

**BACKGROUND INFORMATION FOR THE UNIVERSAL PERIODIC REVIEW
UNICEF BRAZIL COUNTRY OFFICE**

1. The Right to Learn - 2009 Constitutional Amendment

One of the most significant achievements, at national level, towards the universalization of the right to learn in Brazil, was the Constitutional Amendment passed in 2009 by the Brazilian Congress to expand mandatory and free schooling for children and adolescents from 4 to 17 years of age, thus adding pre-school and secondary education to the responsibility of respective public agents.

The significance of this Constitutional amendment is outlined in the article below:

“Children's Victory” (article sent to UNICEF Brazil press mailing list in November 2009 and published in sites and blogs focused on education and human rights.)

Brazil is ranked among the countries that take responsibility for ensuring a longer period of compulsory education to their children.

Brasilia, November 11 – With the enactment of the Constitutional Amendment 59 at a Congress session held last Wednesday, compulsory education in Brazil was expanded from 9 to 14 years (i.e. from the age of 4 to 17). In doing so, Brazil consolidated the vision that the right to learn is an essential right of every citizen, particularly of children and adolescents in such a special stage of their development. In this regard, Brazil is now ranked among countries such as Holland, Argentina, Germany and Belgium, where 13 years of public education are compulsory.

Along with the expansion of compulsory education, the amendment also brought back funds previously earmarked for education by restoring the constitutional obligation to allocate 18% of all the federal tax revenue, net of legal transfers, to education. As a result, Brazil has now more funds available and has taken on greater legal responsibility towards a larger number of citizens in the field of education.

The challenges brought about by this decision for families, society and the State – who are responsible for ensuring the right to education in Brazil – must be identified and tackled in a planned and concerted manner. What needs to become clear to the population at large is that the right to learn cannot, for any reason whatsoever, be postponed for boys and girls any longer, especially for those historically excluded from having their rights fulfilled. The challenge of ensuring universal access to education and adequate school retention, learning and completion rates at the appropriate age in every stage of education for children and adolescents aged 4 to 17 is huge. This effort should mobilize all stakeholders and become a core item on the government's agenda at all levels as well as on the agendas of companies and social organizations, of political, religious and community leaders, of the media (from the largest national networks to community-based media through loudspeakers in remote towns), and of every Brazilian citizen and family.

A study conducted by UNICEF in 2009, called *Situação da Infância e da Adolescência Brasileira* (Situation of Brazilian Children and Adolescents), shows that, despite major advances in securing the right to learn, historical inequalities still prevail in the country's development model. In the educational field, these inequalities are largely determined by where the children and adolescents live: regional and urban-rural inequalities; color-related inequalities: black and indigenous children are more affected by educational inequalities; disability-related inequalities: it is more difficult for disabled children and adolescents to have access to school and to stay in it. Age-related inequalities are particularly evident and the most revealing indicators are those measuring access to early childhood education and secondary education.

The agenda on the universal right to quality education is an integral part of UNICEF's initiatives in Brazil's most vulnerable regions, such as in the Semi-Arid and Amazon regions as well as in poor communities in urban centers; it guides our surveys, publications and campaigns. It is a key element in our efforts to support initiatives of South-South cooperation between Brazil, as leading actor, and several other countries of Latin America, Caribbean and Africa.

We celebrate the fact that we took part in ensuring this victory led by the Ministry of Education by proposing this debate at the *International Seminar on Secondary Education: right, inclusion and development*, held in Buenos Aires in September 2008. The seminar, which was held at the initiative of UNICEF offices in partnership with the ministries of Education of Argentina, Chile and Brazil, stressed the importance of making education compulsory for adolescents up to high school. At that time, Chile had already legally defined 12 years of education as compulsory, and Argentina was making necessary amendments to its laws for similar purposes.

It is time to celebrate and congratulate Brazil, especially its government, Congress and civil society, for such an important legal achievement. Apart from being a manifestation of achievements already made, this change is even more so an affirmation of a commitment. As always, UNICEF supports all sectors which, despite all obstacles and difficulties, are inspired and motivated by the urge to ensure the rights of every child and adolescent in Brazil. The best way to celebrate the 20th anniversary of the Convention on the Rights of the Child in 2009 and of the Statute of the Child and Adolescent in 2010 is by strengthening and consolidating the rights of girls and boys in Brazil.

2. Human Right to Food in Brazil

In Brazil, the human right to food is a subject matter of extensive and profound discussions, with the participation of government, international agencies, civil society and social movements. Advances in food and nutritional security in Brazil in recent years are visible. The guarantee of the right to adequate and healthy food is expressed in many international treaties, ratified by the Brazilian government, inclusive, the approval of Constitutional Amendment 64/2010 which includes food in the article 6 of the Federal Constitution, which was of fundamental importance for the country, since food is a duty of the State, it must be translated into other public policies on food security and nutrition.

