



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Ninety-ninth session

### Summary record of the 2894th meeting

Held at the Palais Wilson, Geneva, on Thursday, 22 May 2025, at 3 p.m.

*Chair:* Ms. Kiladze

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#### *Combined fifth to seventh periodic reports of Brazil*

*Report submitted by Brazil 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*

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*The meeting was called to order at 3 p.m.*

**Consideration of reports of States Parties** *(continued)*

*Combined fifth to seventh periodic reports of Brazil* (CRC/C/BRA/5-7; CRC/C/BRA/Q/5-7; CRC/C/BRA/RQ/5-7)

*Report submitted by Brazil 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* (CRC/C/OPSC/BRA/1; CRC/C/OPSC/BRA/Q/1; CRC/C/OPSC/BRA/RQ/1)

1. *At the invitation of the Chair, the delegation of Brazil joined the meeting.*
2. **A representative of Brazil**, introducing her country's combined fifth to seventh periodic reports (CRC/C/BRA/5-7), said that Brazil was home to 52 million children and adolescents – a quarter of the population – and that children and adolescents accounted for an even larger proportion of the Indigenous and Quilombola populations. The State fulfilled its constitutional duty to protect and promote children's rights through laws, national plans, programmes and initiatives. The Government that had assumed office in 2023 had restored essential public policies and made human rights a priority again, ensuring broad social participation and respect for diversity. The democratic formulation and implementation of policy had resumed, as the change of government had entailed involving children and adolescents in policymaking through the Adolescent Participation Committee and the restoration of parity – in terms of the number of representatives of civil society and of the Government – to the membership of the National Council for the Rights of Children and Adolescents.
3. The Unified Health System, the Unified Social Assistance System and national, state and municipal education systems ensured free, universal, comprehensive and equitable access to healthcare, social assistance and education. A cross-cutting agenda for children and adolescents, which had a budget of US\$ 46 billion in 2024, had been incorporated into the Government's Pluriannual Plan 2024–2027. Resources had also been set aside to ensure the rights to food and to a minimum income, notably through the Family Allowance (Bolsa Família) Programme, a conditional cash transfer programme that, for more than 20 years, had sustained living standards, facilitated access to essential services and helped reduce poverty.
4. The Unified Social Assistance System provided services for vulnerable families through its various units, including social assistance reference centres, which worked to prevent violence and rights violations and to support and strengthen families. In 2024, the Government had adopted the National Care Policy, focusing on children, persons with disabilities, older persons and women. The National School Feeding Programme benefited more than 38 million schoolchildren, ensuring children's rights to education and to food security.
5. The Full-time School Programme had been launched to increase enrolment in full-time basic education, focusing on vulnerable students. Thanks to the national commitment to child literacy, child literacy had returned to the level seen prior to the coronavirus disease (COVID-19) pandemic. The educational support programme Pé-de-Meia had allowed about 4 million students from low-income backgrounds to complete their secondary education.
6. The Unified Health System, one of the world's largest and most complex public health systems, provided primary healthcare coverage for 72 per cent of the population. The aims of the National Policy on Comprehensive Healthcare for Children included reducing child mortality and promoting breastfeeding and childhood development. In 2023, the Government had launched a national vaccination movement to combat disinformation, and as a result Brazil, according to the United Nations Children's Fund (UNICEF) and the World Health Organization, had been removed from the list of the 20 countries with the most unvaccinated children. In 2024, it had allocated US\$ 212 million to health measures specifically for Indigenous children, including vaccination, malaria treatment and the construction of health facilities.
7. Living without Limits, the National Plan on the Rights of Persons with Disabilities, included measures such as the establishment of specialized rehabilitation centres. In 2024,

the Government had set up a ministerial working group on autism spectrum disorder. It had also expanded the coverage of the continuous cash benefit, reaching 870,000 children with disabilities.

8. More than 1,200 children had been rescued from child labour in 2024. In 2025, the Government planned to publish the fourth National Plan for the Prevention and Eradication of Child Labour and establish a national protocol for the assistance of victims.

9. According to the Ministry of Health, 57,000 cases of sexual violence against children and adolescents had been reported in 2023, more than before the pandemic; the increase was due to improved reporting by municipalities and greater awareness among health professionals. In addition, the Government had provided training for more than 30,000 people active in the Child and Adolescent Rights Guarantee System, including members of child rights councils, judges, police officers, public defenders, health, social assistance and education professionals and members of child rights organizations.

