



CONTRIBUTIONS AND RECOMMENDATIONS TO THE

UN Framework for the Analysis of Atrocity Crimes

an ethnic, racial, and gender perspective
based on the Brazilian reality

Articulation for the Monitoring of
Human Rights in Brazil

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Publisher: EAB Editora
Artwork and illustrations: Nanna Tariki
Layout: Rodrigo Oscar Roman
Cover: Rodrigo Oscar Roman
Proofreading: Araceli Pimentel Godinho

Text preparation:
Benilda Brito and Tatiane dos Santos Duarte

Action coordination:
Enéias da Rosa – Coordination for the Monitoring of Human Rights in Brazil
Cibele Kuss – Lutheran Diaconia Foundation / Ecumenical Forum Act Brazil
Romi Bencke – National Council of Christian Churches / Ecumenical Forum Act Brazil
Monique Cruz – Global Justice
Rita Correa Brandão – Brazilian Institute of Social and Economic Analysis (Ibase)

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*Cursed be all fences that
deprive us of living and loving.*

Dom Pedro Casaldaglia

*Being a woman, even today, means knowing
and being aware of the struggle for respect
and dignity as a daily pill. Being a black
woman is somewhat more intense, because
the dose of this daily medicine is even more
necessary for the possibility of staying alive.*

Mônica Custódio

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Introduction

The purpose of this document is to present the grounds, arguments, and evidence supporting the denunciation of atrocity crimes and genocidal practices in Brazil, particularly those directed at Black and Indigenous populations, with an emphasis on the specific impacts experienced by women from these groups. It also includes the experiences of trans women, another historically vulnerable group whose rights are systematically denied by state and social structures.

Based on official data, international treaties, and decolonial theoretical approaches, the document aims to help broaden the international legal understanding of genocide crimes in the context of local structural violence. Based on a critical analysis of the legal frameworks of the United Nations, especially the Convention on the Prevention and Punishment of the Crime of Genocide (1948)¹ and the UN Framework for the Analysis of Atrocity Crimes (2006), it is observed that the current classification has significant limitations when applied in contexts of structural violence, such as in Brazil, against certain groups and peoples.

It is noted that the practice of genocide, traditionally understood in terms of war, armed conflict, and explicit acts of physical extermination, does not fully encompass situations in

1 https://www.planalto.gov.br/ccivil_03/atos/decretos/1952/d30822.html

which violence also manifests as language through state actions and omissions, institutional racism, epistemicide, programmed poverty, and systematic exclusion.

In Brazil, Black and Indigenous populations have faced centuries of continuous violations of their fundamental rights, produced and reproduced by state structures that neglect their rights to life, health, education, security, religious freedom, and political participation. Black and Indigenous women, as well as trans women and other people who experience intersections between gender, race, sexuality, and poverty, find themselves at the confluence of multiple oppressions, which further exacerbates their exposure to gender-based violence, economic exploitation, social exclusion, and ethnic-racial and cis-heteronormative discrimination.

Objectives

- Analyze the concept of “genocide” and atrocity crimes from the perspective of the UN and highlight its limitations when applied to the Brazilian reality.
- Denounce the actions (and omissions) of the Brazilian State in perpetuating racial and gender violence.
- Demand recognition of the violence experienced by Black and Indigenous women as genocide, including in its cultural, epistemic, and environmental forms.
- Propose practical recommendations to the Brazilian government, the UN, and international organizations.

1. UN definition and classification of atrocity crimes and genocide

1.1. Structural and systemic elements in the classification of atrocity crimes

After World War II, in light of the identification of serious offenses involving violations of individual rights between countries and within their territories, such violations began to be conceived as international crimes within the framework of international law. The Nuremberg Trials (1945-1946) were a milestone in the prosecution of crimes against humanity. In 1948, the Universal Declaration of Human Rights was signed, consolidating fundamental principles and definitions of what human rights were and how they should be protected and guaranteed. In the same year, the 1948 Convention on the Prevention and Punishment of the Crime of Genocide defined the war crimes committed during the World Wars and discussed the accountability of their perpetrators. In this context, the creation of international mechanisms for the protection of human rights became a requirement in order to prevent impunity for flagrant human rights violations.

It is undeniable that the declaration of human rights was fundamental in establishing a new paradigm for and about individual relations and relations between states in the context of the 20th century. For some theorists, the new paradigm was developed through a universalist model based on European and North American experiences, rendering invisible the struggles and worldviews of colonized peoples. This paradigm maintains hierarchies of power that continue to exclude alternative ways of understanding and claiming human and fundamental rights in times of peace or war.

The construction of human rights in the postwar period was shaped by institutions dominated by Western powers, and the Universal Declaration of Human Rights (1948) reflected European liberal values, with crimes such as genocide being classified based on the atrocities committed in Europe, especially the Holocaust. In this sense, decolonial critiques counterbalance this European perspective of universalism: the universalization of rights must occur through dialogue between different cultures and not through the imposition of a single model².

These critical voices have proposed that the human rights paradigm should recognize and value the interculturalities forged in coloniality as legitimate legal and political rationalities in their

2 Cf. BRAGATO, Fernanda Frizzo. Para além do discurso eurocêntrico dos direitos humanos: contribuições descoloniais. *Revista Novos Estudos Jurídicos*, [s. l.], v. 19, n. 1, p. 201-230, jan./abr. 2014. | MALDONADO-TORRES, Nelson. On the Coloniality of Human Rights. *Revista Crítica de Ciências Sociais*, [s. l.], p. 117-136, dez. 2017. | PIRES, Thula Rafaela de Oliveira. Por uma concepção amefricana de direitos humanos. In: HOLLANDA, Heloísa Buarque de (org.). *Pensamento Feminista Hoje: perspectivas descoloniais*. Rio de Janeiro: Bazar do Tempo, 2020. p. 298-318. | ZEIFERT, Anna Paula Bagetti; AGNOLETTA, Vitória. O pensamento decolonial e a teoria crítica dos direitos humanos: saberes e dignidades nas sociedades latino-americanas. *Revista Humus*, [s. l.], v. 9, n. 26, 2019.

own right³. Joaquín Herrera Flores⁴, for example, proposes a critical approach to human rights in which they are understood according to specific contexts and through the demands and struggles of oppressed groups, rather than simply being recognized by international treaties and as abstract and universal norms.

The perspective brought by these new approaches is that the violations committed against Indigenous peoples in the Americas, African populations subjected to European colonial rule, and historical massacres — such as the Armenian genocide perpetrated by the Ottoman Empire, French colonial atrocities in Algeria, and the extreme violence imposed by Belgium in the Congo — are also recognized as atrocity crimes under international law.

It is therefore argued that colonial crimes, often excluded from traditional legal categories, should be understood as part of the continuum of atrocities, since their structural effects persist to this day, fueling inequalities, social conflicts, and dynamics of domination. Furthermore, such crimes share the same fundamental elements that characterize atrocity crimes under the international

3 Cf. MARQUES GERVÁSIO, Ana Laura; MONTEIRO DE BARROS, Eloá Leão; DE SOUZA LISBÔA, Natália. Repensar os Direitos Humanos a partir da Crítica Decolonial: situando discursos possíveis e caminhos realistas pelas lutas sociais. InSURgência: journal of rights and social movements, [s. l.], v. 9, n. 1, p. 271-292, jan./june. 2023.

4 Cf. HERRERA FLORES, Joaquín. A reinvenção dos direitos humanos. Translated from Spanish by Carlos Garcia; Antonio Suxberger e Jefferson Dias. Florianópolis: Boiteux Foundation: IDHID, 2009. | HERRERA FLORES, Joaquín. Direitos humanos, intercultu- ralidade e racionalidade de resistência. Sequência: Estudos Jurídicos e Políticos, Florianópolis, p. 9-30, jan. 2020.

paradigm: the intent to destroy specific groups, the systematic dehumanization, and the historical impunity that sustains such crimes.

1.2. Legal and political elements in the UN definition of atrocity crimes

In the post-war period, a set of conventions was established to describe and define rights and their violations, as well as the subjects to be protected and the methodologies for such protection. The Convention on the Prevention and Punishment of the Crime of Genocide (1948)⁵, the Rome Statute of the International Criminal Court (1998)⁶, the Geneva Conventions (1949)⁷, and the Additional Protocols (1977)⁸ are important international treaties that provide new guidelines for safeguarding human rights at the international level.

The International Criminal Court, established by the Rome Statute in 1998, began its work in 2002 with jurisdiction over four types of crimes: crimes against humanity, genocide, war crimes, and the crime of aggression. The establishment of this Court stems from the very requirement to define atrocity crimes, based on the principle of the Responsibility to Protect (R2P). This means

5 Available at: https://www.planalto.gov.br/ccivil_03/atos/decretos/1952/d30822.html. Visited: March 12 2025

6 Available at: https://www.planalto.gov.br/ccivil_03/decreto/2002/D4388.htm. Visited: March 12 2025

7 Available at: https://www.planalto.gov.br/ccivil_03/decreto/1950-1969/d42121.htm. Visited: March 12 2025.

8 Available at: https://www.planalto.gov.br/ccivil_03/decreto/1990-1994/d0849.htm. Visited: March 12 2025.

that it is incumbent upon States and the international community to prevent such crimes and hold their perpetrators accountable.

During the 2005 United Nations World Summit, heads of state committed to protecting their national populations from four international crimes defined as atrocities and resulting from acts that affect the essential dignity of human beings, both in times of peace and in times of war: genocide, war crimes, crimes against humanity, and ethnic cleansing. The first three crime categories were defined through international legal documents, such as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1949 Geneva Conventions and their 1977 Additional Protocols, and the 1998 Rome Statute, which defines crimes such as genocide, crimes against humanity, and war crimes, ensuring that they are investigated by an International Criminal Court (ICC).