The Federal Constitution of 1988 contemplates under Article 6: "Education, health, food, work, leisure, security, social security, protection of motherhood and childhood, and assistance to the destitute, are social rights, as set forth by this Constitution. (writing of EC 64/10). "

Rates of stunting and underweight have fallen dramatically in Brazil since 1990, and part of the credit goes to Fome Zero (zero hunger), a package of interventions structured around access to food, income-generating activities, social mobilization, citizenship education and strengthening smallholder agriculture. Fome Zero builds on a personal desire of former President Lula da Silva that by the time he left office every Brazilian should be able to have three meals a day. Political will has led to a well-chosen, evidence-based social policy that is well integrated with initiatives in other sectors and includes well-resourced programmes such as Bolsa Familia (household cash transfers), which is targeted to the poor and extreme poor. Other factors in its success include an engaged civil society and a positive economic environment. Bolsa Familia is being further strengthened under President Dilma Rousseff's current

government plan to eradicate extreme poverty, “Brasil Sem Miséria”, which aims at lifting 16.2 million people out of extreme poverty. <http://www.brasilsemisericia.gov.br/conheca-o-plano/>

3. Health and Nutrition of indigenous children and women in Brazil

The National Health and Nutrition Survey 2008/2009 features a panel of the situation of Brazilian's indigenous population, with special focus on health and nutritional status issues of children under 5 and women from 14 to 19 years of age. It is a strategic milestone for advances public policies in favour of indigenous peoples. Information collected on the profile of health, food and nutrition, individual and collective, as well as biochemical and anthropometric, reflect data of 6,707 women and 6,285 children of 113 indigenous villages randomly selected from macro regions North, Northeast, Midwest, and South/Southeast of Brazil, covering more than 5,277 households.

The survey showed that one in five indigenous children under 5 years of age in Brazil has lower height than expected for their age. More than half suffer from anemia. In the North region, the situation is even worse: 41.1% is below the expected height for the age and 66% have anemia; almost 38% of indigenous children had diarrhea in the week before the survey. Among indigenous women, calls the attention the occurrence of health problems encountered in the non-indigenous urban population: overweight (30.2%), obesity (15.7%) and blood pressure (8.9%), as well as nutrition issues such anemia: 32.7% in women and 35.2% in pregnant women.

Further information is available at:

<http://www.ecodebate.com.br/2010/05/12/1%C2%BA-inquerito-nacional-de-saude-e-nutricao-dos-povos-indigenas-aponta-anemia-entre-criancas-e-peso-acima-do-normal-entre-mulheres/>

4. Urban Violence and Adolescent Homicides

The analysis of the Index of Adolescent Homicide (IHA) shows that scenes of urban violence against adolescents are not restricted to capital cities. Increasing attention is drawn to cities within metropolitan regions and to medium-sized cities with population over 100,000. In these large and medium urban centers, an adolescent's chances of reaching the age of 18 tend to decrease as the urban violence dynamics that also affect other age groups starts to increase.

Complementary analyses based on risk indicators associated with age group, sex, race, and environment show that lethal violence against adolescents is a phenomenon that marks the life in large cities. And the impact of these homicides continues to grow until it reaches its peak in age group 20-24 years. As seen, municipalities with a high lethality level in age group 12-18 also tend to be those with high levels in age groups 20- 24 and 25-29 years. In view of this reality, public policies to prevent and reduce lethal violence should take into account the lifecycle, especially adolescence, since the dynamics that lead to loss of young lives starts in younger age groups.

The data analyzed in this study show that if nothing is done to prevent the causes of these homicides and mitigate their impacts, we face the likelihood of reaching the year 2012 with a number of lost lives equivalent to that of an entire city.

The gravity of the problem reaffirms the need for governments, NGOs, international organizations, the academia, adolescents, and youths to act in an increasingly collective and concerted manner, with a view to facing up to this reality that affects adolescents in large urban centers in Brazil.

Further information is available at:

Mapa da violencia - segue o link - <http://www.sangari.com/mapadaviolencia/#completo>

5. Adolescents in Brazil.

In Brazil, adolescence has been recognized in the public policy agenda as an age group requiring specific sectoral policies and legislation.²² The new Government, recognizing that investing in adolescents is required to break entrenched cycles of poverty and inequity, strengthen democracy and increase social participation, has announced a series of policy-related priorities targeting youth. These include generating more educational and professional opportunities; reducing health risks related to early pregnancies and substance abuse; and increasing access to basic services and cash transfer programmes for families with adolescents.

Further information on the situation of Brazilian Adolescents is available at:

[http://www.unicef.org/brazil/pt/br_cadernoBR_SOWCR11\(3\).pdf](http://www.unicef.org/brazil/pt/br_cadernoBR_SOWCR11(3).pdf)