

Title	Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)
Document	N/A
Author	PB
Agenda Item	N/A
Mandate(s)	C&D Nos 22-25 of CGAP 2026
Objective	To gather information from HCCH Members on the cross-border recognition and enforcement of protection orders to assist the WG on REPO. Members are invited to respond to the Questionnaire by 11 September 2026 .
Action to be Taken	For Decision ☐ For Approval ☐ For Discussion ☐ For Action / Completion ☒ For Information ☐
Annexes	N/A
Related Documents	A summary of the work carried out between 2011 - 2018, along with several key documents pertaining to the project, can be found on the HCCH website, under " Publications & Studies ".

Questionnaire on Protection Orders and their Recognition and Enforcement (REPO)

I. Background

- 1 At its 2026 meeting, the Council on General Affairs and Policy (CGAP) resumed discussions on a possible new instrument on the cross-border recognition and enforcement of protection orders (REPO), and adopted the following Conclusions and Decisions (C&D):
 22. Welcoming the proposal from the United Kingdom, CGAP mandated the establishment of a Working Group on a potential future convention on cross-border recognition and enforcement of protection orders (REPO).
 23. This Working Group will build on previous work by the PB in 2011-2018 and the Experts' Group in 2014 and further explore the feasibility of, and initially develop policy aims for, a potential future convention on REPO. The Working Group will report to CGAP 2027.
 24. To facilitate the work of the Working Group, CGAP mandated the PB to:
 - a. update its 2012 Questionnaire with a view to collecting information from Member States on civil protection orders available in their States and laws applicable available in their States for cross-border recognition and enforcement of protection orders;
 - b. circulate this Questionnaire in June 2026 and request responses by the end of September 2026.
 25. CGAP further mandated the PB to make arrangements for an in-person Working Group meeting with the possibility for online participation, ahead of CGAP 2027. CGAP thanked the United Kingdom for its offer to host this Working Group meeting including to cover travel costs for HCCH staff, and supports this proposal.¹

II. Introductory Note to the Questionnaire

- 2 The present document comprises the updated Questionnaire requested by CGAP.
- 3 The sole purpose of this Questionnaire is to gather factual and comparative information on the existence, scope, and operation of protection orders, including their recognition and enforcement in cross-border situations. The questions are designed to support informed discussions by providing a clearer picture of national, regional and international frameworks and practices. The Questionnaire deliberately takes a broad approach (e.g., in terms of the kinds of orders that could be in scope), in order to maximise information-gathering for that purpose. This is not intended to pre-empt or prejudice any policy decisions that may be taken regarding a potential future instrument in this area, including its scope and content.
- 4 Therefore, for the purposes of this Questionnaire, the term “protection order” may refer to any measure taken by a competent authority requiring a person to refrain from doing, or to carry out, specified acts to protect one or more identified persons. The term is used in a broad sense and may include orders issued in civil, administrative, or other proceedings, irrespective of the authority by which they are issued, provided that their primary purpose is protective and not punitive.

¹ These C&Ds are available on the HCCH website (www.hcch.net) under “Governance” => “Council on General Affairs and Policy”). A project on the recognition and enforcement of foreign protection orders was carried out by the PB between 2011 and 2018. A summary of the work, along with several key documents pertaining to the project, can be found [here](#).

- 5 Given that States may have different classifications for protection orders (civil, criminal, administrative, other), respondents are invited to adopt a **functional approach** when answering this Questionnaire. Respondents are encouraged to provide hyperlinks to useful online resources pertaining to their national systems.
- 6 This Questionnaire focuses primarily on orders issued for the **protection of adults**. Where relevant, respondents may also include orders issued to protect children and indicate this clearly in their responses.

III. Instructions to Complete the Questionnaire

- 7 To allow the PB to extract parts of the Questionnaire for compilation of the responses, you are kindly requested to use **this Word Version** of the document, and **not to return a PDF version** of the completed Questionnaire.
- 8 You are kindly requested to send your completed Questionnaire to the PB by e-mail to < secretariat@hcch.net > **no later than 11 September 2026, 5.00 p.m. CEST** with the following indication in the subject line of the e-mail:
“REPO - Questionnaire Response [name of State]”.
- 9 Please address any questions you may have on this Questionnaire to < secretariat@hcch.net >.
- 10 The PB intends, except where indicated otherwise or where expressly asked not to do so, to place all responses to the questionnaire on the HCCH website (www.hcch.net). Please, therefore, clearly identify any responses which should not be placed on the website.

REPO Questionnaire

Respondent Identification

Name of State: BRAZIL

Information for follow-up purposes

Name and title of contact person:

Name of Authority / Office

E-mail address:

I. Protection orders under domestic law: scope and main features

A. Types of behaviours required / prohibited by protection orders

1.	What types of protection orders are available in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Prohibiting communication with or contacting the protected person(s): Under Law No. 11,340/2006 (Maria da Penha Law-MPL), art. 22(III)(b), the court may prohibit the aggressor from contacting the victim, her family members or witnesses by any means of communication. Additionally, on August 19, 2026, the Brazilian Supreme Court (STF, Tema 1.412) unanimously ruled that MPL protective measures apply to all forms of gender-based violence against women, considering the broader scope of violence in the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, known as the Convention of Belém do Pará. From then on, the protective measures may be even applied outside domestic, family, or intimate contexts to professional, social, political, and community settings. Breach is an autonomous crime under art. 24-A MPL (imprisonment of 2 to 5 years and a fine, as increased by Law No. 14,994/2024; Law No. 14,344/2022 (Henry Borel Law-HBL), art. 20(III)(b), for children and adolescents; whose safety in the digital environment is now further reinforced by the ECA Digital (Law No. 15.211/2025). There are also criminal precautionary measures under the Code of Criminal Procedure (CPP), art. 319(III); and general preventive or injunctive relief under the Code of Civil Procedure (CPC) (arts. 300, 497, 536 and 537). ☒ Prohibiting approaching or being in physical proximity to the protected person(s): MPL art. 22(III)(a) empowers courts to prohibit the person causing the risk from approaching the protected person, relatives or witnesses and may establish a minimum distance. Similar restrictions may cover the home, workplace, school or other identified locations. The same type of order is available, outside the gender-based or domestic violence context, as a pre-trial measure other than detention under art. 319(II)-(III) of the Code of Criminal Procedure (CPP), applicable e.g. to stalking cases not covered by the MPL ☒ Prohibiting harassment (incl. any kind of non-physical forms of abuse): Psychological and moral violence (which include harassment) are expressly recognised forms of domestic and family violence under MPL art. 7(II) and (V), and protective measures under art. 22 may be tailored to prevent such conduct. As established under STF Tema 1.412 (August 2026), these protections against gender-based harassment apply to any environment of risk (such as political or workplace harassment of women). Outside these contexts, harassment may amount to the crime of "perseguição" (stalking, Criminal Code (CP) art. 147-A, introduced by Law No. 14,132/2021) or to illegal constraint (CP art. 146), triggering precautionary measures under CPP art. 319.
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☒ Prohibiting stalking:

Stalking ("perseguição") is an autonomous crime since Law No. 14,132/2021 (CP art. 147-A: repeatedly pursuing a person, by any means, threatening their physical or psychological integrity, restricting their freedom of movement, or otherwise invading or disturbing their sphere of freedom or privacy - penalty of 6 months to 2 years' imprisonment and a fine, increased if committed against a woman for reasons connected to her gender, a child, adolescent or elderly person, or using an electronic device). Criminal courts may impose precautionary measures under CPP art. 319 (no-contact, no-approach, electronic monitoring). Depending on the facts and procedural setting, protection may be granted through the Maria da Penha Law, the Henry Borel Law, criminal precautionary measures or general civil injunctive relief.

☒ Prohibiting or restricting certain social media / online activity:

MPL art. 22(III)(b) covers prohibition of contact "by any means of communication", which Brazilian courts interpret to include social media and messaging apps. The Penal Code (CP), art. 147-A(1) expressly aggravates stalking committed through an electronic or similar device/network. Non-consensual sharing of intimate images ("revenge porn") is separately criminalised (CP art. 218-C, Law No. 13,718/2018), and courts routinely order removal/take-down and non-publication as urgent civil relief. For children and adolescents, the ECA Digital (Law No. 15.211/2025) expanded online protective measures by establishing the "safety by design" principle, imposing strict duties on platforms to remove harmful content immediately and implement age verification and parental supervision controls.

☒ Prohibiting taking someone abroad:

☐ Prohibiting taking someone abroad and abandoning them there:

N/A.

No named order of this kind exists. If such conduct occurred, it could engage criminal liability for "abandono material" (CP art. 244, failure to provide for a spouse/descendant/ascendant) and, where applicable, the general MPL protective-measures regime (e.g., patrimonial protection under art. 24) and general civil remedies, but Brazilian law does not provide a specific preventive order targeting transnational abandonment as such.

