



Convention on the Rights of the Child

Distr.: General

7 March 2025

Original: English

English, French and Spanish only

Committee on the Rights of the Child

Ninety-ninth session

Geneva, 12–30 May 2025

Consideration of reports of States parties

Replies of Brazil to the list of issues in relation to its report submitted under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography**

[Date received: 3 March 2025]

* Reissued for technical reasons on 9 May 2025.

** The present document is being issued without formal editing.



Reply to paragraph 2 (a) of the list of issues (CRC/C/OPSC/BRA/Q/1)

1. The percentage of child and adolescent marriages involving individuals aged 10 to 17 was 17% in 2020, 16% in 2021, and 14% in 2022, according to data from the Brazilian Institute of Geography and Statistics (IBGE) – Civil Registry Statistics Survey.

Reply to paragraph 2 (b) of the list of issues

2. According to the 2024 Brazilian Public Security Yearbook (Fórum Brasileiro de Segurança Pública), more than 60% of child sexual exploitation victims in 2023 were between the ages of 14 and 17. The report provides the following figures by age group:

<i>Age group</i>	<i>2022</i>	<i>2023</i>
0–4	19	21
5–9	42	70
10–13	305	366
14–17	645	798
18–19	23	72
Total (0–17)	1.011	1.255

3. The Yearbook also presents figures related to child and adolescent pornography (Articles 240, 241, 241-A, and 241-B of the Child and Adolescent Statute), as follows:

<i>Age group</i>	<i>2022</i>	<i>2023</i>
0–4	70	82
5–9	228	280
10–13	884	1.191
14–17	775	1.237
18–19	103	150
Total (0–17)	1.957	2.790

4. The increase in pornography-related crimes has primarily occurred in states within the Legal Amazon region, such as Tocantins, Pará, and Acre. However, the highest rates are found in states in the Central-South region of the country: Mato Grosso do Sul, Paraná, and the Federal District.

5. The Federal Police have conducted numerous operations to apprehend sexual abusers and identify/rescue the children and adolescents victims of this violence. To date, over 900 operations have been launched to combat child sexual abuse, leading to the removal of thousands of criminal files from circulation, the arrest of abusers, and the rescue of victims in vulnerable situations.

6. The Federal Highway Police mapped 17,687 vulnerable points for child and adolescent sexual exploitation nationwide in the 2023/2024 biennium. Of these, 807 points were classified as critical (4.6%), 2,566 points as high risk (14.5%), 5,237 as medium risk (29.6%), and 9,077 as low risk (51.3%). High and critical risk levels are used for enforcement actions, while low and medium risk levels are areas for attention and monitoring, according to the MAPEAR Project strategy.

Reply to paragraph 2 (c) of the list of issues

7. The prosecution of crimes related to the rights protected under the Protocol is carried out within the structure of the public security and justice systems, which are administered by the federated states. However, the Brazilian Judiciary has not yet conducted a comprehensive

data collection on these cases. The Ministry of Human Rights and Citizenship has been engaging in dialogue with the National Council of Justice to enhance the monitoring of data related to children and adolescents in Brazil.

Reply to paragraph 2 (d) of the list of issues

8. The analysis of data from the National Ombudsman for Human Rights (ONDH) Data Panel from 2022 to 2024 provides insights into reports received through Dial 100 (Disque Direitos Humanos) regarding human rights violations that involve, either partially or entirely, human trafficking, exploitation, harassment, and sexual abuse of children and adolescents.

9. It is important to note that Dial 180 has been under the responsibility of the Ministry of Women since 2023. Therefore, data for the year 2022 includes reports received through both channels. From 2023 onwards, the figures presented refer exclusively to reports registered under Dial 100.

10. The National Ombudsman for Human Rights recorded the following data on reports of child and adolescent trafficking, exploitation, harassment, and sexual abuse:

<i>Year</i>	<i>Report</i>	<i>Violation</i>	<i>Female</i>	<i>Male (%)</i>	<i>Intersex</i>
2022	13.222	19.535	72,78%	12,01%	0,10%
2023	20.432	32.299	76,03%	15,15%	0,11%
2024	21.290	32.278	72,90%	17,61%	0,05%

Reply to paragraph 2 (e) of the list of issues

11. The Program for the Protection of Children and Adolescents Threatened with Death (PPCAAM) has provided protection to 5,981 children and adolescents and 9,789 family members from its inception in 2003 until 2023. The threats that led to their inclusion in the program include, among others: sexual exploitation (3%), rape (3%), police threats (6%), organized crime (15%), various forms of violence (3%), conditions analogous to slavery (4%), and drug trafficking involvement (44%).

