



CHAMBER OF DEPUTIES
PSOL LEADERSHIP

Brasília, August 28, 2020

Letter n. 226/2020

- URGENT APPEAL -

GRAVE ATTACK ON LEGAL ABORTION

BRAZIL

Ms. Michelle Bachelet Jeria,

United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Human Rights (OHCHR)

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SÂMIA BOMFIM, ÁUREA CAROLINA, FERNANDA MELCHIONNA, LUIZA ERUNDINA, TALÍRIA PETRONE, EDMILSON RODRIGUES, DAVID MIRANDA, GLAUBER BRAGA, IVAN VALENTE, and MARCELO FREIXO, federal deputies from the Socialism and Liberty Party (PSOL, in its acronym in Portuguese); **ALICE PORTUGAL** and **JANDIRA FEGHALI**, federal deputies from the Communist Party of Brazil (PCdoB in its acronym in Portuguese); **ERIKA KOKAY, MARIA DO ROSÁRIO** and **NATÁLIA BONAVIDES**, federal deputies from the Workers' Party (PT, in its acronym in Portuguese); and **LÍDICE DA MATA**, federal deputy from the Brazilian Socialist Party (PSB in its acronym in Portuguese), respectfully address to these bodies in order to report about grave attack against legal abortion by Brazil's federal government.

Overview

Since the year 1940 Brazil's legislation allows the termination of pregnancy in case of rape. However, in the last couple of weeks, a tragic case brought this basic right into unprecedented attack in Brazil: a 10 years old girl, who had been raped for four years by her uncle, had her right for legal abortion in a public hospital defied. Even after a court order, she was only able to conduct the procedure almost 2 thousand kilometers away from her hometown, under threats and violent attacks. After doing nothing about it, Brazil's Health Ministry published today the Ordinance 2.282/2020, which makes it practically impossible for women and girls who are victims of rape to exercise their legal right to terminate pregnancies.

According to official data from 2019, 4 girls under 13 years old are raped every hour in Brazil. In 2018, girls under this age accounted for 53,8% of the 66 thousand cases of rape officially reported in the country. In 2019, rape numbers grew 4.1%, reaching an average of 180 cases per day. Records from the Brazilian Health Ministry also show that, in average, every day, 6 girls between 10 and 14 years old are admitted by the public health system for abortions because of rape. Meanwhile, every year, around 26 thousand girls between these ages give birth in Brazil.

Attacks and retrocesses for legal abortion in Ordinance 2.282/2020

Without any legal or technical base, the Ordinance 2.282/2020 establishes as mandatory for doctors to notify the police whenever rape victims decide to terminate pregnancies (Article 1), and that victims should describe the circumstances of rape and their aggressors to health professionals (Article 3).

Besides disregarding special procedures that protect the hearing of children and teenagers, these determinations bring an appropriate police perspective into hospitals and force victims to compulsorily reexperience traumatic events for unduly qualified personnel in a very sensitive moment.


As if it wasn't enough, the Ordinance also promotes deep psychological violence by establishing that the medic team should encourage the rape victim to visualize the fetus or embryo via ultrasound (Article 8).

Conclusions

Instead of creating a safe and welcoming environment for legal abortion, the Ordinance by the Brazilian Health Ministry hampers the access of women and girls to this established right. It will only increase unreported cases and lead to more unsafe abortion procedures. Its determinations put at risk the lives of thousands of women and girls, particularly black and poor ones.

In view of the foregoing, and considering Jair Bolsonaro's numerous attacks against women's sexual and reproductive rights we urgently request:

- to process this communication as an Urgent Appeal, in view of the gravity and urgency of the matter;
- to arrange an emergency visit to Brazil of the UN Working Group on discrimination against women and girls and the UN Special Rapporteurs on violence against women, its causes and consequences, in order to assess the situation on the ground; and on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;
- to issue a public statement, considering the gravity and urgency of the facts described;
- to request from the Brazilian Permanent Mission to the UN in Geneva explanations for the violations described herein;
- to publicize the relevant exchange of letter in the OHCHR report on communications;
- to remain seized of the matter.



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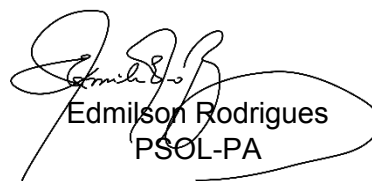
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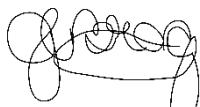
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