



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined fifth to seventh periodic reports of Brazil\*

#### I. Introduction

1. The Committee considered the combined fifth to seventh periodic reports of Brazil<sup>1</sup> at its 2894th and 2895th meetings,<sup>2</sup> held on 22 and 23 May 2025, and adopted the present concluding observations at its 2906th meeting, held on 30 May 2025. In the present document, the Committee uses the term “child” to refer to a person who is under 18 years of age.

2. The Committee welcomes the submission of the combined fifth to seventh periodic reports of the State Party and the written replies to the list of issues,<sup>3</sup> which allowed for a better understanding of the situation of children’s rights in the State Party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State Party.

#### II. Follow-up measures taken and progress achieved by the State Party

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State Party to implement the Convention, including the adoption of Law No. 14.344 of 2022 on the establishment of mechanisms to address domestic and family violence against children, the establishment of the Ministry of Indigenous Peoples and the Ministry of Racial Equality in 2023, the re-establishment of the Intersectoral Commission to Combat Sexual Violence against Children and Adolescents and the adoption of the National Plan for Early Childhood 2020–2030 and the National Plan on Violence against Children and Adolescents 2022–2025.

4. It notes with appreciation the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

#### III. Main areas of concern and recommendations

5. The Committee reminds the State Party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State Party’s attention to the recommendations concerning the following

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\* Adopted by the Committee at its ninety-ninth session (12–30 May 2025).

<sup>1</sup> [CRC/C/BRA/5-7](#).

<sup>2</sup> See [CRC/C/SR.2894](#) and [CRC/C/SR.2895](#).

<sup>3</sup> [CRC/C/BRA/RQ/5-7](#).



areas, in respect of which urgent measures must be taken: non-discrimination (para. 18), the right to life, survival and development (para. 21), adolescent health (para. 40), standard of living (para. 46), impact of environmental degradation and climate change (paras. 48) and administration of child justice (para. 61).

6. The Committee recommends that the State Party ensure the realization of children's rights in accordance with the Convention, and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State Party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

## **A. General measures of implementation (arts. 1, 4, 42 and 44 (6))**

### **Legislation**

7. The Committee recommends that the State Party ensure there is compliance at state and municipal level of the federal legislation enacted in line with the provisions of the Convention and its Optional Protocols.

### **Comprehensive policy and strategy**

8. While noting that the Federal Government multi-year plan for 2024–2027 includes children as a cross-cutting issue, the Committee recommends that the State Party develop a comprehensive policy on children that encompasses all areas covered by the Convention, by completing without delay the evaluation of the 10-year plan of action for the promotion of children's rights (2011–2020) and adopt a new plan of action, ensuring that sufficient human, technical and financial resources are provided for its effective implementation.

### **Coordination**

9. Taking note of the National Secretariat for the Rights of Children and Adolescents and the National Council for the Rights of Children and Adolescents, the Committee nonetheless urges the State Party to establish an appropriate body at a high interministerial level with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at the cross-sectoral, national, regional and local levels.

### **Allocation of resources**

10. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee reiterates its previous recommendations<sup>4</sup> and recommends that the State Party:

(a) Increase substantially the investment in the areas of health, food, social security and education, particularly early childhood education, to ensure adequate levels of resources in those areas;

(b) Ensure that the budgeting process includes a child rights perspective, specifies clear allocations to children in the relevant sectors and agencies and includes specific indicators and a tracking system.

### **Data collection**

11. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State Party:

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<sup>4</sup> [CRC/C/BRA/CO/2-4](#), para. 12.

(a) Strengthen its data-collection system to ensure that data on children's rights cover all areas of the Convention and the Optional Protocols thereto and that the data are disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background;

(b) Ensure that data disaggregated by ethnic groups include Afro-Brazilian, Quilombola, Indigenous and Roma children, to ensure their visibility with a view to addressing their marginalization and exclusion.

#### Access to justice and remedy

12. The Committee recommends that the State Party:

(a) Ensure that all children have access to: (i) confidential, child-friendly and independent complaint mechanisms in schools, foster-care systems, alternative care settings and detention for reporting all forms of violence, abuse, discrimination and other violations of their rights; and (ii) legal support and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation;

(b) Ensure the effective and coherent implementation in all states of the provisions contained in Law No. 13.431 of 2017 to protect the rights of child victims or witnesses of violence.

#### Independent monitoring

13. The Committee recommends that the State Party expeditiously establish an independent national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and ensure it includes a specific and independent mechanism for monitoring children's rights that is able to receive, investigate and address complaints by children in a child-sensitive and child-friendly manner.

#### Dissemination of the Convention and awareness-raising

14. The Committee recommends that the State Party:

(a) Strengthen its awareness-raising programmes, including campaigns, in cooperation with civil society organizations, to ensure that the Convention and the Optional Protocols thereto are widely known by the general public, including parents and children themselves;

(b) Raise awareness of the Optional Protocol to the Convention on a communications procedure and provide capacity-building activities aimed at training relevant actors, including children and/or children human rights defenders, on the Optional Protocol.

