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DECREE #12,976, OF MAY 20, 2026

Establishes guidelines for the protection of women on the internet and for addressing violence against women in the digital environment.

The **PRESIDENT OF THE REPUBLIC**, in the exercise of the powers conferred upon him by Article 84, Items IV and VI, Subitem “a”, of the Brazilian Constitution, and having regard to the provisions of Statute #12,965, of April 23, 2014,

HEREBY DECREES:

CHAPTER I

PRELIMINARY PROVISIONS

Article 1. This Decree establishes guidelines for the protection of women on the internet and for addressing violence against women in the digital environment.

Article 2. The following principles shall govern the normative, supervisory, and sanctioning actions of the competent bodies and entities, as well as public policies aimed at preventing and combating violence against women in the digital environment:

I – non-discrimination on the basis of gender, prohibiting any form of violence, intimidation, or degrading exposure in the digital environment;

II – centrality of the victim, ensuring adequate support, preservation of evidence, availability of accessible reporting channels, and the adoption of measures to cease or mitigate the harm;

III – protection of data and privacy, ensuring the inviolability of the intimacy, private life, honor, and image of women;

IV – no revictimization, prohibiting the further exposure of the woman by the competent authorities and internet application providers when adopting measures to cease or mitigate the harm; and

V – recognition that discrimination based on multiple criteria is an aggravating factor in violence against women.

Article 3. For the purposes of this Decree, the following definitions shall apply:

I – intimate content: any image, video, audio, text message, other written content, or a combination thereof, that depicts nudity, semi-nudity, a sexual act, or a sexualized context, even if produced or manipulated, in whole or in part, by an artificial intelligence system or equivalent technological resource; and

II – violence against women in the digital environment: gender-based crimes or unlawful acts against women, consisting of an act, conduct, or omission that causes death, harm, or physical, sexual, psychological, political, or economic suffering, including property damage, in any sphere of their lives, committed, instigated, facilitated, or aggravated, wholly or partially, by the use of digital technologies, including:

a) domestic and family violence against women, including psychological violence, pursuant to Article 7, item II, of Statute #11,340, of August 7, 2006, perpetrated through messages, publications, digital stalking, online surveillance, isolation, or any other form of technological control;

b) political violence against women in the digital environment, pursuant to Article 326-B of Statute #4,737, of July 15, 1965 (the Brazilian Electoral Code), which includes harassment, coercion, humiliation, persecution, or threats against female candidates or holders of elective office;

c) gender-based, aggravated threat against a woman, pursuant to Article 147, Paragraph 1, of Decree-Law #2,848, of December 7, 1940 – Penal Code;

d) stalking of women through digital means, pursuant to Article 147-A of Decree-Law #2,848, of December 7, 1940 (the Brazilian Penal Code), including monitoring social media, repeatedly sending messages, and the use of tracking technologies;

e) psychological violence against women, pursuant to Article 147-B of Decree-Law #2,848, of December 7, 1940 (the Brazilian Penal Code), including when perpetrated through the use of artificial intelligence or technological resources that alter the victim's image or voice;

f) dissemination of scenes of sex, nudity, or lewd acts, without consent, via the internet, pursuant to Article 218-C of Decree-Law #2,848, of December 7, 1940 (the Brazilian Penal Code);

g) unauthorized recording of a scene of nudity or a sexual or lewd act of an intimate and private nature, pursuant to Article 216-B of Decree-Law #2,848, of December 7, 1940 (the Brazilian Penal Code), including through montage or the use of artificial intelligence;

h) sexual harassment through digital means, pursuant to Article 215-A of Decree-Law #2,848, of December 7, 1940 (the Brazilian Penal Code); and

i) crimes committed via the internet that disseminate content propagating hatred or aversion towards women, pursuant to Article 1, head provision, Item VII, of Statute #10,446, of May 8, 2002.

