a bill (PL 4.559/04) addressing violence against women, in which prevention and protection measures for victims were outlined, as well as recommendations for reform of the police and legal systems (see also OMCT 1 Oct. 2005, 75).

Apparecida Maria d'Almeida, president of the State Council for the Status of Women in São Paulo (Conselho Estadual da Condição Feminina em São Paulo), cited in an article in the Bunge Foundation's April/May 2005 *Citizenship Journal* reprinted on the Ao mestre Website, is of the opinion that Brazil's current legal system lacks the measures to protect women (Ao mestre com carinho, n.d.). According to Aparecida Maria d'Almeida, beyond physical and emotional abuse, women must deal with social and economic pressures and, quite often, victims lack the financial means to leave a violent partner (ibid.). The same source further added that staff at women's shelters do not always have the knowledge or skills needed to help victims of domestic violence, particularly when aiding them overcome their sense of isolation (ibid.).

According to Anne Paula Gonçalves, a lawyer and magistrate with the Special Secretariat for Women's Affairs (*Secretaria Especial de Políticas para as Mulheres*), also cited in the previously mentioned article reprinted on the Ao mestre Website, the hotline for domestic violence against women recorded 400 complaints in 2004 (ibid.). In addition to providing legal information to women, as well as information on help and resources available to them, the hotline also offers psychological counselling (ibid.). The magistrate hopes that the service will be improved by the two initiatives planned for 2005: a study whose aim is to establish a profile of the victims of domestic violence to better guide government intervention, and the launch of a toll-free help line to facilitate access to information (ibid.).

In June 2005, Brazil's federal government pledged US\$2.04 million to implement a program to combat domestic violence. The objectives of the program are "to reduce physical and psychological aggression in the home" and to sensitize the public to the problem (*brazzil magazine* 17 June 2005). Partnership with NGOs, local authorities and the private sector raised the program's funds to US\$16.3 million, some of which will be invested toward upgrading equipment at police stations throughout the country so that officers can deal more effectively with cases of domestic violence (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Ao mestre com carinho. N.d. "Violência doméstica: Informação e leis são as armas na luta pela dignidade." <<http://www.aomestre.com.br/cid/cid.htm>> [Accessed 28 Nov. 2005]

Brazil. March 2005. Senado Federal, Subsecretaria de pesquisa e opinião pública. *Relatório de Pesquisa: Violência Doméstica Contra a Mulher*. <<http://www.pflmulher.org.br/RelatorioViolenciaContraMulher.pdf>> [Accessed 28 Nov. 2005]

brazzil magazine. 17 June 2005. Márcia Wonghon. "Brazil Gets Serious About Violence Against Women." <<http://www.brazzilmag.com/content/view/2856/49/>> [Accessed 29 Nov. 2005]

_____. 1 March 2004. Paula Menna Barreto. "Brazil: Domestic Abuse Ends in the Hospital." <<http://www.brazzil.com/content/view/1696/58/>> [Accessed 28 Nov. 2005]

Canada. October 2005. Foreign Affairs Canada. "Fact Sheet - Brazil." <<http://www.infoexport.gc.ca/ie-fr/DisplayDocument.jsp?did=217&gid=188>> [Accessed 30 Nov. 2005]

Centro Feminista de Estudos e Assessoria (CFEMEA). 28 November 2005. Correspondence from a representative.

Country Reports on Human Rights Practices for 2004. 28 February 2005. "Brazil." United States Department of State. <<http://www.state.gov/g/drl/rls/hrrpt/2004/41751.htm>> [Accessed 25 Nov. 2005]

United Nations (UN). 14 January 2005. UN Population Fund (UNFPA). Issue 47. *UNFPA Global Population Policy Update*. "Brazil Criminalizes Domestic Violence." <<http://www.unfpa.org/parliamentarians/news/newsletters/issue47.htm>> [Accessed 29 Nov. 2005]

World Organisation Against Torture (Organisation mondiale contre la torture, OMCT). 1 October 2005. *Human Rights Violations in Brazil: An NGO Report to the United Nations Human Rights Committee*. <http://www.omct.org/pdf/procedures/2005/85th_hr_commission/ngo_reports/hrc85_brazil_ngo_report.pdf> [Accessed 29 Nov. 2005]

Additional Source Consulted

Internet sites, including: Adital, Amnesty International, Brazil Network, Conselho Nacional de Secretários Municipais de Saúde, EFE News, Fundação Perseu Abramo, Human Rights Watch, Inter-American Foundation for the Defense of Human Rights, PeaceWomen, PFL Mulher, Ponta Pora News, National Latino Alliance for the Elimination of Domestic Violence, World Health Organization.

 [Top of Page](#)

[Important Notices](#)

The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.