☒ Prohibiting certain physical or medical interventions affecting the bodily integrity of a person:

Through several instruments rather than a single dedicated order. Civil Code art. 15 protects the right to refuse medical treatment or surgical intervention involving risk to life; forced or non-consensual sterilisation is a crime under art. 15 of Law No. 9,263/1996 (Family Planning Act); non-consensual medical or surgical constraint may amount to illegal constraint (CP art. 146) or bodily harm (CP art. 129); and a court may grant an injunctive order (tutela inibitoria, CPC art. 497) to prevent a specific planned intervention. Female genital mutilation is not separately criminalised but would fall under aggravated bodily harm (CP art. 129, paras. 1-2) if it occurred.

☒ Requiring a person to stay away from a specified place (e.g. home, workplace, school):

Workplace, school or other places. CPP art. 319(II) provides an equivalent pre-trial measure (prohibition of access to or attendance at certain places) for cases outside the MPL's scope.

☒ Requiring a person to participate in counselling:

MPL art. 22(VI) (as introduced by Law No. 13,984/2020) allows the court to order the aggressor's attendance at recovery and re-education programmes, and art. 22(VII) allows psychosocial monitoring through individual and/or group support. Similar measures exist under HBL and the Child and Adolescent Statute.

☒ Restricting possession or use of weapons:

	MPL art. 22(I) and HBL art. 20(I) allow suspension of a firearms licence or restriction of the right to carry weapons, with the relevant communication to the competent authority under the Disarmament Statute (Law No. 10,826/2003). ☒ Imposing other prohibitions (please specify): Additional prohibitions available under MPL art. 22(IV) include restriction or suspension of visitation rights with minor dependents of the victim/aggressor. In the general criminal-procedure context, CPP art. 319 also allows prohibition on leaving the judicial district or the country (item IV), a nightly/days-off home-curfew (inc. V), and suspension from public office or certain economic or financial activities (inc. VI), any of which may be combined to protect a victim depending on the facts of the case. ☒ Imposing positive obligations of a protective nature (please specify): Positive obligations available include: provisional/interim maintenance (alimony) in favour of the victim and dependents (MPL art. 22(V)); restitution of assets improperly taken from the victim, and provision of a judicial security deposit for damages (MPL art. 24(I) and (IV)); enrollment of dependants in the nearest public basic-education institution (MPL art. 23(V), Law No. 13,882/2019); and, since Law No. 14,674/2023, temporary rental assistance ("auxílio-aluguel") for up to six months where the victim must leave the shared home (MPL art. 23). Furthermore, the ECA Digital (Law No. 15.211/2025) introduces positive obligations of a protective nature in the digital sphere, such as requiring technology providers to offer accessible parental supervision tools, disable location tracking for minors by default, and implement age verification ☐ Other (please specify): Brazilian law provides protective measures for children and adolescents under Law No. 8,069/1990 and Law No. 14.344/2022, for persons aged 60 or over under Law No. 10.741/2003 (Estatuto do Idoso - Statute of the Elderly Person), and case-specific urgent or preventive relief under the Codes of Civil and Criminal Procedure. These mechanisms do not form a single, unified legal category and may have different authorities, procedures and consequences. In addition, since Law No. 15,383/2026, MPL art. 22(VIII) creates electronic monitoring of the aggressor combined with provision of an alert device to the victim as an additional protective measure (see Part II, Question on technological means, below); new arts. 12-C and 12-D MPL further allow, in municipalities without immediate judicial availability, a police delegate (or, in their absence, a police officer) to order the aggressor's immediate removal from the home or immediate electronic monitoring where there is current or imminent risk, subject to judicial confirmation within 24 hours. Additionally, as established by the Supreme Court (STF, Tema 1.412, August 2026), the system of emergency protective measures under the MPL operates as an autonomous protective process that is not dependent on a domestic context, meaning that courts of other material competences (such as Civil or Electoral courts) are competent to grant and execute these measures within their respective spheres when gender-based violence occurs.
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B. Contexts / situations or wider risks / behaviours that can be addressed by a protection order

2.	What types of contexts / situations or wider risks / behaviours can be addressed by a protection order issued in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i>
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☒ Domestic or family violence / abuse:²

Expressly covered by Law No. 11,340/2006 for women and Law No. 14,344/2022 for children and adolescents. The Child and Adolescent Statute and the Statute of the Elderly Person also provide protective measures in situations of abuse, neglect, exploitation or rights violation. Brazilian international legal cooperation practice confirms the practical relevance of these measures in cross-border situations. Between June 2025 and May 2026, the Brazilian Central Authority registered at least 81 international cooperation matters in civil and family cases referring to protective measures, including domestic violence against women, protection of children and adolescents, custody disputes, family maintenance proceedings and institutional care measures

☒ Sexual violence / abuse:

Covered, including sexual violence in domestic and family settings, sexual abuse or exploitation of children and adolescents, and other circumstances addressed through criminal precautionary measures and civil or child protection relief. Outside that context, under the general criminal-law framework on crimes against sexual dignity (CP Title VI, as amended by Law No. 12,015/2009 and subsequent laws), which allows pre-trial precautionary measures under CPP art. 319.

☒ Harassment (incl. any kind of non-physical forms of abuse):

As psychological, moral, sexual, patrimonial or other violence, stalking, threat, discrimination or an unlawful interference with personal rights, under MPL art. 7 where it occurs in a domestic/family/intimate context; otherwise addressed through the general criminal offences of illegal constraint (CP art. 146), threat (CP art. 147), or workplace/sexual harassment (CP art. 216-A), each of which can support precautionary/protective measures.

☒ Stalking:

Covered through Penal Code art. 147-A and, as applicable, the Maria da Penha Law, the Henry Borel Law, criminal precautionary measures and general civil relief.

☒ Forced marriage:

Brazilian law requires free and full consent to marriage and provides mechanisms to prevent or invalidate marriage without valid consent. Brazil has no dedicated forced-marriage protection order. Overlapping mechanisms include: annulment of marriage for vitiated consent/duress (Civil Code arts. 1,550 and 1,556-1,558); the absolute prohibition on marriage of persons under 16, without exception, since Law No. 13,811/2019; ECA protective measures where a child/adolescent is involved (arts. 98 and 101); and MPL protective measures where the coercion is exercised by a family/domestic member against a woman.

☐ Honour-related violence:

No dedicated statutory category. Conduct motivated by "honour" is not separately classified; it is addressed under the ordinary criminal offences engaged by the specific conduct (e.g., threat, bodily harm, homicide - which is qualified as feminicide under CP art. 121, para. 2, VI, when committed against a woman for reasons connected to her gender) and, where applicable, under MPL or HBL.

☒ Human trafficking / modern slavery:

Law No. 13,344/2016 defines and criminalises trafficking in persons and provides for victim-protection measures (art. 6: humanised assistance, right to information, etc.); forced labour/labour analogous to slavery is criminalised under CP art. 149. Victims may also be

² "A pattern of behaviour in any relationship that is used to gain or maintain power and control, including physical, sexual, emotional, economic or psychological abuse." Source: [What Is Domestic Abuse? | United Nations](#) (definition provided for guidance purposes only). It is understood that this definition would be inclusive of terms such as "intimate partner violence" and "coercive control".

included in the Programme for the Protection of Victims and Witnesses under Threat (Law No. 9,807/1999), which can include relocation and other protective measures.

☐ Female genital mutilation (FGM):

Not separately criminalised as such and not a common context in Brazil; if it occurred it would be addressed as aggravated bodily harm (CP art. 129, paras. 1 and 2) and, where the victim is a child, would trigger ECA protective measures (arts. 98 and 101).

☐ Other contexts / situations or wider risks / behaviours (please specify):

Other contexts addressed through the same or analogous instruments include: abuse, neglect or exploitation of older persons (Statute of the Elderly Person, Law No. 10,741/2003, arts. 43-45); abuse or neglect of children and adolescents generally, beyond domestic-violence-specific contexts (ECA arts. 98 and 101, and Law No. 13,431/2017 for child victims/witnesses of violence); the protection of children and adolescents in digital environments against online exploitation, cyberbullying, and exposure to harmful content under the ECA Digital (Law No. 15,211/2025); gender-based political violence against women candidates/office-holders (Law No. 14,192/2021); non-consensual sharing of intimate images (CP art. 218-C); and general civil harassment/neighbourhood disputes, which may be addressed through ordinary urgent civil relief (CPC arts. 300-311) even outside any of the specific statutes above. Recent cross-border cooperation practice further demonstrates the use of protective measures in a broad range of situations, including parental responsibility disputes, child protection proceedings, institutional or family placement measures, international maintenance cases, violence-related custody disputes and protection of vulnerable persons.

C. Legal basis for protection orders

3. What is the legal basis enabling authorities in your jurisdiction to issue the protection orders listed in Question 1 above?

Tick all boxes that apply.

Provide additional details where appropriate, as well as references and links where available.

☒ Legislation:

The principal federal legislation includes the Federal Constitution (art. 5, art. 226, para. 8, and art. 227); Law No. 11,340/2006 (Maria da Penha Law) and its numerous amending laws (most recently Laws No. 14,550/2023, 14,674/2023, 14,994/2024, 15,383/2026, 15,411/2026 and 15,412/2026); Law No. 14,344/2022 (Henry Borel Law), especially arts. 15 to 25; the Code of Criminal Procedure, arts. 313, 319 and 320 (pre-trial measures other than detention); the Code of Civil Procedure, arts. 297 and 300-311 (general urgent civil relief); the Statute of the Child and Adolescent (ECA, Law No. 8,069/1990), arts. 43-45, 98, 101 and 129; the ECA Digital (Law No. 15,211/2025) regarding child and adolescent protection in digital environments; Law No. 13,431/2017 (protection system for child victims/witnesses of violence); the Statute of the Elderly Person (Law No. 10,741/2003), arts. 43-45; Law No. 9,807/1999 (victim and witness protection); Law No. 13,344/2016 (human trafficking); and the Criminal Code provisions referenced throughout this questionnaire (e.g., arts. 146, 147, 147-A, 216-A, 218-C, 244).

