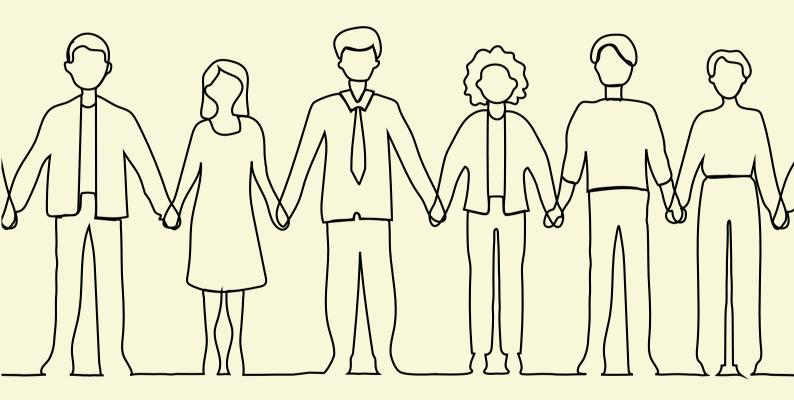




Social Justice Begins in Childhood Report: Strengthening the Justice System's role in fostering rights for holistic human development















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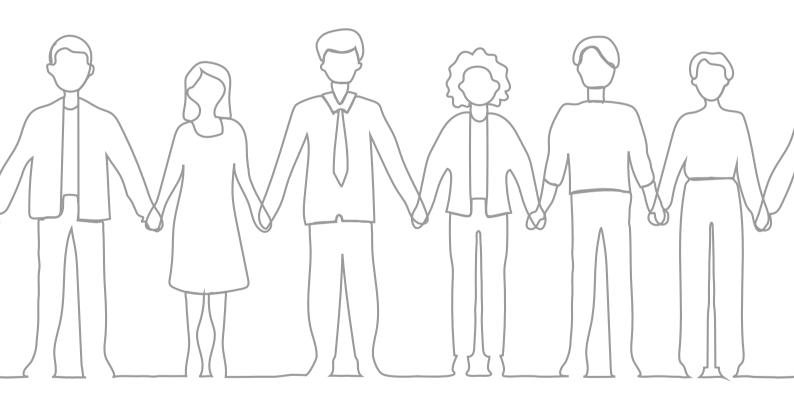
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Strengthening the Justice System's
role in fostering rights for holistic human
development



Brasília, 2022







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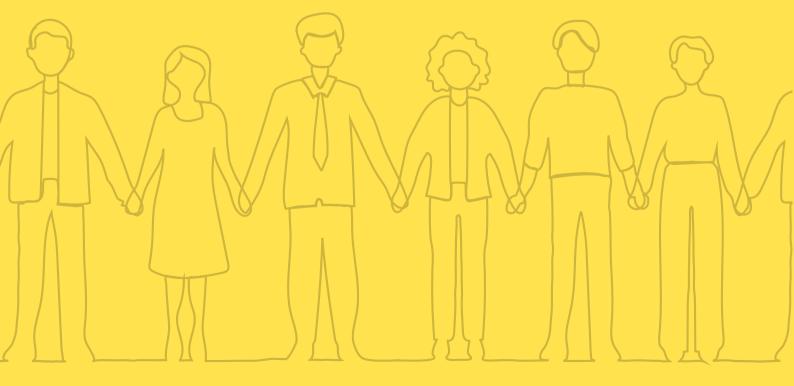
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Message from the President of the National Justice Council



The Federal Constitution establishes the principle of full protection for children, adolescents, and youth. It states that family, society, and Government share the duty to uphold their fundamental rights as an absolute priority and their solemn duty to protect children from any neglect, discrimination, exploitation, violence, cruelty, and oppression.

Absolute priority as set forth in our Constitution was, in turn, regulated by Law n. 13,257, of March 8, 2016, known as the Legal Framework for Early Childhood, which provides that the State shall establish policies, programs, and services to address the specific needs of children in this age group, which ranges from 0 to 6 years old. This age group is the most critical period for the development of a human being, in all its multiple aspects of values, affections, cognition, social interaction, and citizenship.

To ensure effective compliance with this law, the core body for management and strategic planning within the Judiciary, the National Justice Council (CNJ) has run a project called "Justice Begins in Childhood: Strengthening the Justice System's role in fostering rights for holistic human development" since 2019.

This project gave rise to the **National Pact for Early Childhood**, which congregates public and private sector actors, international organizations, and the nonprofit sector around the core proposal of prioritizing the protection of Early Childhood, and substantiating the rights set forth in the Federal Constitution, the Statute of the Child and Adolescent, and the aforementioned Law n. 13.257/2016.

Under CNJ coordination, this project encouraged dissemination of this law, expertise and experience sharing and the strengthening of ties between agents and institutions through many initiatives, such as nationwide seminars; large-scale, cross-sectoral training for legal practitioners and

Social Justice Begins in Childhood Report: Strengthening the Justice System's role in fostering rights for holistic human development

professionals nationwide; survey and recognition of Best Practices; and preparation of a National

Assessment of the current situation of Early Childhood care in the justice system, among other

initiatives.

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Regarding CNJ, the National Pact laid the foundations for the recently approved national judiciary

policy for Early Childhood. We embraced innovation and the challenge of engaging different ju-

dicial courts - Juvenile, Family, Women, Criminal, Labor, Restoration and Federal - to enforce the

right to comprehensive Early Childhood care.

I must remark that all the strategic initiatives and the results presented in this Report could only

be achieved with the irreplaceable collaboration of over three hundred Parties to the National

Pact, who worked complementarily and harmoniously towards fully pursuing Article 8 of Law

13.257/2016, which states that ensuring full observance of children's rights in Early Childhood is a

shared goal for all Brazilian Federation's entities, and must be implemented by collaboration be-

tween the Union, the Federated States, the Federal District, and Municipalities, according to their

respective constitutional and legal competencies.

Only by collaborative governance as indicated in the Legal Framework for Early Childhood we shall

overcome the underlying structural problems that stem from social injustices which undermine

the development of a large share of our millions of citizens in Early Childhood, bearing the af-

ter-effects of the covid-19 pandemic foremost in mind.

I commend all those who contributed to this remarkable project, and I would also like to mention

that the National Pact for Early Childhood has enfolded us in a historical endeavor with the po-

tential to produce the required changes that were evidenced in the assessments, the achievement

of which seems feasible in light of the strides that have been documented herein, whether under-

taken by the CNJ or by initiative of the many parties to the Pact.

Our commitment to serve future generations shall bind us.

Justice Luiz Fux

President of the National Justice Council

Message from the Chair of the Board of the Fund for the Defense of Diffuse Rights

In recognition and in appreciation of the work done by the National Justice Council to protect children, the Federal Management Board of the Fund for the Defense of Diffuse Rights (CFDD, in Portuguese) decided to sponsor the "Justice Begins in Childhood: strengthening the Justice System's role in fostering rights for holistic human development" project, with the conviction that a better Brazil is fundamentally dependent on the rescue and protection of our children and that Early Childhood is the most critical phase in which public and private investments should be centered. In fact, this is in keeping with evidence that has already been charted by countless renowned researchers, such as James Heckman, Nobel Laureate in Economics, in 2000, as quoted in the project itself.

Under the guiding precepts of the Fund for the Defense of Diffuse Rights - FDD, the CFDD understands that directing resources to the comprehensive care of children is a safe and indispensable route for preparing citizens with the ability to share and honor diffuse and collective rights, deterring the fact that so many of the rights set forth and protected by our Federal Constitution are dealt with, in everyday life in Brazil, as a faraway utopia. Beginning with the rights outlined in Article 227 of the Federal Constitution, which specifies that the rights of children, adolescents, and young people must be granted absolute priority.

As such, by making this project viable, the CFDD believes it has contributed to the strategic agenda underway in the country, currently embodied in the guidelines and actions of the National Pact for Early Childhood, in which, as it should be, in harmony and close cooperation, actors from the Legislative, Judiciary and Executive branches of the three levels of the Federation, as well as organized civil society, are united, as envisioned in the proposition of shared responsibility, also defined in art. 227 of the FC.

This Ministry of Justice and Public Safety, with determination and pride, has sought to encourage interaction among all those who can work and impact our children, converting helplessness into protection as dictated recently by Law 13,257, of March 8, 2016, known as the Legal Framework for Early Childhood.

In addition, under a broader and broader spectrum, the CFDD expects, gradually and increasingly, to align its allocation criteria in order to foster projects that contribute to the Sustainable Development Goals - SDGs, of the "2030 Agenda", signed during the United Nations Summit in 2015, by the 193 member countries. Being, in the case of the Project under discussion, aligned with SDG 16, namely: "Peace, justice and effective institutions: promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, responsible and inclusive institutions at all levels", and nothing more certain than starting from the beginning, therefore the priority importance of attention to Early Childhood.

Paulo de Tarso Cancela Campolina de Oliveira

Chair of the Federal Management Board of the Fund for the Defense of Diffuse Rights

Ministry of Justice and Public Security

Parties to the National Pact for Early Childhood

NATIONAL AND FEDERAL LEVEL

National Justice Council - CNJ1

National Council of the Public Prosecutor's Office - CNMP

Federal Congress - Chamber of Deputies - CD

Federal Congress - Senate

Federal Court of Audit - TCU

Superior Court of Justice - STJ

Superior Labor Court - TST

Public Labor Ministry - MPT

Federal Public Defender's Office - DPU

Office of the Comptroller General - CGU

Ministry of Citizenship - MC

Ministry of Economy - ME

Ministry of Education - MEC

Ministry of Justice and Public Security - MJSP

Ministry of Women, Family and Human Rights - MMFDH

Ministry of Health - MS

National College of General Public Defenders - Condege

National Board for the Rights of Children and Adolescents - Conanda

Superior Council of Labor Justice - CSJT

Brazilian Bar Association - OAB

College of Coordinators of the Brazilian Juvenile Courts of Justice

United Nations Children's Fund - Unicef Brazil

Organization of the Ibero-American States for Education, Science and Culture - OEI

University of Brasília - UnB

^{1 [}Translator's note: All acronyms shall be written in their language of origin.]

Federal University of Alagoas - UFAL

Federal University of Juiz de Fora - UFJF

Federal University of Pelotas - UFPel

Federal University of Santa Catarina - UFSC

Federal University of Espírito Santo - UFES

Federal University of Paraná - UFPR

Federal University of Rio Grande do Norte - UFRN

Federal University of Rio Grande do Sul - UFRGS

FEDERATED STATE LEVEL

State Congress of Paraíba - ALPB

State Congress of Alagoas - ALAL

State Congress of Goiás - ALGO

State Congress of Pernambuco - ALPE

State Congress of Roraima - ALRR

State Congress of Sergipe - ALSE

State Congress of Acre - ALAC

State Congress of Amapá - ALAP

State Congress of Amazonas - ALAM

State Congress of Ceará - ALCE

State Congress of Espírito Santo - ALES

State Congress of Maranhão - ALMA

State Congress of Paraná - ALPR

State Congress of Rio Grande do Sul - ALRS

Board for the Rights of the Child and Adolescent of the Federal District - CDCA

State Board for the Rights of the Child and Adolescent in Santa Catarina - CEDCA SC

State Board for the Rights of the Child and Adolescent in Paraná - CEDCA/PR

State Board for the Rights of the Child and Adolescent in Rio Grande do Sul - CEDICA RS

Public Defender's Office of the Federal District - DPDF

Public Defender's Office of the State of Bahia - DPBA

Public Defender's Office of the State of Paraíba - DPPB

Public Defender's Office of the State of Goiás - DPGO

Public Defender's Office of the State of Minas Gerais - DPMG

Public Defender's Office of the State of Pernambuco - DPPE

Public Defender's Office of the State of Rondônia - DPRO

Public Defender's Office of the State of Roraima - DPRR

Public Defender's Office of the State of Santa Catarina - DPSC

Public Defender's Office of the State of São Paulo - DPSP

Public Defender's Office of the State of Sergipe - DPSE

Public Defender's Office of the State of Acre - DPAC

Public Defender's Office of the State of Amazonas - DPAM

Public Defender's Office of the State of Ceará - DPCE

Public Defender's Office of the State of Espírito Santo - DPES

Public Defender's Office of the State of Maranhão - DPMA

Public Defender's Office of the State of Paraná - DPPR

Public Defender's Office of the State of Piauí - DPPI

Public Defender's Office of the State of Rio de Janeiro - DPPI

Public Defender's Office of the State of Rio Grande do Norte - DPRN

Public Defender's Office of the State of Rio Grande do Sul - DPRS

São Paulo School of Magistrates- EPM

University of São Paulo - Law School

Parliamentary Front for Early Childhood of the Federal District

Government of the Federal District

Government of the State of Bahia

Government of the State of Paraíba

Government of the State of Alagoas

Government of the State of Goiás

Government of the State of Pernambuco

Government of the State of Roraima

Government of the State of Santa Catarina

Government of the State of São Paulo

Government of the State of Sergipe

Government of the State of Amazonas

Government of the State of Ceará

Government of the State of Espírito Santo

Government of the State of Maranhão

Government of the State of Pará

Government of the State of Paraná

Government of the State of Piauí

Government of the State of Rio de Janeiro

Government of the State of Rio Grande do Norte

Government of the State of Rio Grande do Sul

Public Prosecutor's Office of Internal Affairs at the State of Santa Catarina – MPCSC

Public Prosecutor's Office of Internal Affairs at the State of São Paulo - MPCSP

Public Prosecutor's Office of Internal Affairs at the State of Rio Grande do Sul - MPCRS

Public Prosecutor's Office of the Federal District and Territories - MPDFT

Public Prosecutor's Office of the State of Bahia - MPBA

Public Prosecutor's Office of the State of Paraíba - MPPB

Public Prosecutor's Office of the State of Alagoas - MPAL

Public Prosecutor's Office of the State of Goiás - MPGO

Public Prosecutor's Office of the State of Minas Gerais - MPMG

Public Prosecutor's Office of the State of Pernambuco - MPPE

Public Prosecutor's Office of the State of Rio Grande do Sul - MPRS

Public Prosecutor's Office of the State of Roraima - MPRR

Public Prosecutor's Office of the State of Santa Catarina - MPSC

Public Prosecutor's Office of the State of São Paulo - MPSP

Public Prosecutor's Office of the State of Sergipe - MPSE

Public Prosecutor's Office of the State of Acre - MPAC

Public Prosecutor's Office of the State of Amapá - MPAP

Public Prosecutor's Office of the State of Amazonas - MPAM

Public Prosecutor's Office of the State of Ceará - MPCE

Public Prosecutor's Office of the State of Espírito Santo - MPES

Public Prosecutor's Office of the State of Maranhão - MPMA

Public Prosecutor's Office of the State of Pará - MPPA

Public Prosecutor's Office of the State of Paraná - MPPR

Public Prosecutor's Office of the State of Piauí - MPPI

Public Prosecutor's Office of the State of Rio de Janeiro - MPRJ

Public Prosecutor's Office of the State of Rio Grande do Norte - MPRN

Labor Prosecutor's Office in Amazonas and Roraima - MPT-AM/RR

General Ombudsman's Office of Bahia

General Ombudsman at the Public Defender's Office of Paraíba

General Ombudsman at the Public Defender's Office of Ceará

General Ombudsman at the Public Defender's Office of Maranhão

General Ombudsman at the Public Defender's Office of Piauí

Pontifical Catholic University of Rio Grande do Sul - PUC RS

Primeira Infância Melhor (Better Early Childhood) - PIM

Bahia Chapter of the Brazilian Bar Association - OAB BA

Paraíba Chapter of the Brazilian Bar Association - OAB PB

Alagoas Chapter of the Brazilian Bar Association - OAB AL

Goiás Chapter of the Brazilian Bar Association - OAB GO

Pernambuco Chapter of the Brazilian Bar Association - OAB PE

Roraima Chapter of the Brazilian Bar Association - OAB RR

Santa Catarina Chapter of the Brazilian Bar Association – OAB SC

São Paulo Chapter of the Brazilian Bar Association - OAB SP

Sergipe Chapter of the Brazilian Bar Association - OAB SE

Amazonas Chapter of the Brazilian Bar Association - OAB AM

Brazilian Bar Association - OAB

Ceará Chapter of the Brazilian Bar Association - OAB CE

Maranhão Chapter of the Brazilian Bar Association - OAB MA

Paraná Chapter of the Brazilian Bar Association - OAB PR

Piauí Chapter of the Brazilian Bar Association - OAB PI

Rio de Janeiro Chapter of the Brazilian Bar Association - OAB RJ

Rio Grande do Norte Chapter of the Brazilian Bar Association - OAB RN

Rio Grande do Sul Chapter of the Brazilian Bar Association - OAB RS

Bureau of Science, Technology and Higher Education of the State of Paraná - SETI

Court of Audit of the Federal District - TCDF

Court of Audit of the State of Alagoas - TCE-AL

Court of Audit of the State of Goiás - TCE-GO

Court of Audit of the State of Mato Grosso do Sul - TCE-MS

Court of Audit of the State of Pernambuco - TCE-PE

Court of Audit of the State of Santa Catarina -TCE-SC

Court of Audit of the State of São Paulo - TCE-SP

Court of Audit of the State of Amazonas - TCE-AM

Court of Audit of the State of Maranhão - TCE-MA

Court of Audit of the State of Pará - TCE-PA

Court of Audit of the State of Rio Grande do Norte - TCE-RN

Court of Audit of the State of Rio Grande do Sul - TCE-RS

Court of Audit of the State of Tocantins - TCE-TO

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Court of Audit of Municipalities in the State of Bahia - TCM-BA

Court of Audit of Municipalities in the State of Goiás - TCM-GO

Court of Justice of the Federal District and Territories - TJDFT

Court of Justice of the State of Bahia - TJBA

Court of Justice of the State of Paraíba - TJPB

Court of Justice of the State of Alagoas - TJAL

Court of Justice of the State of Goiás - TJGO

Court of Justice of the State of Mato Grosso - TJMT

Court of Justice of the State of Mato Grosso do Sul - TJMS

Court of Justice of the State of Minas Gerais - TJMG

Court of Justice of the State of Pernambuco - TJPE

Court of Justice of the State of Rondônia - TJRO

Court of Justice of the State of Roraima - TJRR

Court of Justice of the State of Santa Catarina - TJSC C

Court of Justice of the State of São Paulo - TJSP

Court of Justice of the State of Sergipe - TJSE

Court of Justice of the State of Tocantins - TJTO

Court of Justice of the State of Acre - TJAC

Court of Justice of the State of Amapá - TJAP

Court of Justice of the State of Amazonas - TJAM

Court of Justice of the State of Ceará - TJCE

Court of Justice of the State of Espírito Santo - TJES

Court of Justice of the State of Maranhão - TJMA

Court of Justice of the State of Pará - TJPA

Court of Justice of the State of Paraná - TJPR

Court of Justice of the State of Piauí - TJPI

Court of Justice of the State of Rio de Janeiro - TJRJ

Court of Justice of the State of Rio Grande do Norte - TJRN

Court of Justice of the State of Rio Grande do Sul - TJRS

Regional Labor Court of the 3rd Region - TRT 3rd Region

Regional Labor Court of the 4th Region - TRT 4th Region

Federal Court of the 1st Region - TRF 1st Region

Federal Court of the 3rd Region - TRF 3rd Region

Federal Court of the 4th Region - TRF 4th Region

São Paulo State University - USP

Santa Catarina State University - UDESC

Rio Grande do Sul State University - UERGS

State University of the West of Paraná - UNIOESTE

Vale do Rio dos Sinos University - UNISINOS

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MUNICIPAL LEVEL

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City Hall of Campina Grande-PB

City Hall of Campinas-SP

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City Hall of Florianópolis-SC

City Hall of Fortaleza-CE

City Hall of Goiânia-GO

City Hall of João Pessoa-PB

City Hall of Juiz de Fora-MG

City Hall of Macapá-AP

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City Hall of Manaus-AM

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City Hall of Natal-RB

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City Hall of Recife-PE

City Hall of Salvador-BA

City Hall of São Luís-MA

City Hall of São Paulo-SP

City Hall of Teresina-PI

Archdiocese of Goiânia

City Council of Juiz de Fora

Juiz de Fora Municipal Board for the Rights of Children and Adolescents - CMDCA JF

Juiz de Fora Chapter of the Brazilian Bar Association - OAB Juiz de Fora

Court of Audit of the Municipality of São Paulo - TCMSP

União da Vitória University Center - UNIUV

Florence Institute of Higher Education - IFES

UniAcademia University Center

Vila Velha University - UVV

SOCIAL ORGANIZATIONS AND CORPORATIONS

Andi - Communication and Rights

Encontro com Deus Charitable Organization - ABECD

Brazilian Nurses Association - Santa Catarina - ABEn-SC

Association of Brazilian Juvenile Court Magistrates - Abraminj

Brazilian Psychiatric Association - ABP

Catarinense Psychiatric Association - ACP

Desenvolvimento da Família Association- ADEF

Association of Municipalities of the State of Alagoas - AMA

Association of Municipalities of the State of Amapá - AME

Association of Federal Judges of Brazil - AJUFE

Association of Brazilian Magistrates - AMB

Association of Members of the Courts of Audit of Brazil - ATRICON

Municipal Association of Pernambuco - AMUPE

National Association of Private Universities - ANUP

National Association of Adoption Support Groups - ANGAAD

National Association of Labor Justice Magistrates - AMATRA

National Association of Justices and Substitute Councilors of the Courts of Audit - AUDICON

São Paulo Association of Magistrates - Apamagis

São Paulo Association of Public Prosecutors - APMP

Pikler Brazil Association - APB

Avante - Education and Mobilization

Brazilian Trade Union Confederation - CSB

United Workers Confederation - CUT

Center for the Integration of Social Networks and Local Cultures - Cirandar

Childhood Brazil

Leopold Workers Circle - COL

Israeli Confederation of Brazil - CONIB

National Confederation of Industry - CNI

National Confederation of Municipalities – CNM

National Council of Public Defenders' Offices - CNODP

National Council of Attorneys General Internal Affairs Offices - CNPGC

Santa Catarina Federation of Municipalities - FECAM

Federation of Industries of the State of Santa Catarina - FIESC

Federation of Industries of the State of São Paulo - FIESPI

Federation of Industries of the State of Paraná - FIEP

Trade Union Council

National Collegiate Forum of Guardianship Advisors - FCNCT

National Forum of Protective Justice - FONAJUP

Abring Foundation

Bernard Van Leer Foundation – FvanLeer

The Higher School Foundation of the Public Prosecutor's Office of the State of Rio de Janeiro (FEMPERJ)

Itaú Social Foundation

José Luiz Egydio Setúbal Foundation

Maria Cecília Souto Vidigal Foundation - FMCSV

São Paulo Foundation - Fundasp

Group of Institutes, Foundations and Companies - GIFE

Alana Institute

Árvores Vivas para a Conservação e Cultura Ambiental Institute - IAV

Brazilian Institute for Children and Adolescents - IBDCRIA

Safe City Institute - ICS

Dakini Institute

Dara Institute

Institute of Childhood - IFAN

Institute of Early Childhood - IPREDE

Rio Grande do Sul Institute of Brain Research-InSCer

Instituto Geração Amanhã - IGA

Instituto Mundo Melhor - IMM

Institute for the Development of Social Investment - IDIS

Responsible Paternity Institute - P.A.I.

Instituto Viva Infância

Instituto Rui Barbosa - IRB

IPA Brasil - Brazilian Association for the Right to Play and Culture

LARAMARA - Brazilian Association for Assistance to the Visually Impaired

NGO Vozes de Anjos

Pastoral da Criança

Petrobras

Plan International Brasil

Promundo

National Early Childhood Network - RNPI

Brazilian Society of Pediatrics - SPB

Brazilian Society of Aid to Burns - SBQ

Ceará Pediatric Society-SOCEP

Todos pela Educação - TEP

General Workers Union - UGT

Marist Union of Brazil - UMBRASIL

United Way Brazil

Vale S.A.

World Vision Brazil

Zelo Consultoria em Educação e Desenvolvimento



Strategic Meeting of the National Pact for Early Childhood.
In the background, the CNJ Special Secretary for Programs, Research and Strategic Management, Richard Pae Kim, the president of the National Justice Council (CNJ) and the Supreme Court (STF), Justice Dias Toffoli, and CNJ member Luciano Frota.

A new perspective on the fundamental rights of human development in Early Childhood

As science progresses and best practices show their remarkable results, we have come to recognize that the first few years of life are critical for children. In fact, they shape these individuals, particularly their earliest years. No other investment yields returns as high and lasting as investing in childhood, whether in human and social justice grounds or in economic terms. Beyond the fact that this is a fundamental human right, effective investments and public policies for Early Childhood can reduce crime, improve quality of life, health, education, boost productive capacity, raise family incomes, and produce a fairer, prosperous, and peaceable society.

Under the premise that childhood cannot wait, and acknowledging the fact that Brazil is home to nearly 20 million citizens at this time of life, which is deemed to be the time of maximum opportunity to mold the foundations for their lifetimes, there is an evident need to improve the framework of initiatives targeting child development. In 2016, Brazil became the first country in the world to enact Early Childhood-specific legislation, laying down principles and guidelines for public policymaking for children up to six years old.

In the Justice Begins in Childhood: Strengthening the Justice System's involvement in fostering rights for holistic human development project, the Brazilian Judiciary has sought a more proactive contribution to the enforcement of legislative advancements that have already been enacted.

The Legal Framework for Early Childhood (Law n. 13.257/2016) bolsters existing regulations under the 1988 Federal Constitution, such as acknowledging that children are individuals with rights, that these rights are an absolute priority, and that responsibility is shared by families, society, and the government. It also updates the Statute of the Child and Adolescent, known as ECA (Law n. 8.069), which in 1990 guaranteed full protection and the right to opportunities for their development. Similarly, the Criminal Procedure Code, the Consolidation of Labor Laws, and Laws n. 11,770/2008

(Citizen Company) and n. 12,662/2012 (Declaration of Live Births).

Aside from providing principles and guidelines for the design and enforcement of public policies regarding Early Childhood, the Legal Framework has also emphasized the acknowledgment of children as citizens, the need to respect diversity in Brazilian childhood, the need for comprehensive and integrative care, in keeping with each child's family and community context, and the need to qualify professionals and institutions so they can effectively address the specific needs of children in this age group.

In its very first clause, the Early Childhood Framework addresses the importance of fostering human development for children in this age group. The document also affirms

that public policies must target the assurance of holistic development, through coordinated initiatives among several agencies and branches of government and civil society, who must give support to families in their essential responsibility of protecting, nurturing, and educating their children. Cross-sectoral policies are deemed an important strategy to attain full development in this wider window of opportunities called Early Childhood. Social responsibility is also emphasized, implying private social investment.

Furthermore, the child plays an active role in his or her own development. Regardless of age, he or she is a person and an individual with rights, and, therefore, a citizen. This is a cornerstone of our Law, and it also posits that children must be listened to, respecting their own manner of self-expression, which requires specialized training for involved workers.

ABSOLUTE PRIORITY

The Brazilian Federal Constitution applies the term 'absolute priority' exclusively when referring to children, adolescents, and youth, thus acknowledging the necessity of providing specific and comprehensive care during these life periods. Translating absolute priority into practice requires a combination of proactive efforts with direct consequences for holistic human development and consequently for the nation's development.

MAIN INNOVATIONS INTRODUCED BY THE LEGAL FRAMEWORK FOR EARLY CHILDHOOD

- Creation of the National Integrated Policy for Early Childhood;
- Creation of cross-sectoral policy committees focusing on Early Childhood, involving the Child and Adolescent Rights Boards, across several segments within our Federation;
- Determining priority issues in public policies for Early Childhood that require integrated operation;
- The necessity of drawing up cross-sectoral plans for Early Childhood, at national, state, district, and municipal levels;
- Technical capacity building for workers involved in implementing policies and programs aimed at Early Childhood;
- Monitoring mechanisms and systematic data collection, regular assessment of components that comprise the delivery of services for children, and dissemination of results;
- Disclosure of the budget invested in Early Childhood;
- Government support programs for families to foster Early Childhood development, including home visits and cross-sectoral cooperation as strategies;
- Support for family involvement in childcare and protection networks, recognizing their socio-familiar and collective dimensions, with the purpose of educating and strengthening family and community ties, among other goals, prioritizing situations that may pose a risk to the child's development and to families in a state of vulnerability;
- The provision of high-quality Early Childhood education, including playgrounds that encourage
 well-being, play, and creativity in public and private settings, where children can unreservedly
 explore and enjoy free and safe environments within their communities;
- The importance of loving and permanent care, when children are institutionally housed, in addition to emphasizing the important role that foster care services provide in foster families;
- House arrest for pregnant women or mothers under pre-trial detention orders, to avoid harming the child's development.

Source: Legal Framework for Early Childhood (CNJ, 2022).

Law 13.257/2016 improved the concepts and provisions needed to implement specific measures to meet the needs and interests of children in a qualified manner, to ensure that they participate in a society where not only their rights are respected, but where they are prioritized.

With the Legal Framework for Early Childhood, Brazil looks to overcome the era of "negative rights," focused on protection and prevention (not dying prematurely, not starving, not being abused or neglected) and enter the era of "positive rights," one that is caring and constructive, focused on fostering rights such as playing, receiving stimuli tailored to their specific age group, and being given opportunities to evolve physically, emotionally, socially, and cognitively (Barros et al. col. 2016).

In view of these many changes in paradigms, the need for coordinated initiatives and of broadening law enforcement and its dissemination to Public Officers and to society, considering that children's rights need to be widely known so they can be recognized and enforced - and improvement of the required infrastructure for protecting children's interests have been proved to be indispensable if the Legal Framework is to produce the desired effects.

SHAPING BRAIN ARCHITECTURE

The brain takes nourishment from nutrients and stimuli, out of which children generate synapses at a rate and volume that will never again occur in any other age. For this reason, the experiences a child has had during Early Childhood, including breastfeeding and affectionate bonds of trust, coupled with responsive interaction, will lay the foundation for a healthy brain architecture, i.e., the bearings this child will use to build a relationship with self and relationships with the world.

Source: Legal Framework for Early Childhood (CNJ, 2022).

WORKING TOWARDS THE LEGAL FRAMEWORK OF EARLY CHILDHOOD

1927

Child Care and Protection Laws

Commonly known as the Juvenile Code, Decree n. 17,943-A was Brazil's first piece of legislation to address the protection of children and adolescents. It determined that young people were criminally unaccountable until the age of 17 and that only at age 18 were they answerable for their crimes and eligible for prison sentences.

1959

Universal Declaration of Children's Rights

On November 20, 1959, the United Nations Assembly proclaimed the Declaration of the Rights of the Child, indiscriminately and with no exceptions, and set forth in ten principles. This document already emphasized the importance of social protection of the child for their full development and the child's priority in case of need for protection or help.

1969

American Convention on Human Rights

When Brazil signed the American Convention on Human Rights (Pact of San José da Costa Rica, 1969), which was enforced domestically by Decree n. 678/1992, it acknowledged Rights of Children and Adolescents, which includes the following:

Article 19. Rights of the Child

Every minor child has the right to the measures of protection required by his condition as a minor on the part of his family, society, and the state.

Federal Constitution

A new approach to childhood that acknowledges the child as an individual entitled to rights, emphasizing the absolute priority of enforcing these rights and the shared responsibility of family, society, and the state. Article 227 and its paragraphs laid down rights and safeguards for children and adolescents, and their correlate state duties and obligations. Subsequently, this section was amended to include youth in addition to children and adolescents.