Atrocity crimes, as defined by the United Nations (UN), are those that represent the most serious violations of international law and human rights. The benchmark document defining and addressing these crimes is the Responsibility to Protect (R2P)⁹ principle, adopted at the 2005 World Summit, which establishes that the international community has an obligation to protect populations in cases where states fail to act or omit action against four crimes: genocide, crimes against humanity, war crimes, and ethnic cleansing.

Although these treaties and mechanisms are essential for advancing human rights at the local level, their effectiveness is hampered by political factors. The permanent members of the Security Council — the US, Russia, China, France, and the UK —

9 Available at: <https://www.globalr2p.org/what-is-r2p/>. Visited: March 12 2025.

can exercise their veto power and block initiatives against atrocity crimes in certain countries, perpetuating inequalities and selectivity in the application of the Responsibility to Protect (R2P).

There was rapid mobilization in crises such as the one in Libya in 2011, but conflicts in Palestine, Yemen, and the Democratic Republic of Congo remain unsolved and without effective responses. In general, such crimes occur amid geopolitical disputes or under authoritarian governments, and their classification involves not only methodological and legal criteria that shape the response of the UN and the international community, but also strategic interests, political and economic alliances, and the states' resistance to external interference.

1.3. Identifying structural and systemic factors in the classification of atrocity crimes

The document “UN Framework of Analysis for Atrocity Crimes¹⁰” establishes objective standards for identifying such crimes, and defines the responsibility of states and individuals. According to this framework, atrocity crimes are defined as three types of international crimes: genocide, crimes against humanity, and war crimes. Atrocities are not isolated or random cases, but rather part of a broader process of systematic rights violations in territories.

¹⁰ UNITED NATIONS. Framework of Analysis for Atrocity Crimes: A tool for prevention. New York City, 2014.

The classification of atrocity crimes requires identifying structural and systemic factors that create conditions for their occurrence, such as institutional fragility, socioeconomic inequality, hate speech, and armed conflict. Authoritarian regimes and the lack of judicial independence favor impunity, while social exclusion and deprivation of rights make certain groups more vulnerable to extreme violence.

Furthermore, state propaganda and the construction of exclusionary identities legitimize persecution and massacres, especially in contexts of political instability and war. Factors such as authoritarian regimes, armed conflicts, institutionalized discrimination, and impunity are conditions conducive to the occurrence of these crimes. Finally, there is also hate speech promoted by authorities, politicians, religious leaders, business leaders, the media, and digital platforms, which dehumanize certain social groups, legitimizing the historical structures of systematic violations against them.

The Framework of Analysis for Atrocity Crimes identifies a history of serious violations of international human rights as one of the common risk factors. In addition to this, we draw attention to the urgency of analyzing other factors that have contributed to triggering atrocity crimes, since the current typology does not seem to consider the continuing impact of colonialism and neocolonialism in some territories as structural factors leading to conflict and systemic violence.

1.4. Risk factors for the classification of atrocity crimes

According to the Framework of Analysis for Atrocity Crimes, in order to prevent and respond adequately to the threat of atrocity crimes, it is necessary to analyze the situation and identify warning signs; to this end, risk factors and aggravating conditions that may culminate in the perpetration of such serious crimes have been established. This document defines a parameter for indicating risk — whether it is emerging or growing — and the possibility of such risk escalating to more lethal actions of human rights violations.

This methodology serves as a guideline for states to respond more effectively and take preventive action against potentially aggravating situations, ensuring the protection of the populations involved and preventing further deterioration of the situation. Risk factors are structural, political, social, or economic elements that create an environment conducive to the outbreak of these crimes. They are categorized as follows:

- **Common risk factors:** these are factors that increase the vulnerability of a country or society to atrocity crimes in general, without necessarily being linked to a specific crime. They include:
 - Frail institutions – weak or collapsed states, with no rule of law;
 - History of violence or discrimination – prolonged persecution of certain groups;
 - Impunity and lack of justice – no accountability for past crimes;

- Hate speech and extreme polarization – propaganda that dehumanizes certain groups;
- **Specific risk factors:** these are directly linked to the occurrence of a specific type of atrocity crime, such as genocide, crimes against humanity, or war crimes. Some examples:
 - for genocide – direct and public incitement to exterminate a group, demonstrated intent to destroy a protected group (ethnic, national, racial, or religious) in whole or in part, through, for example, public speeches or statements by leaders (governmental or otherwise), systematic public policies with destructive effects, campaigns to dehumanize or demonize a group;
 - for crimes against humanity – systematic and widespread attacks against the civilian population;
 - for war crimes – violations of the laws of war, such as deliberate attacks against civilians and the use of prohibited weapons.

However, it is important to consider the types of risk factors for atrocity crimes when, in some cases, ethnic and political disputes are fueled by the colonial nature of power, that is, the way in which colonial structures continue to shape the modern world. This can be seen in the armed conflicts in former colonies (Africa, Asia, the Middle East, Latin America, and the Caribbean), which often originate from the imposition of artificial borders and the exploitation of natural resources by Western companies. Besides, keeping countries from the Global South out of international decisions prevents more voices from being heard in debates about serious crimes from the perspective of other sources of law.

1.5. UN definition and classification of genocide in the international context

The Framework of Analysis for Atrocity Crimes allows for the definition of genocide by offering structured criteria to identify and assess the occurrence of this crime. Based on these criteria, the Framework verifies the presence of common and specific risk factors, such as frail institutions, hate speech, and discriminatory policies that result in the destruction of a racial, ethnic, national, or religious group. In addition, the Framework guides the application of the legal elements set forth in the 1948 UN Convention, such as deliberate intent (*mens rea*) and genocidal acts (*actus reus*), including mass murder, imposing degrading living conditions, and preventing births in the target group. Thus, by analyzing a specific context under these parameters, the Framework enables the classification of genocide and contributes to its denunciation and international accountability.

The Framework of Analysis understands the crime of genocide as "acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group," which includes "killing members of the group, causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."¹¹

The justification for constituting genocide is that there is "a proven intention on the part of the perpetrators to physically destroy a national, ethnic, racial, or religious group" (highlights

11 UNITED NATIONS. Framework of Analysis for Atrocity Crimes: A tool for prevention. New York City, 2014.

by the authors). Although it is stated that the victims of this crime are “deliberately — and not randomly — targeted because of their actual or perceived affiliation with one of the four protected groups.”¹²

Nevertheless, the document does not consider cultural genocide and epistemicide, such as the destruction of Indigenous languages and knowledge, and colonial genocide, such as mass killings in European colonies, which have not yet been formally recognized as war crimes or crimes against humanity.

The classification of atrocity crimes from a Eurocentric perspective favors selective accountability and the exclusion of narratives from the Global South. Decolonial criticism challenges this approach by calling for the recognition of colonial genocides, structural violence, and the persistent coloniality of power in law and international relations. Moving forward, it is necessary to review and reform the international system from an anti-colonial perspective, in order to include historically marginalized voices and ensure that human rights are applied in a truly universal and equitable manner.

12 UNITED NATIONS. Framework of Analysis for Atrocity Crimes: A tool for prevention. New York City, 2014.

2. Classification of genocide according to the UN and its limitations in colonial contexts

2.1. Contemporary genocides: global overview and the limits of classification

According to internationally established standards, only a few events have been considered genocide by the International Criminal Court (ICC): the Holocaust during World War II, the 1994 killings of Tutsis in Rwanda, and the 1995 events in Srebrenica (Bosnia and Herzegovina). The ICC is the body that prosecutes individuals responsible for genocide, provided that the country involved is a signatory to the Rome Statute. Although the Rome Statute established the International Criminal Court (ICC) to try genocide and crimes against humanity, its jurisdiction is limited because not all countries are members.

According to the UN document *When to refer to a situation as ‘genocide’: A brief guidance note*¹³, a situation should be classified as genocide “following a careful and detailed examination of the facts against relevant legislation [...]”; such classification must be

13 Available at: https://www.un.org/en/genocideprevention/documents/publications-and-resources/When_refer_situation_genocide_brief_guidance_note.pdf. Visited: March 12 2025.

be made "by a competent international or national court of law with the jurisdiction to try such cases, after an investigation meeting appropriate due process standards" (p. 5).

However, the responsibility to protect can only be enforced with the approval of the UN Security Council, which has five permanent members with veto power (the US, the UK, France, Russia, and China). In the case involving Myanmar, Russia and China blocked resolutions on the grounds of non-interference in national sovereignty, even when there was clear evidence of genocide.¹⁴

According to the document *When to refer to a situation as 'genocide': A brief guidance note*, national courts tend to classify events or periods of violence as genocide based on domestic law, without referring to the concept established by international law. This perspective is considered narrow, as it restricts the understanding of genocide to international law jurisprudence, which disregards systemic structural violence in colonial and post-colonial contexts.

Considering the Brazilian situation, there are clear indications of specific intent (*mens rea*) directed against Black and Indigenous populations, demonstrated both in statements made by public officials and in recurring patterns of state actions and omissions that compromise their physical, cultural, and material existence. In all spheres of

14 ABRI. ONU e a Responsabilidade de Proteger: o caso do genocídio étnico dos Rohingya em Mianmar em 2017. [S. l.], 2023.

government and in all branches of the Republic, public policies, legislation, and institutional practices are often based on racially constructed stereotypes, which result in the systematic marginalization and, in many cases, the death of these populations.

There is consistent evidence of genocidal acts (actus reus) in Brazil, both through direct action and omission by the State. The Black population in Brazil is the main victim of homicides, including those against children, especially due to state action, serious physical or mental harm (police violence, including sexual violence and torture directed at black bodies), the imposition of degrading living conditions (lack of access to basic services such as health care, sanitation, and quality education), and the denial of fundamental rights guaranteed by the Federal Constitution, such as religious freedom.

