

Brazil

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
80.0	55.8	61.9

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Brazil, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (São Paulo). The scores for Brazil are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	100.0	75.0	100.0	100.0	100.0	25.0	100.0	50.0
Supportive frameworks score	75.0	66.7	0.0	50.0	66.7	66.7	50.0	100.0	33.3	50.0
Expert opinions score	0.0	100.0	50.0	25.0	100.0	93.8	25.0	50.0	100.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Brazil (80.0 out of 100.0) is higher than the global average (64.2) and higher than the Latin America & Caribbean regional average (69.1). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, laws affecting women's work after having children, laws affecting childcare and laws affecting women's property and inheritance, Brazil obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Brazil is on the indicator measuring constraints on women starting and running a business. To improve on the Entrepreneurship indicator, Brazil may wish to consider making access to credit easier for women by prohibiting gender-based discrimination in financial services, legally prescribing a gender quota on corporate boards and introducing in the law gender-sensitive procurement provisions for public procurement processes.

The **WBL 2.0 supportive frameworks score** for Brazil (55.8 out of 100.0) is higher than the global average (39.5) and higher than the Latin America & Caribbean regional average (38.6). When it comes to supportive frameworks related to

women starting and running a business, Brazil obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Brazil is on the indicator measuring supportive frameworks affecting women's decisions to work. To improve on the Workplace indicator, Brazil may wish to consider publishing guidelines on non-discrimination based on gender in recruitment, publishing guidelines on flexible work arrangements and establishing a specialized body that receives complaints about gender discrimination in employment.

The **WBL 2.0 expert opinions score** for Brazil (61.9 out of 100.0) is lower than the global average (65.7) and higher than the Latin America & Caribbean regional average (61.8). When it comes to expert opinions on freedom of movement, expert opinions on marriage and expert opinions on women's property and inheritance, Brazil obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Brazil is on the indicator measuring expert opinions on women's safety.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	No	No applicable provisions could be located
Does the law address domestic violence?	Yes	Maria da Penha Law (Domestic Violence), Arts. 7(I)-(IV), 17-24, 43 and 44; Criminal Code, Arts. 61(f), 129(9), 213 and 226(II); Law 14550/2023, Art. 1
Does the law address femicide?	Yes	Criminal Code, Arts. 121 (IV), § 2º -A and § 7º
Mobility		
Can a woman choose where to live in the same way as a man?	Yes	Civil Code, Art. 1569
Can a woman travel internationally in the same way as a man?	Yes	Decree No. 5.978/2006 Regulation of Travel Documents, Arts. 10 and 20
Can a woman travel outside her home in the same way as a man?	Yes	Civil Code, Art. 1569
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Law No 13.445, Arts. 63, 65 and 66(3); Constitution, Art. 12
Workplace		
Can a woman get a job in the same way as a man?	Yes	Civil Code, Art. 1642
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Law No. 9029/1995, Art. 1; Consolidated Labor Laws, Art. 7(XXX)
Does the law prohibit discrimination in employment based on gender?	Yes	Consolidated Labor Laws, Art. 373A(II)
Does the law allow employees to request flexible work?	Yes	Law No. 14457/2022, Arts. 1(II)(a)(f); 8(V) and 14
Pay		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Civil Code, Art. 1511
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	Civil Code, Arts. 1567 and 1570
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Code, Arts. 1571-1582
Does a woman have the same rights to remarry as a man?	Yes	Civil Code, Arts. 1571-1582
Parenthood		

Is paid leave of at least 14 weeks available to mothers?	Yes	Consolidated Labor Laws, Art. 392; Constitution of the Federal Republic of Brazil, Art. 7 (XVIII)
Are leave benefits for mothers paid solely by the government?	Yes	Decree No. 3048/1999, Art. 97; Law No. 8213/1991, Art. 71
Is paid leave available to fathers?	Yes	Constitution of the Federal Republic of Brazil, Art. 7(XIX); Temporary Constitutional Provisions Act, Art. 10(II)(b)(1)
Is dismissal of pregnant workers prohibited?	Yes	Temporary Constitutional Provisions Act, Art. 10(II)(b)
Childcare		
Does the law establish the provision of center-based childcare services?	Yes	Law No. 9.394 of 20 December 1996, Arts. 4, 10, 18(II) and 19; Federal Constitution of Brazil from 1988, Art. 208(IV)
Does the law establish any form of support for families for childcare services?	Yes	Law No. 17,244 of 5 December 2019, Arts. 1-3; Official Website for Sao Paulo Municipality; Decree No. 9.580 of 22 November 2018, Art. 74(VI)
Does the law establish any form of support for nonstate childcare providers?	Yes	Complementary Law No. 123 of 14 December 2006, Art. 18(5)(b)(I); Resolution CGSN No. 140 of 22 May 2018, Art. 25(1)(III)(a)
Does the law establish quality standards for the provision of center-based childcare services?	Yes	Normative Instruction No. 29 of 9 September 2022, Art. 14; Law No. 9.394 of 20 December 1996, Arts. 61-62; Law No. 13.005 of 25 June 2014, Art. 11
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Civil Code, Art. 1642
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
Assets		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Civil Code, Arts. 1642, 1647 and 1663; Constitution, Art. 189
Do sons and daughters have equal rights to inherit assets?	Yes	Civil Code, Arts. 1829 and 1845
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Arts. 1829(3), 1830, 1831 and 1845
Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Art. 1640
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	No	Decree No. 3048/1999, Arts. 51(a) and 53; Constitutional Amendment No. 103, Art. 1
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	No	Law No. 8213/1991, Art. 51
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Decree No. 3048/1999, Art. 19-C, II

WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Centros de Atendimento para Mulheres Vítimas de Violência; Centro de Referência da Saúde da Mulher UBS (Basic Health Unit) or emergency room; Programa de pesquisa e capacitação continuada dos policiais civis do estado de São Paulo em feminicídio e a investigação sob a perspectiva de gênero
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located



Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Ministério das Mulheres
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Orçamento do Ministério das Mulheres
Mobility		
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
Workplace		
Does a specialized body receive complaints about gender discrimination in employment?	No	Insufficient evidence located
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	Yes	Law No. 14611/2023, Arts. 4 and 5(3)
Have sex-disaggregated data on employment in different industries or sectors been published?	No	Insufficient evidence located
Marriage		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	National Council of Justice, Recommendation No. 5 of July 4, 2006; Decree-Law No. 158 (Sao Paulo), Art. 49; Law No 7.086, Arts. 1 and 4
Is legal aid available for family law disputes?	Yes	Defensoria Pública de São Paulo
Parenthood		
Is it possible to apply for maternity benefits through a single government application process?	Yes	INSS — Instituto Nacional do Seguro Social
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	Yes	Gender Statistics: Social Indicators of Women in Brazil - 2nd edition
Childcare		
Is there a publicly available registry or database of childcare providers?	Yes	Official Government of São Paulo Municipality Website
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Official Website for São Paulo Municipality
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
Entrepreneurship		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	Instituto Brasileiro de Geografia e Estatística
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Brazil for Women - National Strategy for Women Entrepreneurship
Does a current national government plan or strategy focus on women's access to financial services?	Yes	National Financial Education Strategy – ENEF
Assets		

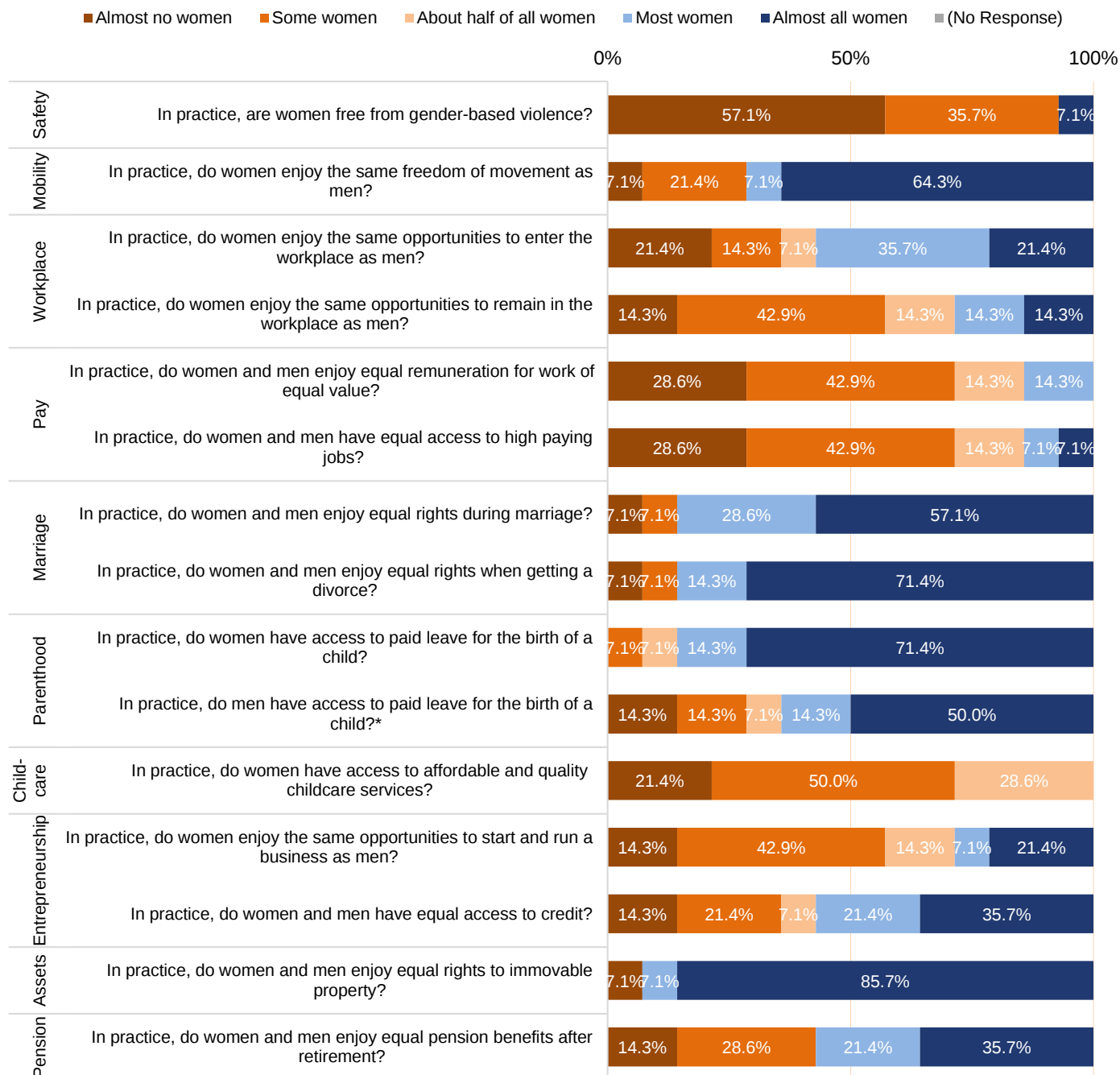


Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Civil Code, Arts. 1642, 1647 and 1714; Constitution, Art. 189; Law 14.620, Art. 10
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located

Pension

Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	National Institute of Social Security - INSS - Federal Government

WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.