☒ Administrative regulations / instruments:

Examples include: National Council of Justice (CNJ) resolutions and administrative acts regulating risk-assessment protocols, specialised courts and the national protective-measures database (e.g., CNJ Resolution No. 342/2020 and subsequent acts); regulations of the National Secretariat for Policies for Women; and state-level decrees/regulations implementing electronic-monitoring programmes for aggressors.

Additionally, the National Council of Justice (CNJ) developed the Protocol for Gender-Sensitive Adjudication - CNJ Resolution n. 492/2023. This protocol established the adoption of a gender perspective in judicial proceedings throughout the Judiciary. This pioneering document provides a theoretical foundation and a step-by-step methodological guide for judicial and administrative

	decisions that take into account the structural inequalities affecting women—in all their diversity and across multiple intersections of race, class, ethnicity, sexual orientation, gender identity, disability, and other conditions of vulnerability. In turn, the CNJ Resolution n 598/2024 establishes guidelines for adopting a racial perspective in judgments throughout the Judiciary. Formulated by different segments of the justice system, as well as experts on racial issues, the Protocol considers that the judicial activity is fundamental to realize a new constitutional paradigm for confronting racism. The Protocols mandate, among other measures, compulsory training for judges on topics related to human rights, gender, race, and ethnicity through an intersectional lens. More recently, in August 2026, the National Council of the Public Ministry approved the Handbook on Gender-Responsive Action for the Brazilian Public Ministry. Although such protocols and the Handbook are not restricted to the application of protective measures, they may be central to the analysis of specific cases. ☒ Other sources (e.g., case law; please specify): Case law of the Superior Court of Justice (STJ) has played a significant role in clarifying that protective measures are autonomous from, and may be granted independently of, any criminal investigation or proceeding (now codified in MPL art. 19, paras. 4 and 5). Of particular relevance, is STJ Repetitive Theme No. 1,249, which characterises Maria da Penha emergency protective measures as preventive injunctions that remain in force while the concrete risk persists, without a mandatory predetermined expiry or periodic review. Constitutional and superior court case law also governs due process, proportionality and the protection of fundamental rights. Of particular relevance is the unanimous ruling of the Federal Supreme Court (STF, Tema 1.412, August 2026), which established that MPL protective measures are autonomous, apply to all forms of gender-based violence against women, and operate independently of domestic, family, or intimate relationships. Non-binding guidance is also produced by the National Forum of Judges dealing with Domestic and Family Violence Against Women (FONAVID) through "enunciados" (interpretive statements).
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D. Type(s) of authorities that may issue protection orders

4.	Which authorities are competent to issue protection orders in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Judicial authorities (please specify): ☒ Civil court / tribunal: Specialised Domestic Violence Courts ("Varas de Violencia Domestica e Familiar contra a Mulher"), which under MPL art. 14 combine civil and criminal jurisdiction over matters arising from domestic and family violence; ordinary civil/family courts for general urgent civil relief and for measures under ECA/the Statute of the Elderly Person outside the MPL framework; and Juvenile Courts ("Varas da Infancia e da Juventude") for measures concerning children and adolescents. Additionally, following the STF Tema 1.412 precedent (August 2026), ordinary civil or electoral courts are competent to grant and execute MPL protective measures within their respective material spheres when gender-based violence occurs outside a domestic or family setting. Cross-border cooperation experience also shows that protective measures are frequently linked to decisions issued by family courts, child-protection courts and juvenile courts dealing with custody, parental responsibility, institutional care and maintenance matters. ☒ Criminal court / tribunal: The same specialised Domestic Violence Courts exercise criminal jurisdiction over related criminal offences (including the crime of breaching a protective order, MPL art. 24-A); ordinary criminal courts impose pre-trial precautionary measures under CPP art. 319 in cases outside the MPL's scope (e.g., stalking between persons without a domestic/family/intimate relationship). Following STF Tema 1.412 (August 2026), ordinary criminal courts are also
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	competent to grant and execute MPL protective measures in criminal proceedings involving gender-based violence committed outside domestic or family settings. ☒ Administrative authorities (please specify): ☐ Administrative tribunal: Brazil does not have specialised administrative tribunals with jurisdiction to issue protection orders. ☒ Police / law enforcement officer: In a specific and limited emergency function. Since Law No. 13,827/2019 (MPL art. 12-C) and, more recently, Law No. 15,411/2026 (further amending art. 12-C) and Law No. 15,383/2026 (new art. 12-D), a police delegate - or, where a delegate is not available, a police officer on duty - may, in municipalities without a court seat, immediately order the aggressor's removal from the home and/or immediate electronic monitoring where there is a current or imminent risk to the victim's life or physical, sexual, psychological, moral or patrimonial integrity. The measure must be communicated to a judge within 24 hours, who decides on its confirmation or revocation within the same period, with the Public Prosecution Service being given notice. Related rules apply under Law No. 14,344/2022. Police also receive applications, implement court orders and take emergency safety measures. ☒ Other (please specify): ☒ Other authorities (please specify): The Public Prosecutor's Office (Ministério Público) may request protective measures on behalf of a victim (MPL art. 19, caput) and intervenes as guardian of the law in related proceedings; it is not itself an issuing authority. This Office also may determine certain protective measures for elderly persons under Law No. 10,741/2003, art. 45, and may request judicial measures in several statutory regimes.
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E. Protected person(s)

5.	Who can be protected by a protection order issued in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Intended protected person(s) only: ☒ Adults (please indicate minimum age requirement if applicable): ☒ Children (please indicate age limit if applicable): The legislation towards children and adolescents is applicable until 18 years of age, under the ECA (art. 2), and under Law No. 13,431/2017 for child victims or witnesses of violence specifically. This is complemented by the online safeguards established under the ECA Digital (Law No. 15.211/2025), which shields minors under 18 from digital abuse, harassment, and cyberbullying. ☒ Other individuals close to the intended protected person(s) (please specify): MPL art. 22(III)(a) and HBL art. 20(III)(a) expressly extend no-contact/no-approach protection to the victim's family members and to witnesses, in addition to the named protected person; minor dependents of the victim are also directly addressed by measures such as restriction of visitation (art. 22(IV)) and school enrollment support (art. 23(V)).
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F. Applicant(s)

6.	Who can apply for a protection order in your jurisdiction? <i>Tick all boxes that apply.</i> ☒ The intended protected person(s) ☒ Family member(s) of the intended protected person(s) ☒ Police / law enforcement officers ☐ Courts <i>ex officio</i> ☒ Other person, public authority or official (please specify): The entitled applicant varies by regime. It may include the intended protected person, a legal representative, parent or guardian, the police authority, The Public Prosecutor's Office, the Public Defender's Office, a Guardianship Council, or another person or entity authorised by law. Following the STF Tema 1.412 precedent (August 2026), any woman victim of gender-based violence (or the Public Prosecutor's Office on her behalf) is entitled to apply for protective measures under the MPL, regardless of whether a domestic or family relationship exists. Under the ECA Digital (Law No. 15.211/2025), parents, legal guardians, and public authorities can also apply for specific digital protective measures on behalf of children and adolescents. Courts may act <i>ex officio</i> only where the applicable procedural or protective statute permits; this is not a uniform power across all regimes. Judges are empowered to issue protective measures <i>ex officio</i> to safeguard children and adolescents under the ECA.
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G. Person(s) against whom protective orders can be issued

7.	Against whom can a protection order be issued in your jurisdiction? <i>Tick all boxes that apply</i> ☒ Perpetrator(s) / alleged perpetrator(s) / putative perpetrator(s) / person(s) causing the risk ☐ Family members of the perpetrator(s) / alleged perpetrator(s) / putative perpetrator(s) / person(s) causing the risk ☒ Others (please specify): Under the ECA (art. 129), measures may also be directed at parents or legal guardians who are responsible for, or have allowed, a situation placing a child or adolescent at risk, even where they are not "perpetrators" of violence in a strict sense (e.g., referral to a family-support/guidance programme, obligatory enrolment in treatment for substance abuse, temporary loss of custody). Furthermore, following the STF Tema 1.412 precedent (August 2026), because gender-based protective measures under the MPL are applicable outside domestic or intimate relationships, orders may be issued against any individual perpetrator causing gender-based risk, including coworkers, supervisors, neighbors, or political actors. Additionally, under the ECA Digital (Law No. 15.211/2025), protective and injunctive orders can be legally directed against digital platforms and IT service providers (legal entities acting as intermediaries), requiring them to immediately remove harmful content, block contact, or enforce parental controls to safeguard minors in the digital environment.
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H. Supplementary matters