#### Cooperation with civil society

15. Welcoming the participation of non-governmental organizations (NGOs) working on children's rights in the National Council for the Rights of Children and Adolescents and in the state and municipal Children and Adolescents Rights Councils, the Committee recommends that the State Party:

(a) Systematically involve all NGOs working with or for children's rights in the development, implementation, monitoring and evaluation of laws, policies and programmes related to children;

(b) Ensure that reported instances of intimidation and harassment of NGOs, human rights defenders or civil society activists, including those working on children's rights, are promptly and independently investigated, and those responsible for such abuses are held accountable;

(c) Strengthen the programmes for the protection of human rights defenders, including child human rights defenders, notably by ensuring there is a protection programme in all states, in particular São Paulo and Mato Grosso do Sul.

### **Children's rights and the business sector**

16. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, and noting the information provided by the State Party about the Interministerial Working Group established to develop the National Policy on Human Rights and Businesses, the Committee recommends that the State Party establish a clear regulatory framework for extractive industries, financial and asset management companies and other businesses, particularly agrobusiness and businesses in the beef industry in the Amazon and the Cerrado, operating in or managed by the State Party, to ensure that their activities do not negatively affect human rights or endanger environmental, health, labour or other standards, especially those relating to children's rights.

## **B. General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

17. The Committee is deeply concerned about the profound and adverse impact of deep-rooted and pervasive intersecting forms of discrimination against Afro-Brazilian, Quilombola, Indigenous and Roma children, lesbian, gay, bisexual, transgender and intersex children, girls, children with disabilities, migrant children and children living in rural, remote and urban peripheral areas, including reported hate crimes.

18. **The Committee urges the State Party:**

(a) **To adopt comprehensive anti-discrimination legislation and programmes, including to prevent and combat homophobia, xenophobia, racism and discrimination against lesbian, gay, bisexual, transgender and intersex children in all settings, including at school;**

(b) **To take large-scale measures to eliminate structural discrimination against Afro-Brazilian, Quilombola, Indigenous and Roma children;**

(c) **To eradicate all forms of discrimination against children with disabilities, girls, lesbian, gay, bisexual, transgender and intersex children and migrant children;**

(d) **To adopt measures to combat stereotypes and discrimination against children living in rural, remote and marginalized urban areas;**

(e) **To vigorously strive to eliminate patriarchal attitudes and gender stereotypes that contribute to discrimination against girls in all areas of life.**

### **Best interests of the child**

19. While taking into consideration the measures taken by the State Party, the Committee recalls its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration and recommends that the State Party ensure that the right of children to have their best interests taken as a primary consideration is appropriately integrated into and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects that are relevant to, and have an impact on, children.

### **Right to life, survival and development**

20. The Committee is deeply concerned about the systematic violence against children that, fuelled by structural racial discrimination, is the cause of an extremely high level of mortality. The Committee is further concerned about:

(a) The widespread and systematic violence against Afro-Brazilians, notably the extremely high rate of homicides, mostly of Afro-Brazilian boys;

(b) The number of killings and enforced disappearances of children, mainly Afro-Brazilian children, during military and other operations by security forces in favelas and poor urban peripheries;

(c) The police violence responsible for a significant number of deaths of children, in a context of criminalization, excessive use of force and a lack of accountability;

(d) The killing of Afro-Brazilian, Quilombola and Indigenous children and children living in rural areas, in the context of territorial and agrarian conflicts, land-grabbing, forced evictions and extractive activities;

(e) The reports of child deaths in custody;

(f) The persistently high level of child mortality among Indigenous children;

(g) The high vulnerability of Indigenous children in voluntary isolation and initial contact, whose survival is at risk.

**21. The Committee urges the State Party:**

(a) **To take urgent and large-scale action to prevent violent death, enforced disappearance and killing of children, which affects in particular Afro-Brazilian children;**

(b) **To adopt specific measures to combat police killings, including by addressing structural racism in law enforcement agencies and ensuring that the use of body cameras by law enforcement officials is compulsory, notably by reviewing Ordinance No. 648 of 2024 of the Ministry of Justice and Public Safety to this end;**

(c) **To ensure thorough and independent investigations and prosecutions of violent child deaths, including deaths in custody, extrajudicial killings and homicides, and that the outcomes of these investigations are publicly disclosed and the perpetrators are punished;**

(d) **To make the Programme for the Protection of Children and Adolescents Threatened with Death into a national policy anchored in a specific piece of legislation;**

(e) **To expand the “Black Youth Alive” programme to include children under 15 years of age, and to ensure sufficient human, technical and financial resources to this end;**