10. The Government conducted regular assessments of the care provided through the National System of Socioeducational Services. The Programme for the Protection of Children and Adolescents Threatened with Death had been expanded from 18 to 22 states and was supplemented by the project Protected Lives.

11. Since the adoption of the Protected Testimony Law in 2017, the Government had established integrated care centres and special testimony rooms so that the justice system provided a safe space for victims of violence. Victims were likewise provided with psychological support and were given access to forensic experts and health and social assistance services.

12. Data protection laws and the regulation of digital platforms, which were aligned with the Statute of the Child and Adolescent, were guided by the right to a life free from violence and the fight against disinformation and hate speech. Significant measures in the digital sphere had included the adoption of a law banning the use of smartphones in schools and the criminalization of cyberbullying. The Federal Police, for their part, took measures to combat online abuse and child pornography.

13. As black children and adolescents were the group most vulnerable to lethal violence, the Government had launched the “Growing Up in Peace” strategy, which consisted of 45 integrated measures in the areas of protection, justice and public security, and the “Black Youth Alive” plan, which was designed to reduce the vulnerability of black young people.

14. The judiciary played a key role in upholding children’s rights. The National Council of Justice, for example, had drawn up a national judicial policy on early childhood to expand access to justice. The judiciary also oversaw the adoption and foster care system. Since 2020, more than 65,000 children and adolescents had been reintegrated into their families and more than 24,000 had been adopted.

15. **Ms. Marshall-Harris** (Coordinator, Country Task Force) said that, although the State Party had a commendable legislative and policy framework for the protection of children’s rights, she was concerned about gaps between the letter of the law and its application in practice. For example, Law No. 10.639/2003, which provided for the compulsory teaching of Afro-Brazilian and Indigenous history and culture, had reportedly not been implemented by over 70 per cent of municipalities. She wondered whether gaps in implementation reflected a lack of political will or insufficient financial or human resources and to what extent laws and policies adopted at the federal level had met with resistance from municipal or state governments.

16. As the Pluriannual Plan 2024–2027 did not specifically relate to children, she wished to know whether the Government intended to renew the 10-year plan of action for the promotion of children’s rights (2011–2020) and, if so, how soon a new plan of action might come into effect. She wondered how the Government would ensure that the funding for children and adolescents for which provision was made in the Pluriannual Plan was actually invested in activities for their benefit at the state and municipal levels. She would like to know what steps the Government was taking to engage with civil society to achieve better outcomes for children and to what extent civil society was able to influence government policy.

17. In the light of mixed reports on investment in education, she would be grateful for clarification of whether public spending on education was falling. While she welcomed the increase in federal funding for the National School Feeding Programme, she wondered why so many children were going hungry and why malnutrition had not been eradicated, particularly at a time when Brazil had become a leading donor of development assistance to other countries of the Global South.

18. **Ms. Ayoubi Idrissi** (Country Task Force) said that she would be grateful for information on the steps taken by the State Party to draft a comprehensive law that prohibited all forms of discrimination. She wondered what steps had been taken to provide remedies, including measures of reparation, for victims of discrimination, and whether any educational or awareness-raising activities had been organized in a bid to combat discrimination.

19. She would be interested to know what mechanisms were in place to ensure that the best interests of the child were a primary consideration in all institutional actions concerning children. In that connection, she would like to know, for example, whether the State Party systematically evaluated the impact of bills, policies or decisions in relation to the best interests of the child. As the Adolescent Participation Committee did not include children younger than 12, she would like to know, too, what mechanisms supported the participation of younger children.

20. She would be grateful for a comment on reports of persistently higher infant and child mortality rates in Indigenous communities, with the causes of death of Indigenous children said to include respiratory illnesses linked to deforestation and illegal mining operations. As more than 15,000 children and adolescents had reportedly been killed between 2021 and 2023, she wished to know what was being done to address the causes of the violence. She wished to know, too, what steps were being taken to put an end to the excessive use of force, including the use of firearms, by the police. In addition, it would be useful to know whether any protocols on the use of force had been developed, how many law enforcement officials had been prosecuted and convicted for their role in the violence and what reparations had been provided.