8.	Can supplementary matters, which may or may not be directly related to the immediate safety of the protected person(s), be addressed in protection orders? ☒ Yes (please specify): ☒ Child custody ☒ Maintenance
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	☒ Property protection ☒ Mandatory counselling (to the extent not covered by Question 1) ☒ Other (please specify): Other matters may include temporary rental assistance for the victim (MPL art. 23, as added by Law No. 14,674/2023); suspension of powers of attorney granted by the victim to the aggressor and prohibition on disposing of jointly owned property (MPL art. 24(II)-(III)). Experience in international cooperation indicates that protective measures are often associated with supplementary matters such as custody, child placement, maintenance obligations, visitation arrangements, institutional care and parental responsibility, rather than being limited to stand-alone protection proceedings. ☐ No ☒ In some cases (please specify): The extent to which supplementary matters are addressed within the protective-measures decision itself, as opposed to a separate/connected proceeding, is most developed under the MPL and HBL; protective measures issued under the ECA or the Statute of the Elderly Person are more narrowly protective in character, and matters such as custody or maintenance in those contexts are typically pursued through separate (though often procedurally connected) civil proceedings. Additionally, under the ECA Digital (Law No. 15.211/2025), protective measures in the digital environment may include ancillary orders to IT providers to preserve digital evidence, secure logs, or enforce age-restricted filtering, which operate alongside physical safety measures to guarantee the comprehensive protection of minors.
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I. Duration of protection orders

9.	Please provide details regarding the possible duration of protection orders issued in your jurisdiction. Shortest duration for fixed term orders (incl. interim / emergency orders): Please indicate the shortest time frame for such orders: There is no statutory minimum. Emergency measures can be granted immediately (including, since Laws No. 13,827/2019, 15,411/2026 and 15,383/2026, which amended Law No. 11,340/2006, by a police delegate/officer where a judge is not immediately available), subject to judicial confirmation within 24 hours; a fixed-term order of only a few days is possible pending a fuller hearing. Please provide examples of such orders: An initial emergency removal/no-contact order pending the 24-hour judicial confirmation referred to above, or a short interim order pending a full protective-measures hearing. Longest duration for fixed term orders: Please indicate the longest time frame for such orders: There is no statutory maximum. Courts frequently maintain measures for extended periods (many months or years) for as long as risk persists, subject to periodic review. Please provide examples of such orders: Long-running no-contact/no-approach and electronic-monitoring orders maintained throughout criminal proceedings and, where risk persists, beyond their conclusion. Indefinite duration: ☒ Yes Since Law No. 14,550/2023 (MPL art. 19, para. 1), protective measures remain in force for as long as risk to the victim's physical, psychological, sexual, patrimonial or moral integrity persists; they are not tied to any fixed term, to the existence of a pending criminal investigation or action, or to
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	the classification of the underlying conduct as a crime (art. 19, paras. 4 and 5), and are subject to review and revocation by the issuing court as circumstances change. ☐ No N/A - see indefinite duration answer above. Renewal of protection orders: ☒ All protection orders are potentially renewable (please specify any conditions or limitations, if applicable): Because Brazilian law generally does not use a fixed-term model requiring formal "renewal", but rather an indefinite-validity/periodic-review model (MPL art. 19, para. 1), measures already in force can typically be maintained, extended or adjusted by the court upon a showing that risk persists, without a separate formal renewal procedure; where a court does set a review or expiry date administratively, an extension may be requested on the same basis. ☐ Some protection orders are potentially renewable (please specify): N/A - see above. ☐ Protection orders are not renewable: N/A - see above.
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J. Transportability of the domestic protection order

Please complete this section if your jurisdiction has a framework for the cross-border recognition and enforcement of protection orders issued in your jurisdiction.

10.	What steps, if any, need to be taken in your jurisdiction to ensure that the protection order issued in your jurisdiction can be relied upon across borders? <i>Provide additional details where appropriate.</i> ☐ A certificate / abstract / other document to accompany the order is issued automatically N/A - Brazil does not issue such a certificate/abstract automatically. ☒ A certificate / abstract / other document to accompany the order is issued upon request There is no certificate specifically designed for cross-border reliance on a domestic protection order. A certified copy ("certidao de inteiro teor") of the judicial decision may be requested from the issuing court for use elsewhere, domestically or abroad. This is not a standardised international protection order certificate and does not itself guarantee recognition abroad. ☒ A signature / stamp by a competent authority on the order itself All judicial decisions, including protective measures, bear the issuing judge's signature (including qualified electronic signature, as most courts operate through the Judiciary's electronic-process systems). For use abroad, the decision/certified copy can be authenticated through an apostille under the 1961 Hague Apostille Convention, to which Brazil has been a party since 2016 (Decree No. 8,660/2016). ☐ There is no procedure to ensure that the protection order can be relied upon abroad There is no procedure specifically designed to make a domestic protection order enforceable abroad; the general document-authentication mechanisms mentioned above (certified copy, apostille) may assist a protected person in relying on the order abroad, but recognition/enforcement there ultimately depends on the receiving State's own rules. ☐ Other (please specify): See apostille mechanism described above (Hague Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents). Also, Brazilian consular assistance
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	and international legal-cooperation channels may provide general information or facilitate documents where legally available, but they do not convert a Brazilian order into an enforceable foreign order. In practice, the Brazilian Central Authority regularly receives and transmits requests involving foreign or domestic protective measures through letters rogatory and other international cooperation mechanisms, particularly in family and child protection matters. However, these cooperation channels facilitate communication and transmission of requests and do not themselves create an autonomous system for automatic recognition of protection orders abroad.
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11.	At the time of receiving the protection order, is / are the protected person(s) informed that it may be enforceable abroad? <i>Provide additional details where appropriate.</i> ☐ Yes – please explain how and at what stage the protected person(s) are made aware of this (e.g., upon issuance of the order, via written materials, or through follow-up contact with authorities)? No standardised practice exists, given the absence of a dedicated cross-border regime. Victims may receive general orientation from support services (e.g., the "Casa da Mulher Brasileira" network, the Public Defender's Office, the Public Prosecutor's Office, courts, police, consular authorities or specialised services, including the national women's helpline "Ligue 180") on a case-by-case basis, but this is not a formalised or uniform procedure tied to the issuance of the order. ☒ No
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12.	Is / are the protected person(s) informed about any potential limitations of the protection orders in other jurisdictions (e.g., possible lack of electronic monitoring)? <i>Provide additional details where appropriate.</i> ☐ Yes – please specify how they are informed: No standardised practice exists, for the same reasons given above. ☒ No
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13.	Is / are the (alleged / putative) perpetrator(s) / person(s) causing the risk informed of the protection order's potential enforceability abroad when the order is issued? <i>Provide additional details where appropriate.</i> ☐ Yes No standardised practice exists. The (alleged) aggressor is formally notified of the protective measure(s) imposed and of the domestic consequences of breach, but is not, as a matter of standard procedure, specifically informed of any potential cross-border enforceability. Brazilian law does not impose a general requirement to advise the (alleged) aggressor of potential enforceability in other States. ☒ No
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14.	Has your jurisdiction issued any guidance to raise awareness about the availability of protection orders and their potential cross-border reach? <i>Provide additional details where appropriate.</i>
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	☐ Yes – please describe the guidance (i.e., if they are in form of instructions, non-binding documents, etc.) Not specifically regarding cross-border reach. General public-awareness campaigns and practical guidance on the availability and operation of domestic protective measures exist (e.g., through "Ligue 180", the "Casa da Mulher Brasileira" network, and CNJ/state-court public information campaigns), but none is known to specifically address the potential cross-border reach or portability of such measures. ☒ No
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II. Ensuring / monitoring compliance with domestic protection orders

A. Registers

15.	Are there any registers in your jurisdiction to monitor protection orders? ☒ Yes (please specify): ☒ National database: ☒ Accessible to police ☒ Accessible to courts ☒ Accessible to others (please specify): Instituted by Law No. 13,827/2019 and regulated by National Council of Justice (CNJ) Resolution No. 342/2020, the National Registry of Urgent Protective Measures (BNMPU) is a centralized database fed by state and federal courts. Although regional state registries predate the BNMPU and continue to operate alongside it, this unified national system strictly governs information sharing. System access is role-based and subject to confidentiality, data protection, and procedural rules, ensuring that the protected persons' data remains secure and is not available to the general public. ☐ Regional database(s): ☐ Accessible to police ☐ Accessible to courts ☐ Accessible to others (please specify): Due to Brazil's decentralized federative structure, state courts and public security secretariats have historically maintained their own localized electronic registries for tracking protective measures, which predate and continue to operate alongside the National Registry of Urgent Protective Measures (BNMPU) created by Law No. 13,827/2019 and a 2020 National Council of Justice resolution to centralize regional data. ☒ Local / municipal database(s): ☒ Accessible to police ☒ Accessible to courts ☒ Accessible to others (please specify): No centralised, formally structured municipal-level database is known to exist; individual specialised police units (e.g. "Delegacias Especializadas de Atendimento à Mulher", DEAMs) and municipal social-assistance networks may keep their own operational records for internal case-management purposes. Such records are not a substitute for a national enforceability register and are subject to confidentiality and data protection law. ☐ No
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	☒ Other (please specify): Also relevant, although not specific to protective measures: the National Bank of Criminal Sentences and Prisons ("Banco Nacional de Medidas Penais e Prisões", BNMP, currently version 3.0), administered by the CNJ, which records pre-trial detention and other custodial and non-custodial criminal measures and may overlap where an aggressor is also subject to a criminal precautionary measure. It is important to bear in mind that because Brazil is a federal State, implementation combines national judicial data systems with state-level court and public security systems. Coverage and interoperability may differ by type of order and federative unit. Furthermore, the National Public Security System, created by Law N. 13.675/2018, fosters cooperation among police and social defense institutions. The general coordination of the guidelines is the responsibility of the National Secretariat of Public Security (Senasp), which is linked to the Ministry of Justice and Public Security. Law N. 13.675/2018 establishes the Unified Public Security System (Susp) and creates the National Public Security and Social Defense Policy (PNSPDS), with the aim of preserving public order and the safety of persons and property through joint, coordinated, systemic, and integrated action by public security and social defense agencies of the Union, the States, the Federal District, and the Municipalities, in coordination with society. The Susp fosters cooperation among police and social defense institutions. In September 2026, the Senate Constitution and Justice Committee approved the Public Security PEC (Proposed Constitutional Amendment No. 18/2025) that will formally incorporate the SUSP into the Federal Constitution, institutionalizing cooperation and integration among the Union, states, the Federal District, and municipalities.
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B. Preventing a potential breach or monitoring compliance