(f) **To adopt urgent measures to prevent violence against Indigenous, Quilombola and rural children in land conflicts;**

(g) **To adopt racially and gender-sensitive measures to provide multidisciplinary care for child victims of violence by law enforcement officers;**

(h) **To take urgent measures to reduce and prevent child mortality among Indigenous children, notably by addressing underlying socioeconomic determinants, including the impact of deforestation and illegal mining, and to ensure the survival of Indigenous children in voluntary isolation and initial contact;**

(i) **To ensure the effective implementation of the National Plan on Early Childhood (2020-2030) in all states and municipalities.**

**Respect for the views of the child**

**22. Recalling its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State Party:**

(a) **Take measures to ensure the effective implementation of legislation recognizing the right of the child to be heard in relevant legal proceedings, including by establishing systems and/or procedures for social workers and courts to comply with this principle;**

(b) **Ensure meaningful child participation in legislative and institutional initiatives about their rights;**

- (c) Take the steps necessary for ensuring that children under 12 years of age are also involved in advising the National Council for the Rights of Children and Adolescents.

## **C. Civil and political rights (arts. 7, 8 and 13–17)**

### **Birth registration**

23. Welcoming the adoption of the joint resolution No. 12 of 23 December 2024 by the National Council of Justice to facilitate the birth registration of Indigenous children, the Committee strongly urges the State Party:

- (a) To strengthen the measures taken to achieve universal birth registration, such as the national commitment to eradicating under-registration and the Programme to Combat Civil Under-registration;
- (b) To significantly expand the measures, such as the mobile actions, to ensure birth registration of children in vulnerable situations;
- (c) To strengthen culturally sensitive measures to ensure the birth registration of and the issuance of birth certificates for Indigenous and Roma children in every state;
- (d) To ensure birth registration and the issuance of birth certificates to intersex children, without discrimination or unnecessary medical intervention.

### **Right to identity**

24. The Committee recommends that the State Party:

- (a) Recognize the right to identity of lesbian, gay, bisexual, transgender and intersex children and put in place measures to ensure that they all enjoy their freedom of expression and respect for their physical and psychological integrity, gender identity and emerging autonomy;
- (b) Adopt legislation that recognizes the existence of the transgender children and their rights;
- (c) Establish mechanisms for reestablishing the original identities of child victims of enforced disappearance and illegal adoption, including Indigenous child victims of forced removal, with measures of support, access to justice and restoration of rights.

### **Right to privacy**

25. Welcoming the preliminary ban on the use of personal data by companies to develop artificial intelligence systems and recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State Party:

- (a) Strengthen the existing legal framework on the protection of personal data to ensure comprehensive safeguards for children's personal data protection;
- (b) Effectively implement resolution No. 245/2024 on children's rights and the digital environment of the National Council for the Rights of Children and Adolescents;
- (c) Develop and adopt without delay the national policy for the protection of the rights of children and adolescents in the digital environment;
- (d) Prohibit the use of children's personal data in artificial intelligence systems and provide mechanisms for accountability and remedy and expedite the adoption of draft law No. 5342 of 2023 on pornographic material generated by artificial intelligence.

### Access to appropriate information

26. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State Party:

- (a) Ensure that regulations about access to information in the digital environment adequately protect children from harmful content and materials;
- (b) Adopt measures that protect children from online risks, such as gambling, betting and advertisement targeting children;
- (c) Provide for mechanisms to prosecute violations of children's right to access appropriate and safe information and to seek redress;
- (d) Enhance the digital literacy and skills of children, teachers and families.

## D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention)

### Abuse, neglect, sexual abuse and exploitation

27. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State Party:

- (a) Strengthen the Child Rights Guarantee System to ensure it is operational, independent and efficient in all regions, states and municipalities;
- (b) Assess and update, with child participation, the National Plan to Combat Violence against Children and Adolescents;
- (c) Allocate sufficient human, technical and financial resources to the Intersectoral Commission for Combating Sexual Violence against Children and Adolescents to ensure it has the capacity to implement long-term programmes addressing the root causes of violence and abuse;
- (d) Ensure that children, including transgender children and Afro-Brazilian, Indigenous and Quilombola children, who experienced bullying, discrimination or harassment or any other forms of violence receive protection and support;
- (e) Adopt measures necessary for the effective implementation of Law No. 14.344 of 2022, establish a national database on all cases of domestic violence against children and encourage community- and family-based programmes aimed at preventing and tackling domestic violence, child abuse and neglect;
- (f) Ensure that all cases of abuse and sexual abuse of children, including the rapes occurring at a high rate, are promptly reported and investigated using a child-friendly and multisectoral approach, with the aim of avoiding the revictimization of children, that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims, as appropriate;
- (g) Strengthen the helplines Dial 100 and Dial 180 with sufficient human, technical and financial resources for their effective functioning and ensure capacity-building training for helpline personnel on the provision of child-sensitive and child friendly assistance and on procedures for following up complaints.