CHAPTER II

PROTECTION OF WOMEN IN THE PROVISION OF INTERNET APPLICATIONS

Section I

Duty of care in cases of crimes against women or groups of women

Article 4. Internet application providers that mediate third-party content will be held liable for a systemic failure to immediately remove content that constitutes gender-based crimes or unlawful acts committed against women, pursuant to:

I – Articles 141, Paragraph 3, 146-A, 147, Paragraph 1, 147-A, and 147-B of Decree-Law #2,848, of December 7, 1940 (the Brazilian Penal Code);

II – Article 1, head provision, Item VII, of Statute #10,446, of May 8, 2002;

III – Statute #11,340, of August 7, 2006; and

IV – Statute #14,192, of August 4, 2021.

Paragraph 1. An internet application provider that fails to demonstrate the adoption of adequate measures to prevent or remove the criminal or unlawful content referred to in the head provision shall be deemed to have committed a systemic failure if it:

I – provides, in accordance with the state of the art, the highest levels of safety for the type of service it offers; and

II – inhibits the widespread circulation of the content referred to in Items I–IV of the head provision.

Paragraph 2. The existence of isolated criminal or unlawful content does not, in itself, constitute a systemic failure.

Paragraph 3. Internet application providers that mediate third-party content shall make available to the competent authorities the information and data necessary to verify the adoption and implementation of the measures referred to in Paragraph 1.

Section II

Reporting of acts of violence against women in the digital environment

Article 5. Without prejudice to Article 4, internet application providers that mediate third-party content shall, upon notification, remove content that constitutes crimes or unlawful acts against women in the digital environment.

Paragraph 1. In the space provided by the provider for the notification, a notice containing the telephone number and contact channels of the Women's Helpline – Dial 180 (*Central de Atendimento à Mulher – Ligue 180*) shall be displayed in a clear and accessible manner to the user.

Paragraph 2. For the purposes of the head provision, a notification submitted through an official and dedicated channel provided by the internet application provider shall be valid.

Paragraph 3. The competent authority may regulate:

I – the method of notification and challenge;

II – the deadline for removing the content and responding to the notifying party;

III – the persons authorized to notify;

IV – the deadline for the person responsible for the content to challenge the removal;

and

V – other necessary procedures.

Paragraph 4. The notification concerning criminal or unlawful content must contain, under penalty of nullity:

I – elements that enable the identification of the possible illegal or unlawful nature;

II – information that allows the specific identification of the criminal or unlawful content to be removed; and

III – identification of the notifying party and, where applicable, an indication of the basis

for their legitimacy.

Paragraph 5. The provider may maintain the content when, after a diligent and well-founded analysis, it concludes that there is reasonable doubt as to the criminal or unlawful nature of the content, considering the proportionality between the doubt and the seriousness of the crime or unlawful act, in which case it will inform the notifying party of the reasons for not removing said content.

Article 6. Upon receiving a notification, the internet application provider shall:

I – confirm receipt of the notification to the notifying party; and

II – evaluate the content of the notification and take the appropriate measures, in accordance with the following:

a) in the event of removal, the internet application provider shall communicate the decision to the notifying party and to the user who published the content, and shall inform them of the specific grounds for the removal and the means of challenging it;

b) if the content subject to the notification is not removed, the internet application provider shall notify the notifying party and inform them of the specific grounds for maintaining the content and the means of challenging it; and

c) in the event of reconsideration following a challenge, the internet application provider shall notify the user who published the content and the notifying party, along with the respective justification.

Section III

Removal of intimate content generated by third parties

Article 7. Internet application providers shall prevent the unauthorized display of intimate content generated by third parties within their services, upon notification.

Paragraph 1. The removal referred to in the head provision must take place within a period of up to two hours from the notification.

Paragraph 2. The notification referred to in the head provision shall be made by the victim or their representative, containing the data identifying the notifying party and the elements that specify the intimate content to be removed.

Paragraph 3. On behalf of the victim, the notification referred to in the head provision and Paragraph 1 may be submitted by:

I – the appointed attorneys at law;

II – the police authorities;

III – the Federal Prosecutor's Office;

IV – the Prosecutor's Offices of the States;

V – the Prosecutor's Office of the Federal District and Territories;

VI – the Public Defender's Offices of the States and the Federal District; and

VII – the Federal Public Defender's Office.

Paragraph 4. Intimate content shall be removed from the entire application and digitally

marked so that its retransmission is automatically blocked, as established by regulation issued by the competent authority.

