



Special Rapporteur on violence against women, its causes and consequences  
Geneva, Switzerland

**Deadline**

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**Issued by:**

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**Purpose:**

To inform the Special Rapporteur's report on femicide to be presented at the 76<sup>th</sup> session of the General Assembly

**Background**

The issue of femicide, or gender-related killings of women, has been a thematic priority for the UN Special Rapporteur on violence against women, its causes and consequences. In 2015, Ms. Dubravka Simonovic issued a call to States to establish a “femicide watch” and/or observatories, and in her report to the General Assembly in September 2016 (A/71/398), she further elaborated on the modalities for establishing such a mechanism. Since then, she has made yearly calls to States to submit information on the measures taken and provide data on cases of femicide.

The Special Rapporteur intends to take stock on progress made to prevent and combat femicide, particularly in the context of the Femicide Watch initiative, as well as to collect good practices and issue recommendations on the use of data to design and implement effective prevention strategies on femicide. Her findings will be presented in a report to the 76th session of the UN General Assembly.

**Objectives**

The overall aim of the Femicide Watch initiative has been to promote evidence-based policies and strategies for the prevention of femicide, through the collection of comparable data on femicide rates at the national, regional and global level. Analysed from a human rights perspective by national multidisciplinary bodies, data on femicides can be used by Governments in order to determine shortcomings within national laws and policies, including their lack of implementation, and to undertake preventive measures.

Important steps have been taken to implement the Special Rapporteur's recommendations in this regard, particularly in the establishment of femicide watches / observatories. Tasked with collecting and disseminating data on femicides, a number of such observatories have been set up in the past three years by Governments, independent human rights mechanisms and civil society or academic institutions.

As more data has been collected and made available by femicide observatories, including detailed information on the relationship between victims and perpetrators, Governments in those countries are equipped with a useful tool that should be applied towards prevention. The Special Rapporteur would like to highlight the need to use



effectively this data towards evaluating and improving policy responses to femicide, including reviewing the efficacy of protection mechanisms, improving training to judicial and police officials, and amending legislation where necessary.

Key questions and types of input sought

The Special Rapporteur kindly seeks the continued support of States, National Human Rights Institutions, civil society actors, international organizations, academics and other stakeholders to provide information:

1. On the existence, or progress in the creation, of a national femicide watch and/or femicide observatory and/or observatory on violence against women with a femicide watch role; observatories at Ombudspersons' office or Equality Bodies; academic institutions and/or NGOs, or any plans to create one.

Several Brazilian states have local observatories that usually involve universities, justice agencies and civil society organizations. However, these spaces do not usually generate data on lesbian femicide, recognizing only those arising from domestic violence and heteronormative relationships. However, in 2018, the *Lesbocídio* dossier was published, which was the result of a survey through social networks on violent deaths of the lesbian population between 2014 and 2017.

Other data logging tools include SINAN and Dial 100. The SINAN, Information System of Notifiable Diseases, is used by the Unified Health System to record violence and deaths. The system identifies the sexual orientation and gender identity of victims and is an important diagnosis tool. However, since 2019, there has been no publication regarding violence against the LGBTI+ population nor against the Afro-descendant population, a negligent decision made by the current government.

Dial 100 is a telephone channel of allegations of violence and human rights violations against several populations, including the LGBTI population. Dial 100 began to register cases of the LGBTI genocide (among the lesbian-femicide and transfemicide) since 2017. However, due to a lack of responses to the complaints and a lack of data information, Dial 100 less equipped in combating violence and discrimination.

3. On the results of analysis of femicide cases, including the review of previous court cases and recommendations and actions undertaken in this respect.

The inclusion of lesbian, *travestis* and transgender women in the Femicide Law occurred in 2016, from the publication of the “National Guidelines: Femicide,” however bisexual women were left out. Even with this advancement the recognition of femicide motivated by lesbophobia has always depended on the actors involved in the system of human rights.

4. On concrete measures taken to improve support to victims of violence and to prevent femicide, (risk assessment, efficiency of protection orders), in connection with the information gathered via femicide watches or observatories.



The protective measures of women who are victims of domestic and family violence often do not extend to lesbians and bisexual women because they refer to women who are victims of people with emotional ties.

5. On good practices and challenges in implementing an evidence-based response to the prevention of femicide.

Between 2003 and 2016, the Brazilian State developed various policies and actions for the protection and promotion of citizenship of the LGBTI+ population. However, with the democratic fragmentation these actions were gradually weakened and from 2019 public policies were discontinued. However, these actions still serve as a reference for municipal and state policies. Actions and policies are highlighted below:

- School without Homophobia

Program to combat prejudice and violence against the LGBT population and schools

- Law Maria da Penha –Law 11.340, August 6, 2006

This law creates mechanisms to curb domestic and family violence against women, as well as its development created a protective system that includes specialized police stations, reception spaces, and the Brazilian Women’s House for multi-professional care. In addition to advancing in the protection of women’s rights, through art. 2º and art. 5º, the law makes it clear that it applies independently of the sexual orientation of individuals, thus ensuring its validity for LBT women.

- National Pact to Combat Violence against Women

Seeks to guarantee the rights to sexuality

- National Policy on Integral Health of Lesbians, Gays, Bisexuals, Transvestites and Transsexuals (PNSILGBT – Ordinance GM/MS nº 2.836/2011)

Among other things, it enabled the inclusion of data on sexual orientation and gender identity in SINAN

- Dial 100- inclusion of the “Homophobia/LGBT” service module in receiving complaints
- National System for Promoting Rights and Combating Violence against Lesbians, Gays, Bisexuals, Transvestites and Transsexuals – LGBT (SDH Ordinance nº 766, July 3, 2013)
- Resolution nº 11/2014 - CNCD/LGBT

Establishes the parameters for inclusion in the occurrence bulletins issued by police authorities in the national territory of items: sexual orientation, gender identity and social name.

- Interministerial Ordinance nº 1, February 6, 2015



It establishes the Inter-Ministerial Commission on Combating Violence against Lesbians, Gays, Bisexuals, Transvestites and Transsexuals (CIEV-LGBT)

- Law 13,104/15 – Femicide

Deputy Maria do Rosario (PT-RS) also protects lesbian and transgender women.  
Law 13.718/18

- Sexual Harassment Act encompasses corrective rape against lesbians, bisexual women and trans men.

- The Supreme Federal Court equates LGBTIfobia to the crime of racism (ADO n° 26 and MRI n° 4733. (13/06)

6. On data, if available, on femicides or intimate-partner and family-related homicides of women and men in the past 3 years, including during the Covid-19 pandemic (indicating the time period e.g. since March 2020 to the end of December 2020) and its comparison with such data before the COVID-19 pandemic.

There are an average of 4,000 violent deaths of women in Brazil. With the approval of the Femicide Law in 2015 (n° 13,104) the deaths of women by their partners/ex-partners are being recognized as Femicide, which according to Epidemiological Bulletin 49 (SINAN, 2020) represents 38% of lethal violence against women. With the release of the "National Guidelines: Femicide" other cases, such as rape and murder, also came to be recognized as Femicide. However, lethal violence against lesbians and bisexual women is still poorly recognized as femicide does not appear in official federal government documents.