21. Between 2013 and 2023, according to official figures, the number of child and adolescent victims of domestic violence had soared from 35,000 to 115,000. She would therefore like to know what practical measures had been taken to give effect to Law No. 14.344/2022, which established mechanisms for the prevention of and response to domestic and family violence against children and adolescents. She would appreciate information on any steps taken to put an end to child marriage, as the ban on the marriage of children under 16 did not meet the Committee's expectations. As the figures also pointed to a rise in sexual violence, which particularly affected girls under the age of 13 and was often committed by a trusted person within or close to the family, she wished to know what was being done to prevent sexual violence and improve the accessibility of reporting and referral mechanisms for victims. She would welcome information on the psychological and medical care, rehabilitation and reparations provided to victims. The delegation might also indicate how many perpetrators of sexual violence against children had been prosecuted and convicted.

22. Furthermore, she wished to know what steps had been taken to investigate allegations that children, especially children in the socioeducational system, had been subjected to torture and cruel, inhuman or degrading treatment and to provide victims with measures of reparation and rehabilitation. She would be interested to know, too, what measures were being taken for children who lived with their mothers in prison and what alternatives to detention were available for mothers and pregnant women and girls.

23. **Mr. Lumina** (Country Task Force), welcoming the reported increase in the birth registration of Indigenous children, said that he would appreciate information on the Government's efforts to achieve universal birth registration. He would be interested to know whether the Government had introduced culturally appropriate measures for birth registration and the issuance of birth certificates for Indigenous and Roma children throughout the State Party.

24. The preliminary ban on the use of personal data for the development of artificial intelligence systems was welcome; however, he would be grateful for further information on

efforts to strengthen the protection of children's personal data. He would appreciate an update on the status of bill No. 5342/2023, which would criminalize the creation of pornographic content using artificial intelligence. It would be useful to know, too, whether regulations on access to information in the digital environment effectively protected children from harmful content and materials and whether the Government had launched any initiatives to protect children from online dangers such as gambling and targeted advertising.

25. **Mr. Gudbrandsson** (Country Task Force) said that he would be interested to know how the State Party coordinated the implementation of the National Care Policy, the "Growing Up in Peace" strategy and the National Plan for Family and Community Living. It would also be useful to know whether those programmes and policies were regularly evaluated, whether they addressed systematic and multiple forms of racism and how the Government ensured that they were allocated adequate resources.

26. As it was unclear whether the State Party collected comprehensive and disaggregated data on children in out-of-home placements, he wished to know what was being done to improve data collection and reporting in that area. He wondered whether the Government had introduced any measures to strengthen its foster care policy – for example, by helping municipalities recruit foster families – and whether it delivered support, training and counselling for foster parents.

27. As many children reportedly lived in large residential institutions that provided poor quality care, he wished to know whether such institutions were held to quality standards, how regularly the Government monitored them and whether its monitoring activities included interviews with the children who lived in the institutions. It would be interesting to know whether there were safe spaces or procedures for the reporting of abuse or violence and which authority dealt with complaints. He would be grateful for information on reviews of placement of children in institutions and the entities responsible for such reviews. Information on the safeguarding measures in place in respect of adoption would also be welcome. It would be helpful to learn, for example, whether the authorities had conducted any awareness campaigns to promote domestic adoption and whether mechanisms had been put in place to re-establish the identities of child victims of enforced disappearance and illegal adoption.

28. He wondered whether the very low income ceiling for the social security benefits received by the dependants of insured persons who had been imprisoned amounted to a violation of children's right to social security under article 26 of the Convention and whether the Government monitored the effective application of the law that allowed mothers sentenced to prison to serve their sentences under house arrest if they had young children. He was also curious to know whether the law provided for psychological assistance for the children of incarcerated parents.

*The meeting was suspended at 3.50 p.m. and resumed at 4.15 p.m.*

29. **A representative of Brazil** said that various strategies were employed to ensure that the federal Government's policies were effectively implemented at the state and municipal levels. The co-financing of public policies, for example, was particularly important in the areas of education, health and social assistance. Responsibility for basic education was shared by the states and municipalities, and tax revenues were distributed equitably through the Fund for the Maintenance and Development of Basic Education, taking into account the number of students in each state and municipality. Co-financing, which was key to reducing inequality, was an important source of funding for municipalities with fewer resources.