### Corporal punishment

28. Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee reiterates in previous concluding observations<sup>5</sup> and urges the State Party:

- (a) To enforce Law No. 13.010 of 2014 on the prohibition of corporal punishment in all settings, in all states and municipalities;

<sup>5</sup> Ibid., para. 40.

(b) To conduct countrywide awareness-raising campaigns for parents and professionals working with and for children to promote attitudinal change regarding corporal punishment within the family and the community.

#### **Harmful practices**

29. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State Party:

(a) Review Law No. 13.811 of 2019 to set the minimum legal age of marriage at 18 years of age without exception;

(b) Establish protection schemes for victims of child marriage who file a complaint;

(c) Develop awareness-raising campaigns and programmes on the harmful effects of child marriage and informal unions on the physical and mental health and well-being of girls.

#### **Torture and other cruel, inhuman or degrading treatment or punishment**

30. Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State Party:

(a) Enforce the prohibition of torture and ensure that allegations of torture or cruel, inhuman or degrading treatment or punishment of children, in particular in the context of police and security operations and in socioeducative centres, are duly investigated, that perpetrators are punished in a manner commensurate with the gravity of their acts and that child victims receive effective remedies;

(b) Ensure that children have access to confidential, child-friendly complaint mechanisms for the reporting of cases of torture and other cruel, inhuman or degrading treatment or punishment of children, particularly those placed in detention centres, socioeducative centres and alternative care settings and facilities.

#### **Recovery and reintegration of child victims**

31. Taking note of the information provided by the State Party on integrated care centres, the Committee recommends that the State Party adopt a comprehensive strategy for the recovery and reintegration of child victims of all forms of violence and ensure that integrated care centres are operational in all states and municipalities.

#### **Gang violence**

32. The Committee urges the State Party:

(a) To develop comprehensive strategies to effectively tackle gang violence. These strategies should not be limited to penal measures but should also address the social factors and root causes of gang violence and crime related to drugs among adolescents, including through policies for social inclusion of adolescents in marginalized situations;

(b) To establish programmes providing child gang members with assistance to leave gangs and be reintegrated into society.

### **E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20, 21, 25 and 27 (4))**

#### **Family environment**

33. Welcoming the adoption of the National Care Policy, the “Growing up in Peace” Strategy and the draft national plan for family and community coexistence, the

Committee draws the State Party's attention to its statement under article 5 of the Convention and recommends that the State Party:

(a) Allocate sufficient human, technical and financial resources to the effective implementation of all these national plans, ensure coordination at all levels of government and conduct regular evaluation of their impact;

(b) Further strengthen state and local policies and civil society initiatives providing support to family-based care to prevent unnecessary separation, and ensure that they are equally funded across all states and include positive parenting and socioeconomic measures for families living in poverty and extreme poverty.

#### **Children deprived of a family environment**

34. Drawing the State Party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State Party:

(a) Phase out institutionalization and implement, without delay, a strategy and action plan for deinstitutionalization in all states and municipalities;

(b) Complete without delay the consultation on the draft national plan for family and community coexistence;

(c) Ensure that the deprivation of parental rights is only used as a measure of last resort, is always based on the needs and best interests of the child and is subject to adequate safeguards;

(d) Establish a quality standard for residential care and a procedure for children to report abuse, and ensure regular monitoring and that children's lived experience is elicited when they are interviewed;

(e) Support municipalities in recruiting foster families and ensure regular pre- and in-service training and support;

(f) Regularly review placement measures and facilitate the reunification of children with their families when in the best interests of the child;

(g) Strengthen the implementation of Law No. 13.769 of 2018 on alternatives to detention for mothers to avoid them being separated from their young children and strengthen material and psychosocial support for children whose mothers are deprived of liberty and/or whose parents are in a situation of poverty.

#### **Adoption**

35. The Committee recommends that the State Party:

(a) Ensure that the best interests of the child are the paramount consideration in adoption procedures for children of all ages and that the right of adoptive children to know their biological parents is effectively enforced;

(b) Adopt measures to end the disparities in the application of the principle of subsidiarity in the adoption procedure in a consistent manner across all states;

(c) Carry out awareness-raising campaigns to promote domestic adoption for children permanently deprived of parental care.

### **F. Children with disabilities (art. 23)**

36. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State Party to adopt a human rights-based approach to disabilities and:

(a) To effectively implement the National Policy of Comprehensive Healthcare for Persons with Disabilities and the National Plan for the Rights of Persons with Disabilities and ensure the deinstitutionalization of children with disabilities;

(b) To set up an efficient and harmonized system for early detection and diagnosis of disability within the shortest period possible after birth in all states and municipalities;

(c) To ensure that children with disabilities and their caregivers have equal access to social programmes, notably by facilitating adequate information and administrative support;

(d) To strengthen community-based support, such as personal assistance, accessible housing and inclusive education, including vocational training;

(e) To effectively implement the National Policy of Comprehensive Healthcare for Persons with Albinism and adopt specific measures for children with congenital Zika syndrome and children with autism spectrum disorders.

