



## Human Rights Council

### Adoption of UPR outcome on Brazil, Third Cycle, September 2017

Mr. President,

During the review of Brazil, Iceland, France, Switzerland, Uruguay, and Estonia recommended that Brazil take steps to: (i) guarantee full and effective recognition of women's reproductive rights as fundamental human rights; (ii) reduce maternal, child, and infant morbidity and mortality by promoting quality maternal healthcare; (iii) and take more steps towards the full implementation of CEDAW recommendations.

Indeed, Brazil's maternal mortality rates are disproportionately high for a country of its economic status, and the chances of dying in pregnancy and childbirth are greatest among indigenous, low-income, rural and Afro-descendant women.

Currently, in Brazil, abortion is legal only where it is necessary to save the women's life or where the pregnancy is the result of rape.<sup>i</sup> However, instead of advancing women's rights, Brazil's restrictive laws on abortion continue to exacerbate and entrench discrimination against women, in contravention of the central tenet of CEDAW and other international human rights treaties.<sup>ii</sup>

Lastly, Brazil has maintained its stance against abortion and reproductive rights even in the face of the outbreak of the Zika virus. This is even though Brazil is the country most affected and is projected to have more than double the number of cases than any other country.<sup>iii</sup>

**The Center for Reproductive Rights welcome's Brazil commitment in accepting the UPR recommendations on maternal health and reproductive rights. We nevertheless urge Brazil to repeal its** highly restrictive anti-abortion legislation.

Thank you very much for your attention.

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- i Article 128 of the Brazil Criminal Code.
- ii Brazil's restrictive abortion laws discriminate against women by violating the various rights described below. As Dr Carmel Shalev, a former member of the CEDAW Committee, has said: "*Laws which criminalize health services that only women need – whether aimed at the persons who provide such services, or the women who receive them – are discriminatory, as such. The criminalization of abortion is particularly heinous, because it not only impairs women's right to reproductive choice – to make free and responsible decisions concerning matters that are key to control of their lives – but also exposes them to the serious health risks of unsafe abortion, violating their rights to bodily integrity and, in the most extreme cases, to life itself*". See, C. Shalev, *Right to Sexual and Reproductive Health - the ICPD and the Convention on the Elimination of All Forms of Discrimination Against Women*, paper presented at the International Conference on Reproductive Health, Mumbai (India), 18 March 1998, p. 10.
- iii WHO, *Zika situation report*, 7 April 2016, <http://www.who.int/emergencies/zika-virus/situation-report/7-april-2016/en/>. In January 2016, the Minister of Health declared that Brazil was "*losing the battle against the mosquito*". See, E. Teixeira & P. Santiago, *Estamos perdendo a guerra contra o Aedes, diz ministro da Saúde no Piauí*, 22 January 2016, <http://g1.globo.com/pi/piaui/noticia/2016/01/estamos-perdendo-guerra-contra-o-aedes-diz-ministro-da-saude-no-piaui.html>; T.A. Perkins & A.S. Siraj *et al.*, *Model-based projections of Zika virus infections in childbearing women in the Americas*, *Nature Microbiology*, Article no. 16126, 25 July 2016, p. 1.