

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

17 August 2011  
Index: AMR 19/013/2011

## UN Holds Brazil to Account for Maternal Mortality

Amnesty International welcomes the historic decision of the United Nations Committee on the Elimination of All Forms of Discrimination Against Women in the complaint regarding *Alyne da Silva Pimentel v. Brazil* (Communication No. 17/2008).

Alyne da Silva Pimentel, a 28-year-old woman of African descent and resident of one of Rio de Janeiro's poorest districts, was six months pregnant with her second child, when she died of complications resulting from pregnancy after her local health center misdiagnosed her symptoms and delayed providing her with emergency care.

The case was brought by Alyne's mother who was represented by the Center for Reproductive Rights and the Brazilian NGO *Advocacia Cidadã pelos Direitos Humanos*. Amnesty International and others provided *amicus curiae* briefs to the Committee.

In its landmark decision the Committee on the Elimination of All Forms of Discrimination Against Women concluded that Brazil failed to fulfil its obligation to "ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary" under Art 12 (2) of the UN Convention on the Elimination of Discrimination against Women. According to the Committee "lack of appropriate maternal health services has a differential impact on the right to life of women."

The Committee further concluded that Alyne had experienced discrimination on several interlinked grounds, not only on the basis of her sex, but also on the basis of her status as a woman of African descent and her socio-economic background.

Because, due to excessive delay in the Brazilian judicial system, Alyne's family had no opportunity to seek effective legal remedies for the violation of her rights, the Committee also found Brazil in violation of Art 2 (c) of Convention under which states must establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination.

In its recommendations to Brazil, the Committee called for appropriate reparations, including adequate financial compensation, to be provided to Alyne's family and for the government to ensure women's right to safe motherhood and affordable access to all women to adequate emergency obstetric care and ensure adequate sanctions are imposed on health professionals who violate women's reproductive rights.

This decision confirms, that failure to prevent maternal deaths and injury is a *human rights issue*, affecting women's and girls' rights to life, health, equality and non-discrimination, the right to benefit from scientific progress, and their right to freedom from torture and other cruel, inhuman or degrading treatment.

This landmark decision brings to light the stark injustices that expose women and girls – in particular those from marginalised groups – to the risk of maternal death and ill-health. In this first maternal death case to be decided by an international human rights body, the Committee

has established that governments have a human rights obligation to guarantee that all women in their countries—regardless of income or racial background—have access to timely, non-discriminatory, and appropriate maternal health services.

Amnesty International calls on Brazil to undertake urgent steps to fully implement the Committee's decision and provide reparations to Alyne's family and institute systemic reform which will ensure that women are guaranteed their right to maternal, sexual and reproductive health.