30. Many of the laws and policies that her country had adopted, including the Statute of the Child and Adolescent, Law No. 10.639/2003, which mandated the teaching of Afro-Brazilian and Indigenous history and culture, and the law introducing quotas in higher education, had been achieved through social mobilization and the historic struggle of the people. Implementing such legislation was challenging. For more than 300 years, the country's black and Indigenous populations had been subjected to exploitation, expropriation and enslavement. The Government's legislative agenda not only met with resistance but also faced structural and systemic barriers, including racism, patrimonialism and sexism. The difficulties the Government faced were illustrated by the long-running debate in the National Congress on lowering the age of criminal responsibility. Although the Government opposed

such a measure, it was clear that some groups in Brazil favoured it. New laws had to be passed and implemented in a context of political tension and limited financial and human resources.

31. Nevertheless, the Government continued to work to overcome barriers and was striving build a society in which differences were respected. Important progress had been made following the establishment of the Ministry for Women and the Ministry of Racial Equality. The latter, which had worked to improve race relations in all spheres, had developed policies for the Quilombola population and the regularization of land tenure. Many children were living in territories that were threatened by excessive mineral exploitation. The Government had opposed a proposal in the National Congress to relax the requirements for mining in Indigenous territories.

32. Since assuming office, the current Government had re-established the Ministry of Human Rights and Citizenship and created the Ministry of Indigenous Peoples, recognizing the fundamental role played by Indigenous Peoples in advocating for a different type of relationship with the planet. Measures had been taken to combat hunger among Indigenous children and to protect the territories of groups such as the Yanomami from incursions by national and international companies. The Government was working in multilateral forums to reach agreements on the protection of the territories, communities, traditional knowledge and world view of Indigenous Peoples.

33. **A representative of Brazil** said that the Government had developed or was implementing five national plans that concerned children and adolescents, including the National Plan for Early Childhood 2020–2030, the National Plan for Family and Community Living and three other plans – one to combat sexual violence and exploitation, another to combat child labour and another still to strengthen socioeducational assistance. All of those plans had been developed with the participation of civil society organizations, local communities and children themselves; they contained targets for the relevant ministries, states and municipalities and were coordinated and reviewed by the federal Government in partnership with the National Council for the Rights of Children and Adolescents.

34. The twelfth National Conference on the Rights of Children and Adolescents, held in April 2025, had addressed themes including the COVID-19 pandemic, rights violations, vulnerabilities, the need for measures of reparation, and comprehensive protection policies. It had been attended by more than 1,200 delegates, including the President, representatives of the Government and civil society and adolescents between the ages of 12 and 18. Over 200 proposals had been adopted.

35. **A representative of Brazil** said that the Unified Social Assistance System was a decentralized, participatory system that organized social assistance at the federal, state and municipal levels. Social assistance reference centres, of which there were nearly 9,000, worked to prevent sexual violence, focusing on vulnerable families and communities. Campaigns were carried out for the prevention of sexual exploitation and abuse. Brazil also had some 3,000 specialized social assistance reference centres, which provided tailored support services for child and adolescent victims of violence and families experiencing situations of violence. They worked to break the cycle of violence without necessarily removing the child from the family environment, an approach that contrasted with past practice, when children had not received specialized care and had often been placed in institutions. Tens of thousands of child and adolescent victims of domestic violence and sexual violence had been provided with support in 2024.

36. The National Plan for Family and Community Living, which dated from 2006, had been the subject of a major evaluation exercise to determine where progress had been made. The Government expected to launch an updated version of the Plan in October 2025. One area of progress had been the overhaul of institutional care. According to recent studies, the number of institutional care facilities had risen and the number of children living in each facility had fallen. Only 7 per cent of facilities housed more than 20 children: the average was 10. As a result, children benefited from more targeted care and better access to services.

37. One of the actions envisaged in the original Plan had related to deinstitutionalization and foster care. According to current figures, only 6.6 per cent of children in foster care lived with a family, while 93.4 per cent lived in foster homes. In 2024, various ministries and

public bodies had issued a joint recommendation on strengthening the foster care system and increasing the number of foster families. The Ministry of Development and Social Assistance, Family and the Fight against Hunger conducted an annual survey to collect data on care services, including on the age of the children in care. The Ministry, which also monitored the training provided to foster families, had identified a lack of professional training and a lack of public awareness about foster care services. Consequently, it had produced comprehensive training materials on foster care, which had been widely disseminated, including through national and regional seminars. It was running two distance education courses – one basic and one intermediate – for interested persons, particularly those who lived far from the major cities. The new National Plan for Family and Community Living would include a specific component on foster care, and the Government had set a target of increasing the proportion of children in foster care who were placed with families to 25 per cent. Monitoring was done by municipal social assistance councils and public prosecutor's offices, which conducted inspections every six months.