16.	By what technological means can compliance with a protection order be monitored or a breach of a protection order be prevented in your jurisdiction? <i>Tick all boxes that apply.</i> ☒ GPS monitoring ☒ Electronic bracelets ☒ Digital alerts ☒ Databases ☐ None ☒ Other (please specify): The legal basis for GPS-based electronic monitoring of aggressors, combined with a paired alert device for the victim, is now expressly set out in MPL art. 22(VIII) and art. 22, paras. 6-9 (introduced by Law No. 15,383/2026), which establish priority use of electronic monitoring where there has been a prior breach or an imminent risk, automatic alerts to the victim and to the nearest police unit upon breach of an exclusion zone, and an aggravated penalty (increase of one third to one half) for tampering with the device or breaching a monitored exclusion zone (MPL art. 24-A, para. 4). Electronic monitoring as a general criminal-procedure tool (not limited to domestic-violence cases) has its statutory basis in Law No. 12,258/2010 and CPP art. 319(IX). "Other" complementary (non-strictly-technological) tools include state-level "panic button" mobile applications and the "Patrulha Maria da Penha" programme, under which police periodically and proactively visit protected victims.
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C. Addressing a breach

17.	Which authorities are responsible for the enforcement of protection orders in your jurisdiction? <i>Tick all boxes that apply.</i> ☒ Police / law enforcement
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	☐ Bailiff / Sheriff ☒ Court ☒ Other (please specify): The enforcement of protective measures involves a coordinated network of authorities. Police execute the measures and respond to breaches, while the courts supervise proceedings, holding the authority to modify measures, impose procedural consequences, or order arrests. The Public Prosecutor's Office prosecutes offenses and may seek additional protections, supported by other network bodies that monitor and report relevant risks. Furthermore, for measures involving civil or pecuniary elements, such as asset restitution or provisional maintenance, a court enforcement officer (oficial de justiça) performs a role analogous to a bailiff by serving and executing the respective judicial orders.
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D. Enforcement upon simple presentation of protection order

18.	Can a protection order be enforced on the simple presentation of the order to the enforcement officer? ☐ Yes ☐ No - if so, is enforcement subject to one or more of the following: ☐ Verification ☐ Registration ☐ Any other additional steps – describe what needs to happen for enforcement to take place: Presentation of the order (or, in practice, an officer's on-the-spot confirmation of its existence and validity through police/judicial information systems, where feasible) is generally sufficient for police to act on a breach, since breaching a protective measure is itself an autonomous crime (MPL art. 24-A), allowing an arrest in flagrante delicto without any additional formal precondition. Such verification, where carried out, is an operational practice rather than a formal legal precondition for intervention in response to an ongoing or imminent breach.
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E. Sanctions following breach

19.	What are the consequences following a breach of a protection order in your jurisdiction? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☒ Civil sanctions (e.g., injunction, contempt of court) Reinforcement/extension of protective measures by the court; since Law No. 15,412/2026 (MPL art. 22, para. 10), civil protective measures with pecuniary content constitute an enforceable judicial title in their own right, allowing direct enforcement without a separate cognition action; courts may also impose coercive daily fines ("astreintes") to secure compliance under general civil-procedure powers (CPC art. 139(IV)). Brazilian law does not use the common law category of contempt as an exact equivalent. ☒ Fines A fine is one of the two cumulative penalties for the autonomous crime of breaching a protective measure (e.g. MPL art. 24-A: imprisonment plus a fine); coercive civil fines (astreintes) may also be applied. Under the ECA Digital (Law No. 15.211/2025), significant daily fines and administrative penalties can also be levied against technological intermediaries for non-compliance with digital protection measures. ☒ Arrest / confinement
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	Preventive detention ("prisão preventiva") is expressly available for breach of a protective measure regardless of the sentencing threshold that ordinarily applies to other offences (CPP art. 313(IV)); arrest in flagrante delicto is also available given that breach is an autonomous crime. ☒ Criminal sanctions Breaching a protective measure is an autonomous crime under MPL art. 24-A (introduced by Law No. 13,641/2018): imprisonment of 2 to 5 years and a fine (penalty increased by Law No. 14,994/2024, the "anti-feminicide package"), increased by one third to one half where the breach involves an electronic exclusion zone or tampering with a monitoring device (art. 24-A, para. 4, Law No. 15,383/2026). Following the STF Tema 1.412 precedent (August 2026), criminal prosecution under MPL Article 24-A applies to the breach of any gender-based protective measure, even if the victim and the aggressor have no domestic, family, or intimate relationship. Other conduct may constitute stalking, threat, bodily injury, disobedience or another offence, depending on the facts and the applicable special statute. ☒ Other (please specify): A prior breach is an aggravating circumstance relevant to sentencing in connected criminal proceedings and may lead to revocation of any suspended/conditional benefits granted to the aggressor (e.g., conditional release, suspended sentence) in those proceedings. The court may reassess risk, broaden or replace the measure, suspend contact or visitation, restrict weapons, order electronic monitoring, or activate social, health, child protection and shelter services, subject to the applicable law.
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III. Current national, regional, and international rules for the recognition and enforcement of foreign protection orders

Part III aims to identify all applicable rules in your jurisdiction pertaining to the recognition and enforcement of foreign protection orders, including those rules deriving from regional or international instruments.

In this regard, jurisdictions may have adopted a specific legal regime for foreign protection orders, which may cover all or only certain aspects of their recognition and enforcement. In the absence of, or alongside, such a specific regime, general rules on recognition and enforcement may apply. In some jurisdictions, foreign protection orders may not be recognised or enforced at all. Where a specific regime does not address all relevant issues, any remaining matters may or may not fall within the scope of a general regime. Sections F, G, and H below are designed to accommodate these different approaches.

F. Specific vs general rules of recognition and enforcement

20.	Please indicate the types of rules available in your jurisdiction for the recognition and enforcement of foreign protection orders. <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate, as well as references and links where available</i> ☐ My jurisdiction applies specific rules³ of recognition and enforcement to foreign protection orders coming from: ☐ Any jurisdiction
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³ Please complete section G below.

☐ Specified jurisdictions (please specify)⁴:

N/A

☒ My jurisdiction applies general rules⁵ of recognition and enforcement to foreign protection orders

If you ticked both boxes on specific and general rules of recognition and enforcement, please explain:

Brazil has no specific statute or procedure for the recognition and enforcement of foreign protection orders. A foreign judicial protection order may, depending on its nature and content, fall under the general rules of foreign judgements in the Federal Constitution, Code of Civil Procedure, Introductory Act to the Norms of Brazilian Law (LINDB) and the Rules of the Superior Court of Justice (STJ). Treaties in force for Brazil prevail within their scope. Two features of the Brazilian general regime are relevant here. First, the nature of the issuing authority is not decisive: CPC art. 961, para. 1, expressly allows the recognition of non-judicial foreign decisions which, under Brazilian law, would have a jurisdictional nature. The STJ applies this rule routinely, for example to Japanese divorces registered before administrative authorities, which are recognised as if they were judgments. A foreign protection order issued by an administrative or police authority may therefore qualify for recognition, provided it is effective and enforceable in the State of origin. Second, for urgent and provisional measures the letters-rogatory channel of CPC art. 962 is available, and the STJ Internal Rules (art. 216-O, para. 1) allow exequatur to be granted to letters rogatory concerning decisory acts; the requirement is that the foreign measure be enforceable in the State of origin. Case law specifically on foreign protection orders under art. 962 is, however, still scarce. A recent example is STJ, Letter Rogatory (Carta Rogatória, CR) No. 22,066 – EX (2025/0189216-6), Presiding Justice Herman Benjamin, order of 5 June 2025 (DJEN 10 June 2025) and decision of 8 September 2025 (DJEN 11 September 2025). A Portuguese court (Tribunal Judicial da Comarca de Lisboa, Juízo de Família e Menores de Almada) requested, by letter rogatory, that the Brazilian courts take protective measures in favour of a person residing in Brazil. Three points deserve attention. First, the STJ treated the request as a request for judicial measures, and not as mere service of documents, and for that reason admitted the deferred adversarial hearing (RISTJ art. 216-Q, para. 1; CPC art. 962, para. 2): the measure may be carried out without prior notice to the person concerned, provided that the right to be heard is guaranteed afterwards, whenever prior notice could render the cooperation ineffective – in that case, because of the short deadline set by the requesting court. Second, the Federal Prosecution Service recommended the exequatur and asked that the Guardianship Council (Conselho Tutelar) of the place of residence be notified to adopt the appropriate protective measures, which shows how a foreign request is channelled into the domestic protection network. Third, the President of the STJ granted the exequatur after the usual limited review (no offence to national sovereignty, human dignity or public policy; RISTJ arts. 216-O and 216-P), sent the letter to the Federal Court of the State of Minas Gerais for execution within 60 days, and recommended that, if the person could not be found, the court obtain the current address from public bodies and utility companies; the letter is then returned to the STJ for transmission to the State of origin through the Central Authority. From receipt to exequatur, the procedure took about three months. As to treaties, Brazil is a Contracting Party to the HCCH 1980 Child Abduction Convention and to the HCCH 2007 Child Support Convention (but not to the HCCH 1996 Child Protection Convention); to the Inter-American Conventions on Letters Rogatory (1975, and 1979 Additional Protocol), on the Extraterritorial Validity of Foreign Judgments and Arbitral Awards (1979), on Support Obligations (1989) and on the International Return of Children (1989); and, within MERCOSUR, to the Las Leñas Protocol on Jurisdictional Cooperation and Assistance (1992) and to the Ouro Preto Protocol on Precautionary Measures (1994), which allows precautionary and urgent measures ordered in one State Party to be enforced in another through letters rogatory. None of these instruments provides for the automatic recognition of protection orders as such: recognition or exequatur remains within the competence of the STJ (Federal Constitution, art. 105(I)(i)); the treaty simplifies the requirements and the channels of transmission (Central Authorities), but does not dispense with judicial review.

⁴ Please complete section H below, if applicable.

⁵ Please complete section H below.

	In practice, because Brazil treats protective measures as an autonomous class of proceedings—a procedural principle recently reinforced by the Federal Supreme Court (STF) under Tema 1.412 (August 2026)—foreign urgent protective measures can be recognized and enforced autonomously under our general regime for interim relief (CPC Article 962) via letters rogatory receiving exequatur from the Superior Court of Justice (STJ). This general pathway is frequently tested: our Central Authority (DRCI) registered at least 81 international cooperation cases involving protective measures in family and civil contexts between June 2025 and May 2026. This highlights a steady, concrete demand that must currently rely on these general, multi-step channels in the absence of a specialized international framework. Brazilian courts have long taken a broad view of what counts as a "foreign judgment" for the purposes of recognition. As summarised in ARAUJO, Nadia de, <i>Direito Internacional Privado: Teoria e Prática Brasileira</i>, 10th ed., São Paulo: Revista dos Tribunais, 2023, item 14.6.1: "The expression 'foreign judgment' has been understood by the Federal Supreme Court (STF) in a broad sense: it is enough that the act has the content and the effects typical of a judgment. Decisions issued by bodies that are not part of the Judiciary but have the function of issuing determinations with the effect of a judgment have always been accepted, without any restriction. In divorce cases from abroad, decisions issued by royal decree in Denmark, by a rabbinical court in Israel and by an administrative authority in Japan have been recognised. The STJ has followed the same approach." The first such case, a Danish divorce granted by royal decree, was reported by Haroldo Valladão, who advised in favour of recognition on the ground that the term "judgment" must be understood in its material sense, i.e. by reference to the equivalence of the act to a judgment and to its effects (VALLADÃO, Haroldo, <i>Direito Internacional Privado</i>, p. 196); the case law has followed that line ever since. On Japanese divorces, see MARQUES, Claudia Lima, "Casos de divórcio japoneses no Brasil: introdução ao método de análise de casos", <i>Revista da Faculdade de Direito da UFRGS</i>, special issue, 2002, p. 150. Since 2005 the STJ has recognised numerous Japanese decisions without further discussion, following the earlier position of the STF. See, for example, STJ, SE 112, DJ 2 February 2006: divorce in Japan is "normally effected by an administrative act and is therefore accepted by our legal system as a procedure producing effects equivalent to those of a foreign divorce judgment" (precedents: STF, SE 1282 – Norway; SE 1312 – Japan; SEC 6399 – Japan). The general regime, however, does not ensure that every foreign administrative or police order qualifies as a recognisable foreign decision. ☐ My jurisdiction is currently not capable of recognising and enforcing foreign protection orders
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G. Specific rules of recognition and enforcement for protection orders

Please complete this section if foreign protection orders can be recognised and enforced (in full or in part) under a specific set of rules in your jurisdiction.

21.	If your jurisdiction has a specific set of rules for the recognition and enforcement of foreign protection orders, how is it determined whether a foreign protection order falls within the scope of your jurisdiction's specialised recognition and enforcement regime/rules? <i>Tick all boxes that apply.</i> <i>Provide additional details where appropriate.</i> ☐ Based on which authority issued the order N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. Foreign protection orders are dealt with under the general regime for foreign decisions and letters rogatory, described in Section H (Questions 30 to 34). ☐ Based on the content of the order N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. ☐ Based on a certificate / abstract / other document accompanying the order (please specify): N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. ☐ Based on certification on the order itself (e.g., by way of a stamp or seal)
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	N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. ☐ Based on which jurisdiction issued the order (<i>i.e.</i>, State or territorial unit of a State) N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. ☐ Based on an authority's full assessment of all relevant information (please specify): N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. ☐ No determination is necessary for foreign protection orders to be recognised and enforced N/A Brazil has no specific recognition and enforcement regime for foreign protection orders. ☐ Other (please specify): N/A Brazil has no specific recognition and enforcement regime for foreign protection orders.
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22.	Are foreign protection orders recognised and enforced automatically (by operation of law) in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, it is recognised and enforced on simple presentation of the relevant documents (please specify): ☐ The order in and of itself ☐ The order with the stamp / seal of the issuing authority ☐ Certificate ☐ Abstract ☐ Other accompanying document (please specify): N/A. ☐ No, recognition and enforcement takes place once the following step(s) has / have been taken: ☐ Registration ☐ Certification in the jurisdiction where the order is to be recognised and / or enforced ☐ Authentication / verification in the jurisdiction where the order is to be recognised and / or enforced ☐ Other judicial procedure (please specify): No. The recognition and enforcement of a foreign protection order requires the procedure before the STJ described in the answer to Question 20 (recognition of the foreign decision or exequatur of a letter rogatory), followed by enforcement before the competent federal court. ☐ Other administrative procedure (please specify): N/A. Please indicate the language(s) in which the accompanying documents must be submitted in your jurisdiction: Portuguese. Foreign decisions and accompanying documents must be translated into Portuguese by a sworn translator, unless a treaty dispenses with this requirement (CPC art. 963(V); RISTJ art. 216-C).
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23.	Is there a time limit for the recognition and enforcement of a foreign protection order in your jurisdiction?
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	<i>Provide additional details where appropriate.</i> ☐ Yes (please specify): No. There is no time limit for seeking the recognition or exequatur of a foreign protection order. The order must, however, still be effective in the State of origin (CPC art. 963(III)). ☐ No
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24.	If registration is not required in your jurisdiction, can foreign protection orders nevertheless be registered? <i>Provide additional details where appropriate.</i> ☐ Yes - please explain how this registration is done: N/A. ☐ No No. There is no registration mechanism for foreign protection orders. A foreign order produces effects in Brazil only after the recognition or exequatur procedure before the STJ, as explained in the answer to Question 20.
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25.	Are there any restrictions to the effect of the recognition of a foreign protection order in your jurisdiction (e.g., if the foreign protection order does not correspond to the types of protection orders available in your jurisdiction or if the specified sanctions for a breach of the order cannot be applied in your jurisdiction)? <i>Provide additional details where appropriate.</i> ☐ Yes N/A. ☐ No No. There are no restrictions based on the type of order or on the sanctions attached to it. As explained in the answer to Question 20, the request is examined by the STJ and may be refused only for failure to meet the formal requirements (CPC art. 963) or for offence to public policy, national sovereignty or human dignity. Once recognised, the order is enforced by the competent federal court under Brazilian enforcement law.
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26.	Can foreign protection orders be adjusted / modified in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, without any limitations ☐ Yes, with certain limitations (please specify): ☐ Factual elements of the order (e.g., address) N/A – see 'Other', below. ☐ Geographic scope of the order (e.g., distances, locations) N/A – see 'Other', below. ☐ Duration of the order N/A – see 'Other', below.
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	☐ The person(s) allowed to seek the adjustment / modification (e.g., only the intended protected person) N/A – see 'Other', below. ☐ Other (please specify): Yes, with limitations. The STJ may grant partial recognition or partial exequatur (CPC art. 961, para. 2), giving effect to part of the foreign order and refusing the rest, for instance to conform to Brazilian public policy. It cannot modify the order or review the merits of what was decided by the foreign court. Adjustment is therefore possible only in the sense that the order may be given effect in part; its content cannot be altered. ☐ No
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27.	How do you deal with foreign protection orders that do not have a direct equivalent in your jurisdictions' legal system? Please provide information on whether such orders can / need to be adapted in order to be recognised and enforced in your jurisdiction and if the modalities of enforcement also can / must be adapted (e.g., enforcement by courts in your jurisdiction as opposed to police in the jurisdiction where the order was issued). To the extent possible, as explained in the answer to Question 20. If the foreign order is equivalent or analogous to a measure known to Brazilian law, it can be recognised and enforced, provided that it was issued by the competent authority abroad and is not contrary to Brazilian public policy. The STJ does not adapt the content of the order; the competent federal court gives effect to it through the domestic means available.
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28.	Is it possible to object to the recognition and enforcement of a foreign protection order? <i>Provide additional details where appropriate.</i> ☐ Yes Please specify who can object: ☐ A competent authority <i>ex officio</i> Yes. The STJ examines <i>ex officio</i> the requirements of CPC art. 963 and the limits of public policy, national sovereignty and human dignity. The Federal Prosecution Service (Ministério Público Federal) must be heard in every recognition and letter-rogatory proceeding and may oppose the request, acting as <i>custos legis</i>. ☐ The person against whom the protection order is issued Yes. The person against whom the order is directed must be summoned and may file a defence, under the rules governing letters rogatory and the recognition of foreign decisions (RISTJ). The order may, however, be granted without prior hearing of that person, so as not to frustrate the measure; in that case the summons is deferred, but must take place (CPC art. 962, para. 2; RISTJ art. 216-Q, para. 1). ☐ Other (please specify): N/A. Please list all available grounds on which the recognition and enforcement of the foreign protection order can be refused: The grounds indicated in the answers to Questions 20 and 33: failure to meet the formal requirements of CPC art. 963 (competent foreign authority; proper summons or lawful default; effectiveness of the decision in the State of origin; no conflict with a Brazilian
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	judgment; official translation) and offence to public policy, national sovereignty or human dignity. ☐ No
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29.	Is the recognition and / or enforcement of a foreign protection order subject to appeal in your jurisdiction? ☐ Yes ☐ No No. The recognition and enforcement of foreign decisions – which covers both the recognition of foreign judgments (HDE) and the exequatur of letters rogatory (CR) – is a single-instance procedure before the STJ. There is therefore no appeal to a second instance, as there would be against a first-instance decision. Within the STJ, these cases fall to the President, who decides alone; that decision may be challenged by an internal appeal (agravo) to the collegiate body, which is a review within the same court rather than an appeal. If the person concerned contests the request, the case is assigned to a rapporteur instead of the President; the rapporteur may also decide alone, subject to the same internal appeal to the Special Court, or refer the case directly to the Special Court. Again, this is review, not appeal. Against the decision of the Special Court an extraordinary appeal to the Federal Supreme Court is theoretically available, but it is not an appeal in the ordinary sense: it is a constitutional remedy, admissible only where the decision is alleged to violate the Constitution, which is very unlikely in this type of case. In our experience, since original jurisdiction over this matter was transferred from the Federal Supreme Court to the STJ by Constitutional Amendment No. 45 of 2004 – precisely because the matter has no constitutional content – no extraordinary appeal in an HDE or CR case has been admitted, although some have been filed.
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H. General rules of recognition and enforcement in civil and commercial matters