12. Additionally, in 2022 and 2023, the SUAS Census recorded a total of 4,826 children and adolescents in situations of sexual abuse and exploitation who accessed social assistance services.

Reply to paragraph 3 of the list of issues

13. As established by Decree No. 9,579/2018, the National Council for the Rights of Children and Adolescents (CONANDA) is a deliberative collegiate body responsible for developing guidelines for the implementation and monitoring of the national policy on the rights of children and adolescents in Brazil. Its role as the central coordinating system for the implementation of the Optional Protocol has been carried out through the issuance of Recommendations, Resolutions, and Technical Notes.

14. Furthermore, Resolution No. 121, of December 20, 2006, establishes that one of the Council's competencies is to promote cooperation between the federal, state, and municipal governments, as well as civil society organizations, in the formulation and execution of the national policy on children's and adolescents' rights. Accordingly, CONANDA has been developing policy guidelines in a decentralized manner.

Reply to paragraph 4 of the list of issues

15. In December 2024, Decree No. 12,313 was published, promulgating the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure. This Protocol complements national and regional mechanisms that allow for the submission of

complaints regarding violations of any of the rights enshrined in the Convention on the Rights of the Child.

16. The “Guardians of Childhood” Prevention Program, established in 2024 within the Federal Police, is a prevention initiative addressing the sexual abuse of children and adolescents. The program includes the training of Federal Police officers to disseminate information through lectures in schools and similar institutions, aiming to reduce vulnerability factors related to child sexual abuse and strengthen protective measures through standardized educational materials.

17. The program also aims to:

(a) Develop standardized educational materials for different target audiences and distribute them to volunteer Federal Police officers for use in their presentations;

(b) Establish regulatory guidelines for this preventive activity within the Federal Police, encouraging volunteer participation;

(c) Create cooperation agreements with partner institutions to define directives and forms of collaboration between entities;

(d) Raise awareness among children, adolescents, parents, and educators about the issue, related crimes, ways to identify abuse, and prevention strategies.

18. In just over four months, the program has conducted 135 lectures, reaching the following audiences: 89 for adolescents, 18 for families, 16 for teachers, and 12 for other groups. Additionally, the program has trained 4,222 adolescents, 817 family members, 616 teachers, and 311 individuals from various sectors, including child protection counselors, administrators, and educational assistants.

Reply to paragraph 5 (a) of the list of issues

19. According to Article 5 of Law No. 8,069/1990, “no child or adolescent shall be subjected to any form of neglect, discrimination, exploitation, violence, cruelty, or oppression.” Brazilian legislation includes articles that criminalize each of the offenses outlined in the Protocol.

20. According to Article 237 of the Brazilian Penal Code, the sale or delivery of children for adoption in an irregular manner is considered a crime, even with the consent of the mother or guardian, and is punishable by imprisonment from 3 to 6 years and a fine. The Child and Adolescent Statute (ECA) also contributes to protecting against child trafficking, reinforcing the commitment to eradicating child trafficking and exploitation, as outlined in the following articles:

- Article 83. No child or adolescent under 16 years old may travel outside their municipality of residence unaccompanied by parents or guardians without express judicial authorization;
- Article 84. When traveling abroad, authorization is not required if the child or adolescent:
 - Is accompanied by both parents or a guardian;
 - Is traveling with one parent, with express authorization from the other through a notarized document;
- Article 85. No child or adolescent born in national territory may leave the country in the company of a foreigner residing or domiciled abroad without prior and express judicial authorization.

21. Child prostitution is a crime and is understood as the commercial sexual exploitation of children and adolescents. This type of exploitation is addressed both in the Penal Code (Article 218-B) and in the ECA (Article 244-A). The penalties for those who promote, induce, or facilitate the prostitution of children and adolescents include imprisonment from

4 to 10 years and a fine, according to the Brazilian Penal Code (Law No. 2,848/1940, Articles 228 and 213).

22. Article 82 of the Child and Adolescent Statute also reinforces the protection of children and adolescents by prohibiting their accommodation in hotels, motels, boarding houses, or similar establishments unless authorized or accompanied by parents or a guardian.

23. In Brazil, the criminalization of possessing child pornographic material dates back to 2008, when Law No. 11,829 introduced the following articles into the ECA.