Article 227 - It is the duty of the family, the society and the Government to assure children, adolescents, and youths, with absolute priority, the rights to life, health, nourishment, education, leisure, professional training, culture, dignity, respect, liberty and family and community harmony, in addition to safeguarding them against all forms of negligence, discrimination, exploitation, violence, cruelty and oppression.

1989

United Nations Convention on the Rights of the Child

Ratified in Brazil by Decree n. 99.710/1990, the Convention was a milestone for the international acknowledgement of children and adolescents as subjects of law. It gave greater breadth and depth to the fundamental rights that must be ensured by signatory countries. In particular, the Convention introduced the right of children to be involved in any initiative that concerns them.

1990

Statute of the Child and Adolescent

Brazil reinforced its commitment to full protection of children and adolescents via the Statute of the Child and Adolescent (Law n. 8.069/1990), which is the regulatory framework for Article 227 of the Federal Constitution. The original text had not yet provided specific guidelines for minors in Early Childhood.

Committee for Holistic Development in Early Childhood (Codipi)

The committee was created within the federal government's Supportive Communities program. It comprised representatives from the government, congress, civil society, and international organizations, including the Ministry of Culture, Ministry of Education, Ministry of Social Development, Ministry of Justice, Congress, National Fund for Education Development (FNDE), the *Pastoral da Criança*, Unesco, Unicef, and the World Bank. Its mission focused on coordinating, organizing, and overseeing federal public policy initiatives in support of Early Childhood development. After decommissioning, several members came together to constitute the National Early Childhood Network.

2007

National Early Childhood Network

Joint efforts of state organizations, the private sector, and civil society created a network designed to draft specific policy bills and proposals centering on children up to six years of age and to engage diverse sectors about the importance of establishing regulations for the specific rights for this age group. It currently comprises over 270 organizations.

2010

IPEA Study on Early Childhood

The 2010 study on Determinant conditions for Development during Early Childhood in Brazil, published by IPEA, found that safeguarding basic living conditions and the necessary development opportunities for all the Brazilian children up to 6 years old was still a challenge, despite the progress made in the previous decade, when poverty levels fell and public services quality and access improved for families with children in this age group, especially the most vulnerable. The infant mortality and malnutrition rates fell throughout this period, and regional differences between rural and urban areas narrowed. The study authors recommend considering issues such as newborn mortality, encouraging exclusive breastfeeding, broadening access to basic sanitation and birth registration.

National Plan for Early Childhood

Devised by the National Early Childhood Network, this set of principles and guidelines was praised by the National Board for the Rights of Children and Adolescents (Conanda) in 2010. It is divided into priority areas and targets, addressing these issues as state policies and delivering guidance for advocacy, promotion, and enforcement of the rights of citizens up to six years of age. This plan is a benchmark when drafting state, municipal and district plans addressing Early Childhood.

2011

Parliamentary Front for Early Childhood

The Parliamentary Front for Early Childhood is a nonpartisan coalition in Congress, which was formed in the House of Representatives by initiative of Congressman Osmar Terra, with the purpose of uniting members of Congress who champion Early Childhood to achieve common ground that would enable the creation of the Legal Framework for Early Childhood.

Working in partnership with experts from Harvard University and Brazilian institutions such as Fundação Maria Cecilia Souto Vidigal, Instituto do Cérebro, USP, and Fundação Bernard van Leer, the Parliamentary Front in support of Early Childhood was part of the effort to establish the Núcleo Ciência pela Infância (NCPI), which facilitated nearly 500 Brazilian officials' involvement in the Early Childhood Executive Leadership Program at Harvard from 2012 to 2018. The Parliamentary Front, under chairperson Leandre Dal Ponte's leadership, reviewed its statute in 2019, and is now structured in regional coordinative departments. The new statute also allowed partner organizations to join and expand the Alliance's technical-scientific and mobilization capacity.

2016Law n. 13.257/2016 - Legal Framework for Early

The outcome of Bill n. 6,998, put forward in Congress on December 18, 2013 by members of the Parliamentary Front for Early Childhood, was Law n. 13,257. It was enacted with no vetoes on March 8, 2016, after the Congress Special Committee on Early Childhood passed it on December 10, 2014, and the Senate passed it in February 2016. Approximately half the Congresspeople in the Special Committee for Early Childhood also attended the Executive Leadership in Early Childhood Development program at Harvard. The Framework for Early Childhood addresses public policies for Early Childhood and amends ECA, the Criminal Procedure Code, CLT, and Laws 11,770/2008 (Citizen Company) and 12.662/2012 (Declaration of Live Births), with the goal of increasing efforts to foster child development during the most opportune period for shaping human beings, thereby raising awareness about children in this pivotal stage of life.

A PACT, BECAUSE ENSURING HOLISTIC HUMAN DEVELOPMENT REQUIRES COORDINATED CARE

The justice system has a fundamental role in enforcing legislation. Its many Courts serve children in Early Childhood who are at risk or vulnerable as well as their families. This is not limited to juvenile and family courts, but also includes Courts that resolve legal disputes involving Violence against Women, Criminal Prosecution, and Labor, for instance.

Courts, District Attorney's Offices, Public Defender's Offices, legal psychosocial staff, and other practitioners within the Rights Assurance System, need to be aware of the rights of citizens in Early Childhood, and particularly of the absolute priority principle. The law institutes coordinated care strategies which require coordination between participants, bodies, and institutions to safeguard holistic development.

In light of the necessity of guaranteeing effectiveness for the exclusive rights of Brazilians aged up to 6 years old through the proper use of legislation, the National Justice Council (CNJ), which is the Judiciary's core planning and coordinating body, launched a program called Justiça Começa na Infância (Justice Begins in Childhood): Strengthening the Justice System's Efforts to Foster Rights for Holistic Human Development. This project encompasses initiatives to improve the necessary services

and infrastructure to safeguard children's best interests and to prevent clerical misconduct by public officers and other participants in the Early Childhood protection network charged with enforcing the laws meant to secure the rights set forth in art. 227 of the Federal Constitution, in the Statute of the Child and Adolescent, and in the Legal Framework for Early Childhood.

This project was submitted to the 2018 public call for project proposals by the Board of the Fund for the Defense of Diffuse Rights under the Ministry of Justice and Public Safety. Project acceptance granted funding to implement the following initiatives:

- An assessment of Early Childhood care services within the justice system.
- Holding one seminar in each of the five regions in Brazil.
- Capacity-building for 1.5 thousand legal system practitioners and for 22 thousand service network staff.
- The process of choosing, giving awards to, and disseminating 12 examples of best practices for Early Childhood care.

The CNJ put forward a proposal for the National Pact for Early Childhood during a meeting held on April 11, 2019, in the main hall at the Federal Supreme Court. This initiative was designed to guarantee technical and operational cooperation amongst many parties involved in safeguarding the rights of children, by encouraging a coordinated and cohesive approach to their activities. The Pacto Nacional pela Primeira Infância (Na-



"The Brazilian scenario shows that over 6 million children who are going through this decisive period find themselves in vulnerable socioeconomic conditions. Since most of these children are served by the Justice System in different capacities, the Judicial Power cannot ignore this fact. It is also up to us, along with other agents from the network for child protection, from the Executive Branch or in non-governmental organizations, to take action and make sure that our interventions within this context succeed in quaranteeing that these children's rights, as set forth in our Constitution, are protected."

> Justice Dias Toffoli, President at STF and CNJ, 2019

tional Pact for Early Childhood) was created to ensure that the rights set forth in Article 227 of the Federal Constitution, in the Statute of the Child and Adolescent, and in the Legal Framework for Early Childhood are upheld.



Meeting on the National Pact for Early Childhood in 2019

The Pact was signed on June 25, 2019, during the first seminar on the implementation of the Justice Begins in Childhood project, held in Brasilia, with the endorsement of 40 agencies and bodies engaged in this segment, including the National Justice Council, National Prosecutor's Council, National College of General Public Defenders, the Brazilian Bar Association, the Brazilian Attorney General's Office, the Federal Public Defender's Office, State Courts, Federal Deputies' and Senate Chambers: National Justice Council, National Public Prosecutor's Council, National College of General Public Defenders, Brazilian Bar Association, Attorney General of the Republic, Federal Public Defender's Office, State Courts, Congress (Federal Deputies and Senate), Federal Court of Audit, Ministry of Citizenship, Ministry of Education, Ministry of Health, Ministry of Women, Family and Human Rights, Ministry of Justice and Public Security and the Office of the Union Comptroller General.



With each regional seminar, new members joined and, by mid-2022, the number of Parties had surpassed 300, congregating participants from all government branches, from the corporate sector, from organized civil society, and from international bodies.

The Justice Begins in Childhood project was planned to run for one year, however, the advent of the covid-19 pandemic required adjustments and extended its operation to almost three years of work led by the CNJ under different administrative mandates.

"Under Justice Luiz Fux's leadership, we have made a major effort to prioritize this topic, besides all other actions involving the protection of human rights. I believe that the National Justice Council successfully brought this discussion to all Brazilian states over the last three years. This happened with the regional seminars and with CNJ media initiatives, with the assessments, with capacity-building for agents of the Justice System and for public officers throughout Brazil, and with the dissemination of best practices. Today, it is time to review everything we have

Participants of the strategic meeting. In the background, CNJ Director General Johaness Eck

accomplished, the progress we have achieved, and to design legal policies to support Early Childhood", said Judge Richard Pae Kim, Councilor at CNJ and Chairperson of the National Forum for Children and Youth (Foninj).

FURTHER DEVELOPMENTS FOLLOWING THE LEGAL FRAMEWORK FOR EARLY CHILDHOOD

2016Increase in paternity leave granted to all federal public

Pursuant to Decree No. 8,737, of May 3, 2016, all public officers governed by Law No. 8,112/1990 were granted the right to request a 15-day increase to their paternity leave, beyond the 5 days previously granted by the Federal Constitution, based on the increase in paternity leave as approved by the Legal Framework for Early Childhood in connection with Citizen Corporations.

2016

Creation of the Criança Feliz (Happy Child) Program

The Criança Feliz program was established via Decree No. 8,869 of October 5, 2016, and was subsequently amended by Decree No. 9,579 of November 22, 2018. The program is a cross-sectoral strategy to foster holistic Early Childhood development by providing support and monitoring for families. Pursuant to the Legal Framework for Early Childhood, with particular regard to the implementation of Art. 14, it features the involvement of several ministries. With a range of initiatives such as weekly or twice-weekly home visits to expecting mothers or families, the program combines and strengthens public policies while enabling better access to the required public services, thereby facilitating parenting, and strengthening bonds.

2018

Justice begins in Childhood Seminar: the age of positive rights

To celebrate the 30th anniversary of the Federal Constitution, civil society organizations that advocate for securing and protecting children's rights, along with other associations affiliated with the Brazilian Judiciary, sponsored a seminar, called Justice Begins in Childhood: the age of positive rights, on September 18, 2018. This event was held at the Ministry of Justice and convened the highest authorities of the Brazilian Justice System bodies, given the significance of implementing the Legal Framework for Early Childhood as an enforcement strategy for art. 227 of the FC, in light of emerging scientific breakthroughs that emphasized how essential networking is to guarantee absolute priority to earliest childhood. A number of convenors attended the Executive Leadership Program on Early Childhood Development at Harvard.

2019

National Pact for Early Childhood

Signed on June 25, 2019, upon a CNJ initiative that was granted funding by the Ministry of Justice's Fund for the Defense of Diffuse Rights to undertake the Justice Begins in Childhood project, this pact is designed to secure technical and operational cooperation between multiple parties involved in guaranteeing children's rights to foster coordination and concerted action, improve services, and prevent clerical misconduct by public officers and other agents of the protection network in charge of implementing the Legal Framework for Early Childhood.

2019

National Adoption and Foster Care System (SNA)

The SNA was created in 2019 through Resolution CNJ n. 289. It replaced the National Adoption Registry and the National Registry of Foster Home Care for Children and Adolescents. The SNA combines data supplied by the Courts of Justice on institutional shelters and family foster care, withdrawal of parental custody, children, and adolescents eligible for adoption, national and foreign applicants eligible for adoption, and ongoing adoptions in Brazil into one system.

2019

Inclusion of Early Childhood in the Multi-Year Budget Plan (PPA)

Law n. 13.971/2019, which instituted the Union's Multi-Year Plan for 2020 to 2023, ensures that the set of government initiatives for Early Childhood care are a priority and that they are addressed earlier in the budgetary and financial programming and implementation. The Plan's creation stemmed from a suggestion to the Executive Branch, at the initiative of the Parliamentary Front for Early Childhood.

2021

Crosscutting and multi-sectoral Early Childhood Agenda

Decree n. 10.770/2021, in light of the guidelines and priority areas for public policies as outlined in the Legal Framework for Early Childhood, institutes a cross-ministerial committee in charge of coordinating a number of initiatives which must be included in the PPA and be implemented through coordinated public policies. These policies must be pursued in a holistic manner by federal government agencies, including partnerships with civil society.



National Pact For Early Childhood - regional seminars

Holding a seminar in every one of Brazil's five regions was an integral part of the initiatives that were outlined in the Justice Begins in Childhood project. The rationale is to disseminate the Legal Framework for Early Childhood and encourage discussions and integration between diverse parties involved in project implementation. This was especially true for the judiciary personnel and technical cadre, besides other staff from the Early Childhood services network.

The Special Department for Programs, Research, and Strategic Management (SEP/CNJ), in collaboration with the Protocol and Events Department (SCE/CNJ) and the Communications Department (SCS/CNJ) were tasked with organizing the National Justice Council's Regional Seminars. Each seminar had its own organizational committee, made up from representatives of the parties to the National Pact for Early Childhood, with the purpose of complying with the aforementioned Pact. The organizational committees included representatives from CNJ, CNMP, Condege, the Parliamentary Front for Early Childhood, the Ministry of Citizenship and other Executive Power agencies, UNICEF, the National Early Childhood Network, the Alana Institute, and other civil society representatives, with the special support of Juvenile Court Coordinators. The schedules for each seminar were prepared collaboratively, as were the invitations and the engagement of several institutions to endorse the Pact and to disseminate these events. Moreover, the programs endeavored to represent different agents in the protection network and featured national, state, and municipal/district authorities and experts related to the issues to be addressed by each seminar.

Each regional seminar involved participants from the corresponding region and featured specific details, as follows: a) at the first seminar, held in the Midwest Region, federal institutions were the most active participants, b) in the North Region, the challenges of migration and local culture were more prominent, including artistic performances with the participation of children, c) in the Southeast Regional Seminar, there was an award ceremony for the Best Practices selected from within

the pact, d) during the Northeast Regional Seminar, the Early Childhood Crosscutting and Multi-sectoral Agenda was launched when the Ministry of Economy endorsed the pact, e) at the South Regional Seminar, all the southern state governments and Justice System agencies endorsed the pact, along with all southern federal universities and regional boards for rights



Most federal institutions endorsements were signed at the Midwest Region -Pact for Early Childhood Seminar.

of children and adolescents. The Cross-sectoral Committees for Early Childhood in Rio Grande do Sul and Santa Catarina were created and proceeded to draft their respective federated state plans for Early Childhood.

Furthermore, after the first seminar, which was held in one day, the methodology was altered because the participants' assessment showed that the event would require two days, rather than just one as stated in the original project, given the number of issues and agents that needed to be included in the Round Tables, Panels and workshops. With each new seminar, new interfaces were added, such as Early Childhood and the Maria da Penha Law, Early Childhood and the role of businesses, Early Childhood, and public safety, and so forth. Likewise, the participation of children in the events had gained momentum, in an effort to boost their visibility regarding the initiatives that concern their rights.

During the Regional Seminars (2019 and 2021) and, subsequently, in the National Pact for Early Childhood: results and breakthroughs of the Justice Begins in Childhood project, from April 2022, one of the most important legacies of the Legal Framework for Early Childhood was consistently emphasized – the need for bringing in many more institutions and initiatives to deliver an effective response to children's needs, to ensure they are truly acknowledged as citizens, dynamic subjects, and holders of specific rights. The MLPI is a Legal Framework that is not strictly bound to children's protection, but also fosters their holistic development, enabling more proactive initiatives from justice system practitioners, in collaboration with other institutions from the protection network.

The seminars were attended by authorities, conferees, panelists, and speakers in diversified workshops representing many areas. Amongst the attendees there were judges, justices, magistrates, prosecutors, and attorneys general, public defenders, congresspeople, legal advisors, public administrators, civil society agents, and researchers, all of whom shared their expertise and experiences and advocated for the importance of understanding Early Childhood from a broad range of standpoints.

These meetings evidenced the need for priority and cross-sector involvement to fully comply with the Legal Framework for Early Childhood. They also were valuable in encouraging coordi-

COVERAGE OF THE REGIONAL SEMINARS BY THE CNJ COMMUNICATIONS DEPARTMENT

- Over 35 thousand visits to event websites
- 277 Publications available on the website
- 638 pictures taken
- 122 social media posts
- 23 institutional videos, viewed 1,283 times
- 143 Graphic design pieces

nation between staff of the Legal Rights Protection system. After the seminars several new initiatives were taken up by participant institutions, at local, state, and national levels.

The reports from these workshops laid down the groundwork for the Foninj Technical Report, which recommends establishing integrated work routines and protocols between the network agents to deliver a holistic approach to Early Childhood care. In effect, one of the recurring conclusions in the regional seminars' evaluation was the need for more integration between network agents, noting the considerable lack of knowledge about the work done by other institutions that sometimes operate within the same area, dealing with the same child and his or her family.

Contents from all regional seminars are available at the CNJ website. These documents may serve as benchmarks for further strategic initiatives throughout Brazil.

During the National Pact for Early Childhood Seminar: achievements and breakthroughs of the Justice Begins in Childhood project, the regional seminars were given special coverage in Panel 9: Overview of the Regional Seminars from the National Pact for Early Childhood. The main features from these regional seminars were reviewed, besides the project's activities and the challenges ahead.

MIDWEST REGION

The Midwest Region Seminar, sponsored by the National Pact for Early Childhood, inaugurated the run of regional seminars endorsed by the Justice Begins in Childhood Project. It was held in Brasilia on June 25, 2019, in the TCU Higher School auditorium. The inauguration saw a sponsorship commitment ceremony attended by national institutions from the three Branches of Power and Civil Society, and by institutions



The Opening Ceremony of the Midwest Region Seminar sponsored by the National Pact for Early Childhood

Click here to view the program in full.



from the Midwest Region. Forty sponsorship declarations were signed, followed by major declarations of commitment to absolute priority for Rights of children and adolescents, beginning with Early Childhood. 40 parties joined the Pact, and there were important manifestations of commitment to the absolute priority of children's rights, starting from Early Childhood.

The seminar was attended by the highest public power officials and leading members of the organized civil society and international organizations. It featured thematic tables, including presentations, moderation, and debates, and also four workshops.

Speaking at the Opening Ceremony, Justice Dias Toffoli, who then presided over the Federal Supreme Court (STF) and the National Justice Council (CNJ), observed that millions of children in Brazil suffer from socio-economic and institutional vulnerability, which compromises the fulfillment of their rights under Brazilian law. "The Justice Begins in Childhood project represents the engagement of the Judicial Power and essential legal services in monitoring our children's quality of life, reinforcing the Justice System's role in protecting rights for full human development", Justice Toffoli noted.

"Let the National Pact for Early Childhood mirror the ongoing efforts we all dedicate to restoring citizenship and ensuring that our children's comprehensive development is fully achieved", he added.

Dias Toffoli signed the Pact at the event, as did José Múcio Monteiro, then president of the TCU; Osmar Terra, former minister of Citizenship; Leandre Dal Ponte, federal congresswoman and chairperson of the Parliamentary Front for Early Childhood; Raquel Dodge, former attorney-general of the Republic, and representatives from a number of agencies and bodies.

At the opening ceremony, the TCU president spoke about the importance of providing care for Early Childhood. "It is vital to lay the groundwork to build a more equitable society, which is more conscious of its rights and responsibilities, more productive, more supportive, and closer to the ideal of social harmony."

Raquel Dodge, in turn, pointed out that Early Childhood is a national and constitutional priority and that the standards on which public policies are grounded promise holistic and integrated care for children, starting at conception up to age 6. "However, we must also tackle a very real problem:



The seminar was attended by Justice Dias Toffoli and officers from all branches of federal government, international organizations, and civil society

children and youth whose future is precociously disrupted because they live in an adverse environment that reinforces vulnerability", she explained. "We need to strengthen the Early Childhood support framework throughout Brazil, to relaunch stalled projects, and finance public policies as needed to achieve the constitutional and legal pledges, beginning with capacity-building for caregivers."

The following major topics were addressed in the workshops: institutional and family foster care, children with drug addicted parents, adoption, and maternal incarceration.

Many other matters were also addressed. Osmar Terra, who was Minister of Citizenship at the time, described the *Programa Criança Feliz*, conceived to implement Article 14 of the Legal Framework for Early Childhood. This program is run nationwide, partnering with states and municipalities to monitor and advise families with children up to 6 years old, and give parents the means to nurture their children's cognitive, emotional, and psychosocial development. Over 672,874 people had been assisted

by *Criança Feliz* at that time - 565,394 children and 107,480 pregnant women. Mr. Terra authored the bill that resulted in the Legal Framework for Early Childhood.

This program encourages family ties and their role in ensuring care, protection, and education of children in Early Childhood, based on the strategies of home visits and cross-sectoral initiatives. Social Workers

assess the household environment and identify potential factors that may jeopardize the child's holistic development. They also establish links between these families and providers of social assistance, health, education, culture, and the protection of human rights. "Children are all born under similar conditions, but Early Childhood sunders them forever", said Osmar Terra.



Osmar Terra, Minister of Citizenship

Leandre Dal Ponte, federal congresswoman

for the state of Paraná, who presides the Parliamentary Front for Early Childhood, discussed the progress achieved by the Legal Framework for Early Childhood and the necessity of regulation. She described the Legal Framework for Early Childhood as an acknowledgment of the specific nature of children's first six years of life and a breakthrough for the holistic protection principles outlined in the ECA to foster holistic development and positive rights.

The congresswoman maintains that the dissemination of knowledge concerning the importance of this developmental phase is just as necessary as institutional activities and the dissemination of the law itself. "We need to explain the importance of the early years of life, and what they represent for society, for shaping human beings, and for the effect they have on people's lives. The biggest challenge I see today is how to spread awareness of this. Early Childhood's significance needs to be common sense. Then we will observe the full extent of this priority for government planning, budget allocation, and state policies."

The Special Secretary for Programs, Research and Strategic Management at the National Justice Council, Richard Pae Kim, Adjunct judge to the CNJ Presidency, has emphasized the relevance of the Justice Begins in Child-hood project to fulfill the mission of this Council, stating that all areas of the CNJ were involved in the planning and execution of the project. Johaness Eck, Director General of the National Justice Council, and Gabriela Moreira de Azevedo Soares, director of the Judicial Research Department at the National Justice Council, outlined the scheduled activities, as they explained all the work stages. This session also brought contributions from Ivânia Ghesti, a specialist in psychology from the TJDFT, who represented the psychosocial specialized staff from the justice courts who work directly with young children and families, and from Cesira Bertoni Jardim, Advisor for Institutional Coordination from the Ministry of Citizenship, who played an important role in mobilizing the Justice System in support of the project. While pointing out concerns about data regarding the current scenario, much was said about the importance of surveys, assessments, and training activities included in the project.



Workshop held during the seminar

In the Midwest regional seminar, interactions between the Brazilian Rights Assurance System for Children and Adolescents, the National Adoption and Foster Care System (SNA) and the Absolute Priority Program were also addressed, focusing on best practices and programs that are already being used as a benchmark in other regions of the country. These include programs such as Amparando Filhos (Nurturing your Children) (TJGO), Amigos da Primeira Infância (Friends of

early Childhood) (MT) and Pai Legal (Legal Fatherhood) (MPDFT).

During the National Pact for Early Childhood Seminar: results and breakthroughs of the Justice Begins in Childhood project, Eduardo Chaves, a social worker with the Federal District government and vice-president of the Federal District Board for the rights of children and adolescents, delivered a presentation on the event's highlights and data about the Midwest region.

Out of the 16 million people living in the Midwest, 1.2 million are children up to 5 years old, according to data from the Legal Framework Observatory for Early Childhood (Observa) and the 2010 IBGE Census.

Some outstanding indicators:

- Estimate for under registration of births: 1.3%;
- Ratio of children up to 5 years old in household poverty conditions: 35.2%;
- Ratio of children up to 5 years old who benefit from the Bolsa Família Program: 66.4%;
- Ratio of individuals contacted by the Happy Child Program as compared to the agreed-upon goal: 50%;
- Number of children in foster care: 623;
- Coverage of the Social Assistance Reference Centers (CRAS): 73.6%;
- Ratio of children up to 5 years old who attend child education centers: daycare 28.2%/ preschool 87.3%;
- Ratio of children up to 3 years old who are not in the school system: daycare 71.8%/pre-school 4.6%:
- Ratio of full time enrollments in Early Childhood education: daycare 60.4%/pre-school 7.5%;
- Ratio of children with disabilities, autistic spectrum disorders, or high abilities/gifted children enrolled in common classes in Early Childhood education: daycare 72.6%/pre-school 88.9%;
- Ratio of enrollments in Early Childhood education centers that do not offer accessibility: daycare 42.8%/pre-school 33.4%.

Lastly, Chaves mentioned the number of teachers in Early Childhood education who have had specific continuing education to work with this learning period. In kindergartens, this figure is only 17.3%, and in pre-school, 16.5%. "This shows how Brazil treats people who work with Early Childhood", he said. "This is why I applaud the CNJ's work in training these workers, because this is the only way we can truly guarantee the rights of children", he said.

Plans for Early Childhood developed in the Midwest Region:

- Distrito Federal/DF;
- Marcelândia/MT;
- Corumbá and Coxim/MS.

Progress

• Early Childhood as an aggregator of the human rights agenda;

- Local policies to promote the implementation of the Legal Framework for Early Childhood such as the District Law n. 7.006/2021, which established the District Policy for Early Childhood in the DF, and the reinstatement of the DF Cross-sectoral Steering Committee;
- Creation of parliamentary fronts for Early Childhood in the DF and MS;
- Project for Strengthening the Criança Feliz Program in Mato Grosso supported by the TJMT;
- Award-winning best practices, such as Amparando Filhos (TJGO) and Pró-Vida (Prolife)(Recanto das Emas/DF);
- Parliamentary amendment funds to build the Early Childhood Research Center at UnB.

Challenges

- Regional connections are still reliant on national coordination;
- Effective implementation of the MLPI within the context of social and economic disparities;
- Disarticulation of the childhood movement in the confrontation of policies that are harmful to the child, the adolescent, and the family.
- "Our biggest challenge is to push forward our mobilization regarding Early Childhood into the
 debate of macro issues that also affect childhood intensely, such as economic, environmental,
 and social inequality issues", the vice-president of the Board for the Rights of Children and Adolescents of the Federal District concluded.

NORTH REGION

Held in Manaus/AM, at the TJAM Auditorium, on September 19 and 20, 2019, the North Region Seminar of the National Pact for Early Childhood included a conference, lectures, plenary panels, four simultaneous workshops and a round table. Apart from comprehensive debates, the event enabled suggestions for initiatives for the National Pact for Early Childhood to be forwarded. Twenty-six new institutions also joined the pact.

During the Seminar of the National Pact for Early Childhood: results and advances of the project Justice Begins in Childhood, Judge Rebeca Mendonça from the Court of Amazonas presented a synthesis of the North Region meeting. The seminar was attended by the governor of the state, the presidents of all the Courts of Justice of the North Region, prosecutors, public defenders, lawyers, chairs of state Congress, of City Councils, and representatives of many segments that are part of the Rights Assurance System for Early Childhood: strengthening the action of the Justice System

in the protection of developing holistic human Rights. "The seminar was a watershed concerning the Legal Framework for Early Childhood in the North Region", according to Rebeca Mendonça.

ZMoreover, she noted the panel on different childhoods, their families, and communities. "Our region is very large, with remote locations, and our children in the North need to be viewed from a different perspective, including the implementation of specific public policies", she said, while also mentioning children in migration and refugee situations, from countries such as Haiti and Venezuela.



Mendonça, who at that time was the coordinator for juvenile affairs of the Amazonas Court of Justice, lamented the fact that in the North Region there is only one city level plan aimed at Early Childhood, implemented in Marituba/PA, according to Observa data from 2018. "This is a major deficit in our region", she affirmed.

The Justice System, the Public Defender's Office, and the Ministry of Justice

See the program in full



Early Childhood in the North Region

- Ratio of children up to 5 years old in household poverty conditions: 65.9%;
- Ratio of children up to 5 years old who benefit from the Bolsa Família Program: 82.9%;
- Number of children in foster care: 442;
- Ratio of children up to 3 years old out of daycare: 82.4%;
- Ratio of children in homes with access to basic sanitation: 18.6%.

"These are some figures that show the diversity of context in our region. The Public Prosecutor's Office are doing their part, but we have our limits when political good will is lacking", she warned.

Rebeca Mendonça pointed out the progress made during the Regional Seminar. The first is the creation of the Handbook for Special Testimony by Children and Adolescents from Traditional Peoples and Communities, created by CNJ, which summarizes the settings that must be observed for the implementation of culturally adequate services (*more on page* 150). The Courts of Justice of Roraima and Amazonas were part of the CNJ working group to draft this handbook and the assessment regarding this issue. "After launching the handbook, we have taken 12 special depositions by indigenous children", she pointed out, quoting data from the 2nd District Court of Tabatinga/AM.

Judge Rebeca Mendonça also mentioned the Acolhendo Vidas (Welcoming Lives) program, by the Court of Justice of Amazonas (TJAM), whose goal is to decrease situations of neglect and the irregular and illegal delivery of babies to third parties, preventing the child from being placed in risky situations. "It is not up to us to judge the mother, only to shelter her", the speaker summed up. From 2013 to 2022, 105 women were assisted through this program and half of them have given the child for adoption, by having felt welcomed and supported to pursue motherhood.

The TJAM's other initiative is a program called Protegendo Filhos – Transformando Vidas (Protecting Children – Transforming Lives). Its purpose is



Participants of the North Region seminar: National Pact for Early Childhood to ensure compliance with the rights of children and adolescents, sons and daughters of women deprived of liberty, with the goal of achieving full child and youth development. Launched after the seminar, in 2019, it has served 171 children and adolescents up to April 2022.

Also, by initiative of TJAM, the Restitua Amor (Restitute Love) campaign is designed to raise awareness among citizens to earmark part of

the amount due to national, state, or municipal/district tax funds for childhood and adolescence on their income tax declarations. The project was launched in April 2022.

Furthermore, Amazonas pioneered the creation of the Amazon Early Childhood Program in the North Region, in 2016, soon after the enactment of Law n. 13.257/2016.

In Roraima, the *Primeiros Passos* (First Steps) program was launched, devised by the TJRR, on the basis of the Legal Framework for Early Childhood. The program's objectives are improving quality of life for pregnant and parenting magistrates and servers, and promoting responsible parenting, by strengthening the bonds between the child and the family, particularly mothers.

The Família que Acolhe (Welcoming Family) program, implemented in Boa Vista/RR, is designed to encourage the holistic development of children, strengthen the bonds of stability and affection between families, and disseminate the benefits of reading. A total of 23.000 pregnancies have been screened since 2014, and the project featured 6.600 active beneficiaries

at the time of the national seminar.