Please complete this section if foreign protection orders can be recognised and enforced (in full or in part) under your jurisdiction's general rules of recognition and enforcement in civil and commercial matters.

30.	What are the general rules for the recognition and enforcement of civil and commercial judgments, including foreign protection orders, in your jurisdiction? ☐ Foreign protection orders are recognised automatically (by operation of law) ☒ Foreign protection orders are subject to a formal recognition and enforcement procedure filed with a competent authority ☒ Foreign protection orders and relevant / accompanying documents need to be accompanied by a certified translation in the language(s) of the requested State ☒ Foreign protection orders need to be certified by a competent authority from the State of origin ☒ Foreign protection orders are subject to legalisation or a similar formality ☒ Foreign protection orders are subject to an <i>exequatur</i> procedure ☒ Foreign protection orders need to be registered with a competent authority ☐ There are no general rules for the recognition and enforcement of foreign protection orders ☐ Other rule(s) (please specify): Brazil's general private-international-law framework (Code of Civil Procedure (CPC) arts. 960-965) applies to foreign protection orders as it does to any other foreign civil decision, subject to one important distinction based on the urgent/interim character typical of protection orders. (i) A final foreign decision requires prior recognition ("homologação de decisão estrangeira") by the Superior Court of Justice (STJ) before it has effect in Brazil (CPC art. 961), through a dedicated action in which the STJ conducts a limited review ("juízo de deliberação": formal requirements and compliance with Brazilian public policy, sovereignty and human dignity (CPC art. 963 and art.
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	216-F of the STJ's Internal Regulation) without re-examining the merits). (ii) Foreign decisions granting urgent/interim relief (the category into which most protection orders fall) are separately and more expeditiously addressed under CPC art. 962: they are enforced in Brazil by means of a letter rogatory ("carta rogatória") to which the STJ grants exequatur (art. 962, caput and para 1); the measure may be granted and enforced even where issued without a hearing of the respondent, provided an adversarial hearing is afforded at a later stage (art. 962, para 2); the assessment of urgency remains the exclusive competence of the foreign court that issued the measure (art. 962, para 3); and, where a treaty or statute already dispenses with homologação for the underlying foreign decision to produce effects in Brazil, the urgent measure will itself only produce effects once its validity has been expressly recognized by the judge competent to enforce it, STJ homologação not being required in that scenario (art. 962, para 4). Once recognition/exequatur is granted by the STJ, enforcement proceeds before the competent Federal court of first instance, as determined under the ordinary domestic venue rules governing enforcement of a Brazilian judgment (CPC art. 965). This is, in practice, the pathway through which a foreign protection order could be given effect in Brazil, since it was designed for urgent measures generally rather than for protection orders specifically. For States Parties to the 1961 Apostille Convention, an apostille generally replaces consular legalisation for public documents within its scope. Treaties in force for Brazil may simplify or alter these requirements. Once recognised, enforcement generally occurs before a federal court under Brazilian procedural law. The Code of Civil Procedure also allows recognitions of execution of foreign interim measures through letters rogatory, subject to the applicable requirements. Simple consensual divorce is the principal statutory exception to prior recognition and is not relevant to protection orders. The procedure before the STJ is governed by arts. 216-A to 216-N (recognition of foreign decisions) and 216-O to 216-X (letters rogatory) of the STJ Internal Rules. In practice, incoming requests concerning protective measures are transmitted through the Brazilian Central Authority (DRCI/MJSP) and processed as letters rogatory under CPC art. 962, which is currently the fastest route available: the STJ grants exequatur after a limited review, without reassessing the urgency of the measure (art. 962, para. 3), and the measure is then enforced by the competent federal court.
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31.	Can foreign protection orders be adjusted / modified in your jurisdiction? <i>Provide additional details where appropriate.</i> ☐ Yes, without any limitations ☐ Yes, with certain limitations (please specify): ☐ Factual elements of the order (e.g., address) N/A - see answer below (no adjustment/modification of content; only partial recognition is possible). ☐ Geographic scope of the order (e.g., distances, locations) N/A - see answer below. ☐ Duration of the order N/A - see answer below. ☐ The person(s) allowed to seek the adjustment / modification (e.g., only the intended protected person) N/A - see answer below. ☐ Other (please specify): Because recognition ("homologação") under the general regime involves only a limited, formal review and not a re-examination of the merits, the STJ cannot rewrite or adapt the substantive terms of a foreign protection order (e.g., its geographic scope, duration, or the persons covered). What Brazilian law does allow is partial recognition (CPC art. 961, para. 2): the STJ may recognise/enforce severable parts of a foreign decision while declining others (for
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	instance, declining to recognise a specific ancillary provision that conflicts with Brazilian public policy while giving effect to the core protective content). Adaptation of a foreign order to a locally available equivalent measure, where needed, would occur only at the enforcement stage before the competent first-instance federal court (CPC art. 965), applying general principles of effectiveness and proportionality, rather than through a formal "modification" mechanism. Please refer to the answer to Question 26. ☐ No
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32.	How do you deal with foreign protection orders that do not have a direct equivalent in your jurisdictions' legal system? Please provide information on whether such orders can / need to be adapted in order to be recognised and enforced in your jurisdiction and if the modalities of enforcement also can / must be adapted (e.g., enforcement by courts in your jurisdiction as opposed to police in the jurisdiction where the order was issued). There is no formal, published methodology specifically addressing this scenario. In practice, and consistent with the limited/formal nature of the recognition review described above, a foreign order without a direct domestic equivalent would likely be assessed by the STJ (at the recognition/exequatur stage) for compatibility with Brazilian public policy and sovereignty, and, if recognised, its practical implementation (including which domestic authority is responsible for enforcement - e.g., police for measures analogous to MPL art. 22, or civil enforcement bodies for pecuniary measures) would be worked out by the competent enforcement court by analogy with the closest available domestic measure, rather than through a codified adaptation procedure. If a foreign measure cannot be implemented as framed, or if urgent protection beyond the title is required, the protected person or competent Brazilian authority may seek a new domestic protective, civil or criminal measure under Brazilian law. The same flexibility applies to orders that have no domestic equivalent because of the nature of the issuing authority: as noted under Question 20, the STJ does not require the foreign decision to be judicial (CPC art. 961, para. 1) and has consistently recognised, for instance, Japanese administrative divorces. The relevant test is whether the measure has decisional content and is enforceable in the State of origin, not whether Brazilian law would have entrusted it to the same kind of authority. Beyond recognition, Brazilian authorities may also act unilaterally to protect a person at risk by granting a fresh domestic protective measure, which in practice is the fastest solution where a child is involved. Please refer to the answer to Question 27.
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33.	Is it possible to object to the recognition and enforcement of a foreign protection order? <i>Provide additional details where appropriate.</i> ☒ Yes Please specify who can object: ☒ A competent authority <i>ex officio</i> The STJ examines certain matters on its own motion regardless of any objection, in particular Brazilian public policy, national sovereignty and human dignity, Brazil's exclusive jurisdiction over the subject matter (CPC art. 964), and the existence of a conflicting Brazilian judgment with <i>res judicata</i> effect. ☒ The person against whom the protection order is issued In the recognition ("homologação") action, the party against whom recognition is sought is cited and may present a defence limited to: lack of authenticity of the documents, lack of competence of the foreign authority, failure to duly notify/summon the respondent or unlawful default, absence of finality (<i>res judicata</i>) abroad, absence of the required certified
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	translation, and offense to Brazilian public policy, sovereignty or human dignity (CPC art. 963 and the STJ's Internal Regulation). ☐ Other (please specify): The Public Prosecutor's Office (Ministério Público Federal) intervenes in every recognition ("homologação") action before the STJ as "custos legis" (guardian of the law) and may itself raise objections. Please list all available grounds on which the recognition and enforcement of the foreign protection order can be refused: The grounds available are those listed in CPC art. 963 (as detailed above: competent foreign authority; proper citation/summons or lawful default; effectiveness of the decision in the country in which it was rendered; no conflict with a Brazilian judgment; accompanied by an official translation, unless a treaty dispenses with this; and no manifest offense to Brazilian public policy, national sovereignty or human dignity), together with the exclusive-jurisdiction bar under CPC art. 964. Public policy is assessed narrowly: the STJ examines whether the foreign decision manifestly offends fundamental principles of Brazilian law, not whether a Brazilian court would have granted the same measure. A foreign protection order limiting contact or approach, even if issued ex parte, would in principle not raise a public policy objection, provided that the respondent had, or will have, an opportunity to be heard (CPC art. 962, para. 2). Please refer to the answer to Question 28. ☐ No
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34.	Is the recognition and / or enforcement of a foreign protection order subject to appeal in your jurisdiction? ☒ Yes ☐ No No. Please refer to the answer to Question 29.
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IV. Future developments in the area

