*Permanent Mission of Brazil to the United Nations Office in Geneva*
*Chemin Camille-Vidart, 15 – 1202 - Genève*

Nº 343/2025

The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, regarding communication "OHCHR/TESPRDD/Child and Youth Rights Unit", and has the honour to submit the enclosed information related to the first meeting of the Intergovernmental Group about the optional protocol to the Convention of the Rights of the Child.

2. The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the Office of United Nations High Commissioner for Human Rights the assurances of its highest consideration.

DELEGAÇÃO DO BRASIL JUNTO À ONU
GENEBRA

Geneva, July 16th 2025.

To the
Office of the United Nations High Commissioner for Human Rights (OHCHR) Child and Youth Rights Unit
ohchr-children@un.org;

**ANNEX TO NOTE VERBALE 343/2025 OF THE PM OF BRAZIL**

**Brazil's answer to the questions presented in communication "OHCHR/TESPRDD/Child and Youth Rights Unit", related to the first meeting of the Intergovernmental Group about the optional protocol to the Convention of the Rights of the Child.**

**1) What are the main barriers to public pre-primary education available free to all in law, policy, and practice in your country and what is their impact on the rights of the child? Please consider the specific situation of marginalized children and those in vulnerable situations in your response.**

In 2014, Brazil enacted the National Education Plan (PNE) for the 2014–2024 decade (Federal Law No. 13.005/2014). At that time, the country committed to achieving universal access to mandatory preschool education (serving children aged 4 and 5) by 2016. However, the efforts made by the Brazilian government were not sufficient to reach this goal. Currently, preschool coverage stands at 93% for this age group. Regarding the care of children aged 0 to 3 years (a non-mandatory stage of early childhood education), Brazil committed to reaching 50% coverage, but data up to 2024 show a rate of only 38.7%.

The main barriers to universalizing access to mandatory preschool and expanding access to non-mandatory early childhood education are related to the funding capacity for basic education and to technical and institutional disparities across the country.

In terms of funding capacity, it is important to note that only in 2006 did Brazil include early childhood education in its primary education financing strategy, the Fund for the Maintenance and Development of Basic Education and the Valorization of Education Professionals (FUNDEB). This decision brought significant change to the distribution of financial resources, but the pace of its effects still demonstrates the need to further increase funding focused on this stage.

Regarding technical and institutional capacity, it is worth noting that Brazil's federalism implies strong decentralization of management and high autonomy for each of its 5,569 municipalities in the provision and organization of preschool education. Around 3,000 of these municipalities face technical and institutional weaknesses in planning the expansion of access and improving the quality of educational services.

In 2024, Brazil also enacted national legislation that unified standards for quality and equity in early childhood education. This law established specific parameters for all public

education managers regarding infrastructure, teacher identity and training, management conditions, pedagogical resources, accessibility, and teaching practices aligned with the identity of early childhood education.

These barriers impact the overall development of babies and young children, as lack of access—or access to low-quality early childhood education—hinders learning during this critical stage of life. Moreover, unequal access to educational opportunities imposes a high social and educational cost on the country, reinforcing racial, territorial, and socioeconomic segregation among Brazilian children.

**2) What are the main barriers to public secondary education available free to all in law, policy, and practice in your country and what is their impact on the rights of the child? Please consider the specific situation of marginalized children and those in vulnerable situations in your response.**

Although legislation and public policies in Brazil guarantee free access to secondary education, several barriers persist, significantly impacting the rights of young people, especially those in vulnerable situations.

One major challenge is the insufficiency of financial resources. Although the 1988 Federal Constitution and the 1996 National Education Guidelines and Framework Law (LDB) guarantee mandatory and free basic education—including secondary education—public funding is not always adequate to ensure quality education for all. This lack of investment results in poor infrastructure, insufficient teaching materials, a shortage of qualified teachers, and low salaries, all of which undermine educational quality and demotivate professionals. The PNE (Law No. 13.005/2014) established a target (Goal 20) to increase public investment in education to 10% of GDP by 2024, but this goal was not achieved.

Another challenge is the non-mandatory nature of early childhood education (nursery and preschool) and the lack of sufficient places, which can lead to educational inequalities starting in the early years and continuing into primary and secondary education. Children who do not attend early childhood education often begin primary school at a disadvantage compared to those who did, which affects their entire educational trajectory.

Socioeconomic inequalities also affect access to and retention in secondary education. Many low-income students need to work to help support their families, which often prevents regular school attendance or leads to dropout. Inadequate access to food,

housing, healthcare, and quality public transportation also impacts school performance and attendance.

Furthermore, discrimination and prejudice faced by vulnerable groups—such as Black, Indigenous, Quilombola, LGBTQIA+ youth and adolescents, and persons with disabilities—contribute to demotivation, poor performance, and dropout. The lack of inclusive education and trained professionals to deal with diversity aggravates this situation.

These barriers prevent the full exercise of the right to education, guaranteed by Brazil's 1988 Constitution and the 1990 Statute of the Child and Adolescent (ECA). Lack of access to quality secondary education limits future opportunities, perpetuates poverty and social inequality, and increases young people's exposure to violence, exploitation, and marginalization.