It is worth noting that communities and peoples who follow African-based religions have historically suffered violations of their rights to worship and to religious freedom. Their sacred spaces continue to be destroyed and their religious leaders persecuted throughout Brazil. According to the Ministry of Human Rights and Citizenship (MDHC), there were 2,472 reports of religious intolerance filed with the Human Rights Hotline (Dial 100) in 2024, which is a 66.8% increase compared to 2023. Most of

these complaints involve women who practice African-based religions, Umbanda, and Candomblé.¹⁵

In this sense, Brazil has a history of state policies and practices that result in the systematic elimination of the Black population, such as selective police brutality and mass incarceration, a certain political discourse that dehumanizes the Black population, associating it with crime, and stripping it of its human and fundamental rights. Furthermore, it is important to highlight that Black and Indigenous women — both cisgender and transgender — as well as other members of social minorities, are exposed to multiple layers of structural violence, which further deepens the effects of a process that, from a decolonial perspective, can be described as genocidal.

This history also affects Indigenous peoples. According to the report *Violence Against Indigenous Peoples in Brazil – Data from 2023*, prepared by the Indigenous Missionary Council (CIMI, 2024), the scenario shows systematic violations of the rights of Indigenous peoples in the country. The data and respective analysis provided in the document reveal that violence occurs in a widespread, profound, and diverse manner, affecting not only the physical body but also the territories, cultures, spiritualities, and basic conditions of existence of Indigenous peoples. It also affects girls and women.

This reality contrasts with the discourse of racial democracy, widely disseminated throughout the 20th century, according to

15 Available at: [https://agenciabrasil.etc.com.br/geral/noticia/2025-01/intolerancia-religiosa-disque-100-registra-24-mil-casos-em-2024#:~:text=Intoler%C3%A2ncia%20religiosa%3A%20Disque%20100%20registra%202%2C4%20mil%20casos%20em%202024,-N%C3%BAmero%20de%20viola%C3%A7%C3%B5es&text=O%20Minist%C3%A9rio%20dos%20Direitos%20Humanos,100\)%2C%20coordenado%20pela%20pasta](https://agenciabrasil.etc.com.br/geral/noticia/2025-01/intolerancia-religiosa-disque-100-registra-24-mil-casos-em-2024#:~:text=Intoler%C3%A2ncia%20religiosa%3A%20Disque%20100%20registra%202%2C4%20mil%20casos%20em%202024,-N%C3%BAmero%20de%20viola%C3%A7%C3%B5es&text=O%20Minist%C3%A9rio%20dos%20Direitos%20Humanos,100)%2C%20coordenado%20pela%20pasta). Visited June 4 2025.

which Brazil would be a harmonious nation free of racial conflicts due to the miscegenation of its population. However, this myth has historically served as a mechanism for silencing racial inequalities, preventing the recognition and effective confrontation of structural racism. By denying the existence of racism, “racial democracy” has contributed to the invisibility of the violence suffered daily by the Black and Indigenous populations, and to the perpetuation of structures of exclusion and extermination.

In many cases, such as in Brazil, there is no declared official policy, but rather systematic actions that have resulted in the extermination of certain groups—the Black population and Indigenous peoples, for example. The several spheres of government, faced with recurring reports of police and social violence against the Black population, reinforce the systematic intention to exterminate these populations in several areas: access to health care, education, and basic living conditions (housing, sanitation, leisure, income, and decent work). In addition, there has been an increase in paramilitary incursions into rural areas, aiming to prevent the occupation of territories by groups defending agrarian reform, and against Indigenous peoples occupying their territories. Some groups are even supported by members of Congress.¹⁶

It is important to highlight that such events continue to unfold in Brazil within the context of a democratic political regime. UN documents themselves emphasize that genocide can occur both in times of war and in times of peace. However, so far, only events

16 Available at: <https://agencia.fpagropecuaria.org.br/2023/10/25/lancada-a-frente-parlamentar-da-invasao-zero/>. Visited: June 4 2025.

that took place in situations of democratic exception and/or war have been considered genocide.

Based on the evidence presented, one could argue that the extermination of the Black population, Indigenous peoples, and women in Brazil is not merely a reflection of social inequality, but rather a continuous and systematic process to eliminate these groups. Therefore, the requirement of explicit intent to characterize genocide creates barriers to the classification of contemporary genocides, which occur in a structural and indirect manner, albeit with atrocious consequences for certain populations.

Another hindrance is that classification depends on proof of genocidal intent, which can be inferred from systematic patterns of violence, statements by leaders, and coordinated actions to repress protected groups, as well as the consent of the judiciary with reiterated impunity in cases of violence perpetrated by state agents, which includes special jurisdiction for military personnel in cases of crimes against life.¹⁷

The traditional definition of genocide — focused on direct acts of extermination — does not fully contemplate the ways in which the state fails to protect certain groups, allowing their physical, epistemic, symbolic, and religious destruction through continuous processes of exclusion, institutional violence, and historical, systemic, and symbolic neglect. This omission, expressed in the absence or dismantling of public policies and the failure to recognize fundamental rights, is evident in the

17 The Brazilian State was recently condemned by the Inter-American Court of Human Rights in the case of *Tavares Pereira et al. v. Brazil*. Available at: https://www.corteidh.or.cr/docs/casos/articulos/seriec_542_por.pdf. Visited: April 2, 2025.

situation faced by Indigenous peoples in Brazil, marked by environmental devastation, dismantled indigenous health policies, and the denial of their sacred territories

It is important to highlight that some decolonial studies have considered how certain events in the 19th century are still regarded as genocides in the context of modern colonialism. As Achille Mbembe (2018) argues in developing the concept of “necropolitics,” the colonality of power continues to operate through racialization, structural violence, and the denial of the humanity of historically subalternized peoples. This approach broadens the debate to include practices of racial, sexual, cultural, and epistemological domination as central dimensions of the destruction of socially vulnerable groups.

Sliwinski (2006) suggests that the genocide in Congo, even though it was not labelled as such, was a milestone in the formation of modern human rights. Thus, the exhibition of photographs of what happened in Congo under Belgian colonial rule, for example, played a central role not only in documenting the evidence, but also as a means of political mobilization and in constructing an ethical view of colonial violence. Although Sliwinski (2006) does not explicitly use the term “genocide,” his argument aligns with debates on systematic extermination, given that the brutal exploitation of the Congolese population resulted in the deaths of millions of people. The colonial violence described in the article can be understood as structural genocide, since forced labor, starvation, mutilation, and mass murder characterize patterns of extermination.

Similarly, Moses (2024) points out that Israel's military offensive against Gaza meets criteria often associated with

genocide, such as the mass destruction of Palestinian lives, attacks on civilians and infrastructure essential to the population's survival, as well as hate speech by Israeli authorities referring to the population of Gaza in dehumanizing terms. Thus, the author points to the lack of action by the Responsibility to Protect (R2P) doctrine, which should be a mechanism for responding to crimes of genocide and other atrocities. Moses (2024) argues that R2P has failed by not being applied consistently in situations such as Gaza, in contrast to other interventions made in the name of this doctrine, such as in Libya in 2011.

We therefore emphasize, regarding the Brazilian situation, that the UN Convention on Genocide protects national, ethnic, racial, or religious groups. Black and Indigenous populations must be recognized as ethnic-racial groups, making them eligible for protection under this convention. It is also important to note that both groups are protected internationally by the Durban Declaration (2001)¹⁸ and the United Nations Declaration on the Rights of Indigenous Peoples (2007)¹⁹. It is therefore urgent to advance in broadening the definition of genocide to include new forms that are also cultural, identity-based, and environmental.

Although internationally combatted and widely debated, genocide is still a reality across the globe. The efforts of the United Nations and the international debate on this issue show that much has already been achieved in terms of

18 Available at: <https://brasil.un.org/pt-br/150033-declara%C3%A7%C3%A3o-e-plano-de-a%C3%A7%C3%A3o-de-durban-2001>. Visited: March 12 2025.

19 Available at: https://www.acnur.org/fileadmin/Documentos/portugues/BDL/Declaracao_das_Nacoes_Unidas_sobre_os_Direitos_dos_Povos_Indigenas.pdf Visited: March 12 2025.

denunciation, but that confronting it remains a constant challenge.

In Brazil, only two crimes have been deemed genocide, both involving Indigenous peoples: the Haximu Massacre in July 1993 in Roraima, when illegal miners killed 16 members of the Yanomami tribe; and the Boca do Capacete Massacre in 1988, in Amazonas, when 14 Indigenous people from the Ticuna ethnic group were brutally murdered after the demarcation of Indigenous lands.

In Brazilian law, the crime of genocide is described in Law 2,889/1956, which punishes the conduct of “anyone who has the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group.” Despite the legislation and verdicts in both cases of Indigenous genocide, the defendants were acquitted and only one single individual was convicted of genocide in Brazil, one of the miners who participated in the Haximu Massacre.

In the case of the Haximu Massacre, for example, the Public Prosecutor's Office itself recognized the existence of a coordinated ethnic cleansing campaign. Even so, accountability was limited to one direct agent; no authorities were investigated for omission or collusion. With this bias, the Brazilian justice system tends to focus on individual accountability and disregard the role of public officials, security forces, political authorities, and institutional structures. In this sense, the Brazilian state, as a structure that perpetuates or tolerates genocide through omission, negligence, or collusion, is rarely held accountable. State accountability is replaced by individual criminal proceedings, which disregard the structural racism of Brazilian institutions.

Finally, it should be noted that the classification of genocide, even when there is sufficient evidence, depends on an international trial, which makes it difficult to apply in domestic contexts. The extermination of the Rohingya in Myanmar has been recognized as genocide, but international action has been insufficient to stop the crimes and ensure justice for the victims.²⁰ Thus, despite the normative frameworks for preventing genocide and crimes against humanity, the international community still fails to guarantee the protection of vulnerable populations, whether due to the geopolitical makeup of the UN or the conceptual and methodological rigidity of the concept of “genocide,” which prevents it from being considered in scenarios such as those in Gaza and Brazil.