24. According to Article 240, the crime of “producing, reproducing, directing, photographing, filming, or recording by any means a scene of explicit sex or pornography involving a child or adolescent” carries a penalty of imprisonment from 4 to 8 years and a fine. The same penalties apply to those who:

(a) Arrange, facilitate, recruit, coerce, or in any way mediate the participation of a child or adolescent in the scenes mentioned in the main text of this article, or act alongside them in such scenes;

(b) Display, transmit, assist, or facilitate the exhibition or transmission, in real-time, via the internet, applications, computer devices, or any other digital medium or environment, of explicit sex or pornographic scenes involving a child or adolescent.

25. Article 241 addresses the sale or exhibition for sale of photographs, videos, or other records containing scenes of explicit sex or pornography involving a child or adolescent. The penalty for this crime is imprisonment from 4 to 8 years and a fine. Article 241-A covers the offering, exchange, availability, transmission, or dissemination by any means of content containing explicit sex or pornographic scenes involving children or adolescents. The penalty is imprisonment from 3 to 6 years and a fine.

26. The same penalties apply to those who:

(a) Provide the means or services for storing the photographs, scenes, or images covered in the main text of this article;

(b) Ensure, by any means, access through computer networks to the photographs, scenes, or images covered in the main text of this article.

27. The conduct described in items I and II of § 1° of this article is punishable when the legal service provider, officially notified, fails to disable access to the illegal content mentioned in the main text of this article.

28. The acquisition, possession, or storage of photographs, videos, or any other records containing explicit sex or pornographic scenes involving children or adolescents is covered under Article 241-B, with a penalty of imprisonment from 1 to 4 years and a fine.

29. According to Article 241-C, it is a crime, punishable by imprisonment from 1 to 3 years and a fine, to “simulate the participation of a child or adolescent in a scene of explicit sex or pornography through alteration, montage, or modification of a photograph, video, or any other visual representation.”

30. Finally, Article 241-D defines the crime of “luring, harassing, instigating, or coercing a child through any means of communication with the intent of engaging in a sexual act with them,” punishable by imprisonment from 1 to 3 years and a fine.

Reply to paragraph 5 (b) of the list of issues

31. The processing of crimes related to the rights protected by the Protocol is carried out by the public security and justice system structures managed by the federated states. However, the Brazilian Judiciary has not yet conducted a comprehensive survey of this information. The Ministry of Human Rights and Citizenship has been engaging in dialogue with the National Council of Justice to improve the monitoring of data related to children and adolescents in Brazil.

Reply to paragraph 5 (c) of the list of issues

32. Law No. 13,440/2017 amends Article 244-A of Law No. 8,069/1990 (Statute of the Child and Adolescent – ECA), establishing a penalty of four to ten years of imprisonment and a fine, in addition to the forfeiture of assets and funds used in the criminal act, which will be allocated to the Children’s and Adolescents’ Rights Fund of the Federation unit (State or Federal District) where the crime was committed.

33. Law No. 15,073/2024, which amends the General Tourism Law to establish sanctions for tourism service providers who commit infractions related to the facilitation of sexual tourism, states:

- Article 43-B. Subjecting a child or adolescent to prostitution or sexual exploitation within the scope of tourism services. Penalty – fine, revocation of classification, closure of the premises, suspension of activities, facility shutdown, business establishment closure, enterprise or equipment closure, and cancellation of registration;
- Article 43-C. Failing to cooperate with government initiatives to combat sexual tourism within the scope of tourism services. Penalty – fine, revocation of classification, closure of the premises, suspension of activities, facility shutdown, business establishment closure, enterprise or equipment closure, and cancellation of registration;
- Article 43-D. Promoting, directly or indirectly, an enterprise, activity, or location in the national territory as a destination for sexual tourism. Penalty – fine, revocation of classification, closure of the premises, suspension of activities, facility shutdown, business establishment closure, enterprise or equipment closure, and cancellation of registration.

Reply to paragraph 5 (d) of the list of issues

34. Approval of Law No. 15,073/2024, which amends the General Tourism Law, establishing sanctions for tourism service providers who commit infractions related to the facilitation of sexual tourism. The law states:

- Article 43-B. Subjecting a child or adolescent to prostitution or sexual exploitation within the scope of tourism services. Penalty – fine, revocation of classification, closure of the premises, suspension of activities, facility shutdown, business establishment closure, enterprise or equipment closure, and cancellation of registration;
- Article 43-C. Failing to cooperate with government initiatives to combat sexual tourism within the scope of tourism services. Penalty – fine, revocation of classification, closure of the premises, suspension of activities, facility shutdown, business establishment closure, enterprise or equipment closure, and cancellation of registration;
- Article 43-D. Promoting, directly or indirectly, an enterprise, activity, or location in the national territory as a destination for sexual tourism. Penalty – fine, revocation of classification, closure of the premises, suspension of activities, facility shutdown, business establishment closure, enterprise or equipment closure, and cancellation of registration.