## **G. Health (arts. 6, 24 and 33)**

### **Health and health services**

37. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State Party:

(a) Further increase the human, technical and financial resources to the Unified Health System and its healthcare programmes and services, notably in the northern and north-east regions;

(b) Further expand the Family Health Strategy to ensure primary healthcare access with effective measures to reduce child and maternal mortality;

(c) Ensure that all Indigenous children have access to culturally sensitive health services in their language, by strengthening the Secretariat for Indigenous Health and further expanding health services for Indigenous peoples, including by strengthening the “Mais Médicos” programme;

(d) Allocate sufficient human, technical and financial resources for the effective implementation of the National Comprehensive Health Policy for the Afro-Brazilian Population, and ensure that the policy is widely known;

(e) Ensure that the National Immunization Programme and the National Vaccination Movement are maintained and that vaccination is accessible to all children.

### **Mental health**

38. The Committee recommends that the State Party:

(a) Develop a national plan on child and adolescent mental health;

(b) Urgently adopt measures to address the long-term consequences caused by discrimination and lethal violence on the mental health of Afro-Brazilian children;

(c) Effectively implement the National Policy for the Prevention of Suicide and Self-Mutilation by allocating sufficient human, technical and financial resources to it;

(d) Adopt specific measures for the children most at risk of committing suicide and mutilating themselves, particularly transgender and Indigenous children;

(e) Ensure specific healthcare and programmes for transgender children and adolescents tailored to individual needs and ensure appropriate psychological support.

### **Adolescent health**

39. The Committee is concerned about the high rate of child pregnancies, owing to a pattern of forced pregnancies, in the absence of a national policy on sexual and reproductive rights and sexual and reproductive education. The Committee is further concerned about the

criminalization of girls seeking abortion and de facto barriers to the access to legal abortion in safe conditions with adequate post-abortion care.

40. **Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State Party:**

(a) **Adopt a comprehensive sexual and reproductive health policy for adolescents;**

(b) **Ensure that age-appropriate sexual and reproductive health education is part of the mandatory school curriculum and targeted at children, with special attention given to preventing early pregnancy and sexually transmitted infections;**

(c) **Ensure that all adolescents, including those who are out of school and those in rural areas, receive age-appropriate, confidential and child-friendly sexual and reproductive health information and services, including access to contraceptives, including emergency contraceptives;**

(d) **Ensure that pregnancies of girls are always reported to the appropriate services to ensure that those girls receive the protective safeguards, trauma therapy and social support they need;**

(e) **Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescents and girls in all states and municipalities, making sure that their views are always heard and given due consideration as a part of the decision-making process;**

(f) **Repeal existing and draft legislation that further limits and criminalizes the access to abortion, such as draft federal law No. 1904 of 2024 and Law No. 22.537 of 2024 in the state of Goiás;**

(g) **End the use by public authorities, including courts, of legal provisions that are not specifically on abortion with the aim of reinforcing the criminalization of abortion, such as the use of article 273 of the Criminal Code;**

(h) **Take the measures necessary for removing the barriers to access abortion services, including racial and gender-based discrimination and the abuse of the principle of conscientious objection;**

(i) **Expand the network of care services and facilities that assist child victims of sexual violence and ensure that they have the capacity to conduct abortion interventions.**

#### **Drug and other substance abuse**

41. **The Committee recommends that the State Party:**

(a) **Ensure the effective implementation of the National Strategy for Access to Rights in Drug Policy for Black and Periphery Population;**

(b) **Enforce the prohibition of the placement of children in therapeutic communities, in compliance with resolution No. 249 of 2024 of the National Council for the Rights of Children and Adolescents, and ensure alternative substance abuse treatment designed for children and adolescents;**

(c) **Strengthen and expand the availability of child psychosocial care centres in all states and municipalities.**

**HIV/AIDS**

42. Recalling its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, the Committee reiterates its previous concluding observations<sup>6</sup> and recommends that the State Party take the measures necessary for their effective implementation.

**Nutrition**

43. Welcoming the progress in the reduction of food insecurity, the Committee recommends that the State Party:

(a) Systematically collect data on food security and nutrition of children in order to formulate and review policies to ensure they respond to children's needs;

(b) Step up its efforts for the effective implementation of the Brazil Without Hunger Plan to eradicate child food insecurity and malnutrition, particularly in the northern and north-east regions;

(c) Increase the funding of the National School Feeding Programme to ensure its nationwide coverage and the supply of adequate and healthy food, notably by increasing direct purchases from local food producers, particularly rural women;

(d) Enforce the legal framework prohibiting the marketing of unhealthy foods to children to prevent child overweight and obesity and enable poor households to access healthy food.