20 ABRI. ONU e a Responsabilidade de Proteger: o caso do genocídio étnico dos Rohingya em Mianmar em 2017. [S. l.], 2023.

3. Atrocity crimes, genocide, and structural violence in Brazil

Confronting atrocity crimes and genocide is a reality in the international context. Among the highlights of the report “Risk Factors for Atrocity Crimes and Response Tools” (OSAPG; AMDH; FE-ACT Brazil, 2022), some practices precede genocide, including the dehumanization of a particular group, making it “easier” to direct violence towards that group. When reporting an atrocity crime, it is very important to gather solid information for analysis in the international context. In Brazil, the Attorney General's Office is responsible for preventing and issuing general warnings about atrocity crimes; however, historical factors such as the naturalization of Indigenous extermination, the enslavement of African peoples, and colonization mean that, in the Brazilian context, specific minority groups are the main targets of crimes such as those already discussed.

3.1. A brief history of enslavement in Brazil: colonialism, patriarchy, and the origins of structural racism

Throughout the history of the slave trade, Brazil is the country that received the most Black enslaved people, and the last one to abolish slavery in the Americas, albeit falsely. This history is directly linked to European colonial expansion based on racist values and ideals that persist to this day.

Coloniality, a concept brought forward by authors such as Aníbal Quijano in his studies on the “coloniality of power” (1992) and also presented by thinkers such as Lélia Gonzalez in her decolonial studies (2020), refers to the persistence of colonial logics after the formal end of colonialism.

In Brazil, this can be seen in the maintenance of racial, economic, and gender hierarchies that structure society.

The enslavement of Africans, as well as the confinement of Indigenous peoples in Jesuit settlements and their descendants, were accompanied by a political, economic, and religious ideological system that stripped them of their humanity, laying the foundations for the structural racism that still profoundly marks Brazilian reality today. Therefore, we denounce not only structural racism, but all forms of racism: institutional racism, religious racism, school racism, climate racism, environmental racism, algorithmic racism, etc. – sustained by individual racism, which ensures the success of structural racism.

Patriarchy, understood as a system that perpetuates male domination and the subordination of women, is intertwined with structural racism. Intersectionality, a concept developed by Kimberlé Crenshaw (2015), helps to understand how Black women face multiple oppressions, being twice marginalized by racism and sexism; according to the thinker, “intersectionality is not just about identity, it is about how structures make certain identities vulnerable to multiple forms of exclusion.”

The origin of structural racism in Brazil is linked to the fact that racism is a structural element of colonization and a structuring element of Brazilian society, which lived more than half of its history under a slave-based regime and refuses to recognize the rights of Indigenous and traditional peoples to their own territory. The normalization of inequalities created during slavery reflects that, even after the formal abolition of such practice in 1888, the Brazilian state did not implement social integration policies for the Black population, perpetuating conditions of exclusion and marginalization.

4. Racism as a structural factor in atrocity crimes in Brazil

In the Brazilian context, atrocity crimes are racially defined. Historically, the Black population, comprising black and brown people, has the highest rates of violence, accounting for 76% of people murdered in Brazil in 2022, according to the 2024 Atlas of Violence (Cerqueira; Bueno, 2024).

By passing Law 14.701/2023, which imposes the time frame thesis, Congress contradicts a decision by the Federal Supreme Court (STF) and commits the most serious recent legislative violence against Indigenous peoples, attempting to prevent the demarcation of new territories and legitimize invaders. Especially because violations against Indigenous peoples are not isolated events, but rather the result of a system of neglect, institutional racism, economic interests, and negligent policies that produce genocidal effects — physical, territorial, symbolic, and spiritual. Thus, without the demarcation of Indigenous territories, there is no democracy or guarantee of rights for these peoples.

4.1. State policies and the production of racial and gender exclusion

State policies play a central role in maintaining and reproducing racial and gender exclusion in Brazil. Epistemicide, a term coined by Sueli Carneiro (2005), refers to the systematic devaluation and suppression of the knowledge and intellectual productions of Black and Indigenous populations, reinforcing the hegemony of white, Western thinking. This logic is perpetuated in all areas of knowledge; thus, knowledge of African and Indigenous origin is marginalized, criminalized, and targeted by policies of epistemic extermination.

Whiteness, as analyzed by Cida Bento (2022), is a racist power mechanism that sustains racial privileges and naturalizes inequalities, maintaining the centrality of white people in positions of power. This pact, often implicit, operates through the denial of racism and the impossibility of Black people accessing positions of influence.

The concept of “biopower,” developed by Michel Foucault and widely debated and expanded upon by Achille Mbembe (2018) in the debate on necropolitics, refers to “the control exercised by the state over bodies, determining who can live and who must die.” In the Brazilian context, this logic is materialized in the unequal management of life and death, visible in the extermination of black youth, the lack of access to essential rights, the alarming discrepancies in social indicators comparing black and white people, and the criminalization of black bodies.

Necropolitics, a concept explored in depth by Mbembe (2018), goes beyond biopower by showing how the state actively decides which social groups are disposable. In Brazil, this politics of death

is expressed by police brutality, by the Christian religious fundamentalism present in state structures, terrible prison conditions, and the precarious living conditions of Black and peripheral populations.

4.2. “From the womb to the prison cell”: the absence of public policies that could stop the death and genocide of Black lives from the moment of conception, and the challenges for women

The journey of racial exclusion in Brazil begins even before birth. As Werneck, Iraci, and Cruz (2010) point out, unequal access to health services, from prenatal care to childbirth and early childhood, directly impacts maternal and infant mortality among Black women. According to the authors, the absence of public policies focused on the health of the Black population represents a true genocide from the moment of conception.

Instead of offering resocialization measures, the socio-educational system often acts as a funnel into the prison system, where the Black population is the majority. Mass incarceration of Black people, precarious living conditions, and lack of follow-up assistance after release are other challenges faced. Without access to opportunities for social reintegration, this population remains vulnerable to repeat offenses and perpetuation of the cycle of exclusion. By neglecting policies of care and inclusion, the state reinforces the necropolitical logic that decides who deserves to live and who can be discarded.

4.3. Challenges and the need to confront everyday racism in Brazil

There are many forms of racism permeating Brazilian society; confronting everyday racism requires understanding its multiple forms and manifestations, as well as adopting public policies and affirmative actions that promote racial equity and justice.

In education, racism is expressed at school both by the absence of Afro-Brazilian history and culture in the school curriculum and by the daily discrimination suffered by Black students. School is a fundamental space for the construction of identities, but it often reinforces the inferiority of Black bodies, either through Eurocentric teaching practices or through the denial of cultural diversity. The implementation of Law 10.639/2003, which establishes the teaching of African history and Afro-Brazilian culture, is a fundamental strategy; however, research conducted by the Alana Institute (2023)²¹ indicates that the law is not enforced in 71% of Brazilian cities.

Environmental racism refers to the unequal distribution of environmental risks, disproportionately impacting traditional communities, Black populations, and those living in peripheral areas. This results from a system that locates these populations in areas that are more vulnerable to environmental disasters, with poor sanitation and heavy pollution. Climate racism highlights how the impacts of climate change also disproportionately affect Black and Indigenous communities, reinforcing existing inequalities. Traditional communities, quilombos, and Indigenous territo-

21 Available at: <https://alana.org.br/lei-10639-ensino/> . Visited March 12 2025

ries are the keepers of ancestral knowledge that is essential for sustaining life today.

The digital age has brought new challenges to tackling racism, including algorithmic racism. As pointed out by Tarcízio Silva (2020), artificial intelligence algorithms can reproduce and amplify racial prejudices, whether in the results provided by databases whose logic is inherently racist, or in mechanisms for “facilitation” such as facial recognition, which often misidentify Black faces and bodies.

African-based traditions, such as Candomblé and Umbanda, are constant targets of racist attacks in Brazil. In 2024, these two religions accounted for 50% of reports of religious intolerance in the country. These religions are targeted by religious racism, which is expressed through intolerance, violence against places of worship, and the criminalization of these spiritual practices.

Although structural racism is the main organizing principle behind inequalities, it is also expressed individually, in everyday microaggressions, suspicious looks, racist jokes, and unequal treatment in public spaces.²² The fight against racism needs to be legitimized by international bodies, but it must also

22 Law 14,532/2023 introduces a new type of racism crime and promotes changes to the crime of racial slurs. Some important changes deal with the criminal classification of insulting someone, offending their dignity or decorum, on the basis of race, color, ethnicity, or national origin, the penalty of suspension of rights in cases of racism practiced in the context of sports or artistic activities, and imprisonment for racism practiced by public officials, as well as for religious and recreational racism.

ensure , through public policies, the well-being of populations historically vulnerable due to racial identities in Brazil.

5. Gender violence in Brazil: structures of oppression and atrocity crimes

Gender-based violence is a structural phenomenon as deeply rooted in Brazil's social and historical relations as racism. It reflects dynamics of power and oppression that are perpetuated through cultural, institutional, and political practices. For this reason, gender-based violence in Brazil cannot be understood in isolation, but rather as part of a system of historical and structural inequalities. Sexism, racism and the patriarchy sustain a cycle of violence that primarily affects Black, transgender, and Indigenous women and/or women in situations of social and economic vulnerability.

The Convention on the Elimination of All Forms of Discrimination against Women²³ defines discrimination as practices that "impair or nullify the recognition, enjoyment or exercise by women (...) on a basis of equality of men and women, of human rights and fundamental freedoms (...)". This definition includes gender-based violence "that is directed against a woman just because she is a woman, or that disproportionately affects women," which extends to acts that "inflict physical, mental, or sexual harm or suffering, threats to commit such acts, coercion, and other forms of deprivation of liberty."

