

Submission to the Universal Periodic
Review of the United Nations Human
Rights Council
4th Cycle – 41st Session
Country Review: Brazil

March 2022

Drafted by Aniruddh Rajendran

Edited by Olga Ruiz Pilato

Broken Chalk is an Amsterdam-based NGO established in 2020 and focused on raising awareness and minimizing human rights violations in the educational field.

Together with our international sponsors and partners, we encourage and support the following activities/projects: removing obstacles in education; contributing to the achievement of peace and tranquility in the society through adaptation studies in an environment of intercultural tolerance; preventing radicalism and polarization; and eliminating the opportunity gap in education for all. Our goal is to work together with global partners to remove barriers to access to education and to take concrete steps to ensure universal access to education.



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Content

0. Introduction	3
I. Issues in the Brazilian educational sphere	3
Impact of violence on education in Brazil	3
Brazil suffers from an over-layered educational structure	4
Effects of militarization on Brazilian education	5
Race-related issues in Brazilian education	5
II. Other outstanding issues connected to Brazilian education	6
The legacy of slavery as a barrier to education	6
Lack of investment in education	7
Effects of urban-rural disparity on education	7
III. Impact of COVID-19 on Brazilian education	7
IV. Recommendations and Final remarks regarding the overall educational situation Brazil	8
V. References	9

0. Introduction

1. This report has been drafted by Broken Chalk to contribute to the fourth Universal Periodic Review (UPR) of Brazil. Since Broken Chalk is an organization aimed at fighting inequalities and improving the quality of Education worldwide, this report will focus on Education. The report brings attention to the main and most outstanding issues that Brazil faces regarding the Right to Education. The report will also track the progress of the promises made by Brazil during the last UPR. In light of the following views, Broken Chalk shall offer Brazil recommendations for the improvement of the educational field.
2. In the last review of Brazil of 2017, the state received 246 recommendations¹. The initial few recommendations included either the start of accession/ request to join/ ratification of Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, Convention on the protection of the rights of all migrant workers and members of their families, and the Optional Protocol to the Convention on the Rights of the Child. All these conventions include the right to education as a cornerstone priority.
3. Brazil has stated that it will do everything to educate the population. Commitments during the last UPR included making education about human rights part of the curriculum of schools and universities. The Brazilian government accepted recommendations by other countries, important among the recommendations were steps to provide students with vocational training and improve the quality of education for women². However, there is still room for Brazil to improve its educational system.

1. Issues in the Brazilian educational sphere

Impact of violence on education in Brazil

4. Brazil faces a serious situation of societal violence. This is especially the case with the Favelas in Brazil.
5. In 2017, violence hit a record. In that year alone there approximately 60,000 homicides³.

¹ Report of the Working Group on the Universal Periodic Review Brazil, (2017). Human Rights Council Thirty-sixth session, United Nations General Assembly, Retrieved from: file:///C:/Users/user/Downloads/A_HRC_36_11_Add-1-EN.pdf

² Report of the Working Group on the Universal Periodic Review* Brazil, (2017). United Nations General Assembly, Addendum, Retrieved from: file:///C:/Users/user/Downloads/A_HRC_36_11-EN.pdf

³ Violence and Educational Attainment in Brazil, (2020). Retrieved from: <https://www.borgenmagazine.com/educational-attainment-in-brazil/>

6. The favelas in the Northern and Eastern parts of Brazil account for extremely high murder rates, at around 68%⁴.
7. This sort of brutal violence has a significant impact on educational outcomes, especially among young children in Brazil.
8. Research by various organizations on the ground shows that among students in Favelas, there is a 2.3 point drop in math scores and a 1 percent reduction in attendance per semester. At the same time, 6% of students repeat grades and 10% drop out altogether⁵.
9. To prevent dropouts among students in Brazil's favelas there is a need to improve law and order. There is anecdotal evidence that such improvements have taken place. Between January 2018 and January 2019 there was a 22% drop in homicides⁶. It is crucial that the rates keep dropping as means of ensuring a conducive and peaceful atmosphere for educational attainment amongst children living in the favelas.