Other programs in Roraima geared towards Early Childhood:

- Colo de Mãe (Mother's Heart) Project targeting 2 and 3 year old children;
- Brincar e Sonhar (Play and Dream) Project for children from 1 to 6 years old;
- Criança Feliz (Happy Child) Program;
- Bolsa Família Child Program (cash restitution program for children) - children up to 3 years old;
- Programa de Benefício de Prestação Continuada (Continuous Cash Benefit Program) children up to 6 years old;
- Project for the prevention of the abusive use of alcohol and other drugs, with continued preventive activities in schools for children and adolescents of all ages.
- On account of its programs, Boa Vista/RR is known as the capital of Early Childhood in the North Region. The city joined the National Pact for Early Childhood and is involved in several projects devoted to Early Childhood:
- Negotiations for drafting a Municipal Plan for Early Childhood;
- Family Literacy Program in the Criança Feliz Program;
- Family Visitation in the Família que Acolhe (Welcoming Family) and Criança Feliz programs;
- Creation of the Municipal Early Childhood Policy Steering Committee.



The seminar took place in Manaus in September 2019



A cultural presentation given by children from the North Region at the conclusion of the seminar In Tocantins, meanwhile, an administrative management procedure on monitoring the Federated state public policy for Early Childhood was created. The goal here is to supervise this public policy, which is being discussed by the State Committee for Early Childhood and deliver technical support to the Municipal Prosecutors to draft municipal plans for Early Childhood. Launched in March 2022, the project is run by

the Center of Operational Support to Prosecutors who work with children and adolescents and with education.

Progress in the North Region includes

- Declare seu amor (Declare your Love) Program, by the Court of Justice
 of Rondônia, with support from CNJ, for income tax deductions on donations made to municipal, state and national funds for the rights of
 children and adolescents;
- Primeira Infância Manauara (Earliest Manauara Childhood) and Primeira Infância Acreana (Earliest Acre Childhood) Programs;
- Cross-sectoral State Steering Committee of the Early Childhood Programs in Acre;
- Programa Primeira Infância Acreana (PIA), with joint initiatives involving state coordinating bodies, partnerships, and municipal Departments;
- The Mês da Primeira Infância (Early Childhood Month) project, in Amapá, which is an initiative of the Ministry of Citizenship through the National Department for Early Childhood;
- Criança Feliz Project in Amapá and the creation, in 2020, of the Parliamentary Front for Early Childhood in the state Congress the first one in the North Region.

Challenges

- Resuming the work of the state and municipal committees in the post-pandemic scenario, besides the work of state and municipal committees in the post-pandemic scenario, and the preparation of state and municipal policies for Early Childhood;
- Strengthening the Rights Assurance System, with more training;
- Implementation of the Família Acolhedora (Welcoming Family) program, especially in the countryside of the Northern Region;
- Decrease in the rates of violence against children;
- Implementing Special Testimony in every Court, including children and teenagers from the Traditional Peoples and Communities.

"The regional seminar was the first milestone of the Legal Framework for Early Childhood in the North Region, regarding the participation of the Justice System and the kick-off for meeting the interinstitutional integration challenge", the judge concluded.

The seminar was attended by 430 participants. Many relevant issues were addressed, such as the importance of public policies to protect and foster the development of children in Early Childhood and the challenges of introducing and expanding the foster care service in the North Region of Brazil.

Many best practices examples were shown. The role of Foster Care Services in Adoption was also addressed and an example of the contribution of Restorative Justice to the creation of a Foster Family Service, in Pará, was shared, in addition to the local operations of international agencies, such as the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), and the UN Refugee Agency (UNHCR).

When presenting the scenario of different childhoods in Brazil, the coordinator for the Amazon Territory at UNICEF Brazil, Anyoli Sanabria, spoke about the five main challenges for Early Childhood in the North and emphasized five strategic axes for the success of public policies for Early Childhood: leadership and investment, focus on families and communities, strengthening services, monitoring progress, and using data to innovate.

An analogy between the issues she outlined and the initiatives that have been planned within the *Justice Begins in Childhood* project is possible: focusing on families and understanding the family environment, with particular care given to traditional peoples and communities, seminars, training courses, workshops, and other activities. to traditional peoples and communities, in addition to seminars, training courses, research and assessments to map out the current situation of Early Childhood development and suggest measures to ensure its full protection. These initiatives have already reached the Justice System all over Brazil and produced results.

SOUTHEAST REGION

Held in São Paulo, on December 2 and 3, 2019, as an in-person event at the auditorium of the University of São Paulo Law School, the Southeast Region Seminar of the National Pact for Early Childhood garnered approximately one thousand participants.



Opening ceremony of the Southeast Region Seminar: National Pact for Early Childhood

See the full program here



Judge Raquel Chrispino from the Court of Justice of the State of Rio de Janeiro summarized the regional scenario for the national meeting in April 2022. According to IBGE numbers from 2020, the region's federated states - Espírito Santo, Minas Gerais, Rio de Janeiro, and São Paulo - have almost 90 million inhabitants, out of which 2.9 million are children up to 4 years old.

She mentioned a number of challenges, according to Observa data:

- Estimated birth under-registration: 1%;
- Ratio of children up to 5 years in poverty household status: 36.2%;
- Number of children in foster care: 3,984;
- Ratio of children up to 3 years who are not in the the school system: 57.6%:
- Prevalence rate of congenital syphilis, for every thousand children: 9.5.

Judge Chrispino presented some historical milestones for the Southeast Region, since the 1990s:

- 2013: Law n. 6.381/2013, which determines that schools must inform MPRJ of paternal under-registration;
- 2015-2017: The Center for Popular Image Creation (Cecip-RJ) coordinates the National Early Childhood Network at the time of the approval of the Legal Framework for Early Childhood;
- 2016: TJRJ's Strategic Project the Appreciation of Early Childhood and expansion of the Judiciary's Baby Week to the entire state;

- 2017: The Rights Assurance System for Children and Adolescents of the TJSP wins a Best Practices award.
- 2018-2021: Terra dos Homens (Man's Land) Brazilian Association implements the Connections Project;
- 2019: TJRJ's Committee for the appreciation of Early Childhood;
- 2019: Graduate course on Children, Adolescents and Families, of MPRJ.

During the Southeast Region seminar, 20 workshops were convened. The debates addressed various sensitive topics in the region, such as the need to improve the Justice System for protecting Early Childhood, and the need to enforce the right to house arrest to ensure family interaction between children and parents deprived of liberty. The appreciation of parenthood, issues of children and adolescents who



Workshop session at the Southeast Region seminar: National Pact for Early Childhood

are homeless, and child development strategies in the context of foster care were also discussed.

The significance of civil society participation in the Judiciary was the subject of Pedro Hartung's presentation. He is a lawyer and coordinates Absolute Priority and Children and Consumption programs at the Alana Institute. Hartung spoke about the fundamental right to absolute priority and laid out several advances in legislation.

He also mentioned the value of shared responsibility and collaboration among federative entities, besides the need for monitoring, data collection and evaluation of public policies for Early Childhood policy management and design. Hartung also emphasized the importance of training practitioners and agents of the Justice System, in addition to encouraging cross-sectorality - aspects widely addressed in the project Justice Begins in Childhood.

The debates brought discussions on:

• The need to bring together the Courts of Justice and the Single System of Social Assistance;

- A cross-cutting theme: violence against children's rights;
- Internal coordination among areas of the Courts of Justice;
- Delivering care to children whose parents are deprived of liberty;
- The right to full identity and to know one's own origin;
- Difficulties in promoting cross-sectorality.

"If I had to summarize the Legal Framework for Early Childhood into a single word, it would be cross-sectorality, because there is no way of caring for Early Childhood without adopting a cross-sectoral stance," Judge Raquel Chrispino said.

Vital Didonet, who holds a master degree in education and is a founding member of the National Early Childhood Network (RNPI), was among the participants of the Southeast Region seminar. In his opinion, sharing knowledge is the National Pact's most valuable asset. "Those who work in monitoring public policies, like us, for instance, knew very little about the complexity of the issues affecting the Justice environment. The Pact's initiatives brought us closer to this reality: we could finally grasp the issues we are dealing with. This pooling of experiences and mutual assistance shows that non-governmental organizations and civil society have reached a good level of political maturity, acting together, in coordinate fashion", Didonet claimed.



Psychologist Eliana Olinda and judges Raquel Chrispino and Sérgio Ribeiro, from TJRJ, receiving an award from judge Lívia Marques, CNJ

Selected best practices

The Southeast Region seminar also included an award ceremony for the best practices selected within the scope of the Justice Begins in Childhood project.

The three best practices in each category and honorable mentions were disseminated in events, training sessions and discussion forums spon-

sored by the CNJ (read more about the awarded best practices on page 163).

At the award ceremony, Judge Richard Pae Kim, CNJ councilor, mentioned the transformative power of these initiatives: "On the one hand, if it is true that extreme poverty - combined with violence and lack of

care, whether from family, the State or society - still causes irreparable damage to many citizens, on the other, it is also true that many fine Brazilians are working with love and devotion to change this cruel scenario of neglect. May we all be inspired by these valiant Brazilians."

National Pact for Early Childhood: main breakthroughs

Espírito Santo

- Law n. 10.964/2018: establishes the Integrated State Policy for Early Childhood of Espírito Santo, drawn up in collaboration with the Justice System;
- Happy Child Program, designed with strong cross-sectoral coordination;
- Vale Cuidar (It's worth caring) Program, providing training on children's playfulness, in partnership with IPA Brazil;
- Conclusion of a cooperation agreement, signed in October 2021, addressing Vitória's Early Childhood Citizen Plan.

G. Dettmar/Agência C

Jane Valente receives an honorable mention for the Campineira Early Childhood Plan from Cesira Jardim. In the background, the National Secretary for Family, Angela Gandra.

Minas Gerais

- Expansion of Family Foster Care Services;
- Safe Delivery for Adoption Program (TJMG);
- Training on Early Childhood with support from the Vale Cuidar program;
- The Juiz de Fora Network joins the National Pact for Early Childhood.

Rio de Janeiro

- Law 9.503/2021: creates the State Policy for Early Childhood;
- Amparando Filhos (Supporting Children) Project: monitoring children
 of women deprived of their liberty in Brazil: activities in custody hearings are planned to start in 2022;

- Working Group on Violence in Early Childhood: conversation circles with the participation of the Court of Justice;
- 'Born Legal' Project MPRJ and partners.

São Paulo

- Creation of the Parliamentary Front for Early Childhood in ALSP in 2019;
- Law n. 17.347/21: introduces the State Policy for Early Childhood of São Paulo;
- Afeto na Infância (Afin) Program, which fosters the drafting and approval of the Early Childhood Municipal Law in Nova Odessa/SP (Law n. 3.476/2021);
- Fiesp Program for Early Childhood;
- Maternity in the Streets Program (USP Law School);
- Campineira Early Childhood Plan (PIC).

State and Municipal Early Childhood Plans

- Espírito Santo: State Plan and Municipal Plans in Vitória and Vila Velha;
- Minas Gerais: Municipal Plan in Jequitinhonha;
- Rio de Janeiro: Municipal Plans in Rio de Janeiro, Angra dos Reis, Nova Iguaçu and São João de Meriti:
- São Paulo: Municipal Plans in Barueri, Campinas, Registro, Santos, São Paulo and Sorocaba.

NORTHEAST REGION

The Northeast Region Seminar of the National Pact for Early Childhood was held on April 18 and 19, 2021, in virtual format, and broadcast by CNJ's channel on YouTube. Panels and workshops addressing multiple viewpoints were convened during the event on the Legal Framework and the National Pact's breakthroughs.

Public policies, birth under-registration, parenting, food security, foster care, family reintegration, adoption and the importance of family interaction between children and parents deprived of liberty were among the topics discussed. The event's program also included other subjects such as the fight against violence, the municipal and federated state plans for Early Childhood, and the guarantee of access to public policies for children up to 6 years.

In April 2022, during the northeast edition of the national seminar, judge Fátima Pirauá from the Court of Justice of Alagoas, also vice-president of the College of Coordinators of the Brazilian Juvenile Courts of Justice, highlighted the most relevant aspects of the meeting and spoke of programs and breakthroughs in the federated states.

The two-day seminar saw over 4.7 thousand registrations and 15 thousand views. Justice Luiz Fux, president of the STF and CNJ, attended the meeting along with other authorities. All in all, 94 institutions joined the

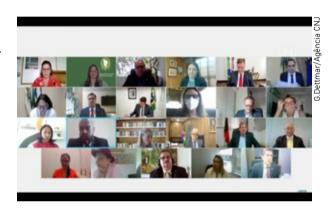
National Pact for Early Childhood during the seminar, including all federated state governments of the Northeast region and Courts of Justice, the Federal Universities of Alagoas and Rio Grande do Norte, and other relevant civil society institutions and actors in the justice system.

The Early Childhood in Times of Covid workshop had the highest number of views - 2,8 thou-

sand. The panorama of imprisoned mothers in Brazil was the object of another workshop. "We need to focus our attention on these children, who cannot abruptly lose their parents, which alas happens quite often. Judges, public defenders, public prosecutors, we all need to adopt a different perspective when mothers of children in Early Childhood are imprisoned", mentioned Judge Fátima Pirauá, vice-president of the College of Coordinators of the Brazilian Juvenile Courts of Justice.

Several additional topics were discussed, such as the right to family life, the Early Childhood plans of states and municipalities, as well as the cross-sectorality of the protection network, food and nutritional security, Early Childhood education, and the enhancement of parenting through family support.

"We need to overcome many obstacles. I wish to mention the issue of cross-sectorality, which we experience at daily work. The entire protection network and managers need to be engaged in Early Childhood care," mentioned Fatima Pirauá, while pointing out the high rate of judicializa-



Opening session of National Pact for Early Childhood Seminar -Northeast Region

See the full program here



tion of health and education issues in the region. "We need initiatives that reinforce the actions of the Justice System and managers to ensure that public policies provide care for Early Childhood," she concluded.

Judge Fátima Pirauá presented some indicators pointed out by Observa:

- Ratio of children up to 5 years old in poverty household status: 69.2%;
- Number of children in foster care: 1,320;
- Ratio of children up to 5 years old attending child education centers: daycare 31.3%/ preschool 95.8%;
- Ratio of children up to 3 years old who are not in the school system: daycare 68.7%/ preschool
 1.5%;
- Vaccine coverage ratio: 67.9%;
- Infant mortality rate, for every 100,000 live births: 15.8;
- Oral health coverage: 74.5%;
- Guardianship council coverage: 99.1%.

"If children and adolescents are an absolute priority, children in early childhood are an absolute priority too," said the judge. "If you lack resources for public policies aimed at children in Early Childhood, you lack resources for anything else," she emphasized, stressing that the allocation of resources for Early Childhood is not a liability, but an investment.

Progress

- Cross-sectoral committees and plans implemented in almost all the states;
- Broad coverage of the Happy Child Program;
- Mãe Coruja Pernambucana (Loving Pernambucan Mother) Program;
- Cresça com seu Filho (Grow with your child) and Mais Infância (More Childhood) Ceará/CE programs; Sergipe Program for Early Childhood;
- Familiarize Program (TJSE);
- Early Childhood-Friendly Center (Uapi), launched in Fortaleza/CE;
- Working Group for Confronting Racial Inequality (TJBA);
- TJMA's exemplary handling of under-registration;

- Integration of the Single System of Social Assistance (Suas) with the Paternity Program in Pernambuco;
- Indicators for monitoring budget allocated to Early Childhood, by the Court of Audit of Alagoas State.
- tions of the Pact for Early Childhood in Alagoas:
- · Technical capacity building in local municipalities;
- Capacity building and mobilization of public agents in children and youth care network;
- Monitoring and participation in projects related to Early Childhood, such as: Alagoas' Child Program (Alagoas' government), Foster Family (SUAS/municipalities), Conscious Mother, and Center for Promoting Parenthood (TJAL).

Created 14 years ago, the Center for Promoting Parenthood, sponsored by the Court of Justice of the State of Alagoas (TJAL), plays a significant role in the acknowledgement of paternity claims. The project ensures that all the registries of the state of Alagoas notify under-registrations to the center. Under-registration occurs when the child's register specifies only the mother's name. Later, mothers are contacted and asked whether they are able to specify the identity of the alleged fathers, who can then choose to acknowledge paternity or take a DNA test.

SOUTH REGION

The National Pact for Early Childhood Seminar - South Region was held on August 19 and 20, 2021. The virtual meeting was broadcast by the CNJ channel on YouTube.

The event had 2,433 registrations and approximately 10 thousand views, and was attended by

several officials. During the event, 64 entities joined the National Pact for Early Childhood, including all the actors of the Justice System, State













Opening session of the National Pact for Early Childhood Seminar - South Region

Governments and Federal Universities of the South Region. The Labor Prosecutor's Office and the Ministry of Economy also joined the pact.



Minister of Economy, Paulo Guedes During the opening session, Justice Luiz Fux, president of the STF and CNJ, stressed that investment in Early Childhood is the basis for a more prosperous society. "Offering favorable circumstances for early childhood development is not only a way of guaranteeing the fundamental rights of all children, but also the best investment a nation can make for its own development," he argued. "Investing in early

childhood is the best strategy for building a stronger, healthier, and more prosperous society," Fux said.

"In order to grow, mature, and learn in a healthy and unfettered way, every child has the right to an array of care services including family planning, prenatal care, humanized childbirth, after-birth care, breast-feeding, food, housing, play, protected environment, early childhood education, and even access to justice," Justice Fux listed.



Justice Maria Thereza de Assis Moura In his speech, Justice Luiz Fux addressed the significance of the Legal Framework for Early Childhood in establishing principles and guidelines that take children as subjects of law. "The concrete implementation of our legislation requires that we act together, each according to their dimension and competence. This is the reason why we established the National Pact for Early Childhood," Fux concluded.

Justice Maria Thereza de Assis Moura focused on the importance of prioritizing Early Childhood. "There is no way of improving judicial activity, creating judicial policies, and guaranteeing the continuity of justice services to society without keeping an eye on Early Childhood," Justice Moura said.

"To guarantee and monitor the performance of judicial activity is a primary task of the National Inspector General's Office, especially when faced with situations that aggravate the socio-economic vulnerabilities to which millions of children and adolescents and their families are subject", Moura acknowledged. "This somber reality requires efficient and quick actions from the Justice System to ensure the effectiveness of the absolute priority proviso established in Article 227 of our Constitution," the National Inspector of Justice claimed.

During the seminar, the Ministry of Economy adhered to the pact. Decree n. 10.770/2021 was then published, establishing the Crosscutting and Multisectoral Early Childhood Agenda to help regulate the inclusion of early childhood in the Multi-Year Plan (PPA). "We need to make a commitment to future generations," said the Minister of Economy, Paulo Guedes, as he highlighted the inclusion of priority actions to protect Early Childhood in the 2020-2023 Multi-Year Plan. He also stressed the significance of a presidential decree introducing the Early Childhood agenda, consisting of decentralized public policy actions to be implemented by state and

municipal governments. "As we joined the National Pact for Early Childhood, we made a commitment to Early Childhood, to the future, to tomorrow," he summarized.

"The most profitable investments a society can make are precisly the investments concerning children from 0 to 6 years old, leading to a better cognitive, social, affective, and protective envi-

ronment for their individual development," Guedes noted.

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Humberto Martins, President of STJ

Justice Humberto Martins, President of the Superior Court of Justice (STJ) and of the Federal Justice Council (CJF), also took part in the event. "All of us - public and private institutions, governmental and non-governmental organizations, and civil society - need to be aware of our individual and collective duty to safeguard and protect our boys and girls, who are the future of the nation," he added. "It is at the time of Early

See the full program here





Panel 1 of the National Pact for Early Childhood Seminar - South Region Childhood, marked by human characteristics and needs, that the identity, personality, and psychic structure of today's children and tomorrow's adults take root," he concluded.

Andreia Paz Rodrigues, public defender and head of the Center for the Defense of Children and Adolescents at the Public Defender's Office of the State of Rio Grande do Sul, presented

data from the South Region during the Seminar on the National Pact's results, in April 2022.

Early Childhood Indicators in the South Region

- Ratio of children up to 5 years in poverty household status: 27.1%;
- Ratio of children up to 5 years who benefit from the Bolsa Família Program: 61.4%;
- Number of children in foster care: 2,205;
- Ratio of children up to 3 years out of daycare: 56.7%;
- Ratio of enrolled children in Early Childhood education centers without accessibility: daycare 47.4%/pre-school 37.2%;
- Ratio of children in homes with access to basic sanitation: 64.3%.

Andreia Paz Rodrigues presented a series of historical highlights of actions and programs in the South region aimed at defending children's rights, starting from the 1980s. Some of these have become shining examples for other Brazilian states and for the whole country:

- Since 2000: "Baby Week" (Canela/RS);
- Since 2003: Primeira Infância Melhor (Better Early Childhood) PIM-RS;
- Since 2016: "University of the Child" (Dep. Leandre dal Ponte and Secretary of Education of Chopinzinho/PR);
- Since 2017: Multiplication of Foster Families (TJPR);
- Since 2017: Zilda Arns Award for Early Childhood (Forquilhinha/SC).

Main innovations in the framework of the National Pact for Early Childhood

Public Defender's Office of Rio Grande do Sul

- Group care teams: "Father? Here!" paternity recognition and DNA tests;
- 'Group care teams: vacancies in Early Childhood education schools around 1,400 families have already registered for the service in Porto Alegre.

Public Defender's Office of Paraná

- Establishment of a procedure to monitor and promote access to Early Childhood education in Paraná's main urban centers;
- Helping vulnerable families overcome obstacles to health services aimed at children in Early Childhood.

Court of Justice of Rio Grande do Sul - TJRS

- Organizing an annual Seminar for Early Childhood, in conjunction with the training of public officers;
- Pioneering interventions focused on training prospective adoptive families and respecting the right of origin of adopted people.

Court of Justice of Paraná - TJPR

- Adherence to the Safe Childhood Pact and implementation of the Safe Childhood Task Force (Fortis);
- Creation of the Inter-Institutional Protective and Social-Educational Committees;
- Conclusion of the cooperation term and action plan for the Single Platform;
- Conclusion of a cooperation term with Instituto Mundo Melhor (Better World Institute)

Federal University of Santa Catarina - UFSC

- The subject Child and Adolescent Law becomes mandatory;
- Large academic output, including physical books and especially free e-books to disseminate children's rights;
- Best practices in outreach activities, such as courses, projects and research groups.

The public defender cited other breakthroughs in the South Region related the Pact, such as the creation of cross-sectoral committees in the region's three states, the preparation of state plans for Early Childhood, and the increase in the number of municipal plans. Andreia Paz Rodrigues also mentioned the increase of projects from the Boards for the Rights of Children and Adolescents focused on Early Childhood and increased sensitization of foster families.

"It is important that we think about moving forward with regard to childhood, cross-sectorally" the public defender said, while drawing attention to local regional challenges.

Challenges

- Establishing cross-sectoral committees and preparing the Municipal Plans for Early Childhood;
- Financing family childcare services;
- Offering vacancies in Early Childhood education;
- Expanding access to neonatal screening tests (Guthrie test);
- Overcoming the impacts of the covid-19 pandemic;
- Increasing the number of monitors in classrooms, in the context of care provision for children with disabilities or autism.

Ten workshops were held over the two-day regional seminar, dealing with important issues such as the acknowledgement of paternity and the eradication of under-registration, Early Childhood education, and the challenge to expand access to provisions while maintaining their quality.

Protecting and promoting development in contexts of breakdown of family ties, foster care, family reintegration, or adoption was also the subject of one of the workshops. In Brazil, there are 29,259 fostered children and adolescents, according to SNA data. Monitoring these situations and implementing mechanisms that mitigate possible traumas arising thereof is vital to ensure that these children grow up healthy. The appreciation of the family, the reorganization of foster care networks, and a view of adoption centered on the interests of the child and the adolescent were among the issues addressed during the discussion.

The integration and sustainability of public policies for Early Childhood were the object of another debate, which dealt, among other aspects, with government planning, budgetary issues, integrality, and cross-sectorality in legislation.

Unicef Brazil's social policy expert, Santiago Varella, participated in this workshop. "Global evidence shows that public spending on children is a smart investment, because when governments

invest in children, health indicators improve, income increases, and economies grow in more cohesive societies," he said. Thus, UNICEF works to address the challenges of public finance management. "Our agenda includes continuous priority mobilization of Early Childhood in budget laws, in addition to discussing the crosscutting and multi-sectoral agenda for Early Childhood," Varella concluded.

The workshops also brought examples of best practices within the framework of the National Pact for Early Childhood, among which the project 1000 *days* to *change an entire life*, developed by the City Hall of Colinas/RS.



Meeting Project planning for the National Pact for Early Childhood training courses

Cross-sectoral training

Training staff from the Justice System and from the Rights Assurance System for Children and Adolescents is one of the pillars of the Justice Begins in Childhood project. This helps participants from many areas to strengthen their competencies to protect, foster, and guarantee the rights of children up to 6 years of age in an increasingly effective, expeditious, and successful way.

Early Childhood is the most sensitive moment in life, in which the human being's affective, physical, cognitive, social interaction and citizenship values are shaped. Given the importance of attention to several aspects, it is essential to train staff on many issues and on networking strategies to safeguard children's rights at this point in time.

Ensuring qualification of practitioners is a key aspect of delivering the quality interventions required to guarantee these rights as laid down by law. The right of practitioners to training is emphasized in the Legal Framework for Early Childhood and this initiative from the National Pact for Early Childhood sought to guarantee this right.

The courses that were planned in the project and then offered to technical teams from the protection network and to legal practitioners focus on humane, scientifically determined procedures, designed for the care and holistic development of children up to 6 years of age. Practitioners from diverse areas learn about and have access to a range of public policies that were created since the Legal Framework for Early Childhood was enacted. Sometimes such policies are yet to be implemented in municipalities. Additionally, training fosters networking strengthening and encourages joint training for practitioners from different sectors.

The Center for Training and Education for Public Servants of the Judiciary (CEAJUD/CNJ), under the National Justice Council set up a steering committee in May 2019 to ensure implementation would comply with the National Pact. This committee consisted of CNJ representatives and other parties to the Pact that volunteered to participate, including: ABRAMINJ, ANDI, the College of Coordinators of the Brazilian Juvenile Courts of Justice, Condege, the Parliamentary Front for Early

Childhood, FONAJUP, the Ministry of Citizenship, Ministry of Education, Ministry for Women, Family and Human Rights, the Alana Institute, the National Early Childhood Network and Unicef. These institutions contributed suggestions for training content, designed the training and took part in tutoring activities.

Training was offered in two modalities: a course for participants from the Justice System, for 1.5 thousand legal practitioners and technical teams,

and a course for all practitioners in the Rights Assurance System for Children and Adolescents (SGD), for 22 thousand participants. Training was delivered between 2019 and 2021, with over 23.5 thousand enrollments.

Bruno Paixão, a civil servant at the Federal District Department of Social Assistance, took the course on the SGD, Legal Framework for Early Childhood, in 2020. He describes training as complete and in-depth. "The program content is quite intense and this is important, because the student does not work with superficial debates, but rather deep, reflective, and practical work," he emphasizes. "We took many issues from the course and applied them in our daily lives," Paixão believes.

He decided to take the course due to the covid-19 pandemic context. "I was motivated to enroll because of the possibility of updating concepts and recontextualizing the implemen-

Art. 10: Practitioners that work in environments where policies and programs for children in Early Childhood are implemented will enjoy guaranteed and priority access to training, via specialization and refresher courses, in programs that work with the specificity of Early Childhood, cross-sectoral strategies to foster holistic development, and the prevention and protection from all forms of violence against children, among other issues.

Legal Framework for Early Childhood (Law n. 13.257/2016)

tation of public policies and legal frameworks for Early Childhood. This would, in fact, establish an agenda that guarantees the rights of Early Childhood in the DF from a social development perspective," he complemented.

Juliana Mara Gomes Nogueira, a pediatric dentist at the Superior Court of Justice (STJ) who also took the course in 2020, is interested in laws that focused on children, and attended events fostered by the National Pact for Early Childhood. "I expect to improve my resumé, bolster my work as a public servant broadly and actually help foster Early Childhood development," said Juliana. "We need to work with parenting to achieve a less violent and more developed society," she stated.

In light of the importance of qualifying the persons in charge of implementing laws and policies for Early Childhood, delivering training for judges, prosecutors, public defenders, lawyers, police deputies, technicians, public servants, psychologists, social workers, guardianship councelors and rights councilors (among others) from all over Brazil was a cornerstone of the National Pact for Early Childhood Seminar: achievements and breakthroughs of the Justice Begins in Childhood project, in April 2022. A plenary panel was entirely dedicated to the issue of Impacts of Training: Action Plans by Justice System Members for the Implementation of the Legal Framework for Early Childhood, and other advances.

Project planning meeting for the training courses



COURSE 1 LEGAL FRAMEWORK FOR EARLY CHILDHOOD

Originally called Legal Framework for Early Childhood for All, the Legal Framework for Early Childhood course was designed for psychologists, educators, social workers, guardianship councelors, rights councilors, and Public Officers who work with Early Childhood in many areas. It is open to all interested parties.

The topics addressed during this course include an overview of Brazilian childhoods, the history of advances in legislation and scientific knowledge about human development in Early Childhood, priority areas for holistic care in Early Childhood, national public policies for Health, Social Assistance, Education, and Human Rights, concepts and examples of cross-sectoral policies and networking, financing of public policies, municipal plans for Early Childhood, and protective measures in light of the Legal Framework for Early Childhood, including access to Early Childhood education, institutional shelters or foster families, criteria for removing children from their parents, care for children whose mothers are deprived of freedom and adoption in the context of the right to family and community life, challenges and prospects for participation of the Judiciary, the Public Defender's Office and the Public Prosecutor's Office in the Early Childhood protection network, interactions between Restorative Justice and Early Childhood, Nonviolent Communication, Leadership, and Training of Trainers.

The goal is to achieve effective legislation implementation, escalating the number of activities that target Early Childhood, increasing practitioners' awareness of their responsibilities and the full delivery of integrated, quality care with stringent technical requirements, personalized reception and an understanding of each child and its specificities. Strengthening the integration between services and giving support for families to exercise parenting are key.

Initially, this course would offer 22,000 places with tutoring. An open bidding process hired an institution to develop and offer the course; however, adaptations were necessary during design and the training was instead offered via the CNJ platform as a self-instructional course without tutoring.

The large number of programmatic contents for a complex and multidisciplinary topic led to splitting the course into modules, called tracks. The current version features a 45 class-hour main track – the Legal Framework for Early Childhood, Science, and Public Policy – which is composed of four units that are common to all students. The elective tracks are 15 class hours each. Students can choose one of the elective tracks, totaling 60 hours of training.

MAIN TRACK

UNIT I: LEGISLATIVE, SCIENTIFIC, AND PUBLIC POLICY ADVANCES FOR EARLY CHILDHOOD

Class 1 - Introduction to the Legal Framework for Early Childhood:

Class 2 - Scientific Foundations of Human Development and Early Childhood Neuroscience;

Class 3 – Overview of childhood in Brazil: socio-economic and cultural data;

Class 4 - Why invest in Early Childhood;

Class 5 - The situation of parenting in Brazil: context, impact and perspectives;

Class 6 - The importance of support for parenting.

UNIT II: PRIORITY AREAS FOR FOSTERING HOLISTIC EARLY CHILDHOOD DEVELOPMENT

Class 7.1 - The priority areas of the Legal Framework for Early Childhood - Part I;

Class 7.2 - The priority areas of the Legal Framework for Early Childhood - Part II.

UNIT III: NATIONAL PUBLIC POLICIES FOR EARLY CHILDHOOD

Class 8.1 - National Health Policies;

Class 8.2 - National Social Assistance and Citizenship Policies:

Class 8.3 - National Education Policies:

Class 8.4 - National Human Rights Policies.