**Intersex children**

44. The Committee recommends that the State Party:

(a) Ensure that intersex children are not subjected to unnecessary medical or surgical treatment, in line with the rights of the child to bodily integrity, autonomy and self-determination;

(b) Provide social, medical and psychological services, as well as adequate counselling, support and reparations to families with intersex children;

(c) Undertake investigation of incidents of surgical and other medical treatment of intersex children without informed consent and adopt legal provisions to provide redress to the victims of such treatment, including adequate compensation.

**H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))**

45. While noting that the State Party is an upper-middle-income country, the Committee is deeply concerned about the contrasting persistence of poverty and extreme poverty that systematically and mainly affects Afro-Brazilian, Quilombola and Indigenous children and children living in rural and peripheral urban areas, in a socioeconomic context marked by structural high level of inequalities, which was further aggravated by the impact of the coronavirus disease (COVID-19) pandemic.

46. The Committee urges the State Party:

(a) To take the measures necessary for reducing inequalities and eradicating child poverty and extreme poverty, primarily regarding Afro-Brazilian, Quilombola and Indigenous children, and in particular in the northern regions and in rural and urban peripheral areas;

(b) To maintain and expand the “Água Doce” Programme to ensure access to drinking water in rural and remote areas;

(c) To adopt measures ensuring children's access to social programmes, such as the Continued Pension Benefit, Bolsa Família and the “Minha Casa Minha Vida” programme.

<sup>6</sup> CRC/C/BRA/CO/2-4, paras. 61 and 62.

## **I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24 and 26–31)**

### **The impact of environmental degradation and climate change**

47. The Committee is deeply concerned about:

- (a) The adverse impact of environment degradation, including the deforestation of the Amazon and Cerrado biomes, despite recent progress;
- (b) The impact of climate change on children's rights, mostly affecting children living in rural and peripheral urban areas, river-dwelling children and Afro-Brazilian, Quilombola and Indigenous children;
- (c) The high vulnerability of children to climate-induced extreme events, such as the 2024 floods in the state of Rio Grande do Sul;
- (d) The lack of child participation in the elaboration and implementation of climate policies;
- (e) The insufficient measures to ensure children's right to a clean, healthy and sustainable environment.

48. **Recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, and taking note of the environmental protection legislation of the State Party, the Committee urges the State Party:**

- (a) **To increase its efforts to address environmental degradation, such as stopping and reversing deforestation, illegal mining and land exploitation, particularly in the Amazon and Cerrado biomes, which cause irreparable harm to children's health, particularly of Indigenous, Quilombola and rural children;**
- (b) **To maintain and strengthen the Action Plan for Prevention and Control of Deforestation in the Amazon;**
- (c) **To expedite the ratification of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazu Agreement) and take adequate steps for its incorporation and implementation in all states and municipalities;**
- (d) **To ensure that children's special vulnerabilities needs and views are considered in developing policies and programmes to address climate change, including climate change emergencies, in particular Afro-Brazilian, Quilombola and Indigenous children;**
- (e) **To ensure child participation in the implementation of the second nationally determined contribution and its future updates;**
- (f) **To increase children's awareness of and preparedness for climate change and natural disasters by incorporating the topic into the school curriculum and teacher training programmes and further strengthening the "Defenders of Protection" initiative.**

## **J. Education, leisure and cultural activities (arts. 28–31)**

### **Education: aims and coverage**

49. The Committee recommends that the State Party:

- (a) **Adopt the new National Education Plan 2024–2034 and ensure sufficient human, technical and financial resources for its effective implementation;**
- (b) **Ensure that all girls and boys, particularly Afro-Brazilian, Quilombola and Indigenous children, complete free, equitable and good-quality primary and secondary education leading to relevant and effective learning outcomes;**

- (c) Implement Law No. 10.639 of 2003 on the teaching of Afro-Brazilian history and culture, ensuring it is compulsory in primary education;
- (d) Include the teaching of Indigenous and Roma history and culture in primary education;
- (e) Take steps necessary for ensuring the inclusion, retention and reinsertion of girls, particularly pregnant adolescents and adolescent mothers, in schools;
- (f) Allocate sufficient financial resources for the expansion of early childhood education, especially in the northern region, based on a comprehensive and holistic policy of early childhood care and development;
- (g) Immediately halt police operations near school areas in all states and municipalities and consider legislative initiatives to ban such operations.

#### **Demilitarization of education**

50. Welcoming the adoption of Decree No. 11.611 of 2023 to reverse and prohibit the militarization of public schools, the Committee recommends that the State Party adopt the measures necessary for its implementation in all states and municipalities.

#### **Quality of education**

51. The Committee recalls its previous concluding observations<sup>7</sup> and recommends that the State Party:

- (a) Adopt urgent measures to equip all schools, in all states and municipalities, with water and sanitation services;
- (b) Ensure that private schools are integrated into the national education system and subject to the same quality standards as public schools and regular inspections.