Reply to paragraph 5 (e) of the list of issues

35. The Statute of the Child and Adolescent was amended by Law No. 13,441 of 2017, which provides for the infiltration of police agents on the internet to investigate crimes against the sexual dignity of children and adolescents.

36. According to the Consumer Protection Code, violations of consumer protection laws are subject to the following administrative sanctions, depending on the case, in addition to civil, criminal, and other penalties established in specific regulations:

- Revocation of the establishment's license or activity;
- Total or partial closure of an establishment, construction, or activity. (Law No. 8,078/90, Art. 56).

37. With the enactment of Law No. 14,811/2024, the crime of storing child sexual abuse content has been classified as a heinous crime. The Federal Police has been conducting investigations and enforcement operations against the storage and sharing of material involving child sexual abuse and exploitation on the internet.

38. Some key actions by the Ministry of Justice and Public Security include:

(a) Operation "Aliados por la Infancia": Aimed at combating child sexual abuse and exploitation crimes online, this operation involved coordinated actions in Brazil and seven other countries (Argentina, Chile, Ecuador, United States, Panama, Paraguay, and Puerto Rico);

(b) Operation "Bad Vibes": Investigated criminal activities in Viber groups, where videos and photos of child sexual abuse were traded and consumed. The operation also targeted other platforms and digital devices where such materials were found.

39. Brazil has implemented state and federal protection programs designed to protect victims and prevent sexual exploitation. These programs provide shelter, psychological support, and legal assistance to children and adolescents who have suffered from such crimes.

Reply to paragraph 6 (a) of the list of issues

40. Crimes committed by Brazilian nationals in territories that have ratified the Protocol may lead to repatriation measures for the enforcement of sanctions provided for in the Brazilian legal system.

Reply to paragraph 6 (b) of the list of issues

41. According to the 1988 Federal Constitution, "no Brazilian national shall be extradited, except for a naturalized citizen in the case of a common crime committed before naturalization or proven involvement in illicit trafficking of narcotics and related drugs, as provided by law" (Article 5, LI).

Reply to paragraph 7 of the list of issues

42. In 2019, the National Council of Justice (CNJ) issued Resolution 299 on the System for Guaranteeing the Rights of Children and Adolescents Victims or Witnesses of Violence. This resolution mandated the creation of an interinstitutional state-level process for handling cases of violence against children and adolescents or those in which they are witnesses, applicable to all courts. It also required the establishment of special testimony rooms in all judicial districts across the country, ensuring appropriate environments in terms of space and furniture, in accordance with the technical recommendations outlined in the Brazilian Protocol for Forensic Interviews. The resolution further stipulated that testimony should be conducted by specialized professionals trained specifically on the subject, including an anthropology professional to assist children and adolescents from traditional peoples and communities. In cases involving Indigenous children, it mandated the notification of the federal agency responsible for Indigenous policy. Additionally, it required the training of judges, compliance with legal parameters for conducting special testimony, and strict adherence to the rights of children and adolescents.

43. In 2022, the National Pact for the Implementation of Law 13.431 was established, signed by 13 institutions, including entities from the Justice System, the Executive Branch,

and other organizations. The pact aimed to define guidelines for comprehensive and interinstitutional care and protection for children and adolescents who are victims or witnesses of violence. It also sought to establish protocols for special testimony before police or judicial authorities for evidence collection, ensure victim or witness support for protection, provide professional training on the subject, and develop methodologies, workflows, and regulations for public policies aimed at safeguarding rights.

44. In 2024, the 10th National Week of Mobilization to Combat Human Trafficking took place. Additionally, the IV National Plan to Combat Human Trafficking (Decree No. 12.121/2024) was published, with validity until 2028. The plan is structured around five strategic pillars:

- (a) Structuring the Policy;
- (b) Coordination and Partnerships;
- (c) Prevention;
- (d) Protection and Assistance to Victims; and
- (e) Suppression and Accountability.