38. **A representative of Brazil** said that the National Council of Justice had adopted several policies for the protection of the human rights of children and adolescents. For instance, it had adopted the implementing regulations of Law No. 13.431/2017, which provided for specific methods of taking the special testimony of child victims or witnesses of violence. Accordingly, it had given priority to having such testimony taken in police stations and specialized courts by trained professionals and, where possible, once only, avoiding the revictimization of the child. The Council had also issued a recommendation for judges to prioritize cases involving the sexual exploitation or abuse or the torture or ill-treatment of children.

39. Brazil had 187 child and youth courts and 13 specialized courts dealing with crimes committed against children and adolescents. Since 2019, 817 new special testimony rooms had been opened; 1,310 were currently operational. Some 11,000 judges and other officials had been trained in taking special testimony.

40. Individual assistance plans had been introduced to ensure that adolescents in conflict with the law participated in the judicial proceedings affecting them. The plans set out, recorded and organized the activities to be undertaken by the adolescent and ensured his or her right to be heard.

41. In 2024, the Council had adopted a protocol on adjudication with a racial perspective. The protocol, which had been developed with input from justice officials and civil society as a tool for combating structural and systemic racism within the judiciary, paid special attention to the impact of racial discrimination on children and adolescents. It was geared towards rights protection and access to justice and highlighted the need to consider children's special characteristics, vulnerabilities and needs.

42. Children in foster care had the right to be heard. Under the National Adoption and Foster Care System, a compulsory review of placement measures was held every three months, while full hearings, at which children and adolescents had the opportunity to speak, were held every six months. No child would be removed from his or her family unnecessarily, and the child's best interests were a primary consideration in all relevant judicial decisions. The Statute of the Child and Adolescent stipulated that neither institutional nor foster care should exceed 18 months. Only where family reintegration was deemed impossible would the National Adoption and Foster Care System match the profiles of children suitable for adoption with the profiles of eligible adoptive parents.

43. The National Council of Justice had recently conducted a campaign to promote birth registration, address low registration rates and improve vulnerable persons' access to official documents. As a result, 126,000 birth certificates had been issued. The third edition of National Civil Registration Week had focused on the Indigenous population, persons in street situations and persons deprived of their liberty.

44. In line with the objectives of the Law on the National System of Socioeducational Services, the Council had taken action both to protect the rights of children or adolescents accused of an offence and to promote their development and social reintegration. Judges had been instructed to conduct inspections of socioeducational units every two months to ensure that detained adolescents were granted immediate access to justice and to prevent torture.

The Council had also issued a recommendation on the integrated care of adolescents in conflict with the law and the formation of comprehensive support units.

45. The Council and the non-profit institution Insper had published a study that contained a recommendation for the establishment of a legal deadline for bringing adolescents detained in socioeducational units before a judicial authority. Other notable measures included the creation of a vacancy management system, the prohibition of admission to socioeducational units that were already operating at full capacity and the drafting of procedures and guidelines on alternatives to detention for pregnant women, parents or other persons responsible for the care of children and persons with disabilities.

46. **A representative of Brazil** said that structured measures and effective public policies were necessary to ensure that children remained in school and followed appropriate educational pathways. Overcoming inequalities and ensuring that children throughout the country had access to a good quality, inclusive education aligned with human rights principles required the different levels of government to share responsibility and coordinate the steps they took.

47. The Ministry of Education conducted an annual school census in which it collected statistical data in order to inform education policy and governance. The data allowed the authorities to evaluate trends, identify the need for new schools, plan the availability of places, distribute resources and monitor the quality of teaching. According to the 2024 school census, more than 47 million children had been enrolled in 179,000 schools – 9.5 million in private schools and 37.5 million in public schools. The Fund for the Maintenance and Development of Basic Education would allocate 325 billion reais in 2025. It was true that investment in public education was falling, as various ministries were seeking to reduce spending; the Government hoped to reverse the trend in the coming years.