Paragraph 5. Internet application providers shall provide a specific, permanent, free, prominent, and easily accessible space for receiving notifications and processing complaints relating to intimate content, with confirmation of receipt and the possibility for the victim or their representative to monitor the case.

Section IV

Duty to mitigate reach and visibility in cases of digital harassment

Article 8. Internet application providers that mediate third-party content shall adopt technical and proportionate measures to promptly reduce the reach and visibility of coordinated attacks against women that constitute violence against women.

Paragraph 1. The head provision shall apply regardless of prior notification or complaint by the victim, and the internet application provider shall act on its own initiative upon identifying indicators of such occurrence.

Paragraph 2. The measures provided for in this article shall be adopted on a priority basis in cases of political violence against women or when the victim is a woman with public exposure arising from her professional activity, such as media professionals, especially when the acts of violence, intimidation, or harassment are intended to constrain, silence, restrict her public participation, or compromise the exercise of her professional activities.

CHAPTER III

GENERATION AND MODIFICATION OF INTIMATE CONTENT BY ARTIFICIAL INTELLIGENCE OR ANY OTHER TECHNOLOGICAL RESOURCE

Article 9. Internet application providers are prohibited from generating or modifying the intimate content of third parties through the use of artificial intelligence or any other technological resource that alters the image or voice of the victim.

Article 10. Internet application providers that rely on artificial intelligence functionalities or equivalent technological resources shall implement technical and procedural safeguards to identify and block requests to generate content prohibited under Article 9, as established by regulation issued by the competent authority.

Sole Paragraph. The mechanisms referred to in the main clause shall be implemented in a phased manner and in proportion to the volume of access and the risk level of the application.

CHAPTER IV

INTEGRATED SYSTEM FOR THE PREVENTION, PROTECTION, AND SUPPORT OF WOMEN VICTIMS OF VIOLENCE IN THE DIGITAL ENVIRONMENT

Article 11. An act, issued by the Minister of Justice and Public Security, shall establish an interministerial working group for the purpose of developing a proposal for the creation, structuring, and implementation of an integrated system for the prevention, protection, and support of women victims of violence in the digital environment.

Paragraph 1. The act referred to in the head provision shall provide for the composition, jurisdiction, operating procedures, and mechanisms for social participation in the interministerial working group.

Paragraph 2. The representation of the following bodies shall be guaranteed in the composition of the interministerial working group referred to in the head provision:

I – Ministry of Women; and

II – Secretariat of Social Communication of the Presidency of the Republic.

CHAPTER V

FINAL AND TRANSITORY PROVISIONS

Article 12. Until regulation is issued by the competent authority, and without prejudice to the two-hour period for the removal of intimate content generated by third parties as provided for in Article 7, Paragraph 1, internet application providers shall remove the content or inform the notifying party of the grounds for its maintenance and the appropriate means for challenging it, in accordance with the following deadlines, calculated from the notification:

I – six hours, in cases of manifestly unlawful content that constitutes the crimes or unlawful acts referred to in the head provision of Article 4; and

II – twenty-four hours, in other cases of violence against women in the digital environment.

Sole Paragraph. Upon receiving the challenge referred to in the head provision, the internet application provider shall, within a period of up to twenty-four hours:

I – restore or remove the content; and

II – communicate the decision to the notifying party and to the user who published the content.

Article 13. Internet application providers, upon identifying or determining the existence of content related to crimes or unlawful acts, shall ensure the preservation and forwarding of the information necessary to identify its authorship and materiality to the Government.

Sole Paragraph. An act, issued by the Minister of Justice and Public Security, shall regulate the manner of compliance with this Article, including the possibility of forwarding the information referred to in the main clause to the body responsible for receiving, processing, and making it available to the competent authorities, while safeguarding the constitutional and legal powers of the federative entities.

Article 14. The regulation, oversight, and investigation of violations covered by this Decree shall be the responsibility of the Brazilian Data Protection Agency – ANPD, pursuant to Article 19-A of Decree #8,771, of May 11, 2016.

Article 15. This Decree takes effect sixty days after its publication date.

Brasília, May 20, 2026; 205th Anniversary of Independence and 138th Anniversary of the Republic.

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