UNIT IV: STRATEGIES FOR HOLISTICATTENTION AND SUSTAINABILITY

Class 9 - The challenge of intersectionality: gender, disability, income, and racial-ethnic markers in the aggravation of Early Childhood vulnerability.

Class 10 - Cross-sectoral policies: integrated care as a strategy to foster holistic development;

Class 11 - Financing Early Childhood policies;

Class 12 - The Municipal Early Childhood Plan: from awareness of its importance to drafting and implementation.

ELECTIVE TRACKS

RIGHTS ASSURANCE TRACK: RIGHTS ASSUREM SYSTEM FOR CHILDREN AND ADOLESCENTS AND JUSTICE SYSTEM SPECIFICITIES REGARDING EARLY CHILDHOOD CARE:

RESTORATIVE JUSTICE TRACK: RESTORATIVE JUSTICE AND EARLY CHILDHOOD;

PROTECTIVE MEASURES TRACK: PROTECTIVE MEASURES IN SITUATIONS OF

RISK AND VULNERABILITY (ACCESS TO EDUCATION AND SHELTER);

ADOPTION TRACK: ADOPTION CENTERED ON THE CHILD'S BEST INTERESTS;

DEPRIVATION OF LIBERTY TRACK: EARLY CHILDHOOD FOR CHILDREN

WHOSE MOTHERS/FATHERS ARE DEPRIVED OF LIBERTY;

LEADERSHIP TRACK: ADAPTIVE LEADERSHIP, NONVIOLENT COMMUNICATION,

TEAM MANAGEMENT, AND TRAINING OF TRAINERS.

Geographical distribution of enrollment

Northeast: 18%;

North: 10%;

South: 20%;

Southeast: 29%;

Midwest: 23%.

Results

- 11,000 places were on offer. 7,900 people registered for the tutored version of the course;
- In the current version self-instructional, distance learning 22,000 places were on offer;
- Classes graduated in 2020, 2021 and 2022;
- The course may be shared with the parties to the National Pact for Early Childhood, for replication purposes on their e-platforms to reach a larger number of people.

COURSE 2 THE LEGAL FRAMEWORK FOR EARLY CHILDHOOD AND ITS LEGAL CONSEQUENCES

The Legal Framework for Early Childhood and its Legal Consequences course is designed for legal practitioners - judges, prosecutors, public defenders, lawyers, police deputies, civil police officers, and employees from the Courts of Justice and Public Security psychosocial teams.

It was designed to help understand the psychological, social, legal, administrative, and procedural rules that ensure full development for children up to six years of age, in light of the criteria, guidelines, and principles set forth in the Federal Constitution, the Statute of the Child and Adolescent, and the Legal Framework for Early Childhood; recognizing their importance and the challenges in applying such rules, and discerning how the network of services that protect children and adolescents works.

The course on offer was designed as hybrid-education. Two in-person days with dynamics and simulations were complemented by distance education with tutoring. This configuration was on offer in São Paulo, Rio de Janeiro, Espírito Santo, Tocantins, and Rio Grande do Sul. Subsequently,

due to the covid-19 pandemic and the interruption of face-to-face events, it was adapted to a fully distance-learning modality.

The course was designed in partnership with the Escola Nacional de Formação e Aperfeiçoamento de Magistrados (National School for Training and Improvement of Magistrates) (Enfam), which is also accredited for the purposes of work promotion and life tenure of magistrates. Enfam is the official training body for Brazilian Trial Judges and Federal Judges.

Firstly, the competencies needed to put the Legal Framework for Early Childhood into practice were mapped out, in response to the challenge of designing program contents for such a diverse audience, where emerging issues would not be familiar to all legal practitioners. Once the knowledge gaps that needed to be addressed were identified, the program contents were designed with collaboration of practitioners representing the parties to the National Pact for Early Childhood.

The parties to the Pact, especially the Justice System institutions, have spared no effort in contributing to all stages of training creation and implementation.

The course was divided into three parts and systematized into five modules:

- 1. Neuroscience and psychology;
- 2. Public policies;
- 3 Rights Assurance System.

PROGRAMMATIC CONTENTS

MODULE 1: HOLISTIC DEVELOPMENT AS A RIGHT IN EARLY CHILDHOOD:

INTERDISCIPLINARY AND SOCIOPOLITICAL CONTRIBUTIONS:

MODULE 2: CARE INTEGRATION AS A RIGHT: PARTICULARITIES OF EARLY CHILDHOOD

MODULE 3: THE ROLE OF THE JUSTICE SYSTEM IN THE EARLY CHILDHOOD PROTECTION

NETWORK: CHALLENGES FOR A HUMAN RIGHTS-BASED APPROACH

MODULE 4: PATHS TO GUARANTEEING THE BASIC RIGHT TO FAMILY LIFE IN THE CONTEXT OF INSTITUTIONAL OR FAMILY FOSTER CARE IN EARLY CHILDHOOD;

MODULE 5: HOLISTIC PROTECTION OF CHILDREN IN EARLY CHILDHOOD IN

THE CONTEXT OF THEIR PARENTS' DEPRIVATION OF LIBERTY

One of the challenges to course design lay in transforming theories into practice and imparting knowledge that could be applied in the different staff members' daily activities. Consequently, the program includes activities such as simulations of "concentrated hearings", in which the legal practitioners adopt roles that are different from their attributions. Judges, for example, can act as public defenders. Prosecutors may act as lawyers. Lawyers might act as judges. Accordingly, the opportunity to realize the importance of networking is presented in a systemic way.

Case studies were also presented, and discussion forums were held during the course.

In conclusion, participants were required to design an action plan based on the dynamics of the 'spiral of knowledge' format. The action plan always assumes real applicability to change and improve the situations at hand. By the end of training, the tutors chose the best action plans.

The ten best action plans were recorded as short videos, which are available on the CNJ website for possible implementation by practitioners from different areas. They represent proposals for action that strengthen the justice system and, above all, value children. These plans embrace different perspectives for each context and identify strategies to solve specific problems.

The plans show these legal practitioners' commitment with moving from theory to practice and denote increasing sensitivity, besides a motivation for networking and for using this knowledge in their work, finding the best way to guarantee the rights of children. These products are strategic for achievement of National Pact for Early Childhood goals.

In each action plan we find a description of:

- the current situation (problem situation);
- its integration with policies or programs related to Early Childhood;
- available resources;
- odies and sectors that are involved;
- a detailed solution:
 - 1. description of the solution and a justification for its choice as the best alternative to solve the problem situation;
 - 2. Activities when and who is responsible for them;
 - 3. Necessary resources financial, personnel, physical infrastructure, among others;
 - 4. Management of possible risks involved in implementing the plan which envisages the risks and the strategies to avoid or mitigate risks;

- 5. Expected results/impacts;
- 6. Multiplication of the action plan.

The ten best action plans

1. ACTION PLAN - PUBLIC POLICIES: THE ROLE OF THE RIGHTS ASSURANCE SYSTEM AND OF THE LEGAL FRAMEWORK OF EARLY CHILDHOOD

STUDENT: VALNICE SILVA DOS SANTOS

INSTITUTION: PUBLIC PROSECUTOR'S OFFICE OF THE STATE OF MATO GROSSO (MT)

Abstract:

The chosen problem situation is the ineffectiveness of public policies that directly impact Early Childhood and the role of the participants from the Rights Assurance System for Children and Adolescents.

To answer this issue, the Office of the Public Prosecutor, through the Office of the Prosecutor for Juvenile of Cuiabá, may issue an ordinance to effect four administrative procedures. This will allow the Office of the Juvenile Court Prosecutor to assess the current situation of public policies regarding health, education, and social assistance in the city of Cuiabá. Based on the preliminary information, it may issue a notification to the relevant municipal departments recommending the adoption of measures to remedy any irregularities and implement the public policies that may be lacking.

2. ACTION PLAN - MAPPING OUT CHILDREN AND FAMILIES AFFECTED BY CHILD LABOR IN ITS WORST FORMS (TIP LIST) SO THE RIGHTS ASSURANCE SYSTEM AND THE JUSTICE SYSTEM MAY UPDATE THE REGISTRY DATABASE, FOSTER EFFECTIVE RESPONSES TO PROTECT EARLY CHILDHOOD AND RESCUE ILLICIT CHILD LABORERS.

STUDENT: CAMILA CERONI SCARABELLI

INSTITUTION: REGIONAL LABOR COURT OF THE 15TH REGION

Abstract:

The problem situation shows that, according to the 2010 IBGE Demographic Census, 13,400 children and adolescents between the ages of 10 and 17 were active in the labor market in the Municipality of Campinas, São Paulo, out of which 1,900 were between the ages of 10 and 13. In other words, they were forced into early labor exploitation before the minimum age required by law for entry into the workforce. While Campinas has high rates of child labor as measured by the Pesquisa Nacional por Amostra de Domicílios Contínua (Continuous National Household Sample Survey) (PNADC/IBGE), few families are recorded in the Cadastro Único (Unified Registry) (CadÚnico) as having family members in child labor situations and/or rescued from child labor exploitation.

The solution proposal envisages correcting the CadÚnico's statistical distortions concerning municipal child labor indicators by rectifying data inconsistencies with PNADC/IBGE and by including data in CadÚnico. The Unified Registry, now outdated, does not meet its purposes, which include recording data on Early Childhood.

3. ACTION PLAN - STIMULATIVE TECHNIQUES FOR FOSTER CHILDREN AS A GUARANTEE OF RIGHTS (ESTIMUL@ÇÃO)

STUDENT: FERNANDA SOARES AGUIAR

INSTITUTION: COURT OF JUSTICE OF THE STATE OF SÃO PAULO, DISTRICT OF IBATÉ (SP)

Abstract:

The problem situation concerns the need to introduce new initiatives for the Reception Services (SAICAS), especially for children up to 2 years old, with the purpose of improving their development using stimulative techniques.

Studies show that institutionalized children, due to their lack of stimulation, tend to under develop in relation to their age group. To overcome this bottleneck, the action plan proposes a partnership with the Federal University of São Carlos (UFSCar) and the Department of Occupational Therapy to implement a project for stimulating institutionalized children (Estimul@ção).

4. ACTION PLAN - TERRITORY COLLECTIVES IN THE EARLY CHILDHOOD PROTECTION NETWORK IN LINHARES / ES

STUDENT: MIRELLA LOTERIO SIQUEIRA

INSTITUTION: TJES - 2ND SPECIALIZED COURT FOR JUVENILE IN LINHARES

Abstract:

Linhares is a midsize municipality in the state of Espírito Santo with a population estimate of 176,688 people (2020). The problem situation concerns the fact that along with urban development in Linhares came the growth of social inequalities, and the consequences of these inequalities are being felt by poor children and their families.

To encourage the permanent and systematic coordination of Early Childhood Protection Network institutions in Linhares, the project intends to implement "Territorial Collectives" for this network across the municipal area, distributed according to the seven existing Social Assistance Reference Centers (CRAS) territories, which will operate via regular meetings.

5. ACTION PLAN - INTERDISCIPLINARY TRAINING FOR PUBLIC DEFENDERS ABOUT EARLY CHILDHOOD

STUDENT: HÉLIA MARIA AMORIM SANTOS BARBOSA

INSTITUTION: PUBLIC DEFENDER'S OFFICE OF THE STATE OF BAHIA

Abstract:

The problem situation concerns the fact that the Legal Framework for Early Childhood is not included in the Higher School for Public Defenders' guidelines and programs, nor in their biennial activity plan. Information is insufficient.

The solution requires raising the awareness of Public Defenders regarding the intentions outlined in Law 13257/16, so they may realize the need to enforce legal measures to defend, protect, and foster the rights of children up to 6 years of age.

6. ACTION PLAN - PRELIMINARY JUSTIFICATION HEARING IN PROTECTIVE CUSTODY PROCEEDINGS

STUDENT: MABEL VIANA MACIEL

INSTITUTION: COURT OF JUSTICE OF THE STATE OF CEARÁ, 3RD VIJ OF FORTALEZA (CE)

Abstract:

The problem situation concerns the referral of children, particularly children in Early Childhood, into institutional care without prior cross-sectoral intervention of the protection network to protect their rights and enable the involved families to overcome their vulnerabilities and avoid further aggravation of their situation.

The suggested solution is to implement a procedural routine for a preliminary justification hearing in the institutional foster care protective measure proceedings for a qualified and comprehensive examination of the families' demands and vulnerabilities, to avoid the removal of children in Early Childhood from their homes, exempting any eventual rights violations.

7. ACTION PLAN - LOVING BOUNDARIES PROJECT: BUILDING SOCIOEMOTIONAL SKILLS AND PREVENTING INSTITUTIONAL FOSTER CARE OF CHILDREN

STUDENT: ANGELA REGINA URIO LISTON

INSTITUTION: COURT OF JUSTICE OF THE STATE OF PARANÁ, CONSIJ-CIJ-TJPR

Abstract:

The problem situation concerns the fact that assistance policies for vulnerable families and families at risk do not address the needs of these family groups sufficiently.

The action plan proposes a preventive and supportive measure for vulnerable and at-risk families sheltered by the *Centros de Referência Especializados de Assistência Social* (Specialized Reference Centers for Social Assistance) (CREAS) enrolled in the *Programa de Atendimento Especializado a Famílias e Indivíduos* (Specialized Care Program for Families and Individuals) (PAEFI), which is based on physical, psychological and negligence violence. This program focuses on educating fathers, mothers, and caregivers about positive and conscientious parenting practices, strengthening family relationships, and avoiding disruption of ties with children up to 6 years of age.

8. ACTION PLAN - IMPLEMENTING A FAMILY WELCOMING PROGRAM AS A PUBLIC POLICY IN MUNICIPALITIES OF THE DISTRICT OF ALMINO AFONSO /RN PROJECT

STUDENT: LARISSA ALMEIDA NASCIMENTO

INSTITUTION: COURT OF JUSTICE OF THE STATE OF RIO GRANDE DO NORTE, DISTRICT OF AMINO AFONSO/RN

Abstract:

The problem situation concerns the lack of effective implementation of a foster care program in the municipalities of the District of Almino Afonso.

In the envisaged solution, incentivizing effective implementation of foster care within the district represents not only compliance with the current legislation, but also countless benefits to children and teenagers in vulnerable situations and, consequently, to the municipal government.

9. ACTION PLAN - CHILD-FRIENDLY BAILIFF

STUDENT: IZIDORO WILSON MASCAGNI

INSTITUTION: COURT OF JUSTICE OF THE STATE OF SÃO PAULO, DISTRICT OF BAURU/SP

Abstract:

The problem situation involves not taking advantage of the potential of Court Bailiffs' unique position to detect and notify violations of children's rights in the context of enforcing court orders that involve direct contact with families, and also their potential to adequately refer situations that should be considered by Court.

The envisaged solution is a training, encouragement, and integration program, in addition to a protocol to enable the district's bailiffs to forward cases that involve violations of children's rights and urgent needs to the services of the care network.

10. ACTION PLAN - FAMILY SHELTERING: WELCOMING PROJECT

STUDENT: ANDRÉ TUMA DELBIM FERREIRA

INSTITUTION: PUBLIC PROSECUTOR'S OFFICE OF MINAS GERAIS, UBERABA/MG

Abstract:

The problem situation shows that, according to data from the National Adoption and Fostering System, only 4% of institutionalized children and adolescents are placed in foster care services, which is contrary to the Child and Adolescent Statute.

The envisaged solution lies in increasing the number of family foster homes in municipalities and improving the quality of pre-existing services. As a result, the number of institutional shelters will decrease, avoiding unnecessary shelter placements and avoiding any increases in the time the child is away from his or her family.

Geographical distribution of enrollments

Northeast: 18%;

North: 18%;

South: 16%;

Southeast: 37%;

Videos of the winning action plans

Cycle 1



Cycle 2



Read more about the winning action plans



Midwest: 11%.

Target Audience:

Public Officers:

Attorneys;

Magistrates;

Public Prosecutors;

Public Defense Attorneys;

Police deputies;

Police officers.

Results

The goal of offering 1.5 thousand places was reached;

Classes graduated in 2020 and 2021;

After achieving the *Justice Begins in Childhood* project goal, nowadays the course is run by ENFAM. It is currently shared with other Higher Schools of the Judiciary and with Public Prosecutors' and Public Defenders' Offices, all of which may offer it on their educational e-platforms.

The action plans that were designed during training are being put into practice all over Brazil, which is one of the training's most important results. "It is very difficult to measure return on investments in training. When we realize that the outcomes from our arduous work are put into practice and lives are being changed, we realize the import of effectively implementing a public policy that was thoroughly thought out and that is now applied, thanks to these courses", said the director of CNJ's Center for Training and Improvement of Servers of the Judiciary, Diogo Albuquerque Ferreira. At the national seminar held in April, Ferreira spoke about the general training context and the action plans designed by participants from the Justice System during the course.

Other training advancements

Fostering the convergence between the Justice System and the Legal Framework for Early Childhood One and to consider "positive rights" while doing so is a merit of the National Pact for Early Childhood. This means not only applying due measures when facing problems, but rather adopting a new perspective regarding children in the Justice System and taking advantage of opportunities to meet the requirements for their care and full development. "The Legal Framework for Early Childhood and its Legal Implications course showed us how Justice System authorities, invested with power to apply the law and guarantee rights, strengthened their work practices as enablers of the requirements for human development," said Ivânia Ghesti, a judicial analyst who works at the Special Department for Research, Programs, and Strategic Management/CNJ. During the national seminar, she spoke about capacity building based on the Legal Framework for Early Childhood course within the Rights Assurance System.

"The course catalyzed new connections for implementation of the Legal Framework for Early Childhood. We saw an increase in integration among the participants of the Justice System and an increase in interchange with the protection network for Early Childhood. The training helped strengthen these ties within the network and the links between all participants," stated Ghesti, who was one of the training organizers.

These trainings have established new horizons for everyone: those who teach, those who learn, and those who receive better service.

This course was also marked by the range of its cross-sectoral contents, which were only produced because of several experts' collaboration, representing the parties to the Pact. In this sense, it is a portrait of the National Pact for Early Childhood's value.

As such, providing training also means providing care for those who do the caring. The assurance of absolute priority entails a chain of care. Taking care of children implies taking care of their parents, and in turn, taking care of parents means that caretakers also need to be trained to acquire the necessary skills and be ready to deal with complex demands. "Continuous training strategies need to be designed. Otherwise, we will fail to equip these caregivers with the skills they need to meet challenges and provide care to families and children with their specific needs," Ivânia Ghesti alerts.

Caring for Early Childhood means caring for human beings in the most decisive time of their lives. It is a shared responsibility. If we want to demand quality standards from caregivers who work with

Early Childhood and also from families, everyone must be given access to knowledge, support, and opportunities to develop skills based on the children's best interests.

During the seminar, much was said about the importance of networking, cross-sectoral efforts, and continuous training.

"We must train leaders who allow the law to actually affect children's lives. Each person who is trained, rather than just learning about the subject matter, lends their personal affections towards becoming an agent that ensures the right to holistic human development in Early Childhood. This is what the Legal Framework is about: it is a strategy for the appreciation of humans from the very beginning of their lives", concluded Ivânia Ghesti.

Fonajup

The Fórum Nacional dos Juízes Protetivos (National Forum of Protective Judges) (Fonajup) participated actively in the Justice Begins in Childhood project training process. Apart from being a Party to the National Pact for Early Childhood, Fonajup attended the regional seminars, and was involved in all the project's axes, besides attending the training sessions for justice system practitioners and for the Rights Defense System. FONAJUP judges also contributed as content creators and tutors in the training course and, in collaboration with ABRAMINJ, they produced the guidelines which greatly assisted in designing the training courses.

"The involvement of Fonajup judges led to a two-way interaction, because tutors and students alike had the opportunity to engage in a collective and crosscutting discussion during capacity building processes, which affected the way we work," noted judge Hugo Zaher, President of Fonajup, also a participant in the plenary panel on the impacts of capacity building.

In his opinion, the biggest challenge confronting the Judiciary for the enforcement of the Legal Framework for Early Childhood is to acknowledge that the protection of children and adolescents' rights, namely their empowerment, must be embraced by the entire Justice System. "Not just in juvenile courts, but in every judicial body that protects the rights of children in this age group," he said.

"The other challenge is restructuring technical teams to address these fundamental rights on an interdisciplinary basis and treating the child in his or her full complexity. This specialization and a different perspective towards children are very important."

OAB Piauí

Lia Raquel Sousa, an attorney and member of the OAB Piauí's Committee for the Protection of the Rights of Children and Adolescents, was one of the panelists at the national seminar. She spoke about this training's aftereffects for the protection network.

Lia, who is also a lawyer and teacher, took the course for legal practitioners. She remarked that the main features of her training program lay in interpretation of the laws that safeguard the holistic development of children up to 6 years old, in psychological, social, legal, and administrative terms; understanding the significance and the challenges of enforcing these laws, and how the network of services for the protection of children and adolescents works.

In her presentation, she praised the students' action plans for the protection of Early Childhood in light of their professional activities. "It was an opportunity to examine our own circumstances and think of joint actions that could be put into practice. This was one of the most significant outputs from the course. We didn't do it for the sake of learning, but to make it happen," she recalled.

The skills and resources supplied during the course helped the OAB Piauí Committee for the Defense of Children's and Adolescents' Rights attorney to create a number of initiatives centered on children and adolescents. These include a series of lectures on absolute priority; mobilizing resources to create the Judicial Center for Conflict Resolution and Citizenship center at the 1st Juvenile Court at the Piauí Court of Justice; mobilizing institutions to ensure children with disabilities' access to better quality schools; quality health care for autistic children; implementation and strengthening of the State and Municipal Early Childhood Cross-sectoral Steering Committee; bringing together Piauí's Departments of Social Assistance and Education, and involvement and contributions to the Strategic Committee for the Promotion of Literacy at the Right Age.

Her intention was both to foster information and capacity building, implementing practices that give absolute priority to children and adolescents, as provided in art. 227 of the Federal Constitution.

Lia Sousa also dwelt on a key aspect - addressed in the Legal Framework for Early Childhood and its Legal Implications course and throughout the seminar's numerous subjects - cross-sectoral practices. According to her, this approach enables the combination of competencies and multiplies results. "Cross-sectoral practices are powerful when enforcing and implementing every public policy that provides for the comprehensive and holistic development of our children and adolescents."

At the close of the seminar's eighth plenary panel presenting the results of the Justice Begins in Childhood project, which addressed the effects of capacity building on implementation of the Legal Framework for Early Childhood, a disturbing fact was brought to attention. None of the ten best Law Schools in Brazil has made the subject of children's and adolescents' rights compulsory, and only four of them teach this discipline as an elective course. "Absolute priority has not yet reached the curricula of law schools. We still have a long way to go to introduce this constitutional guarantee in academia, in the Judicial System, and in all other fields, ensuring that, from the time they are formally educated, legal practitioners are aware of the Pact we entered into as a society: placing children and adolescents first," said Ana Claudia Cifali, coordinator of the Legal Department at Alana Institute, a child protection organization.



Anali Figueiredo, Ivânia Ghesti and Hugo Zaher, training team members

The dissemination of knowledge is recognized as a fundamental element that allows all stakeholders to focus on the issue of comprehensive protection, fostering a Justice System that is accessible and sensitive to children, adolescents, and their families.

Finally, Conanda councilor Glicia Thais Salmeron, representing the Brazilian Bar Association's Federal Council, recognized the progress achieved

after CNJ's works. "The entire Justice System has been working and contributing to reinforce the policy of assistance to children and adolescents", she commended, while also mentioning the organization of training courses and the cross-cutting involvement of several stakeholders, prizing participative democracy.



First meeting to determine the research cut-off for an assessment of Early Childhood

National Assessment of Early Childhood

Understanding how children up to six years of age who are at risk and vulnerable (and their families) are served by the Justice System is of cardinal importance to the National Pact for Early Childhood. Surveys and assessments are key to obtain inputs to govern activities and investment priorities, and determine how these investments will be implemented, including policies, service routines, and management methods for the institutions involved.

The Justice Begins in Childhood project, therefore, focused on making a National Assessment. This required the work of many experts from different areas, and coordination between multiple institutions capable of generating data and research to produce broad and representative results.

The National Assessment of Early Childhood survey is an unprecedented study produced from 2019 to 2021, involving experts in social sciences, law, economics, statistics, epidemiology, psychology, and pedagogy, among other areas. This study was the result of a technical cooperation agreement between the National Justice Council (CNJ) and the United Nations Development Programme (UNDP). The CNJ Department of Legal Research (DPJ/CNJ) coordinated this program at the National Justice Council. A committee of CNJ representatives and parties to the Pact was established in May 2019 to ensure compliance with the National Pact for Early Childhood. This committee included the following institutions: Abraminj, Atricon, Condege, Fonajup, the Parliamentary Front for Early Childhood, Maria Cecilia Souto Vidigal Foundation, Alana Institute, IRB, Ministry of Citizenship, Ministry of Education, Ministry of Women, Family and Human Rights, Ministry of Justice and Public Security, Ministry of Health, National Early Childhood Network, OEI and Unicef. As a result of their collaborative efforts, the main lines of research were determined and useful databases were identified.

The team in charge of making this Assessment was part of a technical cooperation agreement with the UNDP, under Project BRA/19/007 - Strengthening Information Management regarding Early Childhood Care in the Brazilian Justice System.

Two meetings were held in 2019 to establish the five diagnostic axes and outline the research cut-off, respectively. On August 17, 2020, the DPJ/CNJ hosted an online meeting with parties to the Pact, with the support of the Special Department of Programs, Research and Strategic Management. They presented the UNDP technical team and the survey design. The Parties were asked to facilitate researchers' needed access to some databases run by institutions that have joined the Pact. Bilateral meetings were also scheduled to discuss the data collection tools, workshops, and pilot projects. The onset of the covid-19 pandemic was a challenge for qualitative data collection, demanding significant adjustments to survey design.

A meeting to present preliminary results was convened, meanwhile.

The Assessment deliverables include a bibliometric assessment and quantitative and qualitative analyses that add up to almost 1.4 thousand pages of technical-scientific output. In all, 754 people were interviewed for the qualitative evaluations, including public practitioners and representatives of the judiciary, of federated states and of municipal executive branches,.

The assessment was taken in 122 districts distributed throughout the five geographic regions in Brazil. The methodology was designed to gain in-depth knowledge about Early Childhood care, addressing regional, institutional, and social-economic differences. The qualitative studies used techniques such as semi-structured interviews, focus groups, and open-ended questionnaires.

For the quantitative analyses, the researchers used statistical data from 16 databases supported by the CNJ or by partner institutions in the National Pact for Early Childhood.

BIBLIOMETRIC ASSESSMENT

The bibliometric assessment identified 9,742 studies featuring keywords that were related to the issues addressed. After screening, 707 articles and dissertations were chosen for an in-depth analysis.

Most of the identified studies (58%) took an exclusively qualitative approach, and 24% were theoretical. A further 11% were quantitative and only 7% used a mixed methodology.

LINES OF THE ASSESSMENT

The assessment survey was systematized in five main areas of research, due to the variety of childhoods the Justice System works with:

- Women prisoners and adolescents in detention who are pregnant and/ or are mothers of children up to 6 years old;
- Child protection in marital dissolution or divorce;
- Termination of parental rights and adoption of children;
- Foster care units and foster families;
- Organization of the judiciary and clerical administration of Juvenile policies.

The data collected in the surveys also provided input for four virtual panels.

Two panels show data from questionnaires applied in Family Courts ("Line 2") and Juvenile Courts ("Line 5"), and another two panels show procedural statistics. All the data that was collected can be readily accessed from these web pages.

For instance, you can browse data by Federation unit and by area of practice of the Judiciary units that took part in the surveys. The extraction of data is supported.

The panel on Family Court organization and work provides data from a questionnaire applied in 2021 to these Courts regarding "Child protection in the dissolution of marital society".

The purpose of this part of the survey was to describe their structure, operation, and services, and to compare Courts with general jurisdictions to those with limited jurisdictions.

The survey comprised 567 Courts that manage and adjudicate family issues, out of a total of 1,749 such Courts.

The other panel presents information about Juvenile Courts. It features data from a questionnaire applied in 2021 regarding "Organization of the judiciary and management of public policies for children and youth".

A look at the panel about the organization and operation of Courts with Family Jurisdiction.



This questionnaire was designed to describe the organization, operation, and services provided, comparing Courts with general jurisdiction to those with limited jurisdiction. Out of the 3148 such Courts in Brazil, 669 responded.

For Maria Yvelônia Barbosa, National Social Assistance Secretary at the Ministry of Citizenship, the surveys produced under the National Pact for Early Childhood are very important to steer future initiatives. "Generating knowledge was a major gain. We have built up a genuine body of knowledge about Brazil. This will affect policy qualification, whether in family support or in the early identification of situations of violence," Barbosa stated.

A look at the panel about the organization and operation of Juvenile Courts



WOMEN PRISONERS AND ADOLESCENTS IN DETENTION WHO ARE PREGNANT AND/OR ARE MOTHERS OF CHILDREN UP TO 6 YEARS OLD

This study looked into the situation of girls and pregnant women or mothers of children in Early Childhood in custodial institutions in Brazil using a thorough survey with quantitative and qualitative approaches to data analysis.

At its core, the issue deals with the real situation of pregnancy, lactation, maternity, and Early Childhood in a prison setting, examining the circumstances of women, girls and children included in two public policies: the penitentiary system and the social-educational system.

The quantitative approach involved ten data sources, including analyses on the results of custody depositions documented through the Custody Deposition System (Sistac) and intersections between pregnancy, maternity, incarceration, and poverty found by cross-referencing data from the Banco Nacional de Monitoramento de Prisões (National Prison Monitoring

Database) (BNMP) and the Cadastro Único para Programas Sociais do Governo Federal (Unified Registry for Social Programs of the Federal Government) (CadÚnico).

The report contains approximately 150 quantitative analyses, including graphs and tables. Apart from cross-referencing data and analyzing judicial rulings and norms, the team interviewed 200 people in 18 small, medium-sized, and large cities.

When analyzing quantitative data, every possible attempt was made to collect information about pregnant women, nursing mothers, and children – especially those in Early Childhood. The idea was to detect prison and sentencing conditions, along with racial and social-economic elements.

This survey found that the number of pregnant women deprived of liberty and pregnant adolescents in the juvenile detention system has decreased over the past few years.

FIGUREe 1
Historical data series of the percentage of pregnant women prisoners compared to the total number of incarcerated women



Source of information: Prepared by the National Justice Council with data from CNIEP and the Ministry of Justice and Public Security - SISDEPEN, 2021

Source of the image: CNJ, 2022f

FIGURA 2
Historical data series on pregnant adolescents in the juvenile detention system - Brazil (January/2015 - August/2020)



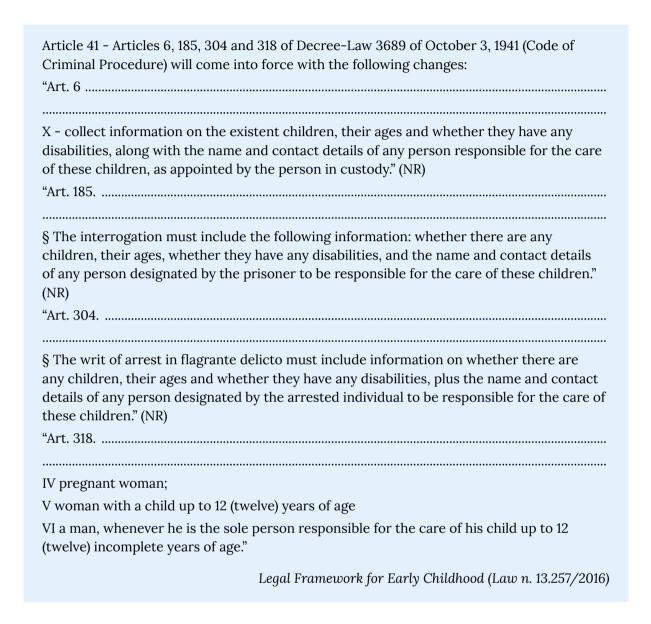
Source of information: Prepared by the National Justice Council with data from CNIUS, Alana Institute and SINASE

Evaluation Research performed by UFRGS, 2021

Source of figure: CNJ, 2022f

WThe data showed a concurrent rise, from 2015 to 2020, in prison units that do not report information on the number of pregnant and nursing women.