45. Key actions were also implemented to protect children and adolescents, including:

(a) *Turma da Mônica Jovem – Sonho Perigoso*: A comic book aimed at raising awareness and preventing children, adolescents, parents, and educators about the dangers of human trafficking;

(b) *Guidance Guide on Identifying and Assisting Children and Adolescents Victims of Human Trafficking*: A support tool for institutions, programs, and services that provide care to child and adolescent victims and witnesses of violence and their families;

(c) Project “Strengthening the Capacity of the Justice System to Prevent and Prosecute Human Trafficking and Related Crimes in Brazil”: A partnership between the Ministry of Human Rights and Citizenship and the International Organization for Migration (IOM);

(d) *Standard Operating Protocol for Assisting Brazilian Victims of International Human Trafficking (POP/TIP)*: In 2024, training sessions were conducted with partners responsible for each stage of the protocol. Soon, a guidance booklet will be made available;

(e) Free courses on the *Escola Virtual de Governo (EV.G)* platform of the National School of Public Administration (Enap), also in partnership with IOM: Courses include “Qualified Listening for Vulnerable Individuals at Risk of Human Trafficking” and “Basic Aspects of Combating Migrant Smuggling.”

46. Also in 2024, the National Report on Human Trafficking, covering data from 2021 to 2023, was released. The report highlights that while labor exploitation remains the primary form of human trafficking identified in the country, there has been an increase in cases of illegal adoption involving children and adolescents. However, this form of trafficking remains largely unknown and underreported in Brazil.

47. Within the Ministry of Human Rights and Citizenship (MDHC), significant actions have been undertaken, including:

- Reestablishment of the Intersectoral Commission to Combat Sexual Violence Against Children and Adolescents through Decree No. 11.533, of May 18, 2023;
- National Protection Campaign for Children and Adolescents During Carnival – 2023 and 2024 Editions: “Make It Right” and “Disque 100 Block.”;
- National Day to Combat Sexual Abuse and Exploitation of Children and Adolescents Campaign, held annually on May 18;
- Publication of the “Specialized Listening Guide: Concepts, Ethical and Procedural Protocols” and other key documents: “Protection in Network: The Implementation of Integrated Care Centers in Brazil” and “Implementing the Law on Integrated Care and Protected Testimony”. These documents aim to strengthen the protection of child and

adolescent victims of violence, providing clear guidelines for creating Integrated Care Centers and precise instructions for protected testimony. With substantial investment, the administration is ensuring that these centers and guides contribute to more humane and effective services, fostering a robust and integrated protection network.;

- Launch of three training courses by ENDICA on May 18, 2024 (National Day to Combat Sexual Abuse and Exploitation of Children and Adolescents):
 - Public Policies and Care Networks for Children and Adolescents in Situations of Sexual Violence;
 - Developing Integrated Care Workflows for Child and Adolescent Victims or Witnesses of Violence;
 - Advanced Training Course on Implementing Integrated Care Centers in Light of the Protected Testimony Law (Law No. 13.431/2017);
- Launch of a virtual course in June 2024, in the context of World Day Against Child Labor (June 12):
 - “Eradicating Child Labor and Protecting Adolescent Workers from a Human Rights and Fundamental Rights Perspective”.

Reply to paragraph 8 of the list of issues

48. The MDHC has signed agreements for equipping Integrated Care Centers for addressing violence against children and adolescents, based on Law No. 13,431/17. The purpose of these Centers is to ensure the protected hearing of children and adolescents who have experienced violence, in an appropriate environment and by a specialized team. They also play a role in coordinating the various institutions within the Rights Guarantee System to act as a network.

49. In 2023, agreements were signed with the cities of Manaus (AM), Vitória da Conquista (BA), and Paranaguá (PR). In 2024, an agreement has already been made with Rio de Janeiro (RJ), and new agreements are planned for Roraima (RO), Maceió (AL), and João Pessoa (PB) to implement and improve their Integrated Centers.

50. For each signed agreement, a transfer amount is allocated as follows: Manaus (AM) - R\$ 380,000.00; Paranaguá (PR) - R\$ 250,000.00; Boa Vista (RR) - R\$ 380,000.00; Portel and Soure, Marajó (PA) - R\$ 500,000.00; Vitória da Conquista (BA) - R\$ 380,000.00; and Rio de Janeiro (RJ) - R\$ 380,000.00. It is important to highlight that these funds are disbursed gradually, always following the completion of a bidding process.

Reply to paragraph 9 of the list of issues

51. Within the scope of SUAS, urgent measures for assisting unaccompanied or separated migrant and refugee children include: referral to the social assistance network, including the provision of services within the Justice System and the Rights Guarantee System; offering family reunification-based shelter; and, if necessary, in the absence of any located family members in Brazil, state guardianship in institutional shelter units under conditions equivalent to those provided for Brazilian children.