The PNE (2014–2024) set important targets for secondary education, including universal access (Goal 3), improved education quality (Goal 4), and expanded access to technical and vocational education (Goal 11). However, the 5th Monitoring Cycle Report of the PNE (2024) indicates that many of these targets were not fully achieved, largely due to the barriers mentioned above.

The new PNE (2025–2034), still under discussion, faces the challenge of incorporating more effective strategies to overcome these persistent barriers and ensure the right to quality secondary education for all, with a focus on equity and attention to the specific needs of marginalized and vulnerable students.

**3) What are examples of innovative and sustainable financial mechanisms to support the full and effective implementation of public pre-primary and secondary education available free to all children in your country?**

In the field of early childhood education, Brazil has a federative financing arrangement that combines local sources and intergovernmental transfers, with progressively improved mechanisms to promote equity. The main instruments include:

- **Fund for the Maintenance and Development of Basic Education and the Valorization of Education Professionals (FUNDEB):** Regulated by Law No. 14.113/2020, FUNDEB is the main financing mechanism for public basic education. Its current structure includes three types of federal supplements, two of which (VAAR and VAAT) use redistributive criteria based on learning outcomes, equity, and fiscal capacity, promoting greater fairness and focus on results.

- **Federal Supplementary Programs:** The Ministry of Education provides direct transfers to school networks and institutions through programs such as the National School Feeding Program (PNAE) and the Direct Money to Schools Program (PDDE), which play a crucial role in student retention and addressing territorial inequalities.

- **Early Childhood Education Support Program:** Established by Laws No. 14.499/2011 and 12.722/2012, it financially supports the expansion and maintenance of new enrollments and facilities in early childhood education.

- **Early Childhood Reading Corners:** Created by Resolution No. 8, of April 30, 2025, this initiative provides schools with financial resources to create reading spaces appropriate for children aged 0 to 6.

For **secondary education**, Brazil has several financial mechanisms, including the following key programs:

- **Pé-de-Meia Program:** A financial incentive for secondary school students in public schools, aimed at promoting access, reducing social inequality, fostering inclusion, and encouraging upward mobility through education.

- **Full-Time High School (ETI):** Expansion of full-day high schools to offer a more comprehensive education.

- **PDDE (Direct Money to Schools Program):** Direct transfer of funds to schools to improve infrastructure and promote school autonomy.

- **National Textbook and Teaching Material Program (PNLD):** Free distribution of textbooks and teaching materials for students and teachers.

- **National Program for School Transportation (PNATE):** Financial support for states, the Federal District, and municipalities to ensure free school transport for students in basic education, including secondary school.

- **School Feeding Program:** A fundamental public policy in Brazil that guarantees the right to school meals for students in public basic education (early childhood, primary, secondary, and adult education), including public, philanthropic, and partner community institutions.

- **Brasil Profissionalizado:** A program to expand and improve the quality of technical and vocational education integrated with secondary education.

- **Ensino Médio Mais (More High School):** A program to foster pedagogical proposals for night-time secondary education, promoting student retention and success.

- **Connected Schools Program:** A national strategy to ensure universal access to high-speed internet in public schools by 2026.

- **National Pact for Learning Recovery:** An initiative to address learning losses caused by the COVID-19 pandemic, focusing on essential content recovery.

**4) What steps is the Government taking to remove barriers and make public pre-primary and secondary education available free to all, including through the allocation of adequate resources and cross-sectoral and international cooperation? Please provide examples of specific laws and regulations, measures, policies, and programmes.**

The National Education Council (CNE) approved **Resolution CEB/CNE No. 1/2024**, which establishes the **National Operational Guidelines for Quality and Equity in Early Childhood Education**. These guidelines must be implemented nationwide and are based on the National Quality Parameters, aiming to ensure access and retention. The resolution is meant to guide decision-making processes in the formulation, implementation, monitoring, and evaluation of early childhood education policies at all levels of government.

In addition, the **National Secondary Education Policy (PNAEM)** seeks to make education more relevant and attractive to youth, reduce dropout rates, and promote a solid and comprehensive education. This policy has recently been restructured to reintegrate all mandatory curricular components and strengthen learning. Key legal references include:

- **Law No. 14.945 of July 31, 2024** – Amends Law No. 9.394 of December 20, 1996 (LDB) to define guidelines for secondary education and also amends Laws No. 14.818/2024, 12.711/2012, 11.096/2005, and 14.640/2023.

- **Law No. 14.640 of July 31, 2023** – Establishes the **Full-Time School Program** and amends Laws No. 11.273/2006, 13.415/2017, and 14.172/2021.

- **Resolution CNE/CEB/No. 2, November 13, 2024** – Establishes the **National Curriculum Guidelines for Secondary Education (DCNEM).**

- **Resolution No. 7/2025** – Defines the **National Parameters for Offering the In-Depth Training Itineraries (IFA)** in secondary education, in accordance with the DCNEM established by Resolution CNE/CEB No. 2.