This finding supports one of the research's recommendations: developing handbooks and campaigns to encourage accurate and complete record keeping.



Custody depositions

The survey also found that 31.6% of pregnant women heard in custody depositions in 2020 had mandated remand - a downward trend compared to previous years. The number of non-pregnant women was higher: 42.4%.

In 2016, when the Legal Framework for Early Childhood was enacted, the percentage of pregnant or non-pregnant women sentenced to pre-trial detention after a custody deposition reached almost 50%. That year, the same percentage of sentences for incarceration was recorded for pregnant and non-pregnant women.

Over time, while there has been a relative decrease in the number of imprisonment mandates for pregnant women, the non-pregnant women group sentenced to preventive custody showed relative stability.

Table 1 - Percentage of decisions for incarceration for pregnant and non-pregnant women in custody depositions (for all types of criminal offenses) from 2016 to 2020

	2016	2017	2018	2019	2020
Pregnant	49,5%	42,0%	43,8%	38,7%	31,6%
Non-pregnant	49,6%	52,5%	51,4%	50,4%	42,4%

Source: National Justice Council, Sistac, 2021

The custody deposition was instituted in Brazil by CNJ Resolution n. 213 of December 15, 2015. It mandates that a person arrested in *flagrante delicto* must be brought before competent judicial authority within 24 hours of arrest for a deposition on the circumstances of their arrest or seizure. This is meant to prevent people from being arrested whenever this measure can be dispensed with until trial, which mitigates potential abuses, given that imprisonment is considered an extreme measure.

A collective writ of *habeas corpus* judged by the Federal Supreme Court (STF) in 2018 ruled that pretrial detention of pregnant women or mothers of children up to 12 years old should be converted to home detention, with the exception of crimes committed by these women using violence or serious threats against their offspring and other exceptional cases (see all the rules on the subject in the box).

REGULATIONS

FEDERAL LAW N. 11.942 (2009)

Body: National Congress

Target group: Women

Core Content: Ensures basic rights for newborn children

and mothers in custody.

FEDERAL LAW NO. 12.847 (2013)

Body: National Congress

Target group: Women and adolescents

Core Content: Law that institutes the National System for Preventing and Fighting Torture. It establishes the National Board for Preventing and Fighting Torture and the Measures for Preventing and Fighting Torture.

FEDERAL LAW N. 13.257 (2016)

Body: National Congress

Target group: women and adolescents

Core Content: Addresses policymaking for children in Early Childhood ("Early Childhood Legal Framework"), including changes in the Penal Procedure Code concerning pregnant women, and mothers or fathers serving detention sentences.

ORDINANCE NO. 1082 (2014)

Body: Ministry of Health

Target Group: Adolescents

Core Content: Re-drafts the National Policy for the Comprehensive Health Care of Adolescents who have Violated the Law in Detention and Provisional Detention.

ORDINANCE N. 210 (2014)

Body: Ministry of Justice

Target Group: Women

Core Content: Institutes the National Policy for the Care of Women Deprived of Freedom and Former Prison System Inmates.

RESOLUTION N. 77 (2009)

Agency: CNJ

Target Group: Adolescents

Core Content: Addresses the implementation of the National Registry of Adolescents who Violated the Law.

RESOLUTION NO. 210 (2018)

Body: Conanda

Target Group: women and adolescents

Core Content: Rights of Children Whose Mothers Are in Detention Units or in Social-Educational Facilities.

RESOLUTION N. 251 (2018)

Agency: CNJ

Target Group: women

Core Content: Institutes the National Prison Monitoring Database (BNMP 2.0).

RESOLUTION N. 252 (2018)

Body: CNJ

Target Group: women

Core Content: Addresses the guidelines for monitoring mothers and pregnant women who have been deprived of liberty.

RESOLUTION N. 307 (2019)

Body: CNJ

Target Group: not specific to women/adolescents

Core Content: Establishes the Judiciary's institutional policy on the application of alternative sentencing.

RESOLUTION N. 330 (2020)

Body: CNJ

Target Group: Adolescents

Core Content: Provides for the regulation of videoconference depositions in the enforcement of Social-Educational sentences.

RESOLUTION NO. 369 (2021)

Body: CNJ

Target Group: Women and adolescents

Core Content: Addresses the replacement of deprivation of freedom for pregnant women, mothers, fathers, and those responsible for children and persons with disabilities.

RESOLUTION NO. 405 (2021)

Body: CNJ

Target Group: Not specific to women/adolescents

Core Content: Establishes procedures for the treatment of migrant people in custody, people who are accused, defendants, convicts or deprived of liberty, including those under house arrest and other types of open regime sentencing, in compliance with alternative sentencing or electronic monitoring, and establishes guidelines to ensure the rights of this group in the Judiciary.

RESOLUTION NO. 425 (2021)

Body: CNJ

Target Group: Not specific to women/adolescents

Core Content: Institutes the National Policy for Homeless

People and its intersectional aspects.

THE BANGKOK RULES (2010)

Agency: UN

Public: Women

Main Content: United Nations Rules for the Treatment of Women Prisoners.

THE NELSON MANDELA RULES (2016)

Body: UN

Target Group: women

Core content: The United Nations Standard Minimum Rules for the Treatment of Prisoners. Treaty meant to redesign the penal system and the role of incarceration for society.

HABEAS CORPUS N. 143.641 (2018)

Body: STF

Target Group: women and adolescents

Core content: Ruling by the Second Bench of the STF that replaced pre-trial detention with home detention for pregnant women, for adolescents and for mothers of children up to 12 years of age.

HABEAS CORPUS N. 165.704 (2020)

Body: STF

Target Group: Not specific to women/adolescents

Core Content: Ruling by the Second Bench of the STF recognizing the need to enforce home detention for all persons who are the sole and direct caretakers of children under the age of 12.

RECOMMENDATION N. 62 (2020)

Body: CNJ

Target Group: Not specific to women/adolescents

Core Content: Recommends that Courts and judges adopt preventive measures against the spread of the new coronavirus infection within the criminal and juvenile justice systems.

Source: National Justice Council, 2021.

This study also asked whether women who were pregnant during custody depositions for crimes under the Drugs Law (Law n. 11.343 of August 2006) had a lesser chance of imprisonment.

This limitation was chosen because of this law's effects on women's incarceration rates and also to identify cases that, hypothetically, would not constitute severe threats or offenses against their offspring, that is, the exceptional cases in which home detention is not applied to women.

The survey found that being pregnant at the time of the custody deposition and having no criminal record resulted in a 62.2% decrease in the probability of the deposition decision resulting in incarceration, as compared to non-pregnant women who also had no criminal record.

Nevertheless, in cases where there is both pregnancy and a criminal record, evidence of lessened odds of incarceration is substantially smaller and is not significant: 29.6%. According to the researchers, this reveals a trend toward stronger punishment of women who are not first-time offenders in the justice system.

"Despite the smaller likelihood of a pregnant woman entering correctional facilities, something that can be seen as a step forward, there is a bias towards stricter sentencing of non-primary women offenders, regardless of their pregnancy status," the study found. "Regulatory norms that provide for preventive non-imprisonment of pregnant women, from the Legal Framework for Early Childhood, in 2016, up to Law n. 13,769, 2018, demonstrate that outcomes that guarantee this right only apply to a fraction of women in such conditions." (CNJ, 2022).

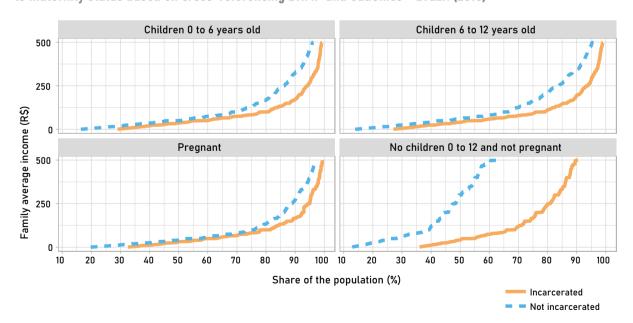
Deprivation of freedom

The social vulnerability of incarcerated women was also observed in the Assessment. Cross-referencing data from CadÚnico and the *Banco Nacional de Monitoramento de Prisões* (National Prison Monitoring Database) (BNMP) has revealed that women who have been deprived of freedom represent a population with distinct features within CadÚnico, which is a data system limited to people who live in poverty and extreme poverty and are all the more vulnerable in terms of income.

Data analysis revealed that the per capita family income of incarcerated women is even lower than other beneficiaries of social programs for people in vulnerable situations. Cross-referencing the information has shown that the average monthly income of incarcerated women was R\$ 40, while the average monthly income of others who are included in CadÚnico was R\$ 100.

The cross-referencing method between CadÚnico and BNMP conferred an innovative quality to this study, permitting an analysis of non-existent or insufficient data on women deprived of liberty in the BNMP, such as data related to their pregnancy and maternity status and other Social-Economic data.

FIGURE 3
Incarcerated and non-incarcerated women by monthly *per capita* family income according to maternity status based on cross-referencing BNMP and CadÚnico - Brazil (2018)



Source of information: Drawn up by the National Justice Council with data from BNMP (2021) and the Ministry of Citizenship - $Cad\acute{U}$ nico, 2020

Source of image: CNJ, 2022f

From the body of women who are responsible for the family unit listed in CadÚnico in 2018, as many as 66.8% of those who were incarcerated were assisted by the Bolsa Família program. Within the same cut-off, 49.9% of non-incarcerated women were served by Bolsa Família.

A quantitative analysis also revealed associations between motherhood and prison term length. The study found that mothers of children up to 6 years old who were registered in CadÚnico and were incarcerated in 2018 saw an average shortening of up to 11.6 months (almost one year) in sentence time for crimes involving drug trafficking when compared to a group of non-pregnant women without children.

The results for pregnant women and for mothers of children 6 to 12 years old, however, were not significant.

Each additional criminal category a woman carries in her criminal record increases the length of her sentence. The findings showed that each additional type of criminal offense adds up to 9.8 months to women's sentencing time on average, regardless of whether they are pregnant, mothers, or otherwise.

Data on pre-trial detention of pregnant women and incarcerated mothers was also examined. The figures showed an inverse relationship between pre-trial detention and age of children: 73.91% among pregnant women, 72.81% among mothers of children in Early Childhood, 65.64% among those with children between 6 and 12 years old, and 58.08% among those who do not have children up to 12 years old and are not pregnant.

Pre-trial detention includes all detentions mandated before the sentence is announced: flagrante delicto, remand, and temporary detention.

Given the number of mothers and pregnant women deprived of liberty awaiting court decisions, the survey calls attention to the 24-hour deadline for bringing women in custody to court for a custody deposition, as established by Resolution CNJ n. 213/2015. In these rites, recording and considering information on pregnancy, lactation, and maternity of the arrested women in decisions is also important.

Other data related to health conditions and coexistence of mothers and children in the Social-Educational and prison contexts were also featured in the survey. The questionnaire was based on the availability of prenatal care, whether the child could reside with the mother in the unit, and whether there was a nursery, among other aspects, in mixed prisons and women's prisons, in addition to the Pesquisa de Avaliação do Sistema Nacional de Atendimento Socioeducativo (Survey for Evaluation of the National System for Social-Educational Services) (Sinase) (MDH, PNUD, CEGOV/UFRGS, 2020).

In Social-Educational units, only two of the 32 participants in the Sinase evaluation survey provided on-site prenatal care for adolescents. 23 offered prenatal care outside the units, and seven did not provide any care.

In prisons, only 13% of the women-only and mixed units informed that they provide prenatal care services exclusively inside their facilities. 22.5% offered prenatal care both outside and inside the unit; 38.8% offered prenatal care exclusively outside the prison complex, and 24.4% said they were unable to offer this service, according to the questionnaire applied by researchers.

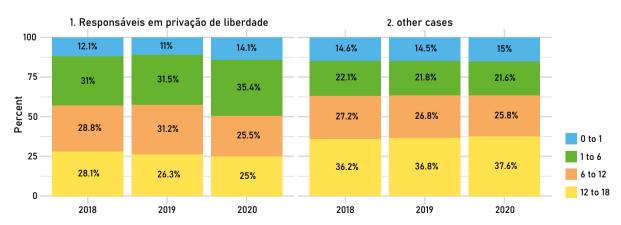
In the report, one of the recommendations to the Executive Branch is the provision of prenatal care for pregnant women and adolescents inside the prison and social-educational systems.

Beyond the suggestions that were presented, it is worth noting that objective questions, which can be asked through a questionnaire, do not address the issue of prenatal care quality and regularity. Such aspects are pivotal in ensuring the right to prenatal care as established by the Legal Framework for Early Childhood and must be delivered in conformity with the Ministry of Health's guidelines (2012). The assessment study also suggested that additional research needs to be pursued to address these issues in greater depth.

This Assessment also cross-referenced data about women in prison with information about children taken in by the Sistema Nacional de Adoção e Acolhimento (National Adoption and Foster Care System) (SNA). The figures show that children in Early Childhood are more likely to be fostered because their guardian is serving a prison sentence than any other reason. This shows how much incarceration and deprivation of liberty affects the lives of these children up to 6 years of age.

FIGURE 4

Children in foster care by year and age group according to primary caregivers under deprivation of liberty and other cases for Brazil (2018-2020)



Source of information: National Justice Council, SNA, 2021 Source of figure: CNJ, 2022f

Qualitative research

The qualitative research regarding the first Line of the Assessment focused on examining and analyzing prison and detention conditions, including home detention and the enforcement of special open regime measures for pregnant and nursing women and for mothers of children up to 6 years of age.

The study was undertaken in 18 districts across the five geographic regions in Brazil. 180 participants from the Justice System were heard, in addition to representatives from civil society and from state and municipal Executive powers from the following cities: Ceará-Mirim, Parnamirim and Natal, in Rio Grande do Norte; Maceió, in Alagoas; Ananindeua, Marabá and Santarém, in Pará; Aracaju and Nossa Senhora do Socorro, in Sergipe; Porto Alegre, Pelotas and Torres, in Rio Grande do Sul. Campinas, Guariba and Tupi Paulista, in São Paulo; Cuiabá, in Mato Grosso; and Campo Grande and Ponta Porã, in Mato Grosso do Sul.

The qualitative research brought out structural issues such as racism and gender inequality. In fact, according to this survey, these issues hinder the collection of statistical data on these women's profiles.

Researchers Luciana Garcia and Thais Duarte found that "the racism that forms the backbone of the Brazilian criminal system also extends to the Early Childhood protection system and drives not only the attitudes towards maternity when the woman is deemed a criminal but also the very poor design of public policies that fail to even understand the profile of the women who are mothers and of their children."

The qualitative research probed the motivations for the continued incarceration of pregnant women and mothers of children in Early Childhood, despite the legal provisions that recommend measures such as house arrest.

The fieldwork encountered different reasons for the continued incarceration of women and for not granting them home detention, for instance, regardless of their status as pregnant women or mothers.

One of the allegations they found was based on how grievous the crime was. The STF precedent and later legislative changes state that there are exceptions for granting home detention (and regime progression when serving a definitive sentence), for example when the crime is one of violence or when it involves a serious threat to another person. For the people that were interviewed, a serious crime is one that is committed with violence or when the woman is a member of a criminal group or traffics in large quantities of drugs – all situations that are not listed as exceptional.

As one legal practitioner from the Southern region of Brazil argued: "I usually try to determine if it's a woman trafficker or if it's a trafficker's wife. I always try to distinguish between them and, according to what I find, I will grant them probation or house arrest or not."

According to the survey, beyond society's need for protection, the argument of child protection also arises, because the woman might pose a great danger to the child. The fact of being a mother and having the right to house arrest "is barbaric", in the eyes of a Justice System practitioner (Public Prosecutor's Office) from the Midwest Region. There are also contradictory positions as to whether the woman trafficked from home or in the streets, as one respondent from the Public Defender's Office in the Southeast Region commented:

"[...] We have been somewhat trying to put together the information we've got, like, even absurd decisions, right, because the very same judge said: 'look, this woman was trafficking from home, jeopardizing the children' and in another case he said: 'I'm not going to release her; she was trafficking out on the street and would leave the children unattended. So, I won't let her out of jail'. This is the very same judge, right? So, you see, the problem in his eyes was simply that the woman was trafficking, right? This is hardly a sound explanation to uphold his decision".

The interviews in the qualitative research resulted in recommendations for measures to broaden the participants' knowledge about protective measures for children in Early Childhood.

The field research showed that there were very few pregnant and nursing adolescents in detention in the researched locations. "Generally, the established care routine for this public is: when pregnant at the time of arrest, teenagers may remain in the detention center until birth and are then released; if nursing in detention, the infant of up to six months of age may remain in the unit with its mother, after which both are released," reports the survey.

"However, often the adolescents that fit this profile will find that their detention is converted into open regime as soon as legal authorities learn about their situation. In other words, one way or another, the judge usually grants probation or community service."

The research also draws attention to statements collected during the interviews, like the following testimony from a Justice System practitioner in the Northeast Region: "She was a re-offender and we realized it, she was pregnant, and we understood when she had her baby. We understood, we really suspended the sentence on that occasion. She returned home and then moved on to an assisted liberty program, where she was monitored".

The findings of the surveys on imprisoned women and juveniles in detention who are pregnant and/or are mothers of children up to six years of age suggest progress and challenges regarding the guarantee of rights and the protection of pregnant women, mothers, and children in Early Childhood whose lives are bisected by deprivation of liberty.

The researchers call attention to the following main advances: the trend towards a decrease in the absolute number of pregnant women deprived of their liberty over the past few years; findings that demonstrate that sentence length for mothers of infants and pregnant women is usually shorter when compared to those who are not pregnant, for women involved in drug-related crimes; incarceration tends to be shorter for mothers of infants and pregnant women; as pregnant women are more likely to be released from custody depositions, like women involved in drug-related crimes.

"These developments are believed to be milestones that, to a large extent, can be attributed to the trend of non-imprisonment of pregnant women and mothers that has come to fruition since the Legal Framework for Early Childhood and was strengthened by collective HC n. 143.641/SP and Law n. 13.769/2018," the study concluded.

Recommendations

The study made several recommendations for different public power branches and civil society, with the purpose of strengthening the holistic protection of children in Early Childhood whose mothers were or are in prison. For pregnant women and mothers, aside from being subjects of rights and of special attention, it is clear that providing them with suitable safeguards also affects childhood guarantees.

There are ten suggestions concerning measures that can be implemented by the Judiciary. One of these is to observe the 24-hour deadline for bringing women in custody before a judicial authority for a custody deposition, as established by CNJ Resolution no. 213 (2015). Moreover, these rites should record and include information about pregnancy, lactation, and maternity of the arrested women for decision-making.

Nine recommendations were addressed to the Executive, including the creation of female prison and social-educational policies designed to improve facilities in maternity and child wards, nurseries, playrooms, and daycare centers, and to supply health and hygiene inputs for pregnant and nursing women and children.

Eight suggestions were addressed to the Prison System Administration and to the Social-Educational Measures Enforcement System Administration, such as full availability of information about women and adolescents deprived of their freedom, especially those who are pregnant or nursing, and those who have children, with the purpose of producing reliable data and strengthening the public power's initiatives to help these groups.

Five recommendations were addressed to the Legislative Branch. One suggestion calls for establishing the differences between user and trafficker in the Drug Law (Law n. 11.343/2006), preventing the mistaken imprisonment of women arrested for drug use, but whose crimes were classified as trafficking.

The measures to improve the quality of information compiled in databases were also discussed, such as broadening the scope of questions related to pregnancy, lactation, and children in the inspection spreadsheet at prison units and including questions about facilities and support conditions for this target group in the CNJ's prison unit inspection spreadsheet.

Read the full report here



One of the suggestions addressed to civil society was strengthening monitoring and social inspection instruments concerning women's detention status, in collaboration with the Executive Branch and the local justice system.

LINE 2 CHILD PROTECTION IN MARITAL DISSOLUTION OR DIVORCE

In this section, the study investigated child protection during separation proceedings. Apart from investigating the lawsuit procedures, availability of resources and the stakeholders' impressions, the study also looked at how each element influences the promotion of child protection, particularly for children in their earliest years.

The findings pervade the protection of children in situations of parental marital dissolution or divorce, specifically with regard to lawsuits to settle alimony claims, parental alienation and abandonment, custody, and acknowledgment of paternity.

Quantitative and qualitative research methods were employed for assessment. The former involved analyzing data from the CNJ's National Judicial Database (DataJud) and a questionnaire applied to Family Courts in Brazil. The latter involved field research in 41 judicial districts and 156 interviewees.

When scoping the DataJud survey sample, we selected cases involving dissolution of marital partnership/civil partnership and issues that suggested there were children involved, such as custody, alimony, paternity investigation, and parental alienation.

The quantitative studies were based on 2.5 million marital dissolution or divorce or divorce cases throughout Brazil from 2015 to 2021. Out of that number, 41.6% concerned alimony, 25% involved child custody, and 11.7% concerned paternity investigation. Visitation agreements accounted for 11.6% of proceedings and 0.3% dealt with parental divestiture.

Table 2 - Number of cases referenced from DataJud per class grouping, 2015-2021

Groups of Classes	Total	%
Uncontested divorce or marital dissolution	1.238.068	49,2
Contested divorce or marital dissolution	1.155.096	45,9
Non-classified divorce or marital dissolution	99.173	9,3
Civil Partnership marital dissolution	25.230	1,0
Total:	2.517.567	100

Source: National Justice Council, DataJud, 2021

Contested x uncontested cases

There were 1.15 million contested marital dissolution or divorce cases, which represents 46.9% of the overall total. Meanwhile, uncontested divorces or dissolutions totaled 1.2 million (49.2%). The non-classified divorces or dissolutions amounted to 99 thousand (3.9%) and 2.5 thousand (1%) concerned the termination of civil partnerships.

The number of cases in which the subject was parental alienation surpassed the number of consensual cases by 331.9%. By the same token, there were 318% more cases involving search and seizure of juveniles. Investigations of paternity were 93.2% higher, as were visitation rulings, 59.9%, and the determination of alimony, at 54.8%.

"We observed that contested separations also yield other demands for the Judiciary at a much higher percentage than uncontested separation cases," said CNJ researcher Elisa Colares during her presentation on the Assessment during the National Pact for Early Childhood Seminar, in April 2022.

Profile of the Courts

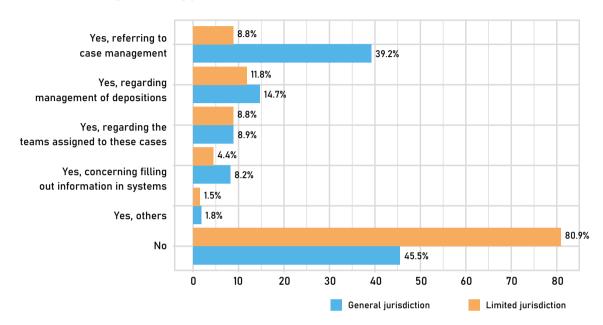
The survey applied questionnaires to outline a profile of Brazil's Family Courts in terms of organization, operation, and services, comparing Courts with general jurisdiction and Courts with limited jurisdiction.

From a total of 1,749 Courts listed in the CNJ's Monthly Productivity Module (MPM) as Family Courts, 567 responded to the questionnaire, which represents 31.6% of the total number of these Courts. Out of these respondents, 477 (84.1%) are Courts with general jurisdiction and 90 (15.9%), are Courts with limited jurisdiction.

The survey revealed that within Courts with limited jurisdiction, the percentage which are not specificity-compliant when processing lawsuits involving children up to 6 years of age reached 71%.

As for Courts with general jurisdiction, 44.4% reported that they did not employ any specificity in handling such cases and 40.7% answered that these proceedings were handled differently.

FIGURE 5
Distribution of Courts by specificity in procedural steps concerning children from 0 to 6 years old, by jurisdiction



Data source: National Justice Council, 2021

Source of figure: CNJ, 2022g

Custody and parental alienation

As for custody, 48.3% of Courts with limited jurisdiction stated that cases involving children up to 6 years old predominantly comprised shared custody and 39.3% reported a predominance of unilateral custody. In general jurisdiction Courts, shared custody was prevalent in 27.7% cases, while unilateral custody was predominant in 61.7% cases.

The study also found that in unilateral custody cases, custody was granted to the mother in 81.3% of general jurisdiction Courts and in 66% of limited jurisdiction Courts.

Over 70% of the limited jurisdiction Courts reported that there are sometimes or occasionally cases involving children up to 6 years of age with accusations of parental alienation. Among the general jurisdiction Courts, this percentage was higher than 85%. Furthermore, only 14.6% of limited jurisdiction Courts declared that many cases involving children in their Early Childhood are allegedly related to parental alienation.

In proceedings concerning alimony, the answers stated that there are rarely or occasionally reports of parental alienation involving children up to 6 years of age in 85.2% of the Courts with general jurisdiction and in 79.8% of the Courts with limited jurisdiction.

Conciliation and mediation

The survey also gathered information about how alternative measures are used to solve conflicts in cases involving children up to 6 years of age. The National Judicial Policy for appropriate conflict resolution, which is outlined in CNJ Resolution No. 125, of November 29, 2010, states that this is the preferred option since it is faster and occurs out of court.

When assessing the prevalence of alternative dispute resolution approaches such as mediation and conciliation, 57.9% of the general jurisdiction Courts reported that they always or frequently resort to such alternative dispute resolution measures. The percentage of limited jurisdiction Courts' responses to the same question was higher, at 71.1%.

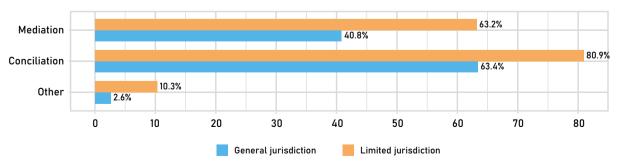
Table 3 - Distribution of Courts regarding the use of alternative dispute resolution measures in proceedings involving children from 0 to 6 years of age, according to jurisdiction

	General jurisdiction (%)	Limited jurisdiction (%)		
Always	34,2	34,4		
Often	23,7	36,7		
Sometimes	10,7	16,7		
Rarely	5,9	2,2		
Never	25,6	10,0		

Data source: National Justice Council, 2021

The survey also showed that conciliation is the most frequently applied strategy. The Courts that use other resources mentioned the following: parent-child workshops, family constellation, restorative justice, social-psychological study, and parenting workshops, among others.

FIGURE 6
Distribution of type of alternative dispute resolution measures by jurisdiction



Source of data: National Justice Council. Questionnaire applied to Courts with Family Jurisdiction, 2021.

Source of figure: CNJ, 2022g

The survey also ascertained which proceedings use alternative dispute resolution techniques. The most frequent cases were child custody and alimony suits, where alternative methods were used by 93.8% of the limited jurisdiction Courts and 96.6% of the general jurisdiction Courts.

The researchers mentioned in their final report that "based on the collected data, we can assume that alternative dispute resolution methods are widely employed by the Courts, mainly in those with limited jurisdiction, where mediation and conciliation are the most frequently used options, particularly in matters related to alimony, child custody, visitation, and legal divorce or dissolution".

"However, it is important to note that 31.5% of Courts with general jurisdiction reported they 'never' or 'rarely' made use of some of these techniques, which also suggests that these practices are not sufficiently widespread in a considerable share of these Courts."

Depositions with special testimony in lawsuits involving children

According to CNJ Recommendation n. 33 of November 23, 2010, and Law n. 13,431, of April 4, 2017, deposition procedures and special depositions are essential to ensure that the children's best interests are respected, granting them the opportunity to express their own views and opinions in lawsuits. A CNJ document on child depositions in court proceedings published in 2019 showed that this procedure ensures effective and qualified court proceedings and avoids the child's revictimization.

In the survey for the National Assessment of Early Childhood, Courts were asked about how they employed these procedures. 62.5% of general jurisdiction Courts reported they employed specialized depositions, while only 25.6% of limited jurisdiction Courts informed that they held special deposition procedures.

When the Courts were asked about the minimum age for which they apply special deposition procedures, 46.6% of the general jurisdiction Courts declared that they adopt these procedures for children from 0 to 3 years of age, and 34.8% of the limited jurisdiction Courts said they adopt these procedures for children over 4 and under 6 years of age. For infants, the court analyzes the child's emotional state and developmental milestones, which may be indicative of abuse or neglect.

Regarding the upper age limit, over 78% of both general jurisdiction and limited jurisdiction Courts informed that they hold special depositions for adolescents 12-years-old or older.

When it comes to special depositions for children under 7, Article 11 of Act n. 13.431/2017, states that the pre-trial rite of proof must be observed to prevent the child from having to testify more than once. Therefore, the Courts that claimed to hold special deposition proceedings with children

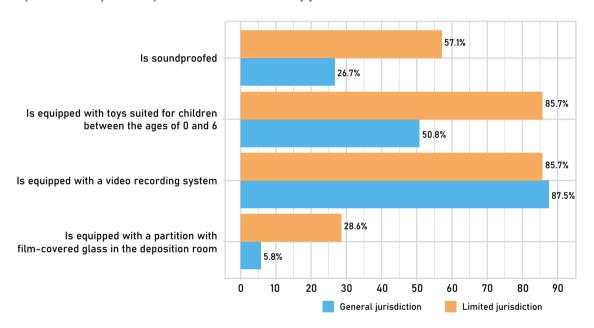
in Early Childhood were also asked about how often pre-trial evidence is gathered from children up to 6 years old.

The survey identified a higher share of general jurisdiction Courts which informed that they always perform pre-trial depositions: a total of 35.9%. In contrast, 27.3% of limited jurisdiction Courts responded that they rarely employ this kind of procedure.

Only 51.3% of the general jurisdiction Courts and 30.4% of the limited jurisdiction Courts responded that they have physical facilities for holding special depositions.

FIGURE 7

Description of the Special Depositions room facilities by jurisdiction



Source of data: National Justice Council. Questionnaire applied to Family Courts, 2021 Source of figure: CNJ, 2022g The following results were observed with regard to the work and qualification of the teams engaged in the special depositions:

- Limited jurisdiction Courts are fully staffed by trained psychology staff (100%), and by social service workers (73.9%);
- 30% stated that the team's personnel were trained to handle special depositions;
- 60.9% did not know whether the team's personnel were trained to handle special depositions:
- only 6.7% stated that they perform anthropological examinations in cases involving children from traditional peoples and communities;
- Courts with general jurisdictions mostly employ social service workers (70.1%), and psychology experts (66.1%);
- 64.1% stated that the staff members were trained to handle special depositions;
- 28.2% were unable to provide information;
- only 4.6% reported performing anthropological examinations in lawsuits involving children from traditional peoples and communities.