23 Available at: https://www.planalto.gov.br/ccivil_03/decreto/2002/D4377.htm
. Visited: July 30 2025.

In this regard, the Brazilian State adhered to global human rights normative systems in the 1980s, with the intense participation of civil society and women's social movements (Mendes, 2020). However, as Durand (2020) states, the subjective constitution of men and women and the organization of social relations are established on the basis of power inequalities between them, which are connected to various social dimensions, such as the phenomenon of violence against women. Domination legitimizes inequality and women's place and fate as non-subjects, non-citizens, bodies owned by others.

The Maria da Penha Law (LMP)²⁴ of 2006 is a milestone towards changing this paradigm, as it establishes the concept of domestic violence in the legal system and creates a criminal classification for a specific type of crime, rather than a generic one. This change also enabled the State to promote public policies and actions to combat violence. Whereas men's powers of correction and physical and moral punishment over their wives were previously lawful or acceptable, with the LMP, such acts became criminalized and understood as violence (Bandeira, 2014; Campos, 2017).

In this way, by making violence against women a public issue, the LMP contributes to criminal classification and public policies by establishing categories for the various forms in which violence against women is expressed: domestic, sexual abuse, psychological, moral, and physical. Furthermore, this crime has been classified using its own specific term: femicide,

24 Disponível em: https://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2006/Lei/L11340.htm. Acesso em: 30 jul. 2025.

introduced into the Penal Code by Law No. 13,104/2015²⁵, which defines the crime as being committed “for reasons related to the female condition” and “out of contempt and disregard for women.”

Despite legal paradigms, violence against women continues to permeate the daily lives of Brazilian women. According to the Brazilian Public Security Yearbook (FBSP, 2024), 1,467 women died as victims of femicide in 2023 — the highest number since the law defining the crime was enacted in 2015. Assaults resulting from domestic violence increased by 9.8%, totaling 258,941 cases.

Such data must be analyzed within a broader context. The Brazilian Forum on Public Safety (2025, p. 28) points out, as one of the hypotheses for the increase in violence against women and girls in the country,

[...] The political action of ultra-conservative movements since the 2010s, as well as the expansion of violent extremism on the far right, which has been largely led by groups such as redpills on social media, have had a strong impact on the agenda for preventing violence against girls and women, as they stifle debate on gender equality but also have the effect of amplifying voices that support sexism and violent behavior against women (Commonwealth of Australia, 2024). Therefore, violence cannot be dissociated from the political debate on

25 A new law signed without veto by President Luiz Inácio Lula da Silva increases the penalty for those convicted of femicide from 20 to 40 years, among other measures.

gender relations, and how this intertwining of the two phenomena can result in an increase in violence and attacks against women.

Despite national and international instruments²⁶ aimed at combating it, the structures of oppression that sustain violence against women continue to operate in Brazil, producing continuous and systematic discrimination and violations of the rights of girls and women, especially those who are Black and/or Indigenous. As such, these groups already experience common risk factors for atrocity crimes in Brazil, given the history of systematic and persistent violence or discrimination.

It is worth noting that other factors are emerging and exacerbating the situation, such as the intensification of hate speech, especially on social media, which dehumanizes women, brings back a social order based on gender stereotypes, reinforces asymmetrical roles for women, normalizes discrimination, and even violence against women. As pointed out in a recent study, there is an intense spread of misogynistic content on social media “that reinforces gender inequality, the inferiority of women, and the promotion of a ‘masculinist culture.’”²⁷

26 On August 7, 2006, the Maria da Penha Law (Law 11,340) was sanctioned by then President Luís Inácio Lula da Silva and became effective that same year.

27 Observatory of the disinformation and gender violence industry on digital platforms, conducted by NetLab UFRJ for the Brazilian Ministry of Women, as part

According to the Report on Recommendations for Combating Hate Speech and Extremism in Brazil (Brazil, 2023b), the main manifestations of hate and extremism to be addressed by the Brazilian State are misogyny and violence against women, racism against Black and Indigenous people, and hate and violence against the LGBTQIA+ population.

Thus, there is a scenario conducive to the aggravation of these factors and the possibility of greater lethality through a cultural reification of contempt for women, the normalization of violence against children, and heinous violence against girls²⁸

Furthermore, in recent years, the country has witnessed a more intense “anti-gender” and “anti-feminism” offensive in relation to women's sexual and reproductive rights, with legislative initiatives that hinder access to essential services, such as family planning, care for rape victims, and access to abortion in cases permitted by law. Lately, this offensive has also had an impact on proposals to roll back girls' rights, not only in

of the Brasil Sem Misoginia (Brazil Without Misogyny) initiative. Available at: <https://netlab.eco.ufrj.br/observatorio-violencia-genero>. Visited: March 19, 2025

28 On this topic, see United Nations Report A/78/288. Available at: <https://documents.un.org/doc/undoc/gen/n23/233/65/pdf/n2323365.pdf?OpenElement>. Visited: March 19, 2025.

Congress, but also in the judicial system itself, with several refusals to grant access to legal abortion, which have even been endorsed by the Federal Council of Medicine.

Bill No. 1,904/2024, dubbed the “Rapist Bill,” equates abortion to murder when performed after 22 weeks of pregnancy, even for victims of rape. The aim is to restrict fundamental rights conquered by women and girls since 1940. Galetti and Wardi (2025) state that the legislative scenario for 2025²⁹ poses a risk to the right to legal abortion and other minorities, as more than 100 proposals in Congress threaten the right to abortion, and many legislative proposals aim to roll back laws and policies protecting women, LGBTQIA+, Indigenous, and Black populations. The authors also highlight the Brazilian government's retreat on reproductive issues, for example, when the Ministry of Health withdrew its technical note on the procedure for terminating pregnancies after 22 weeks.

In any case, part of society reacted to Bill 1904/24 (the Rapist Bill) through intense demonstrations in support of the “Children Are Not Mothers” campaign. Nevertheless, disputes still exist, as there are proposals being debated in the National Congress — considered one of the most conservative in Brazilian republican history — proposing to end the right to abortion even in cases of rape and risk to the mother's life. As examples, we can recall the vote on Bill 1904/24 (the Rapist Bill) and the proposal to hold a referendum on abortion rights in the country.

29 Available at: <https://agenciapatriciagalvao.org.br/violencia/neoconservadorismo-e-a-ofensiva-antigenero-o-que-esta-em-jogo-no-congresso-este-ano-por-camila-galetti-e-clara-wardi/>. Visited: March 19, 2025.

It is also important to consider the global context in which extreme right-wing governments are gaining strength. In Brazil, these groups have been disputing the grammar and meaning of human rights, claiming rights to erode democracy from within, using legal discourse as a political tool³⁰ (Brito; Reis, 2024). These individuals have been instrumental in spreading anti-feminist discourse in both institutional politics and civil society, reinforcing masculinist ideals, sexism and misogyny, as well as constructing and disseminating conspiracy narratives around discussions of gender and sexuality — in which racial issues are also structural.

5.1. International treaties and women's rights in Brazil

The protection of women's rights in Brazil is based on a series of international treaties and conventions aimed at combating gender discrimination and ensuring equality in various areas of society. These treaties represent commitments made by the country to strengthen public policies for gender equality and to combat violence against women.

30 It should be noted that such groups have become radicalized in incursions that also threaten democracy. Conservative groups have used civil disobedience and direct action to destabilize the democratic order, as demonstrated by the acts of January 8, 2023, against the election outcome, when Republican buildings were invaded and vandalized.

One of the most important frameworks in this context is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),³¹ adopted by the United Nations (UN) in 1979, which established guidelines for member states to implement legislation and policies promoting gender equality. Brazil ratified CEDAW in 1984, committing to adopting effective measures against gender discrimination.

Another key document is the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (“Convention of Belém do Pará”), signed in 1994.³² This treaty, promoted by the Organization of American States (OAS), recognized violence against women as a violation of human rights and obliged member states to create mechanisms for the protection and support of victims, as well as to implement public policies against gender-based violence.

In addition to these conventions, the Beijing Conference (1995) and the World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance (Durban Conference, 2001) were events that³³ drove the debate on women's rights at global level. The Beijing Conference resulted in the drafting of the Beijing Platform for Action, a comprehensive plan

31 Available at: https://onumulheres.org.br/wp-content/uploads/2013/03/convencao_cedaw1.pdf . Visited: March 19, 2025.

32 Available at: https://www.planalto.gov.br/ccivil_03/decreto/1996/d1973.htm . Visited: March 19, 2025.

33 Available at: https://onumulheres.org.br/wp-content/uploads/2014/02/declaracao_pequim.pdf . Visited: March 19, 2025.

34 Available at: <https://brasil.un.org/pt-br/150033-declara%C3%A7%C3%A3o-e-plano-de-a%C3%A7%C3%A3o-de-durban-2001> . Visited: March 19, 2025.

or promoting gender equality in areas such as education, health, the labor market, and political participation. The Durban Conference, on the other hand, highlighted the intersectionality of inequalities, emphasizing how racism disproportionately affects Black and Indigenous women.

More recently, the UN's 2030 Agenda, through the Sustainable Development Goals (SDGs), reaffirms³⁵ the need to ensure gender equality as a fundamental pillar for sustainable development. SDG 5 – Gender Equality aims to end all forms of discrimination and violence against women and girls, as well as to ensure access to equal opportunities in all spheres of society.

Despite legislative and institutional advances in Brazil, the effective implementation of these treaties doesn't come without challenges, such as political resistance from conservative sectors, religious or otherwise, the social and political impact of far-right movements' ideas, the defunding of public policies, and the persistence of structural inequalities based on race and gender, as highlighted in the data presented below.