#### **Inclusive education**

52. The Committee recommends that the State Party strengthen the National Policy on Special Education from the Perspective of Inclusive Education.

#### **Vocational training and guidance**

53. The Committee recommends that the State Party review the 2016 New High School Reform and, on that basis, develop and promote the highest quality vocational training in both the private and public sectors to enhance the skills of children and adolescents, especially those who drop out of school.

### **K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)**

#### **Asylum-seeking, refugee and migrant children**

54. Recalling the joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee recommends that the State Party:

- (a) Ensure safe access to the territory and documentation for unaccompanied, separated and undocumented children, especially children from the Bolivarian Republic of Venezuela;

<sup>7</sup> Ibid., para. 74 (a).

- (b) **Adopt measures to ensure that migrant children access social assistance and education;**
- (c) **Take steps to ensure the effective implementation of resolution No. 232 of 2022 of the National Council for Children and Adolescents on unaccompanied, separated and undocumented children;**
- (d) **Adopt measures to design and implement child-friendly refugee status determination procedures that ensure child participation;**
- (e) **Strengthen the measures to recognize the status of statelessness, notably the “Clíque Cidadania” mobile application, and facilitate the naturalization process.**

#### **Indigenous and Quilombola children**

55. Welcoming the progress made in the demarcation of Indigenous peoples' and Quilombola land and territories, the adoption of the Action Plan for the National Agenda of Quilombola Titling and the creation of the Ministry of Indigenous Peoples, the Committee recalls its general comment No. 11 (2009) on indigenous children and their rights under the Convention and urges the State Party:

- (a) **To expeditiously complete the demarcation process and titling of Indigenous peoples' and Quilombola lands and territories and end the application and institutionalization of the temporal landmark doctrine;**
- (b) **To prevent forced evictions and displacement of Indigenous peoples, including children, and provide redress to those evicted or displaced from the lands and territories that they have traditionally owned or occupied;**
- (c) **To put in place measures for early detection and timely interventions in cases of conflict in areas occupied by Indigenous peoples or Quilombola communities, including children, through peaceful dispute resolution measures;**
- (d) **To systematically consult and cooperate in good faith with the Indigenous and Quilombola peoples, including children, to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them, and provide effective remedies in cases of violation of their rights;**
- (e) **To adopt the measures necessary for the effective implementation of resolution No. 253 of 2024 on free, prior and informed consent, adopted by the National Council for the Rights of Children and Adolescents;**
- (f) **To strengthen the capacities of the National Foundation for Indigenous Peoples, by increasing its budget and its autonomy.**

#### **Afro-Brazilian children**

56. The Committee urges the State Party to provide sufficient human, technical and financial resources to the Ministry of Racial Equality to address, as a matter of priority, the root causes of racial discrimination, poverty and structural violence and their immediate and adverse consequences affecting Afro-Brazilian children's rights, in rural, urban and remote areas.

#### **Economic exploitation, including child labour**

57. Welcoming the project to establish a specialized unit on child labour, the Committee reiterates its concluding observations<sup>8</sup> and recommends that the State Party:

- (a) **Develop and adopt the fourth National Plan for the Eradication of Child Labour in consultation with affected children;**
- (b) **Adopt measures to address the situation of children in domestic servitude;**

<sup>8</sup> Ibid., paras. 81 and 82.

(c) **Adopt measures to eliminate hazardous labour practices where child workers are exposed to environmental risk factors, promote safer alternatives and ensure monitoring of children affected.**

#### **Children in street situations**

58. **Taking note of the information provided by the State Party about the National Policy for People Living in Street Situations and its Plan of Action, and recalling its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State Party adopt a data-collection system for children living and/or working in the streets, ensure their protection from acts of violence and ensure their reintegration with family or placement in alternative care, with full respect for their best interests and giving due weight to their autonomous views in accordance with their age and maturity.**

#### **Trafficking**

59. **The Committee reiterates its previous concluding observations <sup>9</sup> and recommends that the State Party:**

(a) **Adopt culturally and gender-sensitive measures for the protection of children and adolescents, particularly Afro-Brazilian, Quilombola and Indigenous children, migrant children and transgender children;**

(b) **Ensure the effective provision of referral and support services to children who are victims of trafficking, including by increasing the number of long-term shelters, particularly in rural, touristic and coastal areas;**

(c) **Investigate all cases of child trafficking and bring perpetrators to justice.**

#### **Administration of child justice**

60. **While noting the progress in reducing overcrowding in socioeducative centres, the Committee is deeply concerned about:**

(a) **The regressive legislative initiatives on the age of criminal liability and duration of penalties;**

(b) **The limited number of specialized courts for children's cases;**

(c) **Insufficient access to legal assistance;**

(d) **The widespread use of detention as a first resort;**

(e) **The lack of non-judicial measures;**

(f) **The lack of data on and oversight of the socioeducative system;**

(g) **The inadequate detention conditions and the level of violence, including gender-based violence, in socioeducative centres;**

(h) **Racial discrimination against Afro-Brazilian adolescents deprived of liberty;**

(i) **Reports of children's deaths in custody.**

61. **Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State Party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State Party:**

(a) **To discontinue all legislative initiatives that intend to: (i) lower the age of criminal liability provided in article 228 of the Constitution; and (ii) increase the duration of detention, such as draft law No. 2325 of 2024;**

<sup>9</sup> Ibid., paras. 85 and 86.