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Cross-sectoral efforts

Article 4 of the Legal Framework for Early Childhood states that "Public policies to address children's rights in Early Childhood will be developed and implemented to [....] VII coordinate the efforts of different sectors to ensure holistic and comprehensive care;" and Article 8 reiterates that "provision of comprehensive services to meet the rights of the child in Early Childhood is the common goal of all Brazilian entities, as per their

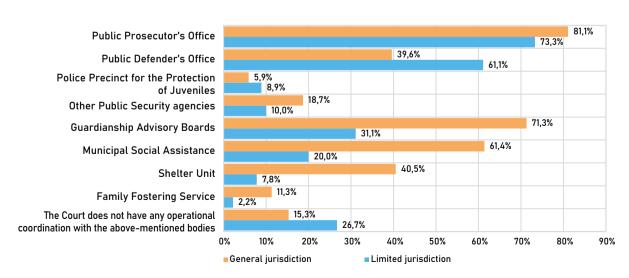
The poor numbers on the practice of anthropological forensics prove the importance of the Special deposition of Children and Adolescents from Traditional Peoples and Communities study, which was also produced under the National Pact for Early Childhood. This study resulted in a handbook, which outlined the principles that must be observed to deliver culturally appropriate care and for taking special depositions from children and adolescents from traditional peoples and communities who are subject to violence (see more on page 145).

constitutional and legal competencies, and will be achieved through cooperation between the Federal government, the Federated State governments, the Federal District government and the Municipal governments. Furthermore, the following duties apply to the Brazilian Government, to ensure implementation of the above-mentioned coordinated action and ensure the absolute priority of children's rights: "to establish policies, plans, programs and services for Early Childhood that meet the inherent specificities of this age group and ensure their full development." (Law 13.257/2016, art. 3).

ECA Art. 70-A, clause II, emphasizes the necessity of collaboration between the Federal Union, the Federated States, the Federal District, and the municipalities in the creation of public policies and, particularly, on the cooperation between the Judiciary and other bodies involved in the defense of children's rights. Art. 88, item VI, which addresses the guidelines for care policies, establishes operational coordination between the Judiciary and the Public Prosecutor's Office, the Public Defender's Office, the Guardianship Advisory Boards, and any other agency in charge of enforcing basic social policies and social assistance.

The survey, consequently, verified which agencies are operationally connected to Judicial Courts. Results showed a greater degree of operational interaction between Courts with general jurisdiction, the Public Prosecutor's Office, and the Guardianship Advisory Boards. As for limited jurisdiction Courts, there is a higher level of cooperation with the Public Prosecutor's Office and the Public Defender's Office.

FIGURE 8
Operational coordination of Courts with lawsuits, by institution



Data sources: National Justice Council. Questionnaire applied to Courts with Family Jurisdiction, 2021 Source of figure: CNJ, 2022q The survey also showed that 26.7% of all limited jurisdiction Courts and 15.3% of general jurisdiction Courts reported that they do not undertake any operational coordination.

With regards to operational coordination of court initiatives with the education and health policies in their district, 54.0% of the general jurisdiction Courts and 61.0% of the limited jurisdiction Courts stated that they do not engage in this type of coordination.

As for the municipal Early Childhood Plans, 66.2% of the general jurisdiction Courts and 84.4% of the limited jurisdiction Courts were unable to inform whether such a document was ever produced in their municipality.

Only five general jurisdiction Courts (25%) were involved in the creation of an Early Childhood municipal plan, which shows the gap between the policies implemented in a given municipality and the local Courts' activities, according to the researchers.

Qualitative research

Forty-one districts were chosen for field research in the qualitative study, which obtained the participants' impressions about how the protection of children is dealt with in marital dissolution or divorce proceedings.

The researchers noted that these operators mentioned that the families involved in marital dissolution or divorce lawsuits display "a natural strain" that leads to the blurring of marital and parental relationships and ultimately affects children.

"Family relationships have become so complex and diverse over time, to the extent of becoming actual power relationships during marital dissolution or divorce," the research reasons. Here are some excerpts from the interviews:

"[...] our target audience is broader now. [...] Previously there was never even any discussion about who would get custody. The mother got custody and that was it. If anything, grandparents would get custody because the parents had passed away. [...] Society has changed a lot; our work relationships, our so-

All the data from the questionnaire regarding the surveys on Line 2 of the National Early Childhood Assessment (Child protection in marital dissolution or divorce) are available in the Panel on the Organization and Operation of Family Courts.



Click here to view the statistics of lawsuits on this issue



cial relationships have changed a lot. Mothers are much busier; their routine is exactly like men's. This is not what we saw about 20 years ago. Relationships were more dualistic, the dad worked, and mom would stay at home with the kids. [...] But nowadays shared custody is a new concept. [...] They find a way to show their power regarding the children. Custody today is very focused on a power struggle." (Social worker from the Judiciary).

The survey also reveals difficulties in the resolution of conflicts between parents, leading to demands brought to Court that cause a significant increase in custody claims, according to several interviewees' opinions. As a result of judicial lawsuits, some parents escalate the conflict to a point where they sever the children's community relationships, such as their bonds with primary school-mates because one of the parents moves or when non-custodial guardians do not reunite children with their rightful guardians.

"So, the problem with custody is that, when it isn't regulated, both parents have legal custody, which is a consequence of family power, but in practice (the actual custody) lies with one of the two parents. So, it often happens that one of the parents brings or picks up the child from school and takes him/her home and won't give him/her back to the other parent, or moves to another city, or whatever. So, this is an urgent situation that requires search and seizure", says an interviewee in a report extract.

The interviewees also spoke about the use of conciliation and mediation depositions. By way of example, one magistrate's account suggests that mediation work using evidentiary and trial depositions is difficult and progressive in winning the right to family interaction, which is essential for the child's development:

"I start talking to the mother, not about this specific issue, but about their shared life, her difficulties, and understanding the situation that she has experienced, that she goes through. And this ends up establishing a sense of empathy because she feels that a judge acknowledges her, where she is going [to find a solution], and this ultimately becomes a facilitator for settlement, because she trusts the person who is talking to her, who is sensitive to her difficulties and her pain. So, this really streamlines understanding. Afterwards I ask her to leave and talk to the father individually. I do the same thing by understanding his difficulties and likewise, he then starts to feel a sense of compunction. By having this talk, he begins to forge trust for that person before the judge."

Suggestions

The unique situation of being a person undergoing development in which children in Early Childhood are placed may lead them to vulnerability when confronted with contentious custody disputes during marital dissolution or divorce.

The study emphasized that this discussion must transcend the domestic sphere and become a social responsibility and a public interest issue, due to its' gravity. The survey also outlined some proposals for improving public policies in the context of marital dissolution or divorce.

According to the study, the Judiciary should foster better interaction between Juvenile Courts, Family Courts, and Courts for Domestic and Family Violence Against Women, because of the interaction between these legal proceedings.

The purport of implementing a national training and experience sharing program between members of the multidisciplinary teams who work with Early Childhood cases was also mentioned. This would standardize conceptual, methodological, and technical knowledge for its components.

A recommendation addressed to the Justice System included extending training and awareness raising about Early Childhood care for stakeholders involved in family cases.

DataJud also received a formal recommendation to facilitate the booking of cases involving children in Early Childhood, enabling the priority for processing. Read the full report here



LINE 3 TERMINATION OF PARENTAL RIGHTS AND ADOPTION OF CHILDREN

The study looked at how termination of parental rights and adoption of children in Early Childhood occurs through a detailed assessment using quantitative and qualitative approaches to data analysis. Art. 25 - Art. 19 of Law No. 8,069, of July 13, 1990, is hereby in effect with the following wording:

"Art. 19. The child and the adolescent have the right to be raised and educated within their family and, exceptionally, in a surrogate family, ensuring family and community interaction, in an environment that guarantees their full development.

§ 3° Maintaining or reintegrating a child or adolescent in his/her family will take precedence over any other measures, in which case the child or adolescent will be included in protection, support and promotion services and programs, pursuant to § 1 of art. 23, clauses I and IV of the caput of art. 101, and clauses I to IV of the caput of art. 129 of this Law.

.....

....." (NR)

Legal Framework for Early Childhood, art. 25 Termination of parental rights is an exceptional measure taken by the government after protective actions and interventions to keep the child in its family of origin have been exhausted.

Whenever termination of parental rights is required, it must be associated with other initiatives, such as placement in protective, supportive, and fostering services, with the ultimate goal of reinserting the child back into his/her family of origin, which then becomes a priority.

Accordingly, protective actions for the child and for the guarantee of family rights must be taken to prevent the need for termination of parental rights (art. 101, Statute of the Child and Adolescent, 1990).

Art. 24 of ECA explains that the loss and suspension of family power will be decided in a deposition procedure and that Juvenile Courts are competent for such procedures (art. 148).

The termination of parental rights can also occur through voluntary surrender of custody of a baby. In such cases, mothers or pregnant women willing to hand over their children for adoption must be "forwarded, without any hindrance, to the Juvenile Court", according to the Statute, especially in its articles 8 and 19-A. The right to confidentiality is guaranteed.

Termination of parental rights and adoption are central issues in the context of Early Childhood care by the Justice System. They are recurrent in Juvenile Courts, and they constitute situations that require protection of the children under such conditions, especially in cases where there is evidence of rights violations.

The quantitative approach was based on an analysis of the CNJ registry of children in the National Adoption and Foster Care System (SNA) and on the application of a specific questionnaire about international adoption registries forwarded to the Comissões Judiciárias de Adoção e Adoção Internacional do País (Judiciary Committees for Adoption and International Adoption in Brazil) (CEJA/ CEJAIs).

The survey gathered information about termination of parental rights and adoption, considering the children's profiles, length of proceedings, different types of adoption, qualification of applicants and potentially irregular adoptions.

The quantitative approach was based on an examination of 886,992 registrations, occurring between 2005 and 2011, concerning 234,746 children.

Moreover, to further research international adoption processes and draw a comparison with the SNA data, questionnaires were sent to CEJAs and CEJAIs from the 27 Federation states, 23 of which responded. The responses helped identify a total of 509 internationally adopted children between 2015 and 2020.

The study also included field research in 30 Brazilian districts and encompassed 144 respondents.

A profile of children with severed family ties

A total of 27,456 children were listed in the SNA due to the fact that they were involved in termination of parental rights proceedings. Of this number, 19,800 proceedings were concluded by the Judiciary since 2005 and the right to family interaction was granted through adoption.

Out of the children removed from parental custody, 47% are in Early Childhood - that is, up to 6 years old - which is the preferred adoption age target for people who are planning to adopt. Meanwhile, 12% of the children have health problems or some kind of disability. Among the individuals whose color/ethnicity was informed, 54.1% are black or mixed race, while 16.8% do not report this information.

NATIONAL ADOPTION AND FOSTER CARE SYSTEM (SNA)

CNJ implemented a national system in 2019 which incorporates data provided by Courts of Justice regarding institutional foster care or foster care, termination of parental rights, adoption, including *intuitu personae* adoptions, and the registration of national and foreign applicants qualified for adoption.

Before the SNA was created, data on foster care and adoption used to be entered in the CNCA - Cadastro Nacional de Crianças e Adolescentes Acolhidos (National Registry of Fostered Children and Adolescents) and in the CNA - Cadastro Nacional de Adoção (National Adoption Registry), respectively.

After the SNA was created, children's data (previously entered in the former systems) was migrated to the current system. To examine data that had been recorded in different systems, the survey used the strategy of splitting the children's records into three groups:

Group 1 - children for whom all recorded events are prior to the date of migration to SNA (10/31/2019);

Group 2 - intermediate group, consisting of children with events that occurred during the SNA migration period, which have event dates before and after the migration date (10/31/2019) and before the analysis cut-off date;

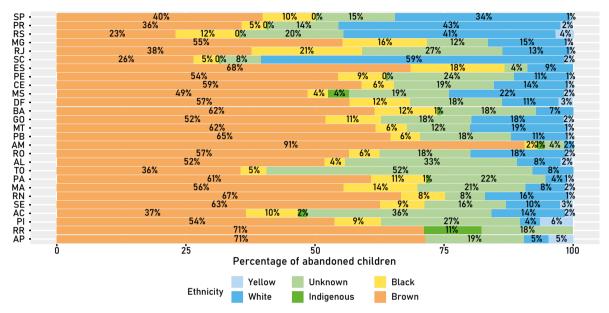
Group 3 - children for whom all recorded events are subsequent to the migration date and prior to the analysis cut-off date.

Access to SNA: cnj.jus.br/sna/



Creation of the National Adoption and Foster Care System (SNA)

FIGURE 9
Percentages of Abandoned Children by State and Color/Ethnicity - Groups 2 and 3



Source of data: National Justice Council. SNA, 2021 Source of figure: CNJ, 2022c

With regard to indigenous children, only Bahia, Amazonas, Pará, Acre, Mato Grosso and Roraima reported percentages of family power removal involving indigenous families and children. The highest rates were found in Mato Grosso and Roraima, at 4% and 11%, respectively.

Besides profiling the incidence of termination of parental rights, the survey also ran research analyses to answer the following question: are there any traits that increase or decrease the chances of termination of parental rights?

"In terms of the statistically significant results, the model helped to identify which traits in children and in the process increase the probability of termination of parental rights. These are: belonging to younger age groups, being white, being physically disabled and being in the 6 to 12 age brackets (interaction between variables), having been repeatedly fostered, being from the South Region, and having been fostered because of parental abandonment, drug/alcohol addicted parents or guardians, physical or psychological abuse, or for unspecified reasons," as noted in the report.

Accordingly, removal and adoption are conditioned by several factors, including the children's age, ethnicity, and the reason for foster care. This is mentioned as a problem, because "according to normative settings, there should be no difference in the event of termination of parental rights based on the child's age or color".

In addition, the findings showed that having "parents or guardians that are drug addicts or alcoholics" brought the fastest termination of parental rights, which, according to the researchers, points to the need to investigate these cases more thoroughly. The reason for this lies in the creation of the Legal Framework for Early Childhood, which states that substance use/abuse is not enough grounds for suspending and removing family power.

Main results on child adoption

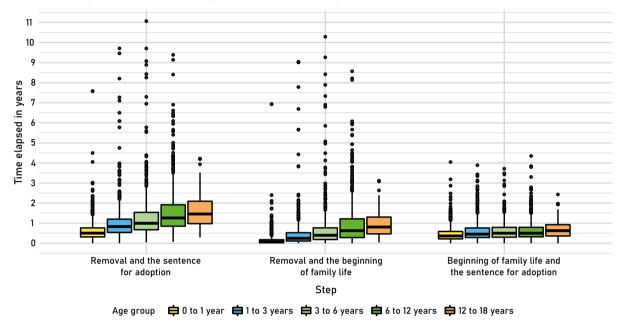
The survey found that 15,881 children were adopted up to May 2021 and were registered in the SNA. 64.9% of these were children in Early Childhood at the time of adoption. According to researcher Wesley de Jesus Silva, there is a clear difference in the distribution of the time elapsed in years at different moments of an adoption process for the age groups, since there is a tendency for younger age groups to experience a shorter adoption process.

The greatest divergence between processing times for different age groups was found in the stage between removal and between removal and beginning of a life together. For children in Early Childhood, this period is shorter than for the others.

Regarding differences in procedural times with respect to children's ethnicity/color, while the average time between removal and the adoption ruling was under one year for white children, the average time for black (black and brown) children was over one year.

"The survey showed that the applicants' preferred profile is children up to 8 years old, although children who are enrolled in the system are older than this age bracket. Nevertheless, the younger the child, the faster the process moves on, which may be one of the causes," said Silva during the National Pact for Early Childhood Seminar."

FIGURE 10
Distribution of time for the steps in adoption via the Registry, by age at Termination of Parental Rights (DPF) or Voluntary surrender of custody (EV)



Source of data: National Justice Council. SNA, 2021 Source of figure: CNJ, 2022c

Results on intuitu personae adoption

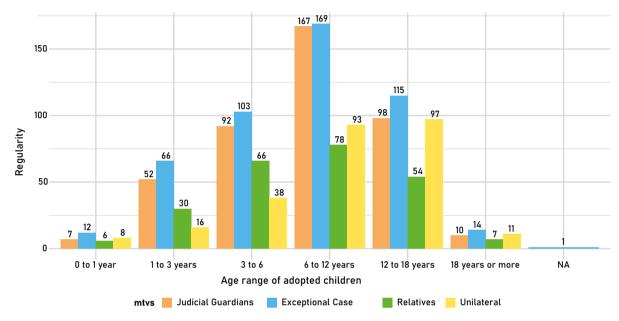
Intuitu personae adoptions are those whose adoptive family applicants are not necessarily previously qualified and registered in the SNA and do not go through the process of bonding with the child via the adoption system, because of a de facto bond that is already well established.

SNA data shows that 3,217 adopted children were in *intuitu personae* adoption processes whereas there were only 3,000 processes, which shows that 217 processes involve more than one child.

In the same period, 1,862 children in the *intuitu personae* adoption chart were traced without a date for the ruling, signaling that they are still undergoing an adoption process, or have undergone an unfinished process, or that their registration was inactivated.

FIGURE 11

Total number of children adopted in *intuitu personae* adoption, by motive and age group (age at date of ruling). Groups 2 and 3



Data source: National Justice Council. SNA, 2021 Source of figure: CNJ, 2022c

Of the 3,217 children adopted via *intuitu personae* adoption, 799 were adopted for "exceptional case/other" reasons, 583 were adopted for "relatives" reasons, 1,101 were adopted for "judicial guardians" reasons, and 734 were adopted *intuitu personae* for "unilateral" reasons.

At the time of adoption, 36.1% of the children adopted through an *intuitu personae* process were in Early Childhood - most were aged between 3 and 6 years old.

Results regarding applicant qualification

A total of 91,217 applicants for adoption were registered in the SNA, of which 99.3% were effectively qualified. Most were aged between 40 and 50 years old, followed by 30 to 40 years old.

Heterosexual couples account for 73.1% of applicants, while individual adoption initiatives accounted for 10% and homosexual couples for 4.1%.

According to the survey, 38.84% declared no preference as to ethnicity, 25.7% informed they prefer white children and 21.84% said they prefer brown children.

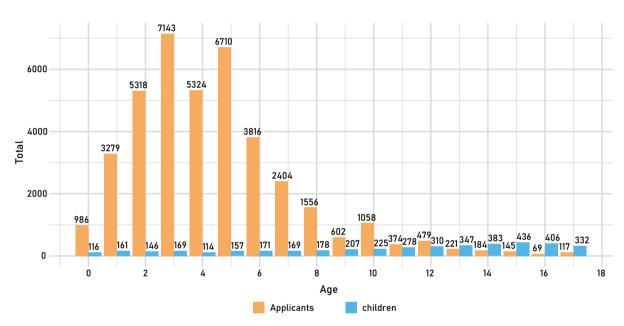
Among the majority who state their preference for children in Early Childhood, approximately 6% accept children with physical disabilities, 2.7% accept children with intellectual disabilities, and

41.4% accept children with health problems. Also, according to the applicants' profile, 2.4% have already adopted children, 5.2% have biological children, 46% prefer an ethnic group, and 30% prefer a specific gender.

A significant divergence was also observed in the age range of interest of the prospective applicants according to the age of the children who are actually ready for adoption.

FIGURE 12

Total number of applicants with valid applications who have not yet adopted, and children who are eligible but have not yet been adopted, by maximum desired age and age of child at cut-off date



Data source: National Justice Council. SNA, 2021 Source of the image: CNJ, 2022c

Results on International Adoptions

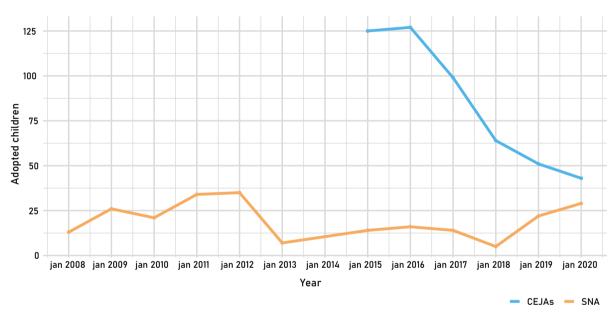
The survey showed that the average length of time between entering data in SNA and the decision for an international adoption was 2.5 years. There were 890 international applicants identified in the SNA who are already qualified for adoption, among which 94.7% are couples. Over 60% are from Italy, followed by France and the United States. The system shows 119 foreign individuals and couples who have already adopted, of whom 65% were aged between 40 and 50 at the time of the ruling.

The survey, however, pointed out inconsistencies between SNA records and the information provided by the State Judiciary Committees for Adoption/International Adoption. While the SNA shows 126 international adoption processes for the adoption of 236 children from 2008 to 2020, the committees report 509 adopted children from 2015 to 2020.

The researchers drew attention to the inconsistency between these two different information sources, which, according to them, reveals that there is a significant share of international adoption processes that are not necessarily registered as such in the SNA.

"The invisibility of these processes in the SNA hinders the comprehension of this phenomenon in its entirety and signals the importance of further efforts for more adequate system use and the factors that are associated with its lack of use."

FIGURE 13
Historical data series of children adopted via international adoption – SNA and CEJA data



Data source: National Justice Council. Questionnaire applied to State Legal Committees for Adoption/International
Adoption, 2021. National Justice Council. SNA, 2021
Source of figure: CNJ, 2022c

Potentially irregular adoptions

The study also detected some potentially irregular practices, which could offer useful data to assist the Government. Tocantins (78%), Alagoas (68.9%), Roraima (68.4%), Amazonas (64.4%) and Amapá (63.6%) for example, have recorded the highest percentages of children in Early Childhood adopted intuitu personae.

Furthermore, from the 1,305 children in the SNA whose parental authority was removed, 107 (8.2%) had no record of foster care. In 37 of these, no clear reasons were given to justify the absence of a foster care record, such as custody proceedings or *intuitu personae* adoption. The report suggests

that a system alert should be created to monitor the situation of children who have not been registered in institutional or family foster care.

Voluntary surrender

One of the key findings of the qualitative research is that the protection network is still frail, lacking effective institutional interaction. Another important finding is that poverty is one of the most common reasons for removing children from their families. "One of the interviewees even said that drugs are not always involved, neither is there always negligence, but there is always poverty," said researcher Olívia Pessoa during the National Pact for Early Childhood Seminar.

The protection network, which involves guardianship advisory boards, health and education teams, psychologists and social workers from shelters, Public Prosecutor's Offices, Public Defender's Offices, and judges, needs better training. This awareness is necessary to ensure that voluntary surrender of custody is not used coercively against vulnerable populations.

Voluntary surrender of custody data has been part of the SNA since its creation in 2019. Prior to that, there was no data recorded at the national level that would allow an analysis. The data in the system is limited to children up to 1 year old to protect it from being misused. In 2022, until April, 111 voluntary surrenders of custody were recorded, whereas in 2020 and 2021 there were 513 and 404 records, respectively.

Recommendations

The assessment of termination of family power and adoption cases shows the importance of a careful and coordinated process to ensure that the child's best interests are protected in such situations, and that families can use their rights, supporting the prevention of disrupting family ties. A range of recommendations based on the surveyed data is available to improve public policies that address the termination of parental rights and adoption.

One of the recommendations to the Judiciary concerns the need to increase the number of training courses on the Legal Framework for Early Childhood for public officers, including the possibility of incorporating these courses into their work schedule.

Other recommendations included monitoring by the Rights Assurance System for Children and Adolescents for families deprived of custody, expanding information about them in the SNA and implementing cross-sectoral strategies between local public policies for assistance.

The Judiciary was also encouraged to monitor the patterns of family destitution per Federated state and to observe children who have not been reinserted into surrogate families and to create

specific policies through local programs that guarantee these children's right to family and community life whenever adoption is not possible.

The SNA received suggestions, for example, to encourage the registration of all types of child adoption, including the *intuitu personae* modality, and Juvenile Courts were urged to do more follow-up and monitoring of adoption procedures, considering the importance of respecting legal deadlines

The Executive Power was made aware of the importance of disseminating the existing rights and duties among maternity hospital workers, health centers, and guardianship advisory boards, with the purpose of providing training on aspects of gender and reproductive rights, especially concerning the right of women to refuse motherhood and the obligation of these workers to refer such cases to Juvenile Courts. This Power was also requested to establish monitoring procedures for practices that violate rights, such as moral and religious sanctions, and obstetric violence.

Read the full report here



FOSTER CARE UNITS AND FOSTER FAMILIES

Sheltering children at risk or in vulnerable conditions is a protective measure outlined in articles 98 and 101 of the Child and Adolescent Statute (ECA). It provides for the temporary shelter of children and adolescents who are mistreated, abandoned, physically abused, sexually abused, or in any other situation that violates their rights, thereby guaranteeing their protection and dignity.

Early childhood is a pivotal period of human development, and it must be experienced under healthy circumstances and environments. As such, foster care services for children in this age group is of the utmost importance when it comes to protecting them.

Line 4 of the National Assessment of Early Childhood focused on understanding the scenario, the motivations, and the implications of childcare for Early Childhood, especially up to 5 years old, as per data from the Suas

Census, and up to 6 years old, according to data from the National Adoption and Fostering System (SNA).

Quantitative and qualitative approaches were applied, drawing on four different data sources. The first approach used data available in the Suas Census for 2019 and 2020, according to information obtained from questionnaires sent to foster care units and units that provide foster family care services. This part of the survey was designed to assess structural and management aspects of these services, covering data on human resources, facilities, interaction with other services, and initiatives.

The Suas Census also allowed an examination of the effects of the covid-19 pandemic on childcare services, including results on the prevalence of contamination by the new coronavirus in childcare institution employees, and in foster families and fostered children

The second source of data for the research was local legislation on how foster care services are organized.

Simultaneously, the third survey methodology used data from the SNA to analyze the profile of children in foster care historically and for 2019 and 2020. The choice of said years was linked to the years addressed in the Suas Census Report and, additionally, to the system's implementation in October 2019.

The survey focused on understanding age, ethnicity, and gender aspects of children in foster care, as well as the reasons that led to their foster care.

It also featured a qualitative study, involving field research in 18 districts with 239 respondents.

INSTITUTIONAL FOSTER CARE

This type of foster care occurs in specific institutional settings. Their purpose is to accommodate groups of children and adolescents. These institutions provide for the basic needs of food, hygiene, health, education, affection, and organization of daily routine for these children and adolescents. The accreditation and operation of these facilities are governed by article 90 of Law 12.010/2019 and by the Technical Guidelines issued by the National Board of Social

Assistance and Conanda (Joint Resolution n. 1/2009).

FOSTER CARE IN A FOSTER FAMILY PROGRAM

This shelter modality takes place in a family that voluntarily joins the Social Assistance public service, with the mission of welcoming the child and/or the adolescent who has been removed from his/her family into their own home, for as long as may be necessary for their protection.

This measure is considered a priority in childcare, as provided in art. 34 of ECA.

Mapping legislation on foster family services

Research was finished in January 2021. It found five specific Federated state legislations about foster family services in Brazil: in Ceará, Distrito Federal, Minas Gerais, Rio Grande do Sul, and Tocantins.

Only three of them are specific to the service (Ceará, Distrito Federal, and Rio Grande do Sul). The other two address the issue under the general law of regionalized services of high-complexity special social protection.

The survey also noted that six state bills are in progress in Espírito Santo, Maranhão, Pará, Piauí, Rio de Janeiro, and Santa Catarina.

Besides the legislative survey at the federated state level, an investigation of the municipal laws that govern foster family services was also undertaken. The municipalities that reported that they offered foster care services in the 2019 Suas Census (361 out of a total of more than 5.5 thousand throughout Brazil) were surveyed with the purpose of determining which services are governed by local laws and which are not.

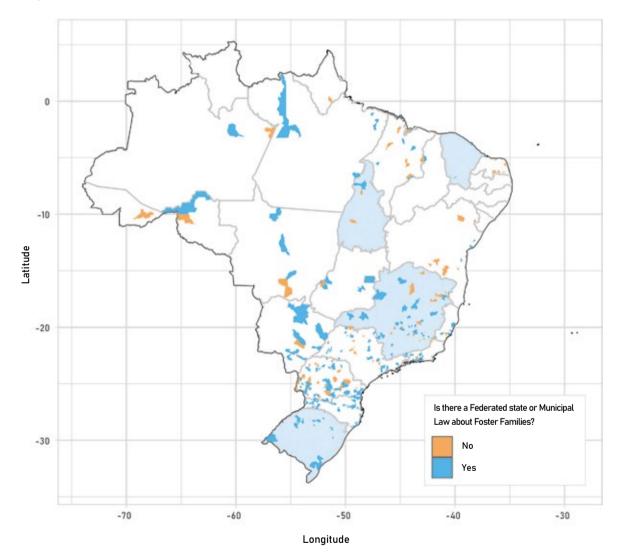
The surveys were run until mid-April 2021. The data revealed that not all foster care services available in municipalities have their own laws for regulation and implementation.

The growth of state and municipal laws addressing foster care was noted by the researchers as one of the positive results of this survey.

FIGURE 14

Map of the Federated States and municipalities that offer Foster

Family Services and have laws on foster care



Data source: National Justice Council with data from the Ministry of Citizenship, Suas Census (2019) and from the survey of laws conducted in the Assessment.

Source of the image: CNJ, 2022h

Data on institutional shelter units

Research showed that the number of institutional foster care units in the social assistance network grew from 5,768 in 2019 to 6,276 in 2020. Out of 508 new units, 289 targeted adults or families. The number of shelters in the care network dedicated exclusively to children and adolescents dropped from 2,801 to 2,798 over the surveyed period.

The profile of the staff working in the services for children up to 5 years old, according to the survey, showed that 63.7% had completed high school in 2020 and 85% were women.

Art. 28.

§ 3. The Union will support the implementation of foster care services as a public policy, which must be staffed with people who will organize temporary foster care for children and adolescents in the homes of selected, trained, and monitored families who are not on the adoption registry.

§ 4. Federal, Federated State, district and municipal resources can be used for maintenance of foster care services, with the option of transferring resources to the foster family itself.

Legal Framework for Early Childhood (Law n. 13.257/2016)

Data on family childcare services

The survey also found that the overall number of foster families in Brazil has seen a slight increase. From 381, in 2019, to 432, in 2020 - a number that is still quite low and suggests the need for further growth. In 2019, 42% of this segment housed children up to 5 years old. In 2020, this percentage was 40.3%.

Higher numbers of female workers were also observed. Indeed, in 2019, 517 of the 599 professionals working in the services were women, which represents 86.3% of all staff. In 2020, 500 of the 657 workers were female (76.1%).

In 2019, 80.4% of the people working in foster family services in units with children up to 5 years old in foster care had earned at least a bachelor's degree. In 2020, that percentage rose to 83.1%.

Profile of Foster Children

From a contingent of approximately 30 thousand children in shelters or foster families in

Brazil, 33.8% are under 6 years old. The finding that a little over a third are in Early Childhood sheds light on this sensitive issue, showing the need for public policies and specific care directed to newborns, babies, and young children that are still growing and developing.

Furthermore, the survey found that 15,706 children in foster care are of unknown color/ethnicity - 53.1% of the total number of foster children in the SNA in November 2021. After unknown ethnicity, the most significant color/ethnicity recurrences were: brown (23.9%), white (15.1%), and black (7.2%).

Given the extent of the absence of data on the ethnic background of foster children, researchers have noted that this fact hampers the understanding of the ethnic profile of SNA data and, consequently, undermines the identification of the need for public policies for specific populations.

As Mônica Sillan, a UNDP researcher, presented the results of the qualitative research at the National Pact for Early Childhood Seminar in April 2022, she mentioned that neglect was observed as the main reason for foster care. "This category, neglect, we've already discussed that we really do need to disaggregate that concept, which was so often raised by all survey participant categories."