5.2. Discrimination and gender violence in Brazil: necessary intersectionalities

35 Available at: <https://brasil.un.org/pt-br/sdgs> . Visited: March 19, 2025.

In Brazil, Black, transgender, and Indigenous women are affected by a triple axis of inequality: gender, race, and social class. These women are offered less access to education and income, face greater exposure to violence, and fewer opportunities in the labor market. Therefore, the concept of “intersectionality” (Crenshaw, 2012) is fundamental to analytically explain how the intersections of gender, race, class, ethnicity, and regionality, among other social markers of difference, demarcate how different subjects face different social realities and how discriminatory axes are presented in these realities, according to such markers.

White men earn, on average, R\$ 4,248.00, while black women are paid R\$ 1,814.00, a difference of 57%. The average monthly income of black people (R\$ 2,149.00) is 41% lower than that of non-black people (R\$ 3,668.00) (Observatory [...], 2024). According to data from the Report on Racial Inequality in the Labor Market (Brazil, 2024b), non-black men earn an average of R\$ 22.86 per hour worked, non-black women R\$ 19.17, black men R\$ 13.45, and black women R\$ 12.13 (only 53% of what a non-black man earns).

The report also states that 41% of black women and 45% of indigenous women are working informally, compared to 31.9% of non-black women; and 44.1% of black men are working informally, compared to 34.6% of non-black men and 31.9% of

non-black women. Black women are subjected to twice the unemployment rate of non-black men (10.1% vs. 4.6%). The Annual Socioeconomic Report on Women (Brazil, 2024a) highlights that black women have an unemployment rate of 14%, higher than the national average of 11%.

In this context, it is important to address the issue of domestic work and caregiving. Women dedicate an average of 21.4 hours per week to domestic work, while men dedicate only 11 hours; and 92% of women do domestic chores regularly, compared to 79% of men. This means that, in one year, women spend 1,118 hours (or 47 full days) on domestic chores alone, while men spend 572 hours (23 days) on the same tasks (Think Olga, 2023). According to the IBGE, women spent an average of 21.3 hours per week on domestic chores and/or caregiving, while men spent 11.7 hours. Black women spend an extra 1.6 hours per week on these tasks.³⁶

Care work has historically been assigned to women, creating a culture that normalizes the unequal division of domestic responsibilities, causing women to feel constantly guilty and pressured to take care of everything. It is important to note that domestic work was imposed on Black women during the colonization process and later came to be seen as their natural place, replicated in their professional careers.

Data published by Think Olga (2023) demonstrate the unequal organization of care work in Brazil in terms of race and gender:

³⁶ Available at: <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/39358-mulheres-pretas-ou-pardas-gastam-mais-tempo-em-tarefas-domesticas-participam-menos-do-mercado-de-trabalho-e-sao-mais-afetadas-pela-pobreza>. Visited: March 19., 2025.

50% of black women and 57% of women between the ages of 36 and 55 are caregivers; 1 in 4 women caregivers are dissatisfied with their emotional health, compared to 1 in 5 women who are not caregivers. Single mothers are the most overwhelmed group: 57% are dissatisfied with their workload. In addition, 38% of women are the main or sole breadwinners in their households, which causes financial and mental stress; and 51% say that their bad financial situation directly impacts their mental health.

This scenario has important implications in the lives of Brazilian women. Women who accumulate caregiving responsibilities are more dissatisfied with their financial situation and face greater difficulties in advancing professionally, as well as having less time for rest or leisure — there is little access for women and children to goods, services, and public policies that protect rights and enable the social, educational, and economic development of these families.

According to data from a report by the Brazilian Observatory of Inequalities (2024), black children have less access to daycare centers (33.3%) than non-black children (36%). Black girls have the lowest rate of attendance at daycare centers (29.6%), while non-black boys have the highest (37.6%). The net schooling rate for black men was 66%, while for non-black women it reached 78%. The participation of black women in higher education grew from 17.1% to 19.2% between 2022 and 2023, an increase of 2.1 percent. Among black men, the functional illiteracy rate is 32.8%, while among non-black men it is 24.9%. In the Northeast, 46.1% of black men are functionally illiterate.

According to data from a report by the Brazilian Observatory of Inequalities (2024), the infant mortality rate among black

people is 41% higher than among white people, and maternal mortality in the North is double the rate in the South of Brazil. Black women are 75% more likely to die in childbirth than white women. Maternal mortality among indigenous women is twice that of white women, due to poor healthcare. For black men, 50% of deaths could be prevented by public policies, while for black women, this figure is 43% higher than for white women. Furthermore, 12.5% of households run by black women experience severe food insecurity, compared to 5.5% of households run by non-black men.

Regarding political underrepresentation, black women occupy only 4% of mayoral positions; only 16% of seats in municipal councils are held by women, with only 6% held by black women. Only 13.6% of magistrates are black. In all branches of government — executive, legislative, and judicial — political representation does not reflect Brazilian society, which is composed mainly of women (51.5%, or about 104.5 million) and black people (55.5%, or about 112.7 million) (Observatory [...], 2024, p. 55).

The Annual Socioeconomic Report on Women (Brazil, 2024a) points out that only 17.7% of seats in the Chamber of Deputies are held by women, and female representation in politics is still predominantly white, with few Black and Indigenous women elected. Black and indigenous women are the most affected by political violence, being the target of racist and misogynistic attacks and attempts to silence them. Women occupy only 15.8% of mayoral positions and 16.1% of city council positions. In 2022, no indigenous women were elected as governors or senators.

There was an increase in transphobic and misogynistic attacks against trans candidates in the 2024 elections (Benevides, 2025). In the broader context, gender-based political violence has been constant not only during elections but also during the terms of office of female parliamentarians: 60.4% of female mayors and deputy mayors reported having suffered gender-based political violence. Among female mayors, the rate rises to 66.7%; 46% of the attacks took place on social media and involved 49.1% verbal violence (insults and threats), 45.2% psychological violence (moral harassment and pressure), and 5.6% physical violence (CNM; MMM, 2024).

According to the Brazilian Public Security Yearbook (FBSP, 2024), Brazil recorded 8,135 cases of sexual harassment in 2023, representing 28.5% of all reports of violence against women. Black women are the most affected by harassment and discrimination in the workplace. Indigenous women reported cases of sexual harassment within educational and work institutions, facing resistance when trying to report these incidents and seek justice. At universities, Indigenous students reported being harassed by professors who touched their bodies without consent. Black and Indigenous women are frequent targets of racist and sexist attacks in leadership and public representation spaces. Indigenous women report threats and political persecution when defending their territories against illegal exploitation (CIMI, 2024).

According to data from 2019 to 2021, black women account for 65.9% of maternal deaths in Brazil. During the COVID-19 pandemic, maternal deaths among black women were 77% higher than among white women. The maternal mortality rate

was 59.1 deaths per 100,000 live births. Furthermore, 47.9% of hospital admissions for abortion are black women, compared to 24% white women; 45.2% of deaths from abortion are black women, while 17% are white women. Black women face institutional barriers, such as waiting three times longer to receive care, as well as inhumane treatment in the healthcare system — for example, D&C and childbirth without anesthesia, mistreatment, and discrimination during pregnancy and childbirth (Criola, 2021).

This situation persists even though the Brazilian government was obliged by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),³⁷ a UN body, to compensate the family of Alyne da Silva Pimentel Teixeira, a young Black woman who died in 2002 as a result of poor care during childbirth in Belford Roxo, in the state of Rio de Janeiro.³⁸

Regarding women's mental health, the report *Esgotadas* (Exhausted), by Think Olga (2023), shows that 45% of women interviewed have been diagnosed with anxiety, depression, or another mental disorder. Women account for 7 out of 10 diagnoses of depression and anxiety in Brazil. Anxiety affects 6 out of 10 Brazilian women. The pandemic has increased cases of anxiety and depression in women, with a 67% increase in new cases of depressive disorders and a 68% increase in new cases of anxiety disorders. Women aged 15 to 40 were the most affected. Among the main causes of psychological distress were severe

37 Available at: https://www.planalto.gov.br/ccivil_03/decreto/2002/D4377.htm. Visited: March, 2025.

38 Available at: <https://www12.senado.leg.br/noticias/materias/2013/11/14/entenda-o-caso-alyne>. Visited: June 4, 2025.

financial difficulties, workload and caregiving overload, besides physical and sexual violence. Black women were the most affected, lacking ample access to psychosocial policies.

5.3. Domestic violence, sexual violence, sexual abuse and rape, femicide: recent data

According to the Brazilian Public Security Yearbook (FBSP, 2024), Brazil recorded 1,410 cases of femicide in 2023, representing an increase of 5.2% compared to 2022. This is the highest number since the creation of the Femicide Law (in 2015). The national rate was 1.4 femicides per 100,000 women. The states with the highest rates were: Rondônia (2.6), Mato Grosso (2.5), Acre (2.4), and Tocantins (2.4). As for the profile of the victims: most of the women murdered were black (66.9%), between the ages of 18 and 44 (69.1%). In 2024, 122 transgender people and transvestites were murdered, a 16% decrease from 2023 (145 murders); 117 victims were transvestites or transgender women, while 5 were transgender men or transmasculine people — 78% of the victims were black transgender people, while 21% were white. Since 2008, murders of transgender people in Brazil have increased by 110%: from 58 deaths in 2008 to 122 in 2024 (Benevides, 2025).

The Annual Socioeconomic Report on Women (Brazil, 2024a) points out that 778,921 women were threatened, an increase of 16.5%. Between 2020 and 2022, 47.9% of domestic violence victims were brown women, 38.3% were white, and 11.9% were black. Indigenous women represent 0.9% of domestic violence victims, a figure that is underestimated due to underreporting. In

2022, 344,242 cases of violence against women were reported, the highest number in the last 10 years, with 45% of cases involving physical violence, 24.2% psychological or moral violence, and 17.4% sexual violence.

Recent data from 2024/2025 points to an increase in all reports of violence against women filed with the Police, especially those involving domestic violence. There has also been an increase in femicides, reinforcing findings that indicate a rise in domestic violence in the country. In addition to the growth of hate speech, the report points to the defunding of policies to address violence against women (FBSP, 2025, p. 27).