35.	Are there any legislative developments planned or contemplated in your jurisdiction pertaining to (foreign) protection orders? <i>Provide additional details where appropriate.</i> ☐ Legislative changes in progress Not specifically identified beyond the very recent enactments referenced throughout this questionnaire (Laws No. 15,383/2026, 15,411/2026 and 15,412/2026 and the ECA Digital, Law No. 15,211/2025, all strengthening electronic monitoring and enforcement of protective measures), which may still require implementing regulations (e.g., technical standards for monitoring equipment) to become fully operational in practice. ☐ Legislative changes under consideration Brazil continues to consider improvements to protection mechanisms, judicial and police interoperability and international cooperation. The possible accession to the 1996 HCCH Child Protection Convention has also been the subject of governmental and parliamentary consideration; that instrument concerns children and has a distinct scope from a general REPO convention. Also under consideration is the Draft Bill for a new General Act on Private International Law, prepared by the Commission of Jurists established by Ordinance (Portaria) CDESS/SRI/PR No. 1 of 16 December 2024 (Official Gazette of 18 December 2024, section 2, p. 3) and approved by the Commission on 15 October 2025. The draft updates the Brazilian rules on international jurisdiction and applicable law; no changes were proposed, however, to
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	the rules on international legal cooperation, so that the regime described in the answers to Questions 20 and 30 would remain unchanged. ☐ No legislative changes planned at the moment N/A - see above. ☐ Other (please specify): Brazil's participation in the HCCH Working Group itself is part of the ongoing assessment of whether a future international instrument is feasible and desirable. Any commitment would remain subject to Brazil's constitutional treaty making process and domestic implementation requirements. Operational experience accumulated by the Brazilian Central Authority demonstrates increasing cross-border demand involving protective measures. Between June 2025 and May 2026, dozens of international cooperation requests referred to protective measures in family, child protection and domestic violence contexts, suggesting that future international discussions on recognition and enforcement of protection orders may respond to a concrete and growing practical need.
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V. Electronic resources

Please use the space below to provide any links to useful and relevant online resources.

36.	Federal legislation (official consolidated texts): Federal Constitution: https://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm Law No. 11,340/2006, Maria da Penha Law: https://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/l11340.htm Law No. 14,344/2022, Henry Borel Law: https://www.planalto.gov.br/ccivil_03/_ato2019-2022/2022/lei/l14344.htm Law No. 8,069/1990, Child and Adolescent Statute: https://www.planalto.gov.br/ccivil_03/leis/l8069.htm Law No. 10,741/2003, Statute of the Elderly Person: https://www.planalto.gov.br/ccivil_03/leis/2003/l10.741compilado.htm Law No. 13,105/2015, Code of Civil Procedure: https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2015/lei/l13105.htm Decree-Law No. 3,689/1941, Code of Criminal Procedure: https://www.planalto.gov.br/ccivil_03/decreto-lei/del3689.htm Decree-Law No. 4,657/1942, Introductory Law to Brazilian Law: https://www.planalto.gov.br/ccivil_03/decreto-lei/del4657.htm Law No. 13,344/2016, human trafficking: https://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/lei/l13344.htm Law No. 9,807/1999, victim and witness protection: https://www.planalto.gov.br/ccivil_03/leis/l9807.htm Law No. 15,211/2025: https://www.planalto.gov.br/ccivil_03//lei/l15211.htm Law No. 13,675/2018: https://www.planalto.gov.br/ccivil_03/_ato2015-2018/lei/l13675.htm Institutional resources: Superior Court of Justice, foreign decisions: https://www.stj.jus.br/sites/portalp/Processos/Sentenca-estrangeira National Council of Justice, BNMP 3.0: https://www.cnj.jus.br/sistema-carcerario/bnmp-3-0/
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	HCCH status tables and publications: https://www.hcch.net/ ; Brazilian Central Authority (DRCI/MJSP), international legal cooperation: https://www.gov.br/mj/pt-br/assuntos/sua-protecao/cooperacao-internacional
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VI. Other comments

Please use the space below to provide any additional information pertaining to the recognition and enforcement of (foreign) protection orders in your jurisdiction. You may also wish to make any suggestions pertaining to the work of the WG on REPO (general comments or specific comments in advance of the first WG meeting in November 2026).

37.	A future convention should pursue rapid continuity of protection without converting punitive consequences, criminal sanctions or coercive measures automatically across legal systems. Useful elements could include: a standard multilingual certificate containing only necessary data; direct and secure communication between designated authorities; prompt provisional effect or emergency measures pending recognition; narrowly framed refusal grounds; confirmation of service and opportunity to be heard, including rules for ex parte emergency orders; verification of validity, amendment, revocation and expiry with the authority of origin; a bounded rule on adaptation to the closest available protective measure that may not increase the obligations imposed; application of the requested State's enforcement law and sanctions; legal aid and accessible procedures; protection of addresses and sensitive personal data; and clear interaction with existing HCCH instruments and regional or bilateral regimes. Special care is required for children. Any future instrument should avoid overlap or inconsistency with the 1980 Child Abduction Convention, the 1996 Child Protection Convention and the 1993 Intercountry Adoption Convention. It should also preserve the requested State's ability to take urgent domestic measures and should not permit recognition proceedings to become a review of custody merits. The Convention should also account for federal and decentralised systems, differences in electronic monitoring and police databases, and the fact that an order's practical content may depend on local geography and services. Implementation would benefit from optional declarations concerning covered issuing authorities and categories of orders, an up-to-date electronic profile for each Contracting Party, and safeguards ensuring that protected persons are clearly informed that recognition abroad may not reproduce every domestic monitoring or enforcement feature. Brazil's recent international legal cooperation experience also illustrates the practical importance of the subject. Between June 2025 and May 2026, the Brazilian Central Authority handled at least 81 incoming and outgoing cooperation matters referring to protective measures. These cases involved domestic and family violence, child protection, maintenance obligations, custody and parental responsibility disputes, institutional care, and protective measures issued in different jurisdictions. This experience suggests that an international framework addressing continuity of protection across borders would respond to a demonstrable operational need.
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