48. Several programmes had been designed to promote children's comprehensive development. The Full-time School Programme, which had a target of a million new enrolments a year, had been expanded, prioritizing schools that enrolled large numbers of vulnerable children. The "Literacy at the Right Age" programme sought to ensure that all children could read and write by the age of 8. As school retention remained a priority, the Ministry of Education monitored the attendance of all students whose families received cash transfers under the Bolsa Família Programme. Students nearing the end of secondary education benefited from the programme Pé-de-Meia, under which they received a monthly cash transfer, which could be withdrawn at any time, and a payment equal to five times the amount of the monthly transfer upon completing their secondary education. Such transfers contributed to school retention and completion, democratized access to education and reduced social inequality.

49. The law prohibiting the use of smartphones in schools, including during break times was designed to increase students' social interaction and protect their mental health, while reducing the risk of addiction and other problems associated with excessive smartphone use. The prohibition did not prevent the use of devices in exceptional circumstances, for health reasons, for the purposes of accessibility or as a tool for learning, research or the creation of content under the guidance of a teacher.

50. The Government continued to strive to ensure the connectivity of all basic education institutions. The National Strategy for Connected Schools outlined standards for school connectivity, and the Government was coordinating with stakeholders to ensure that all schools were connected by 2026. At the same time, efforts had been made to provide teachers with media education; the aim was to help them develop the critical thinking skills needed to navigate the media and information environment. The Ministry of Education had taken steps to incorporate Indigenous perspectives in education and was implementing the National Policy on Equity, Education for Ethnic-Racial Relations, and Quilombola School Education with a view to training education professionals and strengthening institutional capacities to prevent racism and discrimination.

51. **A representative of Brazil** said that the National Data Protection Authority interpreted and enforced the General Data Protection Law and regulated the processing of personal data, including those of children. Article 14 of the Law provided that the best interests of children and adolescents must be taken into account when processing their



personal data. The Authority aimed to uphold fundamental rights and civil liberties, including the right to privacy. As children and adolescents were particularly exposed to risks, the Authority, which monitored social networks, had made the protection of their data a priority.

52. One notable development had been the submission in 2022 of bill No. 2628 on the protection of children and adolescents in the digital environment, which sought to uphold their best interests – for example, by prohibiting the use of their personal data for commercial purposes and requiring the adoption of the principle known as privacy by design in the development of products and platforms.

53. The Authority engaged extensively with civil society and had undertaken various public consultations on policy and strategy. It had adopted a regulatory agenda for 2025–2026 that covered issues such as artificial intelligence, the right to the review and explanation of automated decisions, and best practices. It was currently drafting regulations on the rights of data subjects, which would include an article on the processing of personal data concerning children and adolescents. The Authority had also regulated the use of biometric data, including facial recognition technology – sometimes used in schools – and was working on a guide to high-risk data processing. In addition, it had called for contributions to a guide to the processing of children’s and adolescents’ personal data and received 65 responses.

54. The General Data Protection Law guaranteed the right of data subjects, including children and adolescents, to have clear and adequate information about the processing of their personal data. The Authority’s guidance and educational materials sought to raise children’s awareness of their rights. The Authority was working on guidance on age verification with a view to ensuring that age verification mechanisms were used proportionately and effectively to prevent children from gaining access to inappropriate content. It had also brought proceedings against TikTok in order to bring its age verification procedures into compliance with the law. The Authority would continue to strengthen its regulatory arsenal and to coordinate its activities with other relevant bodies. In all of its regulatory, guidance and monitoring activities, the best interests of the child were made a primary consideration.

55. **Mr. Gudbrandsson** said that he would be grateful if the delegation could address the criticism that had been levelled against the National Plan on the Rights of Persons with Disabilities, including in respect of the exclusion of institutionalized individuals and the inadequacy of deinstitutionalization strategy; the lack of alternatives for independent living and of accessible housing and inclusive employment; and the lack of an efficient and harmonized system for diagnosing disabilities in all states and municipalities. He would be interested to know how the Government intended to address the urgent need for community-based support and inclusive education, what care was provided to black and Indigenous children with disabilities and their families under the National Plan and how the Government planned to meet challenges in the implementation of the National Policy on Comprehensive Healthcare for Persons with Disabilities, including regional disparities, insufficient resources, limited training of health officials on disability rights and barriers to physical accessibility in many health facilities.

56. In the light of widening geographic inequalities and worsening health indicators among black and Indigenous communities, he wished to know whether the Government had a plan to increase the human, financial and technical resources allocated to healthcare and to ensure access to health services for black and Indigenous children, particularly in the north and north-east. He would like to know, too, what measures had been taken to strengthen the Family Health Strategy in order to address regional disparities and staff shortages in remote areas. In addition, he would appreciate detailed information about the Government’s plans to reduce maternal and child mortality and about vaccination campaigns and public awareness initiatives to increase immunization coverage.