(b) To expeditiously increase the number of specialized child court facilities and procedures with adequate human, technical and financial resources, and designate appropriately trained specialized judges for children;

(c) To continue to guarantee the access to free and specialized legal aid to children alleged as, accused of or recognized as having infringed criminal law at an early stage of the procedure and throughout the legal proceedings;

(d) To actively promote non-judicial measures and ensure that detention is used as a measure of last resort, without discrimination on the grounds of race, ethnicity, socioeconomic status or gender, and for the shortest appropriate period and that it is reviewed on a regular basis with a view to the release of the child;

(e) To ensure, in the few situations where deprivation of liberty is justified, that the children are not detained together with adults, that the decision is reviewed on a regular basis and that their detention conditions in the socioeducative centres are in line with international standards, including in terms of overcrowding, sanitation and access to education, food and water, privacy, outdoor activities, health services and child-friendly complaint mechanisms, with reference to the global study on children deprived of liberty;

(f) To repeal any measures that promote a punitive approach to the socioeducative system in all states and municipalities;

(g) To regularly collect disaggregated data on children in the child justice system and on children and adolescents placed in socioeducative centres;

(h) To ensure that all children in contact with the child justice system have access to initial care provided by the integrated care centres;

(i) To adopt measures to vigorously eradicate gender discrimination, sexual violence and abuse of children, particularly girls, in the child justice system, including measures to avoid confinement of pregnant adolescents and to ensure that in socioeducative units for girls all the staff, including socioeducative agents, are always women, including for outdoor activities;

(j) To take urgent measures to put an end to violence against children in socioeducative centres, and promptly and thoroughly investigate these acts and prosecute the perpetrators;

(k) To improve the frequency, quality and follow-up of the inspection and monitoring of the socioeducative centres and carry out the external evaluation of the National Socioeducative Service System, as determined in articles 19 to 27 of Federal Law No. 12.594 of 2012.

**Children in armed conflict, including implementation of the Optional Protocol on the involvement of children in armed conflict**

62. The Committee regrets the lack of information on the implementation of its concluding observations<sup>10</sup> on the State Party's report submitted under article 8 (1) of the Optional Protocol. Recalling its previous concluding observations on the report of the State Party submitted under article 8 of the Optional Protocol,<sup>11</sup> the Committee urges the State Party:

(a) To amend its domestic legislation to raise the minimum age of voluntary recruitment into the armed forces to 18 years;

<sup>10</sup> [CRC/C/OPAC/BRA/CO/1](#).

<sup>11</sup> Ibid.

(b) To explicitly and without delay criminalize the recruitment of children under 18 years of age in the armed forces or non-State armed groups and their possible participation in armed conflict;

(c) To provide child victims of recruitment and involvement by non-State armed groups in armed conflict, including in criminal gangs, with appropriate assistance for their full physical and psychological recovery and social reintegration.

#### **L. Ratification of international human rights instruments**

63. The Committee recommends that the State Party, to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:

(a) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(b) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

#### **M. Cooperation with regional bodies**

64. The Committee recommends that the State Party cooperate with the Organization of American States on the implementation of the Convention and other human rights instruments, both in the State Party and in other States members of the Organization of American States.

### **IV. Implementation and reporting**

#### **A. Follow-up and dissemination**

65. The Committee recommends that the State Party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth to seventh periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

#### **B. National mechanism for reporting and follow-up**

66. The Committee recommends that the State Party establish a standing government structure and ensure that it has the mandate and adequate human, technical and financial resources to coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and track national follow-up to, and the implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms effectively. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with civil society.

#### **C. Next report**

67. The Committee will establish and communicate the due date of the combined eighth and ninth periodic reports of the State Party in due course, in line with the envisaged predictable reporting calendar, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State Party. The report should

be in compliance with the Committee's harmonized treaty-specific reporting guidelines<sup>12</sup> and should not exceed 21,200 words.<sup>13</sup> In the event that a report exceeding the established word limit is submitted, the State Party will be asked to shorten the report. If the State Party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

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<sup>12</sup> [CRC/C/58/Rev.3](#).

<sup>13</sup> General Assembly resolution 68/268, para. 16.