Monica reported that, according to narratives gleaned in the survey, foster children's original families have been perceived and treated as barely capable of caring for their offspring, prompting the loss of their children.

Art. 31.

§ 7 When dealing with institutionalized children aged 0 (zero) to 3 (three) years old, special attention will be given to providing stable and qualitatively significant reference educators, to specific routines, and to meeting basic needs, including affection as a priority.

Legal Framework for Early Childhood (Law n. 13.257/2016)

Length of Foster Care

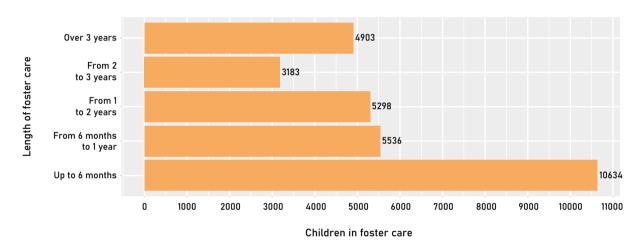
The optimal maximum length of time a child should stay in a foster care facility is 18 months. In regulatory and public policy terms, foster care is considered an exceptional measure that should be applied for the shortest possible time, since it can have a negative effect on child development and curtails the right to family life.

The survey results show a significant number of children in Early Child-hood placed in foster care for up to six months, followed by other periods

that are also considered foster care: up to one year, from one to two years, from two to three years, and over three years.

The reversed nature of data regarding children up to one year old is noteworthy. Whereas fostering children for up to six months is more frequent, the number becomes less significant as the fostering period is extended. Children aged 3 to 6 years, on the other hand, stay in foster care longer than younger children.

FIGURE 15
Total number of children in foster care by length of time in foster care to date of evulsion



Source of data: National Justice Council. SNA, 2021 Source of the image: CNJ, 2022h

Reentry into foster care

The survey showed that the reentry percentage in shelters grew from 30.9% in 2019 to 31.5% in the following year. For family foster care reentry dropped from 22.1% to 21.4% over the same period.

Considering these numbers, researchers have noted in the study, that "future investigations should focus on understanding the factors associated with reentry in the foster care system, since this is an experience that may have a negative effect on the child's development and his or her family and community ties, besides representing a relevant aspect for assessment of the provided services.

Recommendations

The survey showed positive aspects, such as the increase in state and municipal laws for foster families, the availability of units with higher foster care capacity than occupancy rate, and the increase in institutional research about child and adolescent foster care services.

However, the assessment also pointed out key challenges. These obstacles include limitations in institutional foster care facility infrastructure; understaffing, especially among health care professionals; and the fact that foster family programs are not widespread in Brazil.

The report made recommendations to several governmental and civil society sectors to strengthen the holistic protection of children in Early Childhood who experience institutional or family foster care.

Regarding the Judiciary, the survey suggests the need to raise awareness of Justice System bodies and develop networked initiatives to deliver continuous training for the technical teams who work in institutional and family foster care services.

The Executive Power was enjoined to improve compliance, to offer training, and to boost the number of monitoring teams in foster family services, especially in the North and Northeast regions of Brazil, which are in a particularly critical situation.

For civil society, recommendations included increased networking between Boards for the Rights of Children and Adolescents and Guardianship advisory boards, to establish basic settings for the protection and monitoring of foster children in Early Childhood.

Read the full report



ORGANIZATION OF THE JUDICIARY AND CLERICAL MANAGEMENT OF JUVENILE POLICIES

This part of the survey was designed to describe the work of Courts with jurisdiction over children and adolescents in Brazil, specifically in cases involving children in Early Childhood.

Two approaches were employed. The quantitative approach analyzed numbers from the National Judicial Database (DataJud), from CNJ and from the Monthly Productivity Module (MPM), also from the CNJ, both from 2020, and a questionnaire applied in 2021 to Courts with jurisdiction over children and adolescents. Data was sorted by different Courts – limited, general, and single bench Courts.

The qualitative research involved field research in 15 districts with 35 justice system practitioners. Field research was done to understand local practices and the views of different stakeholders on the care the Justice System provides to Early Childhood.

As the report itself states, Courts are essential venues for justice and access to rights for children and adolescents: "The First Instance Juvenile Courts are the "smallest" offices in the common justice system, and in practice, they are responsible for all initiatives and policies for children and adolescents.

The need to expand communication and coordination between the Justice System and the System of Rights Assurance was emphasized in the assessment, which suggests some practical recommendations.

Lastly, the survey also presents two panels on the work and organization of Family Courts.

Quantitative research

There are 3,148 justice Courts in Brazil with jurisdiction over children and adolescents. From August 27 to October 11, 2021, questionnaires were applied and forwarded to all the Courts of Justice nationwide, so they could be sent to the corresponding local Courts. A total of 669 Justice Courts answered the questionnaire, which represents 21.2% of the global number of Courts with jurisdiction over children and adolescents.

From the total of 3,148 Justice units:

• 65.7% are single bench courts;

- 29.7% have general jurisdiction;
- only 4.51% are limited jurisdiction courts dedicated to juveniles.

The general jurisdiction Courts handle claims from multiple sources. In "single bench" Courts, one sitting judge is responsible for processing all the lawsuits filed locally.

In 2020, 52,535 sentences were issued by Courts with jurisdiction over children and teenagers:

- 10,735 rulings issued in limited jurisdiction Courts;
- 24,146 rulings issued in general jurisdiction Courts; and
- 17,654 rulings were issued by 'single bench Court' jurisdictions.

As for human resources in the responding Courts, there are 654 sitting magistrates:

- 481 in general jurisdiction Courts (including single-court Courts); and
- 173 in limited jurisdiction Courts.

The use of special deposition techniques for the examination of children in cases was also addressed in the research:

- General jurisdiction Courts (includes single bench courts): 74.5%;
- Limited jurisdiction Courts: 72.8%.

DataJud information analysis looked at ten different types of lawsuits, considering their connection to the issue of Early Childhood:

- Adoption;
- Adoption with termination of parental rights;
- Guardianship with termination of parental rights;
- Guardianship of Juvenile;
- Qualification for adoption;
- Request for protective measures;
- · Loss or suspension of family power;
- Restoration of family power;
- Guardianship with termination of parental rights;
- Search and seizure of children and youth.

Casework Analysis

There were 65,769 new cases within these categories of interest in 2020. Most of them, 48.17%, were in General jurisdiction Juvenile Courts, followed by 32.25% in single bench courts, and only 19.58% in Limited jurisdiction Juvenile Courts.

The survey also addressed the annual rate of backlog, which is an index devised by the CNJ that shows the percentage of cases that are still pending solution at the end of the referenced base year, compared to the number of cases that were processed (the sum of those that were filed and those that were dismissed). Therefore, the backlog rate is deemed to measure the effectiveness of a court in a given period. The higher the index, the higher the rate of backlog - therefore, the more ineffective the court is and the more difficult it is to process its caseload.

The high level of backlog in Juvenile Courts in 2020, based on the ten selected classes, is evidence of an overload in processing these cases. "The lowest case processing time rates are found in Courts that work exclusively with Juvenile, while the highest averages, in general, were observed in single bench Courts," the study observes in its executive summary. "These results reinforce the understanding that limited jurisdiction Courts are able to process Juvenile cases under their analysis more diligently", the report adds.

In limited jurisdiction Courts, average processing time is slightly lower (0.8 years) when compared to general jurisdiction Courts (1.3 years) and single bench Courts (2 years).

The Child and Adolescent Statute was the first legal framework that established that Federal States and the Federal District were allowed to create specialized and limited Juvenile Courts. Resolution no. 113/2006 by the National Board for the Rights of Children and Adolescents (Conanda) and CNJ Instructions no. 36/2014 and no. 116/2021 reinforce this recommendation.

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YEAR	NORMATIVE	MAIN GUIDELINES FOR THE CREATION OF LIMITED COURTS	
	Statute of the Child and	Establishes, in a non-mandatory manner, that the federation states and the Federal District may create specialized and dedicated Courts for Juvenile, and	
1990	Adolescent (Art. 145, Law n. 8069/1990)	it is the Judiciary's responsibility to determine the appropriate ratio of such Courts according to the population, equip them with the required infrastructure, and regulate the services to be provided, including on-call services.	

YEAR	NORMATIVE	MAIN GUIDELINES FOR THE CREATION OF LIMITED COURTS		
2006	CONANDA Resolution no. 113	Reinforces the guideline to establish limited jurisdiction Courts exclusively for children and youth (juvenile), which also applies to the Public Prosecutor's Office, the Public Defender's Office, and the Public Security system. Regulates the proportionality criterion, stating the need to guarantee the creation, implementation, and strengthening of limited jurisdiction Juvenile Courts in all districts that represent large and medium-sized municipalities or are otherwise proportional to the number of residents.		
2014	CNJ Ruling No. 36	Covers the organization and procedures within Juvenile Courts, emphasizing the importance of creating limited jurisdiction Courts. Determines that the Presidencies of the Courts of Justice shall undertake studies to equip regional Courts and fora that serve more than 100,000 (one hundred thousand) residents with Courts that have limited jurisdiction over children and youth.		
2021	CNJ Ruling no. 116	Modifies the number of residents to 200,000 (two hundred thousand) for creation of Courts with limited jurisdiction. Among other changes, recommends the appointment of a judge with limited jurisdiction for juveniles. Whenever this is not possible, emphasizes the need to avoid overlapping this judge's jurisdiction with that of the Criminal Court. Recommends the creation of a multidisciplinary team, or, when extremely impracticable, the creation of regional multidisciplinary nuclei.		

Source: CNJ, 2022e

However, the study reveals that, despite the many normative guidelines prioritizing the creation of limited jurisdiction Courts in districts, the number of lawsuits in single bench and general jurisdiction Courts is still high. "In general, Courts with limited jurisdiction over juveniles have shown shorter processing times when compared to Courts with general jurisdiction and single bench Courts," says the report. Furthermore, according to the report, Juvenile cases require a specific approach found only in Courts with limited jurisdiction, which generally have better resources to ensure and comply with the specific legal framework for children and adolescents.

The questionnaires allowed the researchers to reach inferences concerning elements related to court organization and performance.

"Courts with limited jurisdiction feature a larger number and variety of personnel and more bars that use exclusively electronic proceedings. They have the proper facilities for holding special depositions and are fully integrated with local health and education policies," the report states.

As for procedural management, the survey found that 39.2% of general jurisdiction Courts work exclusively with electronic processes. This rate reaches 49.51% in the limited jurisdiction Courts.

FIGURE 16 - Child and youth protection network services in the districts: a look at the **Rights Assurance System**

COURTS WITH GENERAL JURISDICTION INCLUDING JUVENILE

COURTS WITH LIMITED JURISDICTION FOR JUVENILE

HAVE SPECIALIZED POLICE PRECINCTS

6,2%

63,1%

HAVE SPECIALIZED PUBLIC PROSECUTORS' OFFICES

31,5%

89,3%

HAVE SPECIALIZED PUBLIC DEFENDERS' OFFICES

11.1%

74,8%

20,9% of the districts where the Courts involved in the research are located have limited jurisdiction Public Defender's Offices dedicated to children and adolescents.

FIGURE 17 - Early childhood care services in coordination with other services

of the Courts that took part of the research

DECLARED THEY WERE OPERATIONALLY INTEGRATED WITH EDUCATIONAL AND HEALTH POLICIES IN THE DISTRICT.

INTEGRATED ACTIVITY WITH EDUCATION AND HEALTH POLICIES IN DISTRICTS WITH JUVENILE COURTS

33,2%

GENERAL JURISDICTION COURTS : LIMITED JURISDICTION COURTS

49,4%

FIGURE 18 - Municipal plans for Early Childhood

the public officers affirmed that they knew about a municipal plan for Early Childhood in

29,3%

of the Courts that reported having a municipal Early Childhood plan stated that they were involved in the development, monitoring, and evaluation of the plan.

FOR AFFIRMATIVE ANSWERS ABOUT AN EARLY CHILDHOOD MUNICIPAL PLAN IN THE DISTRICT

GENERAL JURISDICTION COURTS LIMITED JURISDICTION COURTS

AMONG THE COURTS THAT PARTICIPATED OR ARE PARTICIPATING IN THE PREPARATION, MONITORING AND EVALUATION OF THE PLAN

GENERAL JURISDICTION

LIMITED JURISDICTION

Source: CNJ, 2022d

Table 5 - Number of Courts with jurisdiction over Juveniles by Federated state and court type (2020)

	Limited	General	Single Bench	Total				
Large								
TJMG	9	130	179	318				
TJPR	12	76	94	182				
TJRJ	1	94	37	132				
TJRS	0	91	77	168				
TJSP	32	90	486	608				
Medium size								
ТЈВА	4	49	156	209				
ECJ	8	26	86	120				
TJDFT	3	0	0	3				
TJES	16	23	45	84				
TJG0	6	50	84	140				
TJMA	4	32	79	115				
TJMT	2	31	54	87				
TJPA	6	9	95	110				
TJPE	19	28	99	146				
TJSC	3	41	52	96				
		Small						
TJAC	2	10	8	20				
TJAL	2	9	44	55				
MALT	0	14	84	98				
TJAP	2	1	21	24				
ZMCT	1	39	30	70				
ТЈРВ	0	24	38	62				
ТЈРІ	1	10	58	69				
TJRN	4	16	42	62				
TJR0	0	30	17	47				
TJRR	0	3	8	11				
TJSE	2	0	64	66				
TJTO	3	10	33	46				
TOTAL	142	936	2.070	3.148				

Source: National Justice Council. MPM, 2021

Lawsuit Management

The survey examined the use of technology for improved management. Only 39.22% of the investigated number of general jurisdiction Courts work exclusively with digital lawsuits. The percentage of limited jurisdiction Courts exclusively dedicated to juveniles is 49.51%. The outcome, therefore, indicates higher levels of technological improvement in limited jurisdiction Courts.

- The Court of Justice of São Paulo holds 19.3% (608) of all Courts with jurisdiction over children and adolescents in Brazil.
- Minas Gerais comes second, with 318 jurisdiction Courts in this matter, and the third place belongs to the Court of Justice of Bahia, comprising 209 Courts with jurisdiction in this area.
- The Court of Justice of the Federal District holds the smallest number of Courts with jurisdiction over this matter, however, it is the Court in which all the Justice units that work with children and youth have limited jurisdiction.

Special Deposition

Most Courts, both general and limited, do not hold special depositions for children. This type of deposition was more widespread in limited jurisdiction Courts - 30.1%. The percentage of special deposition was 19.6% in general jurisdiction Courts.

Framework of Juvenile Courts

The average staff size in limited jurisdiction Courts was 18, whereas in the single bench and general jurisdiction Courts, the average was approximately 7 public employees.

The results showed data that confirms the trend towards modernization of the Justice System via IT systems, which is also specified in CNJ resolutions 185/2013 and 345/2020.

Overall percentage of electronic process use by type of court:

- Courts with exclusive competence: 89.5%;
- Courts with general jurisdiction: 83.6%;
- Single bench Courts: 84.9%.

The survey also found that 48.58% of the responding Courts possess a multidisciplinary technical team and that this percentage rises to 81.55% in Courts with exclusive jurisdiction. The technical team is equipped with areas that ensure individualized attention and privacy in 84.6% of these cases, whether in the limited jurisdiction Courts (89.3%) or in the general jurisdiction Courts (83%).

Qualitative research

Research followed the protocols in effect because of the covid-19 pandemic and was performed remotely, in 15 Courts: three in the North Region (RO and AC), three in the Northeast Region (PI and CE), three in the Midwest Region (all in GO), three in the Southeast Region (all in SP) and three in the South Region (all in PR).

Thirty-five participants from all levels of the Justice System were involved, with a balanced mix of members from the Judiciary, the Public Prosecutor's Office and the Public Defender's Office, including technical teams from all three bodies.

The assessment was made in two different formats: application of questionnaires and in-depth interviews with a segment of the sample. The qualitative analysis aggregated the data obtained through these questionnaires and interviews.

CNJ Ruling No. 36

CNJ Ruling n. 36, of March 5, 2014, ensures the prompt and timely settlement of adoption proceedings and termination of parental rights . This study evidenced its importance. "Facts show that CNJ ruling n. 36 accomplished one of its purposes, namely the expeditious settlement of family power removal proceedings," the study noted, explaining that this ruling is applied to technical-legal decisions that will decide for family reintegration or for placement of the child in a surrogate family. "Therefore, priority and expeditiousness are observed at all levels, operating as protocol for best protective practices."

The survey also shows that better communication and coordination between the Justice System and the Rights Assurance System would lead to an extensive and far-reaching improvement of local public policies for children up to 6 years of age. "The concentrated depositions represent a interinstitutional environment for communication between judicial bodies and the cross-sector coordination of public policies for Early Childhood," according to the report.

It also shows a lack of infrastructure and clerical organization within the segment of the justice system that is exclusively focused on Early Childhood, since Early Childhood is not addressed as a specific concern within the children and adolescents context.

Recommendations

Based on the quantitative and qualitative surveys, the report recommends measures for the Executive Power, for the protection network, for the bodies involved in the Rights Assurance System, and for IT systems.

Ten recommendations are addressed to the Justice System:

- Strengthen its interaction with social assistance, health and education sectors of the Executive Power to reinforce the Rights Assurance System and provide social protection for children;
- Establish directives governing the role of the Justice System in planning and preparing municipal plans;
- Establish and support multidisciplinary technical staff in all Courts with limited or general
 jurisdiction over matters regarding childhood and youth; in the event of material inability to
 comply, establish regional centers or other similar solutions as provided in the CNJ Ruling n.
 36/2014;
- Ensure public access to court budget management, clearly indicating the funds allocated to Early Childhood policies, as recommended by art. 11 of the Early Childhood Legal Framework, including technical team assistance;
- Ensure that CNJ Ruling n. 36/2014 is observed, specifically regarding the creation and implementation of additional Courts that have limited jurisdiction over matters related to juveniles, in light of the Report's findings;
- Ensure technical support from anthropologists for cases in which their work is required to assist children from traditional peoples and communities in Courts and in the specialized deposition process, as set forth in CNJ Resolution no. 299/2019;
- Strengthen and expand the use of alternative methods for conflict resolution in cases involving children and youth;
- Prioritize the implementation of electronic lawsuit processes over physical lawsuit processes;
- Increase the number of Special Deposition rooms for children, with suitable facilities, particularly in Courts with general jurisdiction where only 53.38% of the Courts have such facilities. Ensure that these specialized rooms are equipped with acoustic isolation and a video recording system, as established in CNJ Recommendation no. 33/2010, Law no. 13.431/2017 and CNJ Resolution no. 299/2019;

 Broaden the dissemination of training courses on SNA usage that are already available at CNJ for employees of Juvenile Courts and offer regional training courses, training trainers in each court and state service networks, thereby offering technical support that is attuned to local contexts.

The survey also makes some suggestions concerning IT systems, the Executive Branch, and the protection network and bodies within the Rights Assurance System, to strengthen cross-sector involvement in the protection of children in Early Childhood and adolescents.

Seven recommendations, for example, were addressed to the Executive Power. One such recommendation is to devote more time and effort to the demands for vacancies in public day-care centers and pre-schools, to avoid judicializing these cases. Other recommendations include the creation of municipal plans, with guaranteed budgetary allocation, and to aggregate services, policies, and practices for Early Childhood care in all areas.

Regarding the protection network and the bodies within the Rights Assurance System, one of the recommendations addresses the need to strengthen cross-sector initiatives, particularly in healthcare, education, social assistance, work, and income.

Panels

Two panel discussions were also produced as a result of the survey. One panel features data from a questionnaire applied to Courts with jurisdiction over children and youth in Brazil in 2021, concerning their Organization and Clerical Management of Public Policies for Children and Youth. Its purpose was to outline the structural, operational, and service profile of Brazilian Courts with jurisdiction over children and youth, comparing Courts with general jurisdiction to Courts with limited jurisdiction. The second panel investigated procedural statistics, with data from the National Judicial Database (DataJud), which will be regularly updated.

These panels are a joint initiative of the UNDP and the CNJ. They can be readily accessed at the CNJ site.

Access to the Panel on Organization and Work of the Juvenile Courts



Access the panel detailing procedural statistics on this issue



Read the full report



INSIGHTS ON ECA AND THE LEGAL FRAMEWORK FOR EARLY CHILDHOOD - SUPPLEMENTARY DOCUMENTS

- » The introduction of the Legal Framework for Early Childhood (MLPI) in the legal scenario broadened the rules for the enforcement of protective practices and had a direct effect on how policies for Early Childhood care are designed and managed.
- » From field experience, we observed a clear difference between ECA and MLPI, which were seen as complementary tools, with different approaches and solutions to problems that are often similar.
- » Research participants stated that in ECA, the best interest of the child was an issue to be addressed by legal practitioners, through the optimal arrangement of routines, responsibilities, and procedures, for child protection.
- » However, concerning the MLPI, the interviewees identified an emerging contemporary understanding of childhood which emphasizes family and community life and the significance of extended family and family ties when children are removed from their families.
- » The procedural changes introduced by the MLPI have fostered new understandings and approaches about family relations and/or parenting.
- » The current organizational standard that focuses on children's legal rights is broadened as public policies place greater weight on primary care for the family as well.

FROM ASSESSMENT TO THE PREPARATION OF A HANDBOOK ON SPECIAL DEPOSITIONS FROM CHILDREN AND ADOLESCENTS FROM TRADITIONAL CULTURES AND COMMUNITIES

Assessment of Special Depositions taken from Children and Adolescents Belonging to Traditional Peoples and Communities

UNDP consultants produced a document called "Assessment of Special Depositions by Children and Adolescents belonging to Traditional Peoples and Communities" through research in four Courts of Justice. It is the result of Ordinance No. 298, which instituted the Inter-agency Working Group (WG) consisting of representatives from the Rights Assurance System, with the purpose of piloting the implementation of procedures and guidelines to apply a specific gamut of methods for taking special depositions from children and adolescents from traditional peoples and communities who

are either victims or witnesses of violence, with due regard for the protective regulations governing their social and cultural values.

The goal was to prepare a Handbook on the Special Deposition of Childrens and Adolescents from Traditional Peoples and Communities, containing guidelines for a protocol of assistance and the criteria for holding these special depositions.

The report also analyzes how the special deposition procedures are currently being implemented and how the rights of children and adolescents from traditional peoples and communities to non-revictimization and full protection, as established by the Protected Deposition Law (Law 13.431/2017), are being enforced in the context of the pilot projects run by the Courts of Mato Grosso do Sul, Amazonas, Roraima, and Bahia.

Table 6 - Courts of Justice, districts and ethnicities included in the pilot project for taking special depositions from traditional peoples and communities

Court	Counties	Ethnicities	
Mato Grosso do Sul	Dourados	Guarani, Kayowá, Terena	
	Amambai	Guarani and Kayowá	
	New World	Guarani	
	Tabatinga	Tikuna, Kokama and Kanamari	
Amazon	São Gabriel da Cachoeira	Tukano, Dessana, Kubeo, Wanano or Kotiria, Tuyaca, Piratapuia, Miriti Tapuia, Arapasso, Karapanã, Bará, Siriano, Makuna, Baniwa, Koripaco, Baré, Werekena, Tariano, Hupdah, Yuhupde, Daw, Nadob, Yanomami and Barassana	
Roraima	Boa Vista	Macuxi and Wapixana	
	Bonfim	Macuxi and Wapixana	
Bahia	Waterfall	Terreiro Community: Nagô, Keto, Jeje Mahin, Nagô Ijexá, Jeje Nagô Ijexá specifications.	
	Santo Amaro	Remaining Quilombo Communities	
	Eunápolis	Roma people: Rom and Calon	

Source: CNJ, 2022b



Assessment of the Special deposition of Children and Adolescents belonging to Traditional Peoples and Communities



Handbook on the Special Deposition of Children and Adolescents belonging to Traditional Peoples and Communities

Read the full document here



Courts of Justice, districts and ethnic groups included in the pilot project for special depositions given by traditional peoples and communities

The Assessment

This report contains the systematized and anthropologic review of data on the pilot projects for the special deposition of children and adolescents from traditional peoples and communities. The methodological approach was ethnographic action research, which involved four significant case studies that arose from an ethnographic reading of legal proceedings. As a result of this study, active observation was undertaken during the pilot-project activities held by the aforementioned Courts of Justice (meetings, webinars, workshops, and conversation rounds for sharing experiences).

According to the National Policy for the Sustainable Development of Traditional Peoples and Communities (Decree No. 6040/2007), traditional peoples and communities constitute "culturally distinct groups that self-identify as such, which practice their own social organization, which occupy and use territories and natural resources as a prerequisite for their cultural, social, religious, ancestral, and economic development, employing knowledge, innovations, and practices that have been produced and transmitted by their traditions".

It also addresses violence committed in connection with the national hegemonic society: institutional violence and intra-community violence as an outcome of colonization.

In terms of intra-community violence, the most vulnerable social groups are women and children, as noted in the handbook's executive summary. "Despite the distinct outlines for each traditional people and community in Brazil, the abusive use of alcoholic beverages and other drugs is an important social determinant of domestic, family, and intracommunity violence," the handbook states.

"Individual cases of violence against children and adolescents from traditional peoples and communities that reach the Brazilian Courts are the result of long-term histories of violations to which these peoples and communities have been subject. They usually occur in the extremely precarious contexts in which such peoples live - food insecurity, territorial conflicts,

plundered natural environments, lack of access to drinking water and decent housing, difficulty in gaining access to specific public policies, severe alcoholism and high suicide rates."

The report explains that "the most frequent type of violence that reaches the rights assurance system stemming from traditional communities and peoples (indigenous populations) is sexual violence committed against female children and adolescents. In conclusion: "Such violence is mostly experienced within the domestic environment, and cases of incest are not unusual."

The study examines the procedures and service processes that include special depositions, which are performed by institutions from the Rights Assurance System based in the districts that were studied. "Furthermore, it examines one of the essential elements for taking special depositions from people who belong to different linguistic and sociocultural backgrounds, namely: the work of qualified forensic interviewers, interpreters, and anthropology experts," as per the report.

The criteria for evaluating the practices and services rendered by the Rights Assurance System are established by the Law of Protected Deposition. We need to consider "the social and cultural particularities of these communities as well as their particular production methods and childhood protection, besides the unique ways in which violence is experienced in each community," to ensure that this legal framework is applied fairly.

The report also discusses how traditional peoples and communities should be consulted on how to apply such legislation to their own communities, as per the International Labor Organization's Convention on Indigenous and Tribal Peoples. The institutions that make up the Rights Assurance System, and leaderships and representatives of the constituent segments of these ethnic groups, will have the opportunity to reach agreements on the best ways to enforce the specific rights of these groups, and also to reach agreements on the cross-cultural processes that consider each child and adolescent's uniqueness.

As for the definition of violence, this report shows that the issue of sexual violence against children and adolescents belonging to traditional peoples and communities must be thoroughly discussed with indigenous leaderships, with representatives of the peoples' distinct social segments, and with indigenous practitioners, to create cross-cultural strategies that provide full protection for children and young people within their communities.

The Court of Justice of Bahia (TJBA) has encountered difficulties in identifying cases involving children and adolescents belonging to traditional peoples and communities who are victims or witnesses of violence in its databases. As such, the report noted that the lack of information on the identity of victims and witnesses from the Roma, maroon, and black communities in court cases

compromised the consultancy's access to the proceedings, precluding their consideration in the review.

According to this report, the creation of devices for social and ethnic identification of these peoples is essential. This should be done during the procedures that are part of the out-of-court stages of lawsuits, through self-declaration by the people involved (victims, witnesses, and defendants), and also in the Justice System's data base, where specific fields should be included to enter data about peoples/community, ethnicity, and language of the subjects involved in the lawsuit. "It is impossible to guarantee the rights of these ethnic and socially diverse segments if the subjects of these rights are not acknowledged in terms of their individual diversity in the framework of Brazilian official statistics," summarizes the report.

The report makes recommendations to the Courts of Justice of the North Region (Amazonas and Roraima), such as employing forensic interpreters and interviewers as experts to perform special depositions, creating a registry of indigenous interpreters at the Amazonas Court of Justice, training these interpreters, and introducing anthropological audits, among others.

With respect to services, work routines, and special depositions in the Mato Grosso do Sul Courts, the report focuses on the need to enforce the rights set forth in the Protected Depositions Law for children and adolescents from traditional peoples and communities in the Cone Sul District Courts, in particular. It also addresses the need for legal counseling that defends the interests of children and adolescents who are victims of violence and that protects them from being revictimized when they are assisted by institutions from the Rights Assurance System. In addition, it addresses the inclusion of multidisciplinary healthcare teams in assistance for indigenous children and adolescents, and the importance of implementing measures to mitigate the traumatic effects that the *corpus delicti* exam of sexual intercourse can have on indigenous children and adolescents who are victims of violence.

The document also deals in depth with issues involving forensic interviewers, special depositions, the role of interpreters, and anthropological forensics.

Throughout the report, it is clear that there is a concern for not revictimizing child victims or witnesses of violence, but also for establishing the necessary environment where they can understand and be understood.

In its closing remarks, the Assessment of the Special deposition of Children and Adolescents Belonging to Traditional Peoples and Communities recognizes that "colonial violence throughout history against traditional peoples and communities currently adopts a more overtly structural nature, not only because their rights to difference are still not recognized and enforced, but also

because they now occupy a subordinate position in the highly unequitable society of Brazil.

The report ends by stating that "the justice system, when acting in accordance with the provisions of Article 3 of CNJ Resolution No. 299/2019, plays a key role towards establishing cross-cultural patterns of special care for children and adolescents, based on the principle of coordination between the judiciary and traditional ways of protecting children and youth and resolving conflicts, creating propitious grounds for achieving the right to nonrevictimization and full protection".

Finally, the Courts of Justice will be responsible for "mapping the distinct traditional peoples and communities within their territories and establishing cross-cultural dialogues that enable the joint development of strategies to fight violence against children and adolescents from these groups.

Handbook on the Special Deposition of Children and Adolescents belonging to Traditional Peoples and Communities

Brazil is home to a wide range of ethnic, sociocultural, and linguistic peoples and traditional communities. "The social and cultural diversity of traditional peoples and communities matches the diversity of child-hoods and of different ways of living as a child and experiencing youth. This diversity needs to be addressed by public and judicial policies, so that these children and adolescents' distinctive rights to full protection are put into effect," reads the executive summary of the Handbook on the Special Deposition of Children and Adolescents belonging to Traditional Peoples and Communities, published in 2022.

The special deposition process is one of the policies for holistic protection of children and adolescents who are victims of or witnesses to violence. It entails a procedure for taking depositions from victims or witnesses before police or judicial authorities to produce evidence as part of a judicial proceeding. This procedure must be arranged in such a way that

Read the whole document here



protection, shelter, and privacy are paramount, as well as the prevention of multiple repetitions of the depositions to prevent revictimization.

The handbook emphasizes the importance of adapting special depositions to the cultural and social-linguistic backgrounds of traditional peoples and communities, which are governed by specific communicative norms and codes of conduct. "To enable effective communication as much as to prevent yet another institutional violence from being inflicted upon these collectives," substantiates the executive summary.

As such, the handbook introduces guidelines on how to assist this target group, while also being sensitive to the diverse childhoods and youths that coexist within these ethnic and social groups. It also addresses the manifold ways in which violence is present in these territories, while assessing the particular features of the Rights Assurance System in each territory. This is an important follow-up to CONANDA's Recommendation 181/2016.

The Handbook on the Special Deposition of Children and Adolescents from Traditional Peoples and Communities provides guidelines on how to establish a service protocol and criteria for the special depositions of Children and Adolescents from these communities. This document, which is the result of a UNDP consultancy, is designed to reinforce judicial policies that target the diversity of children and young people in Brazil.