Brazil suffers from an over-layered educational structure

10. In theory, the Brazilian educational system is divided into the state and municipal governments, which ensures a more tailored education in the country.
11. Technically, such division would be beneficial for a country, insofar as it could potentially ensure that education reaches the lowest-income families. The division devolves power to the lowest levels of government and thus should reach more remote areas as well as favelas around the country.
12. In practice, the division of the educational system in Brazil creates too many layers that make it challenging for education to reach the poorest communities.
13. The layered educational system causes issues because the model of separate governments (state-wide and municipal) running schools simultaneously is uncommon. Usually, the responsibility falls upon one or another to ensure clarity and efficiency⁷.
14. What compounds the challenge is the fact that Brazil still lacks a national system that clearly outlines and harmonizes the roles and responsibilities of different governmental levels, laying out the ways in which they should work together to establish educational policy⁸. Lack of co-ordination often leads to overlap or duplication of work, inefficiencies, and gaps in the educational provision⁹.

⁴Brazil's Violence Map Shows Alarming Trends, (2019). Retrieved from: <https://www.wilsoncenter.org/blog-post/brazils-violence-map-shows-alarming-trends>

⁵ Ibid

⁶ Ibid

⁷ Education in Brazil an International Perspective, (2021). Retrieved from: <https://doi.org/10.1787/60a667f7-en>

⁸ Ibid

⁹ Ibid

Effects of militarization on Brazilian education

15. The reports accounting for the militarization of schools around Brazil is concerning to Broken Chalk. Brazil wants to establish 180 civilian-military schools in every state of the Brazilian Federation by 2023 under the National Commitment to Basic Education¹⁰. This militarization of schools is meant to take place within the private sector, due to the higher need for “discipline” in educational processes. In light of this, private institutions involving military discipline is increasing. Using militarism as means of disciplining students might push them towards radicalism. These efforts have included policies that seek to persecute professors, accusing them of being communist or preachers of atheism¹¹.
16. In this context, Broken Chalk welcomes Brazil’s announcement in the previous UPR, which ensured the incorporation of human rights education as part of school/ college curricula, and further recommends raising awareness about the right of children to educate themselves under human rights statutes, namely the Universal Declaration of Human Rights. Such awareness should be present for children as well as their parents or legal guardians.

Race-related issues in Brazilian education

17. Concerning educational access, Brazil faces racial inequalities, which affects people from lower-income backgrounds, the black and indigenous populations, those living in rural areas or in the peripheral areas of larger cities, and people with disabilities¹².
18. Broken Chalk notes the recommendations by several countries to Brazil in the last UPR review, which urged Brazil to improve the rights of the most affected populations, especially the black and indigenous minorities in the country.
19. Broken Chalk is pleased to note that, in the last UPR, Brazil accepted suggestions which involved tackling challenges faced by people of African descent and people with disabilities. The Brazilian government specifically stated in the addendum of the last UPR that it would launch the ‘Brazilian National Curriculum’, a theoretical-methodological framework for education in public security, which is structured in four axes, including ‘Ethics, Citizenship, Human Rights, and Public Security’ and ‘Ethnic-sociocultural Diversity, Conflicts, and Public Security’¹³. This educational framework has the potential to raise awareness on the need for better education among poorer communities. It can

¹⁰ Silva, (2021). The militarisation of schools in Brazil: a threat to the educational process and to democracy, Retrieved from: <https://www.ei-ie.org/en/item/25196:the-militarisation-of-schools-in-brazil-a-threat-to-the-educational-process-and-to-democracy>

¹¹ Ibid

¹² Bojer et al, (n.d.). Retrieved from: <https://reospartners.com/projects/brazil-education-scenarios/>

¹³ Ibid

additionally assist with issues related to systematic inequalities regarding educational access.