57. As the Committee had been informed that mental health services were underfunded, that the State Party lacked a coordinated mental health strategy and that there were insufficient psychosocial care networks and centres, he wondered what steps were being taken to address those shortcomings. It would be helpful to learn whether the Government might consider developing, in consultation with children and civil society, an interministerial

strategy on mental health, what the causes of the rise in suicide and self-harm were and how the Government was addressing them.

58. Given that life expectancy for transgender persons in Brazil was estimated at just 35 years, he wished to know whether the Government had any plans to ensure that transgender children and adolescents had access to trauma therapy and interdisciplinary support until they reached adulthood. Furthermore, he wished to know how the Government ensured that all children and adolescents received confidential and child-friendly sexual and reproductive health information and services. He wondered how the Government planned to ensure access to abortion services throughout the country and address the lack of specialized healthcare facilities and psychological support services for child victims of violence. He would also like to know whether pregnant girls who wished to have an abortion could rely on the support of the child protection authorities if the parents withheld their consent. Lastly, he asked whether the Government would consider introducing a law to prohibit unnecessary non-consensual surgery on intersex children.

59. **Ms. Ayoubi Idrissi** said that she wondered what steps the State Party, which, despite being the world's ninth-largest economy, continued to struggle to overcome social inequality and meet the needs of its children, was taking to reduce social inequality, ensure access to adequate housing, combat food insecurity and address the structural causes of poverty.

60. **Mr. Lumina**, noting that rural and Indigenous children were disproportionately affected by environmental degradation, climate change and extreme weather events, said that he would be interested to know what measures the Government was taking to ensure children's right to a clean environment and how it addressed children's vulnerabilities, needs and views in its climate policies and programmes. He would also like to know how the Government tackled violence against Indigenous and Quilombola communities in the context of agribusiness and the extractive industries. He would be grateful for information on measures to ensure that communities could obtain title to their land as quickly as possible and thus protect themselves from land grabs.

61. He would appreciate information on measures to increase government spending on education and ensure that all schools were supplied with clean drinking water. While the Committee welcomed the repeal of the decree establishing a national programme of military schools, he wished to know how that measure would be enforced, as there had been reports that some states intended to maintain the schools. He would also like to know what steps were being taken to address disparities in the quality of public and private education and ensure that private schools were fully integrated into the public education systems of their respective jurisdictions. It would be interesting to know, in addition, what steps had been taken to ensure the compulsory teaching of Indigenous and Roma history and culture in primary education, promote inclusive education throughout the State Party, overcome the obstacles to education faced by black children with disabilities and children with congenital Zika syndrome and address disparities in access to educational resources and opportunities.

62. He would be interested to hear about efforts to tackle the high dropout rate among girls, particularly in rural, Indigenous, Quilombola and Afro-Brazilian communities. The delegation might explain why early childhood education reportedly received less funding than other stages of education, when in fact it required greater investment per student, and what the Government was doing to remedy the situation.

63. **Ms. Marshall-Harris** said that, although Law No. 9.474/1997 provided a comprehensive framework for refugee protection, progress in that area had apparently stalled in recent years. She would be interested to know why the Government's strategy had faltered and why refugee and migrant children were finding it difficult to obtain access to documents and social services and to what extent children and adolescents were consulted during the asylum application process. She wondered whether there was a need to reform the country's asylum procedures to ensure that children did not end up on the streets or fall victim to trafficking.

64. She would be interested to hear about any measures taken to ensure that Indigenous children were not denied their ancestral rights, especially land rights. In particular, she would like to know whether communities were consulted on land demarcation. She would be grateful for a comment on reports that toxic pesticides had been used as a weapon to drive

communities from their land and that children had been poisoned by the mercury used in mining activities. She wished to know what action the State Party was taking to ensure that Indigenous children had access to justice, to inform them of their rights and the remedies available to them and to give them greater access to education and health services. She wondered what had been done to protect human rights defenders who worked on behalf of Indigenous children.

65. As it was unclear how many children were living on the street, she would like to know what steps were being taken to improve the collection of data on such children and determine the root causes of the problem. She wished to know, too, what the State Party was doing – beyond police round-ups – to provide street children with better living arrangements and prevent their being trafficked or recruited by gangs.