According to the Brazilian Public Security Yearbook (FBSP, 2024), there were 66,020 cases of rape and statutory rape, indicating an increase of 8.2% compared to the previous year. Brazil recorded 83,988 cases of rape in 2023, the highest number in the historical series since 2011. Also, 76% of the incidents were cases of statutory rape, that is, against victims under the age of 14. Every hour, seven children and adolescents are raped in Brazil: 88.2% of victims are girls; 52.2% are black; 61.6% are under 13 years old. Child sexual exploitation cases increased from 1,011 to 1,255 in 2023. It is important to note that the historical series of violence against girls carries on and is getting worse.

Data from the 2023 report *Leaving No One Behind: Pregnancy, Motherhood, and Sexual Violence in Adolescence* (UNICEF, 2024) show that between 2015 and 2019, there were 69,418 cases reported to health services involving sexual violence against girls and adolescents. Between 2015 and 2019, 69,418 cases of sexual violence against girls and adolescents were

reported to health services. Black and brown adolescents accounted for 64.18% of cases of sexual violence reported between 2015 and 2019.

The report Scenario of Childhood and Adolescence in Brazil 2024 (Abrinq Foundation, 2024) highlights that sexual violence against minors is a significant concern in Brazil. According to data from the Ministry of Health, between 2015 and 2021, more than 200,000 cases of sexual abuse against children and adolescents were reported. Notably, in 2021, there was a peak of 35,196 reports, the highest number in the surveyed period. Most of these attacks occur in the home, and are perpetrated by family members or individuals close to the victims.

The Overview of Lethal and Sexual Violence against Children and Adolescents in Brazil (2021) points out that, between 2017 and 2020, among victims of rape and statutory rape aged 0 to 19, “81% were 14 years old or younger.” In absolute data, this means that, out of a total of 179,278 reported cases, the victims were under 14 years old in 145,086 of them (Panorama [...], 2021, p. 33). In all age groups, most victims are female, “[...] among victims aged 0 to 4 and 5 to 9, girls represent 77% of the total, and boys 23%. Among victims aged 10 to 14 and 15 to 19, females account for 91% of cases, and males for 9%. This indicates that the older the victim, the greater the chance that they are a girl” (Panorama [...], 2021, p. 37).

It is especially important to note that there is a lack of specific data on Indigenous children in these statistics, which indicates that the violence committed against this population is invisible. However, the National Indigenous Peoples Foundation (Funai) itself has pointed out that sexual violence is a critical issue

among Indigenous girls, although these cases are significantly underreported.³⁹ The Report on Violence Against Indigenous Peoples in Brazil – Data from 2023 (CIMI, 2024) points out that, of the 411 reports in 2023 of “violence against persons,” 23 were for sexual violence.

A UNICEF report (2024) records that, of the total number of births to teenage mothers, 4.86% occurred in girls between the ages of 10 and 14, an age group that constitutes statutory rape under Brazilian law. The North and Northeast regions have the highest percentages of teenage pregnancies, highlighting significant regional disparities. In Brazil, among live births to teenage mothers, 4.86% were to mothers aged between 10 and 14, and 95.14% were to mothers aged between 15 and 19, highlighting that, throughout the historical series (2008-2019), “the largest share of adolescents among women who had children is found among Indigenous and Black women (brown and black), with the smallest shares among white and Asian women” (Unicef, 2024, p. 15). The North region had the highest percentage of births among girls under 15 (1.2%), while the South region had the lowest (0.3%).

In cases of rape resulting in pregnancy, the victim has the right to abortion. The high incidence of pregnancy among girls under 14 and adolescents can be attributed to the persistence of rape culture and pedophilia, hallmarks of misogyny. According to government data, approximately 12.0% of women giving birth in 2022 were between 15 and 19 years old. This means that 301,008

39 Available at: <https://www.gov.br/funai/pt-br/assuntos/noticias/2023/funai-alerta-para-a-invisibilidade-das-violencias-cometidas-contra-criancas-indigenas>. Visited: March 17, 2025

adolescents or young women had children during this period. In addition, 14,262 girls between the ages of 10 and 14 had children in 2022. It is worth noting that sexual intercourse with girls up to 14 years of age is considered statutory rape under Brazilian law (Brazil, 2024a, p. 45). The North region had the highest percentages of births in the 15–19 and under 15 age groups: 18.5% and 1.2%, respectively. Clandestine abortions accounted for 9.4% of maternal mortality in 2022 (Unicef, 2024, p. 45) and hypertension — a disease managed in primary care — accounted for 22% of cases. Only 75.2% of pregnant women had had seven or more prenatal consultations, highlighting gaps in maternal health coverage.

5.4. Intersectionalities and specific vulnerabilities: Black, trans and Indigenous women

Gender-based violence is intersected by various factors, such as race, class, color, ethnicity, territory, generation, and socioeconomic status. Black and Indigenous women, for example, face violence that goes beyond gender, including structural racism and state negligence. Black, Indigenous, and transgender women are disproportionately affected by gender-based violence. The rate of femicide among Black women is significantly higher than among white women. The absence of public policies

aimed at these groups exacerbates their vulnerability, reinforcing the urgency of intersectional and specific measures against violence.

The Annual Socioeconomic Report on Women (Brazil, 2024a) shows that Black women make up 66% of femicide victims in the country, highlighting this population's extreme vulnerability. Indigenous women suffer high rates of sexual violence, but there is underreporting due to institutional racism and geographical isolation. As for the rape of Indigenous women, rates are highest in the North and Midwest regions, but there is significant underreporting.

The Brazilian Forum on Public Safety (2024) points out that gender-based violence in Brazil affects women from different backgrounds, but there are groups that suffer disproportionately, especially due to factors such as race, age, and socioeconomic status. Young women (aged 16 to 24) are the main victims, with 66.1% reporting that they have already suffered harassment. Low-income women have less access to reporting and protection mechanisms, and many live with their aggressors due to financial dependence. Black women face a higher risk of femicide and domestic violence. Data from the Brazilian Public Security Yearbook (FBSP, 2024) show that 66% of femicide victims in 2023 were Black.

Indigenous women face specific challenges, such as violence within communities and difficulties in accessing protective measures, as indicated in the Report on Violence against Indigenous Peoples in Brazil produced by CIMI (2024). Indigenous women

an increase of 8% over the figures for 2022. The North region recorded the highest number of conflicts in 2023, with 35% of incidents, followed by the Northeast, with 32%. The main perpetrators of this violence are farmers and businessmen⁴¹. This scenario is evidenced by data presented by CIMI (2024): 208 Indigenous individuals were murdered in 2023, mainly in the states of Roraima, Mato Grosso do Sul, and Amazonas. In some cases, military police officers were accused of collaborating with private armed militias acting on behalf of farmers, especially in states such as Mato Grosso do Sul and Bahia. There were 276 cases of land invasions and 150 cases of territorial conflicts.

The report records a total of 111 cases of indigenous deaths due to lack of healthcare; in addition, 1,040 indigenous children aged 0 to 4 died, mostly from preventable causes such as pneumonia, diarrhea, and malnutrition. Although a public health emergency was declared, the situation of the Yanomami people remained serious, with a failed operation to remove intruders and continued lack of assistance. There were also 180 deaths by suicide, especially among youths, revealing the profound impacts of territorial loss and the lack of mental health policies. The lack of basic sanitation, access to drinking water, health infrastructure, and education persists in several villages.

In addition to racial violence, threats, injuries, and attempted murders, sexual violence also stands out: 23 cases were reported in 2023 — however, the data presented does not

41 Available at: <https://revistacasacomum.com.br/relatorio-conflitos-no-campo-brasil-2023-revela-os-maiores-indices-de-violencia-ja-documentados-desde-1985/#:~:text=Em%202023%2C%20o%20Brasil%20testemunhou,campo%20cresceu%2060%25%20em%20intensidade>. Visited: June 4, 2025.

specify the victims' age or gender. Of the 208 murders of indigenous people recorded in 2023, 17 were women — again, albeit with no specification of the reasons. These data and the lack of more detailed information indicate the urgent need for specific and effective public policies to protect Indigenous girls and women in Brazil.

This situation also affects the transgender population. The 2022 Trans Census, conducted by Rede Trans Brasil (2023), found that 34.7% of respondents had not finished elementary school and 63.9% of transgender people had not graduated from high school. School dropout rates are linked to symbolic and concrete exclusion, explained by factors such as non-recognition of social names, lack of access to adequate bathrooms, and the absence of policies to combat transphobia in schools. However, there is a tendency for students to go back to school: 32.4% of respondents graduated high school. In 2018, only 0.3% of university students were transgender.

42

Meanwhile, the life expectancy of the transgender population remains below 35 years, well below the national average. Only 0.3% of transgender people reach old age. Data from the Notifiable Diseases Information System (SINAN) of the Ministry of Health show that, in 2022, an average of 19 transgender people were assaulted every day. Black trans women and transvestites are the main victims of this violence: 64% of cases of violence against trans people occurred against women, and 60% of all cases of violence against transvestites affected black women.

42 Available at: <https://www.generonumero.media/reportagens/visibilidade-trans-20/>. Visited: June 5, 2025.

43 Available at: <https://www.gov.br/saude/pt-br/composicao/svsa/sistemas-de-informacao/sinan>. Visited: June 5, 2025.

Among the 4,344 cases of assault against trans women, 57% were black and 36% were white. Among the 1,525 cases against trans men, 51% were black, 43% were white, and 1% were Indigenous. Of the 951 cases of assault against transvestites, 60% involved black people, 33% white people, and 1% Indigenous people. Besides, 72% of trans people murdered in 2023 were black.