20. Broken Chalk is also pleased to note that Brazil offers compulsory education as a constitutional right since 1988¹⁴.

II. Other outstanding issues connected to Brazilian education

The legacy of slavery as a barrier to education

21. The legacy of slavery is still a major barrier to education in Brazil. The history of slavery, abolished in 1887 by the Catholic Church, imposes barriers to education in the country¹⁵. In Brazil, 53% of the population identify as Afro-Brazilian, but make up for two-thirds of incarcerations and 76% of the lowest-income population¹⁶.
22. When it comes specifically to education, slavery has a deeply rooted impact on educational access by Brazilians, thereby entrenching the already existing racial gaps and the resulting educational inequality which is prevalent in the Brazilian education system.
23. Only 3% of the black population in Brazil is attending college. The reason for this is the high fees for college entry exams, a rate that most families cannot afford¹⁷.
24. Education in Brazil is considered a luxury. There is a recognized cycle of poverty “No money means no education, no education means no job, no job means no money. And the cause of this cycle is the legacy of slavery and a function of the lingering remnants of anti-black racism”¹⁸.
25. Broken Chalk is pleased to note that in the addendum during the last UPR review Brazil stated that its government maintains its efforts to eradicate all contemporary forms of slavery. The operation of the Special Mobile Inspection group (GEFM) for combating contemporary slave labor is a good practice acknowledged by the international community. Due to its experience, Brazil has provided technical cooperation to other countries in this area¹⁹. Additionally, the fact that Haiti welcomed an affirmative action program that Brazil already had by the last UPR is noteworthy²⁰.

¹⁴ Ibid

¹⁵ Slavery in Brazil, (n.d.). Retrieved from: <https://www.wilsoncenter.org/blog-post/slavery-brazil>

¹⁶ Ibid

¹⁷ Beulke, (2017). Brazil's Normalization of Poor Education, Violence, and Crime. Retrieved from: https://www.luther.edu/jtermblogs2017/latin-america-caribbean/brazil/?story_id=741981

¹⁸ Ibid

¹⁹ Ibid

²⁰ Ibid

Lack of investment in education

26. Broken Chalk is alarmed to note that Brazil spends only 2% of its entire education budget towards maintenance, and less than 1% is invested back into the system²¹.

Effects of urban-rural disparity on education

27. Brazil faces significant challenges concerning the disparity between rural and urban areas in the field of education. This issue is reflected in several ways, namely that approximately 11.5 million Brazilians over the age of 15 are illiterate²². Additionally, two-thirds of Brazilian public-school teachers cite poor equipment as reasons for not utilizing technologic resources in the classroom²³. These facts affected students from rural areas in a more significant manner since only 36% can access online education²⁴.

III. Impact of COVID-19 on Brazilian education

28. Most countries have been affected by the COVID-19 pandemic, and Brazil is no exception. At the primary education level, the pandemic has resulted 3 out of 4 children in second grade falling behind on reading, a substantial raise from the pre-pandemic level (1 in 2 children)²⁵. Broken Chalk observes that this issue is, in the long run, disadvantageous for Brazil.

29. One year into the pandemic, in November 2020, UNICEF noted that over 5 million girls and boys aged 6 to 17 did not have access to education in Brazil. Over 40% of these were children aged 6 to 10, an age group for which education was practically universalized before the pandemic²⁶. In 2019, just before the pandemic, almost 1.1 million school age children and adolescents were out of school in Brazil, according to data from the National Household Sample Survey (Pnad)²⁷. The lack of internet access has a significant impact on the educational outcomes during the pandemic.

²¹ Ibid

²² Bergeron, (2021). INITIATIVES TO FIGHT EDUCATIONAL DISPARITIES IN BRAZIL, *The Borgen Project*. Retrieved from: <https://borgenproject.org/educational-disparities-in-brazil/>.