66. She wondered what steps were being taken to detect and address child labour and ensure that children were not deprived of their right to an education. As black youths seemed predestined to fail, owing to the lack of quality education and the lack of opportunity, and as many had been killed by the police, she would appreciate up-to-date information on the progress that had been made under the “Black Youth Alive” plan.

67. Although the official age of criminal responsibility was 18, children could become parties to proceedings in the child justice system when they turned 12. In that context, she wondered whether the State Party intended to reform the system so that adolescents subject to socioeducational measures were not given custodial sentences. She would also appreciate information on efforts to improve conditions of detention in socioeducational units, which were allegedly similar to or worse than those of adult prisons, and to provide complaints mechanisms for detained adolescents.

68. **Mr. Gudbrandsson** (Country Rapporteur for the Optional Protocol) said that the Committee regretted the lack of disaggregated data on the crimes covered by the Optional Protocol and was concerned about possible gaps in the State Party’s legislation. He would be grateful if the delegation could shed light on the State Party’s efforts to align its legislation with the Optional Protocol, particularly in respect of the prohibition of the sale of children for the purposes of transfer of organs, forced labour and illegal adoption. He would like to know whether the “Growing Up in Peace” strategy addressed the issues covered by the Optional Protocol and whether it focused on the most vulnerable categories of children. Information on measures to improve coordination among the various agencies and levels of government would also be welcome.

69. He would be interested to hear about dissemination, awareness-raising and training on the issues addressed by the Optional Protocol, particularly at the municipal level and among law enforcement and judicial officials. He would be interested to know, too, whether the Government had taken steps to tackle the growing problem of trafficking for the purpose of illegal adoption.

70. Despite the amendment of the General Tourism Law, concerns had been raised about the ongoing prevalence of child sexual exploitation, in some cases involving foreign children, in areas with high levels of tourism and about Brazilian children who had been taken abroad for the purposes of sexual exploitation. He would like to hear about measures to address the problem. More information about bill No. 2338/2023, which aimed to protect children’s rights against the backdrop of heavy use of artificial intelligence, would also be welcome. Lastly, he wondered whether the Government had taken any action to address the concerns of parents who believed that companies were not doing enough to protect children online.

71. **Ms. Correa** (Country Rapporteur for the Optional Protocol) said that, while some of the acts and activities covered by the Optional Protocol were duly classed as offences, it was unclear how the State Party’s legislation addressed offering, delivering or accepting a child for the purposes of sexual exploitation, transfer of organs or engagement in forced labour. She particularly wished to know which criminal law provisions addressed online child sexual exploitation and related offences. She would welcome information on the specific penalties attached to acts such as the production and distribution of child sexual abuse material, including self-generated content, and the use of such content for the sexual coercion, extortion or grooming of children. It would be useful to know how the State Party’s laws

differentiated between offences committed against children by adolescents and those committed by adults.

72. As the underreporting of child sexual exploitation was likely to have created a situation of impunity, she would appreciate information on the outcome of the mapping project undertaken by the Federal Highway Police, which had identified over 9,000 locations where children and adolescents were vulnerable to sexual exploitation. In particular, she wondered how many cases of sexual exploitation had been detected, whether they had led to prosecutions or convictions and, if so, how many. Information on the recent massive police operation that had resulted in the detention of more than 470 adults and the rescue of 80 children would also be welcome.

73. In view of the lack of comprehensive data on offences related to the rights protected under the Optional Protocol, she would be interested to know whether the Government had commissioned any research into the characteristics of child sexual exploitation in Brazil. It would be useful to know whether there had been any shift in patterns of criminal behaviour since the pandemic and who the main victims of the exploitation were. She would be interested to know, too, whether the Government had introduced any regulations governing services, such as those provided by Airbnb, that might be used by perpetrators and whether any steps had been taken to adopt legislation on the criminal liability of legal entities for the offences covered by the Optional Protocol.

74. **Ms. Marshall-Harris** said that she wished to know whether the State Party intended to establish a national human rights institution compliant with the Paris Principles and, if so, when. She would like to know, too, whether the Government intended to require businesses, particularly in agribusiness and the extractive industries, to submit child rights impact assessments before commencing operations. Finally, drawing attention to the need to improve access to justice for children from marginalized communities, particularly black children, she asked whether justice officials who worked with children received sufficient training in children's rights.

*The meeting rose at 6 p.m.*