According to the Brazilian Forum on Public Safety,⁴⁴ these figures can be explained by a combination of factors: “human rights violations and the reconfiguration of public policies for this population, in which attacks on the LGBTQIAPN+ population have been used as a tactic to maintain popularity and mobilize the masses in the long term, and as a political campaign tool in the short term.” Thus,

[...] in 2022, 8,028 sexual and gender dissidents were victims of violence in Brazil, an increase of 39.4% compared to 2021, when 5,759 cases were reported. Analyzing the historical series starting from 2014, we can see that cases have grown year after year, with the exception of 2020, the first year of the Covid-19 pandemic, when in-person services decreased considerably. The spike between 2021 and 2022, however, is the second largest in the series, raising an alarm about the increase in violence against this population.⁴⁵

44 Available at: <https://fontesegura.forumseguranca.org.br/violencia-contra-a-populacao-lgbtqiapn/#:~:text=Em%20termos%20do%20tipo%20de,crescimento%20de%2022%2C3%25>. Visited: June 4, 2025.

45 Available at: <https://fontesegura.forumseguranca.org.br/violencia-contra-a-populacao-lgbtqiapn/#:~:text=Em%20termos%20do%20tipo%20de,crescimento%20de%2022%2C3%25>. Visited: June 4, 2025.

Violence against this population affects several areas. According to Benevides (2025), there is a lack of adequate care for trans children and young people, with institutional barriers hindering access to health services. Only 1 in 4 trans women and transvestites who attempt suicide are referred to social assistance or other health services. Brazil is facing a lawsuit in the Inter-American Court of Human Rights for denying medical care to a transgender woman.⁴⁶ The 2022 Trans Census, organized by Rede Trans Brasil (2023), points out that transgender people do not feel welcome in health services, which hinders their access to adequate treatment, including the gender reassignment process.⁴⁷

Another issue is that the lack of data on gender identity prevents the formulation of public policies aimed at the health of the transgender population. This institutional gap aggravates inequalities and governmental negligence. Trans women are not included in the statistics of the Annual Socioeconomic Report on Women (Raseam), prepared by the Ministry of Women, due to the lack of official data being collected by the Brazilian Institute of Geography and Statistics (IBGE), the main institution responsible for collecting and

46 Available at: <https://agenciabrasil.ebc.com.br/direitos-humanos/noticia/2023-11/brasil-e-reu-na-corte-interamericana-por-negar-cirurgia-mulher-trans>. Visited: March 19, 2025.

47 However, last year, the Ministry of Health changed the gender classification in the Unified Health System to expand access to health services for transgender people. Available at: <https://ibdfam.org.br/noticias/11858/Minist%C3%A9rio-da-Sa%C3%BAde+muda+classifica%C3%A7%C3%A3o+de+g%C3%AAnero+no-SUS+para+ampliar+acesso+de+pessoas+trans>. Visited: June 4, 2025.

48 Available at: <https://www.cnnbrasil.com.br/nacional/ibge-diz-que-nao-consegue-incluir-questao-sobre-orientacao-sexual-e-ameaca-cancelar-censo/>. Visited: June 4, 2025.

producing sociodemographic data on the Brazilian population. In this regard, the report highlights the urgency of including gender identity in censuses. Recently, the Brazilian Institute of Geography and Statistics (IBGE) stated that it is in the process of formulating questions on gender identity and sexual orientation for its surveys.⁴⁹

5.5. Brazilian government policies and barriers to guaranteeing gender equality

Brazil has important legislation against gender-based violence, notably the Maria da Penha Law (2006)⁵⁰ and the Femicide Law (2015).⁵¹ However, there are still challenges to implementing these policies, such as a lack of infrastructure, ineffective assistance to victims, and cultural resistance to change. The precarious nature of public services for protecting women also represents a significant barrier to effectively guaranteeing gender equality in the country.

The data confirms that Black and Indigenous women are the most affected by structural inequalities in Brazil, suffering from poverty, violence, unemployment, and political exclusion. To counteract this scenario, intersectional public policies are needed that take into account barriers of race, gender, and

49 Available at: <https://www.ibge.gov.br/novo-portal-destaques/33302-ibge-divulgara-em-maio-pns-com-pergunta-sobre-orientacao-sexual.html>. Visited: June 4, 2025. | Available at: <https://www.poder360.com.br/brasil/ibge-incluiria-orientacao-sexual-em-pesquisas-a-partir-de-2024/#:~:text=CENSO%202022%3A%20IDADE%20E%20SEXO&text=S%C3%A3o%20atualmente%20104.548.325%20pessoas,%2C5%25%20do%20total%20populacional>. Visited: June 4, 2025.

50 Available at: https://www.planalto.gov.br/ccivil_03/_Ato2004-2006/2006/Lei/L11340.htm. Visited: June 4, 2025.

51 Available at: https://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2015/Lei/L13104.htm. Visited: June 4, 2025.

social class — for example, the invisibilization of specific types of violence, as Indigenous femicide is not properly accounted for, hindering the implementation of protection policies.

In 2019, the STF ruled that, until the National Congress passes specific legislation to prosecute homophobia and transphobia, these should be classified as crimes of racism under Law No. 7,716/1989. This legal framework establishes that discriminatory acts against LGBTQIA+ people are equivalent to racist practices, which reinforces the constitutional protection of human dignity. This decision established that discriminatory acts based on sexual orientation or gender identity should be treated with the same legal severity as other forms of racism, including the stipulated penalties and the absence of a statute of limitations.

Nevertheless, the absence of official data disaggregated by race, gender, and gender identity remains one of the largest obstacles to the formulation of effective public policies. The lack of specific information on the reality of Indigenous, Black, transvestite, and transgender women makes it impossible to adequately plan government actions and contributes to the perpetuation of violence and exclusion.

6. Summary

This document denounces the occurrence of atrocity crimes and genocidal processes in Brazil, especially against Black and Indigenous populations, with a focus on the women in these groups. The document is based on international treaties, official data, and decolonial perspectives, with the aim of highlighting the limitations of the UN's concept of “genocide” in the face of the structural forms of violence present in the country.

The concept of “genocide,” as defined by the UN Convention (1948)⁵², focuses on acts of deliberate extermination in the context of war. This report considers such definition to be limited, as it does not cover contemporary forms of structural genocide, such as institutional racism, state omission, and epistemicide. The traditional classification ignores colonial, cultural, environmental, and gender-based violence systematically imposed on racialized and minority peoples.

In light of this, this document provides historical context for structural racism as a legacy of enslavement and colonization, highlighting how the Brazilian state perpetuates this system through policies that are either negligent or actively exclusionary. Racial patriarchy perpetuates the marginalization of Black, Indigenous, and trans women. State violence, mass

52 Available at: https://www.planalto.gov.br/ccivil_03/atos/decretos/1952/d30822.html . Visited: June 5, 2025

incarceration, police brutality, and the denial of basic rights are identified as expressions of structural genocide.

This document highlights how Black people, Indigenous peoples, and women face multiple forms of violence — physical, symbolic, institutional, and epistemic — from childhood to adulthood, which represents a continuous process of social elimination. Black and Indigenous women suffer multiple forms of oppression, often being targeted by domestic violence, sexual violence, femicide, and medical negligence. Inequality in the workplace, in healthcare, and in politics just adds to their vulnerability. Violence against girls (including high rates of rape and child pregnancy) is also treated as a risk factor for atrocity crimes.

Although there is sufficient evidence of structural genocide against these groups in Brazil, international recognition that such crimes constitute a genocidal system is hampered by strict legal requirements (proof of deliberate intent). At the domestic level, the Brazilian state itself is rarely held institutionally accountable for such conduct, omissions, and deliberate actions against the lives and rights of the groups considered in this document.

7. Recommendations

To the Brazilian State

- Recognize and classify racial and gender violence as atrocity crimes;
- Promote stronger intersectional public policies;
- Ensure reproductive justice, health, education, and protection for Black and Indigenous women.

To the UN and other International Bodies

- Expand the concept of “genocide” to include structural, environmental, and cultural forms made evident by the realities of the African diaspora;
- Listen to the voices of the Global South in decision-making forums;
- Apply the principle of Responsibility to Protect (R2P) equitably according to local realities.

Still I Rise

You may write me down in history
With your bitter, twisted lies,
You may trod me in the very dirt
But still, like dust, I'll rise.

Does my sassiness upset you?
Why are you beset with gloom?
'Cause I walk like I've got oil wells
Pumping in my living room.

Just like moons and like suns,
With the certainty of tides,
Just like hopes springing high,
Still I'll rise.

Did you want to see me broken?
Bowed head and lowered eyes?
Shoulders falling down like teardrops,
Weakened by my soulful cries?

Does my haughtiness offend you?
Don't you take it awful hard
'Cause I laugh like I've got gold mines
Diggin' in my own backyard.

You may shoot me with your words,
You may cut me with your eyes,
You may kill me with your hatefulness,
But still, like air, I'll rise.

Does my sexiness upset you?
Does it come as a surprise
That I dance like I've got diamonds
At the meeting of my thighs?

Out of the huts of history's shame
I rise
Up from a past that's rooted in pain
I rise
I'm a black ocean, leaping and wide,
Welling and swelling I bear in the tide.

Leaving behind nights of terror and fear
I rise
Into a daybreak that's wondrously clear
I rise
Bringing the gifts that my ancestors gave,
I am the dream and the hope of the slave.
I rise
I rise
I rise.

Maya Angelou

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About the authors



Benilda Brito. Black lesbian quilombola woman from Axé! Educator, Master in Social Management. Education activist for the Malala Found Network and Executive Coordinator of Nzinga - Black Women's Collective. Advisor on Social and Sustainable Economic Development for the Brazilian Government.



Tatiane dos Santos Duarte. PhD in Social Anthropology from the University of Brasília/UnB. Researcher at the Center for Studies and Research on Women/Nepem at the Center for Advanced Multidisciplinary Studies/CEAM at UnB. Member of the Secularism and Democracy Commission of the Brazilian Association of Anthropology (ABA).

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