²³ Ibid

²⁴ Digital divide between Brazil's urban, rural schools barely changed, (2018), *Bnamericas*. Retrieved from: <https://www.bnamericas.com/en/news/digital-divide-between-brazils-urban-rural-schools-barely-changed>

²⁵ COVID-19 Scale of education loss 'nearly insurmountable', warns UNICEF, (2022), *UNICEF Media Factsheet*, Retrieved from: <https://www.unicef.org/press-releases/covid19-scale-education-loss-nearly-insurmountable-warns-unicef>

²⁶ Ibid

²⁷ Out-of-School Children in Brazil A warning about the impacts of the COVID-19 pandemic on Education, (2021). UNICEF, Retrieved from: https://www.unicef.org/brazil/media/14881/file/out-of-school-children-in-brazil_a-warning-about-the-impacts-of-the-covid-19-pandemic-on-education.pdf

- 30.** Recent data show that, of the 129,000 students enrolled, on average, only 27% of students have been able track activities on technological applications²⁸.
- 31.** Numerous parents complain about their lack of knowledge regarding the use of teaching platforms, as well as the difficulty and cost of accessing the Internet, which is done mostly through mobile data networks (always insufficient for school requirements).²⁹ As a student stated, “one interlocutor complained that my technical course is going down the drain, because I don't have the necessary tools to continue with this 'distance education' that doesn't think about all students, that not all students have the financial means to attend online class...”³⁰.

IV. Recommendations and Final remarks regarding the overall educational situation Brazil

- 32.** Overall, the educational sector in Brazil has been progressing, but faces obstacles that are not unknown to other countries. However, the pandemic poses threats on the progress made by Brazil, especially in the last three decades. Broken Chalk's suggestions seek to improve the situation in educational sphere in Brazil. Broken Chalk believes that it is up to government to do the right thing for its people.
- 33.** Broken Chalk suggests Brazil to invest significantly into educational facilities in rural areas and lessening the current salaries of staff members.
- 34.** Broken Chalk is disheartened to note that in its last UPR, Brazil did not consider plans to not freeze social spending during the next twenty years that are inconsistent with the international obligations of the country³¹.
- 35.** Although Broken Chalk appreciates that countries are bound by domestic and international dynamics, it recommends Brazil to consider spending more heavily in the field of education for as long as possible.
- 36.** Broken Chalk notes that illiteracy and the inability to learn technology, something which is essential today, impacts the education of children and consequently results in the negative impact of society as a whole.
- 37.** Broken Chalk suggests there be a substantial increase in allocation to the education sector so that more money can go into education investments rather than spending 97% towards wages³².

²⁸ Parreiras & Macedo, (2020). DIGITAL INEQUALITIES AND EDUCATION IN BRAZIL DURING THE COVID-19. PANDEMIC: A BRIEF REFLECTION ON THE CHALLENGES OF REMOTE LEARNING Retrieved from: <https://www.digitalcultureandeducation.com/reflections-on-covid19/digital-inequalities-and-education-in-brazil>

²⁹ Ibid

³⁰ Ibid

³¹ Ibid

³² Ibid

38. Broken Chalk recommends that Brazil should extend it to communities such as black Brazilians. Furthermore, Brazil must consider special programs for people with disabilities.
39. To ensure that the legacy of slavery ceases to impact the access to education, Broken Chalk recommends that special attention be paid to those communities who have been and remain historically disadvantaged due to slavery.
40. Nonetheless, Broken Chalk urges Brazil to increase actions leading to the improvement of educational standards in low-income communities. Broken Chalk recommends the government to impose quotas for a certain timeframe to assist the poorer communities in improving their social status in line with the rest of society.
41. Broken Chalk urges the immediate stop of militarization in Brazilian schools. Institutions that have already implemented militarism must go back to providing standard educational curriculums.
42. Brazil must provide psychological counselling to children who live in the Favelas so that they can mingle and compete with the rest of the population. Such counselling can also help such children from vulnerable backgrounds learn basic lessons in schools. Eventually, it can also serve as a platform for the attainment of higher education.
43. If possible, the government should consider opening schools closer to the favelas in order to cater their specialized needs. Such schools may have both standard lessons as well as psychological counselling.
44. Broken Chalk recommends that the Brazilian government creates a national education policy. Such a policy should establish a separation between the elements of the education to be controlled by the government versus municipal governments. This way, the shortcomings resulting in gaps related to educational outcomes that might otherwise go unnoticed, may be filled.
45. Broken Chalk emphasizes that both the child and child's parent(s) should be made aware that the right to education includes the right of the child to learn in schools without the undue influence of the state in imparting education that molds behavior which may harm society in the long run

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