Accordingly, under the Justice Begins in Childhood program, the assessment and the handbook are concrete deliverables that examine and review judicialized violence against children and adolescents from traditional peoples and communities. Furthermore, these documents provide context for their situation and guidelines for services, covering issues such as special hearings, special depositions, and anthropological investigation, not to mention coordination of stakeholders and authorities to ensure that the rights to nonrevictimization and full protection are upheld.

The guidelines for cultural conformity of procedures are intended to respect the social, cultural, and linguistic specificities and uniqueness of these individuals, and to enforce their distinctive rights. These are:

- 1) Diversity of traditional peoples and communities: childhoods, protection modes and legal pluralism;
- 2) Consultation and participation of traditional peoples and communities;
- 3) Ethnic and linguistic identity of the child or adolescent from traditional peoples and communities who was a victim or witness of violence;

- 4) Venue for taking the special depositions given by traditional peoples and communities;
- 5) Planning the special deposition from traditional peoples and communities;
- 6) Specialized forensic interviewers;
- 7) Forensic interpreters and cultural mediators;
- 8) Adaptation of the Brazilian Protocol for Forensic Interviews of Childrens and Adolescents Victims or Witnesses of Violence from Traditional Peoples and Communities;
- 9) Anthropological forensics;
- 10) In-house organization of the Judiciary to take the special depositions;
- 11) Coordination between the Judiciary and the Rights Assurance System;
- 12) Continuous training;
- 13) Assistance for Isolated Indigenous Peoples and those who have recently been contacted;
- 14) Planning, monitoring, and evaluation.

The handbook recommends, among other matters, that Courts of Justice should map the diverse traditional peoples and communities living in their territories and engage in cross-cultural dialogues to enable the joint development of strategies to deal with violence against children and adolescents from these groups. It also recommends the inclusion of professional anthropologists in the Justice System's multidisciplinary teams.

Concerning the applicability of the Protected Depositions Law (Law 13.431/2017) to traditional peoples and communities' contexts and the attitudes of their members, the Justice System must establish ways to inform traditional peoples and communities about the legal rights that are granted to children and adolescents who are victims of or witnesses to violence.

The handbook also states that "the peoples and communities have the right to be aware of the Brazilian Criminal Law and to be consulted about its applicability to their social-cultural environments and to their members' practices". Moreover, they must be aware of the right to comprehensive protection and to the non-revictimization of their children and adolescents.

Once the conditions for cross-cultural communication between the Justice System and traditional peoples and communities are in place, the Handbook on the Special Deposition of Children and Adolescents from Traditional Peoples and Communities must be evaluated and validated by community leaders and representatives. As stated in the Handbook, "the consultation must establish

cross-cultural discussions, inviting traditional peoples and communities to join in the enforcement of the guidelines contained in this Handbook, promoting co-responsibility for their implementation and for the results that will be attained".

Ethnic identification

To ensure that the specific rights of children and adolescents from traditional peoples and communities who are victims and witnesses of violence are put into practice, these groups must be given visibility in the Justice System's official information systems. The Handbook specifies that judicial information systems must include fields where information on ethnicity, language, people, and traditional community, to which the victim, witness, or defendant involved in the judicial proceedings belongs, can be entered.

Since ILO Convention 169/1989 also established the right of traditional peoples and communities to employ self-identification/self-declaration to report on their identities and ethnic and social group membership, judicial proceedings should include information in this regard. "Accordingly, it is strongly recommended that children and adolescents from traditional peoples and communities who are victims or witnesses of violence make a self-declaration during the out-of-court stage of the proceedings, ideally when they testify at the police precinct," the handbook explains.

The Justice System should enter into agreements with the Public Safety Departments, pursuant to Article 2 of CNJ Resolution 299, to ensure that police precincts include self-declaration by victims or witnesses of violence in the preliminary phase of police investigations, at the time their statements or those of their guardians are taken. The Public Prosecutor's Office should also be involved in these agreements.

Forensic interviewers

If a Court of Justice supports the recommendation of having specialized personnel from the people and communities to act as forensic interviewers during the special deposition, the opening of public calls for accreditation of these professionals is strongly recommended. Subsequently, the list of experts should be submitted to the traditional peoples and communities for validation, using the methodology of agreed-upon consultation. Once this list is validated, the specialized professionals must be trained by the Court of Justice. After training, they will become part of the Court of Justice's registry of specialized personnel.

The handbook also states that "if the special deposition is taken by public officers of the Judiciary, they must be trained to act as forensic interviewers of children and adolescents from traditional

peoples and communities, with the purpose of developing the cross-cultural competencies required to handle the forensic interview for a special testimony".

Forensic Interpreters

The Courts of Justice will have to create a register of interpreters who belong to traditional peoples and communities. They will be hired as experts for special depositions involving children and adolescents from traditional peoples and communities who do not speak Portuguese.

The accredited interpreters must be trained by the Court of Justice itself to perform the role of linguistic interpreter and cultural mediator. According to the report, judges, legal practitioners, and forensic interviewers should also be taught how to work with forensic interpreters during depositions.

Situations in which anthropological forensic examination is indispensable:

- When the defendant is an elder, sage, spiritual leader, healer, or shaman. Although the defendant's identity may be ambiguous in community contexts, the traditional role he or she plays is fundamental to the comprehensive protection of children and adolescents. Depending on the sentence handed down, the impact on the community's social organization can be devastating;
- 2) When the situation involves accusations of witchcraft or other spiritual dimensions of traditional peoples and communities;
- 3) When affective-sexual conflicts involving minors under 14 years of age are part of the situations of violence:
- 4) When they involve marriage with minors under 14 years of age;
- 5) When there are risks of criminalizing traditional practices and therapies employed for healing and restoring the well-being of children and adolescents, among others;
- 6) When the situation involves political conflicts and disputes between relatives;
- 7) Whenever the subject of the accusation does not come from members of the community itself;
- 8) Whenever there is a custody dispute or when it is necessary to remove the child from the family environment;

- 9) Whenever it is necessary to remove the child or the adolescent from their family and/or community context and shelter them in non-indigenous institutions or put them up for adoption;
- 10) Whenever there are people belonging to isolated and recently contacted indigenous peoples (PIIRC);
- 11) Whenever the people involved in the judicial process defendant, victims and witnesses are monolingual or not fluent in Portuguese.

The handbook says that "the Courts of Justice are required to evaluate the possibility of including anthropologists with a Master's or Doctorate degree in this area of knowledge in the multidisciplinary teams of the Judiciary", adding that "anthropological expertise may be included either through agreements with state and federal, public and private universities, or by appointing anthropologists to act as experts".

Recommendations for Special deposition taking procedures

- That the Justice Courts' Coordinators for Juvenile Affairs create judicial cooperation measures
 between Courts that may be involved in conflicts involving children and adolescents, particularly those from traditional peoples and communities, to avoid revictimization and repetition of
 these acts:
- That the judges should be trained to handle forensic interviews with children and adolescents from traditional peoples and communities in compliance with the adapted Brazilian Forensic Interview Protocol;
- That the employees of the Judiciary who work directly with traditional peoples and communities court officers, assistants and notary clerks, among others should also be trained to work with traditional peoples and communities, to prevent them from reproducing prejudices and discriminations in their practices which could lead to institutional violence.

The handbook contains recommendations to ensure that the relationship between the Justice System and the Security System, the Public Defender's Office, and the protection network guarantee the comprehensive protection of children and adolescents who are victims or witnesses to violence. It also notes the role of the Justice System as a coordinator of the interpreters' participation in the services delivered by the Rights Assurance System, to prevent revictimization.

The handbook also addresses the issue of ongoing training to guarantee the rights to non-revictimization and the full protection of children and adolescents from traditional peoples and com-

munities who are victims or witnesses of violence. Agents in the justice system - judges, specialized personnel who take special depositions, and legal practitioners - must be trained to act as subjects within culturally diverse contexts.

The report also covers plans for ongoing training for Justice System employees, in addition to providing training for forensic interviewers and interpreters, to ensure that the special deposition of children and adolescents from traditional peoples and communities is taken "in a culturally appropriate manner".

Action plans

"The Courts must devise their own action plans to implement the guidelines set forth in the *Practical Handbook* on the Special Deposition of Children and Adolescents belonging Traditional Peoples and Communities, outlining short-, medium- and long-term strategies for taking actions designed to adapt the special deposition procedure and the service procedures for children and adolescents from traditional peoples and communities," as stated in the handbook.

The action plans must describe the goals, the planned activities, the results, and the goals to be met, besides methodology strategies, the timelines, the identification of the persons accountable for implementing the activities, potential partners, and the devices that will be used to monitor and evaluate plan implementation.

Also according to the handbook, "a follow-up, monitoring, and evaluation process must be put in place by the National Justice Council to support the Courts of Justice as they implement the action plans to enforce the guidelines and to evaluate performance, efficiency, and effectiveness of this judicial policy, and identify the lessons learned, adapting them as needed to attain the main objective: ensuring the unique rights of children and adolescents

from traditional peoples and communities to non-revictimization and comprehensive protection". Monitoring and evaluation activities must also include the traditional peoples' and communities' engagement.

Seminar

These two documents were discussed during a specific plenary panel at the National Pact for Early Childhood Seminar: achievements and breakthroughs of the Justice Begins in Childhood project, held in April 2022.

Livia Cristina Peres, adjunct judge to the CNJ Presidency, mentioned the importance of the work by the CNJ and UNDP. "We need to think about specific features and carefully determine the application and enforcement of the principle of isonomy," she said.

Regarding depositions of children and adolescents who are victims or witnesses of violence, much has been said about the recognition of their social and cultural diversity as children and adolescents from traditional peoples and communities. "Resolution 299, which is a major step forward for the CNJ, has the potential to introduce innovation, because it sets forth a judicial policy that is already based on specific rules for this group of children and adolescents," Peres noted.

The CNJ recognizes that the cultural specificities of traditional populations must be addressed and so determines that specialists with training or expertise in anthropology must be included in the teams assigned to perform special depositions involving children or adolescents from these groups.

"The most difficult part of implementing a policy is to breathe life into the rules stated in the text and enforce them," Peres acknowledged. The two reports led to some conclusions, including suggestions that were already provided in Resolution CNJ n. 299: "Based on empirical experience, on the analysis of records, and on the multidisciplinary teams from the districts or court coordinators, we tried to come up with solutions that could lend substance to the law", she explained."

Lucimara Cavalcante, former Conanda councilor and founder of the International Maylê Sara Kalí Association (AMSK), a civil society organization involved in social participation and in the defense of human rights, also attended the panel. She contributed to writing the handbook and spoke about bringing in the Rights Assurance System for Children and Adolescents in the context of special depositions.

Lucimara mentioned Conanda's Resolution 113, from 2006, which establishes guidelines on the institutionalization and strengthening of the Rights Assurance System, which, she explained, is the coordination and interaction of public, governmental, and civil society agencies, the application of normative measures, and the implementation of promotion, defense, and control measures to ensure the effectiveness of children and adolescents' human rights at the federal, federated state, district, and municipal levels.

In its article 5, this resolution establishes that the government agencies and civil society organizations which make up this system must operate as a network, based on three strategic lines of action: defense of human rights, promotion of human rights, and control of enforcement of human rights. Lucimara Cavalcante mentioned the stakeholders involved in guaranteeing these rights and the need for joint governmental and non-governmental initiatives involving the Union, the Federated States, the Federal District, and the Municipalities.

She also addressed Conanda's Resolution n. 181 of 2016, which outlines the guidelines for interpreting the rights and suitability of services concerning the care of children and adolescents belonging to traditional peoples and communities in Brazil. "Autonomy, participation, and identity recognition are the nuclear triad of values in this resolution, shaping the desired crosscultural exchange to promote, protect, and provide social control of the rights of children and adolescents," Cavalcante summarized.

Conanda established the Thematic Group on the Rights of Children and Adolescents in 2018 to implement Resolution 181, which resulted in Resolution 214/2018. It establishes several recommendations to federated state, district, and municipal councils for the rights of children and adolescents, to improve the participation of children, adolescents, and other representatives of traditional peoples and communities in the social control of these rights.

"All these initiatives to enable the rights of our children and adolescents in the enforcement of public policies are strengthened in the National Plan for Early Childhood, which addresses these diverse childhoods and draws attention to the challenges of recognizing cultural specificities and breaking the perpetual cycle of invisibility of children from traditional peoples and communities in the implementation of public policies in this country," she said.

In this sense, government agents and civil society that are part of the Rights Assurance System for Children and Adolescents, according to her, must operate cross-sectorally and through interaction when assisting children and adolescents who are victims or witnesses of violence, in compliance with the law.

"These coordinated efforts are the main challenge to be overcome for the effectiveness of networked initiatives for the protection, promotion, and defense of children and adolescents' rights," she stated. To solve this problem, she recommends the establishment of attendance work routines, observing local specificities, as described in the assessment and in the handbook. "Public agents must get rid of their prejudices about Brazilian traditional peoples and communities," Lucimara

Cavalcante noted. "We must acknowledge individuals from different cultures that live in our municipal territories, respecting their ways of life and their knowledge, that is, the social, economic, and cultural dynamics of people belonging to traditional peoples and communities".

She also emphasized the need for compliance with ILO Resolution No. 169, the Convention on the Rights of the Child, the Federal Constitution, ECA, and the National Plan for Early Childhood. "In this context, the Handbook on the Special Deposition of Children and Adolescents from Traditional Peoples and Communities can be considered a historical breakthrough in the Justice System and in the Rights Assurance System for Children and Adolescents," she remarked.

Cavalcante believes that the handbook should be included in the training curricula of all staff working in the Rights Assurance System if it is to be effective. "Workshops and training courses for members of traditional peoples and communities are also important so everyone can exercise their rights of participation and social control in ensuring compliance with the service provision flow for children and adolescents who are victims or witnesses to violence," she added.

Judge Eduardo Rezende from the São Paulo Court of Justice made an important contribution to the panel. According to him, the special deposition represents a core element of the Rights Assurance System for Child and Adolescent victims or witnesses, grounded on the specificities of: speech, discourse, and means of communication of children and adolescents; their vulnerabilities and the types of violence to which they are subject; the ways of affirming, enforcing, and guaranteeing their rights, affecting their access to justice; and the network of services and agencies that provide them with assistance and guarantee their rights.

Historically, the social and cultural context places children and adolescents from traditional peoples and communities at greater risk of psychological and, above all, institutional violence. As a result, Judge Rezende emphasized the need for individual defense mechanisms, especially specific legal representation by the Public Defender's Office, and to ensure that the legal procedural guarantees provided by law are not only respected, but also improved.

In his opinion, the interaction between collective violence and violence between individuals also demands the inclusion of institutional stakeholders that can guarantee collective rights, which adds new steps to the flow of service.

Rezende listed challenges related to holding special depositions from traditional peoples and communities, such as the inclusion of new stakeholders in the service network and the forensic interview protocol. In his presentation, he also addressed issues such as cross-cultural care, the appoint-

ment of interpreters, cross-cultural mediation, anthropological forensics, and the cross-cultural training and adaptation of the judiciary.

"Continuous research with the participation of these communities, particularly with children, is paramount to improve their experience in dealing with Justice," asserted Rezende, while noting contributions that have already been envisaged in the assessment and in the handbook for continued consideration for special depositions given by traditional peoples and communities.



Awarding of selected Best Practices

Acknowledging and replicating best practices

The selection of best practices that acknowledge and disseminate successful and effective results to guarantee rights for Early Childhood care has created a benchmark for innovative and effective practices that can be replicated in other agencies or institutions. It is important to include different sectors that contribute to reinforcing children's rights in Early Childhood. Consequently, four categories in which best practices were mapped out and rewarded were established: Government, Justice System, Organized Civil Society and Enterprises.

This initiative was coordinated by the Department of Strategic Management (DGE/CNJ), under the National Justice Council. A steering committee was set up in May 2019 to ensure implementation would comply with the National Pact, which consisted of CNJ representatives and other parties to the Pact that volunteered to participate, including: Condege, the Parliamentary Front for Early Childhood, the Ministry of Education, OEI, Childhood Brazil, CIESPI/FIESPI, IDIS, Abrinq Foundation, José Luiz Egydio Setúbal Foundation, Maria Cecília Souto Vidigal Foundation, Plan International Brasil, Unicef and United Way Brasil. Together, they gave rise to one of the initiatives within the Justice Begins in Childhood project: Strengthening the Justice System's role in Fostering Rights for Holistic Human Development. This cooperation laid down the foundations for an Open Call specifying all evaluation and award criteria.

In July 2019, the CNJ released Open Call No. 001/2019 to select, award and disseminate best practices implemented by government agencies, the Justice System, Organized Civil Society and Enterprises. Applications were received from August 26 until September 20, 2019. The CNJ qualified all registered practices that met the Call's requirements, amongst which the requirement of at least one year of operation. Out of 182 registered practices, 93 were shortlisted for the qualifying phase.

Shortlisted practices were assessed by specific committees for each category, whose members were also parties to the Pact.

These practices were ranked according to a score combining criteria of effectiveness, efficiency, innovation, replicability, implementation costs and resources, cross-sectorality, and social reach. Technical visits complemented the analysis of relevant documentation. During these visits the parties to the pact made on-site evaluations. Results were released in 2019 and the award ceremony was held on December 2, during the Southeast Region Seminar: National Pact for Early Childhood.

The three best practices chosen in each category were awarded a certificate and a trophy. The first, second and third best practices in the Organized Civil Society category were also awarded money prizes worth 20,000, 15,000 and 10,000 Brazilian reais, respectively.

The three best practices in each category and the honorable mentions were publicized in events and discussion *fora* by the CNJ.

The Center for Training and Education for Public Servants of the Judiciary (CEAJUD/CNJ) implemented the dissemination stage by delivering distance education training from June 22 to July 3, 2022. CEAJUD published a series of handbooks on best practices and opened 500 vacancies in a webinar covering all award-winning categories and in discussion *fora*, in which the authors of these best practices worked with experts representing the parties to the National Pact for Early Childhood. The webinar was open to staff members, fathers, mothers, and caregivers, to pool knowledge and experience and replicate award-winning practices.

THE SELECTED, AWARDED AND DISSEMINATED PRACTICES IN ALL FOUR CATEGORIES

Handbook of Best practices in the Justice System



1. Justice System

Category comprising agencies and entities that are part of the Justice System, such as agencies of the Judiciary, the Public Prosecutor's Office, the Public Defender's Office, and the Brazilian Bar Association (OAB), at federal, federated state or district levels.

Amparando Filhos (Supporting Children): changing lives through community support

Goiás State Court of Justice



Winner of the best practice award in the Justice System category, the program called Amparando Filhos (Supporting Children): changing lives through community support, was created in 2015 based on a question: where, with whom and how are the children of incarcerated mothers?

Studies made it clear that incarcerating women who are mothers may have many negative side effects for their children. This project was created to effect protective measures for the sons and daughters of female prisoners.

Conceived by Judge Fernando Augusto Chacha de Rezende, the project is grounded on the principles of early intervention, holistic protection, and the best interests of the child. "By the moment the mother is arrested, either in custody hearings or when she receives an arrest warrant for offenders caught *in flagrante delicto*, we have already activated an individualized response plan to meet the child's needs," explained Rezende, during the National Seminar of the Pact for Early Childhood, in April 2022.

Initially implemented in the district of Serranópolis, a municipality 378 kilometers from Goiânia/GO, the project addresses disruptions in the socialization process suffered by children separated from their imprisoned mothers.

Childhood care is possible by an effort of coordination led by the Judiciary, involving civil society and many national and public agencies that work with Early Childhood — including its health, social assistance, education, work, and security aspects.

In addition to providing children whose mothers are held in custody with a social protection network, *Amparando Filhos* fosters humanized visits in prison units and even outside them. This initiative tackles a negative trend pinpointed by the project: after arrest, over 90% of imprisoned mothers are not visited by family members.

Meetings are scheduled in a previously selected location from a range of recreational spaces that are locally available, and take place without submitting children to close inspection or requiring that their mothers use handcuffs.

During the Seminar in which the results of the National Pact for Early Childhood were presented, Judge Fernando Chacha, who created this program, spoke about the challenges in fostering relationships between children and their incarcerated parents, a harsh reality which is true not only in Goiás or Brazil, but in other countries as well.

"Most children don't even visit their imprisoned mothers. And the main reason is that mothers are ashamed of receiving their most valuable assets, their children, in a place that is not suited to welcome them.

The initiative has already been replicated in 19 districts in Goiás and in other states of the federation: Rio de Janeiro, Rio Grande do Norte, Paraíba, Maranhão, Amazonas, Alagoas, Pará and Piauí.

Proinfância: protecting childhood and adolescence

Ceará State Public Prosecutor's Office

This project was implemented by the Ceará State Public Prosecutor's Office (MPCE) to mitigate (as much as possible) any effects that the incarceration of parents or guardians may have on children and dependent persons—children, adolescents, or people with disabilities.



The *Proinfância* project created an organizational routine to ensure that protective measures quickly supply relevant information about the existence of target children and dependent persons.

As Justice Prosecutor Hugo Mendonça explains in a video about the project, "the Legal Framework for Early Childhood does not provide for the organizational routine to ensure that information collected by judges and delegates effects measures that are able to implement protective interventions".

"The Proinfância project has specified two organizational routines, one for the countryside of Ceará state and the other for its capital city (Fortaleza), which guarantee, in a strikingly clear and straightforward way, that relevant information will reach measures such as CRAS, CREAS, the Guardianship Advisory Boards, the Education and Health Departments, so that these measures may intervene and minimize the effects of incarceration in the lives of these children and adolescents."

Entregar de Forma Legal é Proteger (Legal Relinquishment Means Protecting)

Court of Justice of Rio de Janeiro, via the Joint Coordinating Body for Juvenile and Senior Citizen Courts (Cevij)

The project called Entregar de Forma Legal é Proteger (Legal Relinquishment Means Protecting), from the Joint Coordinating Body for Juvenile and Senior Citizen Courts (Cevij) of the Rio de Janeiro State Court of Justice (TJRJ), is the outcome of studies and work with people serviced by Juvenile Courts in Rio de Janeiro and by their assistance network.

Experience has shown that there is lack of preparedness and information among the general population – as well as among care and protection networks, churches, foster care institutions and prison system institutions – on how to proceed when pregnant mothers or parents consider they are not in a position to keep their children and intend to place them for adoption.



Legal procedures that apply to this situation are not the same as those that apply to abandonment, abortion, maltreatment, homicide, infanticide, sexual, physical, or moral abuse. In this specific situation, current legislation supports the referral of children to Juvenile Courts. It is up to the Judiciary and the care network to provide support and psychosocial guidance with an interdisciplinary team, while biological parents reflect upon and mature their decision.

By laying down and regulating this procedure, the State "opens its arms" to parents, especially women – who are often, as studies show, left alone with no support, bearing full responsibility for their pregnancy, whether they are prepared or not for motherhood.

"The Entregar de forma legal é proteger project welcomes parents, in a way that shows that the Judiciary issues no moral judgment about their decision and assesses the reasons that have led mothers to put their children up for adoption. "There are times when mothers need some support and, knowing they will be granted such aid, they give up on the idea of putting their children up for adoption. Sometimes, mothers are making a mature decision and therefore adoption procedures occur legally, with due protection", explained judge Sergio Luiz Ribeiro de Souza in a video that presents the project.

Souza pointed out that the initiative "prevents children from being abandoned in garbage dumps and vacant lots". "The idea is to spread the message that mothers will be given shelter, that they will be listened to by a technical team, that their requests for confidentiality will be respected, according to legal requirements, and that these children will be delivered to qualified people that comply with the National Adoption System". In this sense, the voluntary surrender of custody of children via Juvenile Court also prevents illegal adoptions.

2. Government

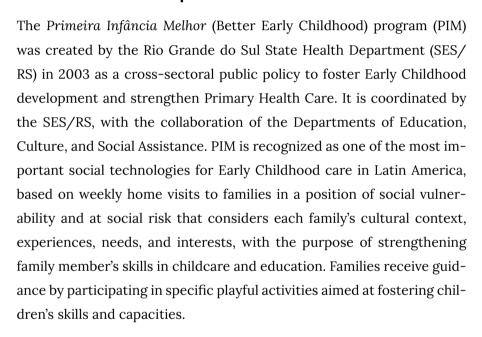
This category covers agencies or entities of the Legislative or Executive branches at federal, federated state, district, or municipal levels, including public educational and public security institutions, among others.

Handbook of government best practices



Fostering Rights to Women in Custody and their Children: the experience of the *Primeira Infância Melhor* (Better Early Childhood) (PIM) program in Rio Grande do Sul State (RS)

Better Early Childhood, Rio Grande do Sul State Health Department



In 2012, mindful of the importance of intervening in the early years of life and of the increase in female incarceration in Brazil, PIM/Criança Feliz extended its scope to include women in custody in RS. The program won first prize in the Government category during the awards ceremony of the National Pact for Early Childhood.

As presented by PIM's research coordinator, Karine Verch, this award-winning initiative has the following main goals: to provide women in custody with access to public mother-baby policies; to stimulate and strengthen the mother-baby bond between women inmates and their children; to foster healthy and holistic child development of children whose mothers are in custody; to provide women with guidance on health care issues related to pregnancy and babies; to support the integration of children in their extended families; to give detainees the option to serve pre-trial



detention orders under house arrest, and comply with the Legal Framework for Early Childhood.

This was possible due to coordination efforts led by the Primary Healthcare Teams and the Family Health Strategy (FHS). The PIM/PCF Visitors and the Community Health Agents, besides their job specificities, also work in partnership to coordinate a network of services to meet the demands from mapped families in prison and their homes. When families mapped in prisons dwell in a municipality where PIM services are not operational, the healthcare team that works in that territory does active searches and subsequently delivers a therapeutic plan. Workshops are currently held on a weekly basis in the mother-baby unit of Porto Alegre Women's Prison. Among the topics that have already been covered in such workshops are playfulness and the importance of recreational activities, the mother-child bond, and other issues faced by women in prison. Activities with women in custody have required great effort and coordination with other healthcare, education, and social development policies; raising the awareness of managers and professionals in the services network. The next step involves expanding the project's scope to include women in mixed and semi-open state prisons to benefit a larger number of families.

Família que Acolhe Program

Boa Vista City Hall/RR

Família que Acolhe, a Boa Vista City Hall/RR program, was created in 2013 to monitor Early Childhood in this municipality. This public policy focuses on low-income or vulnerable families and provides them with services from the administrative structures of the city, such as Healthcare and Education Departments.

To mothers, joining the program means reaching the first milestone in a route towards obtaining care services. Parents have the chance to attend workshops where they can receive guidance on each stage of child de-



velopment. The site where workshops take place is known as Baby University.

"We talk about breastfeeding and the importance of bonding and stimulation for the baby's development," explains psychologist Elane Florência, coordinator of "Baby University" and of the project's care division.

In addition to the workshops, services include prenatal care, guaranteed places in day care centers, access to feeding programs, and home visits. Effective participation in *Família que* Acolhe program activities is a prerequisite for enjoying project benefits.

To ensure program monitoring, the project has established a partnership with the Center for Science, Technology and Innovation to collect and systematize data on childhood in Boa Vista to improve the program's services and to assess the results achieved by adopted policies.

CEI Amigo do Peito Campaign

Coordination of School Meals, linked to the City Department of Education of São Paulo/SP

The educational campaign CEI Amigo do Peito (Breast Friend) was developed by the City Department of Education of São Paulo to encourage actions that foster, protect, and support breastfeeding in the municipal public-school network to guarantee the right of babies and children to special protection for their physical, mental, and social development.

Children Education Centers (CEIs) play a fundamental role in this project's initiatives, which are compliant with the enhancement of educational practices and with the fundamental rights of children.

Launched in 2017, the campaign uses indicators to steer the effective implementation of actions that ensure the continuation of breastfeeding of infants and children admitted to the CEIs.



These indicators are split into three axes, which comprise educational environments and actors:

- Family axis welcomes and encourages families at the time of enrollment and later for continued breastfeeding;
- Team axis guides and involves the entire CEI team in breastfeeding support actions;
- Environment axis manages moments, environments, and materials that support and encourage breastfeeding.

All axes-compliant units are awarded the Breast-Friend CEI Seal.

"With this initiative, we intend to open more and more units to these families, so they can take their babies to be breastfed," explained Matilde Liscano, director of the Division of Food and Nutrition of the City Department of Education of São Paulo, in a video presenting the project.

Honorable mention: Campinas Municipal Plan for Early Childhood (PIC) – 2019-2029

Campinas' City Department of Social Assistance, Assistance to persons with disabilities, and Human Rights

Since 2017, the municipality of Campinas has worked on a municipal plan for Early Childhood. Campinas' plan proposal integrates the city's existing services into several sectoral public policies and is committed to designing and planning the city for children up to 6 years of age within a ten-year period (from 2019 to 2029), in coordination with civil society and public administration.

Campinas Municipal Plan for Early Childhood (PIC) is organized around 12 main axis: Children and their families and communities; Children and diversity; Children and health; Early Childhood education; Social assistance to children and their families; Assisting children and their families in situations of violence; Children's right to play; Children and Space – the city and the environment; Protecting children from consumerist



pressures; Monitoring children's early exposure to electronic and digital media; Preventing accidents in Early Childhood; and Breastfeeding and Healthy Eating.

Upon drafting the PIC, decentralized cross-sectoral meetings were held in the city's five main regions. The over one thousand proposals discussed were put together prior to the definition of the 12 central axis involving all the points addressed in the meetings and debates.

The drafting process of Campinas Children Plan ("children and the city: captivations, aspirations and needs"), took place under the supervision of the education policy sector, in tandem with the drafting of the PIC.

The drafting process benefitted from several inputs recorded at different occasions, within a planning activity that involved educators, children and families in the daily life of the educational unit. Both the document drafted on the basis of children's views and the PIC were delivered in 2018.

Handbook of Entrepreneurial Best Practices



3. Enterprises

Designated category for business organizations, including private educational institutions.

Ateliê Cata-Ventos: a Participatory Education Project in Early Childhood Education

Ateliê Cata-Ventos Espaço para Infância, in the city of Rio de Janeiro/RJ

Ateliê Cata-Ventos, created in 2016, results from a series of experiences and reflections on what defines a child and on the future of Early Childhood education.

Since ordinary actions tend to follow their own natural rhythms, there are no strict and compulsory routines.



The project introduces alternative approaches that help make children more participative and critical in research and experimentation environments thanks to the presence of their families.

The project directly serves around 200 people, including families and educators. Indirectly, it affects the entire neighborhood surrounding the school, located in the neighborhood of Santa Teresa, Rio de Janeiro/RJ.

The project showed that bonds of respect and collaboration were built among children of different ages. The participation of parents in many areas of activity also had a positive impact, helping children internalize the learning process.

Ateliê Cata-Ventos manager, Raquel Pepe Reis, mentioned parents' and society's responsibility in supporting children in a school environment. "According to the law, both families and the state are responsible for the education of children and this can only be achieved with everyone's involvement, because the school alone cannot be responsible for everything."

Os meus, os seus, os nossos sentimentos (My, your, our feelings)

Nossa Senhora Pre-School, from the City of São Paulo/SP

Implemented in the Paraisópolis district of São Paulo/SP, this project draws on the "The self, the other, and us" axis from the Common National Curriculum Base, which aims to develop children's identity and subjectivity and to encourage experiences linking self-knowledge to positive interactions in social life.

With diversified and specific activities, the project helps children identify, name and deal with feelings positively.

Be they positive or negative, conscious or unconscious, as mental states, feelings and emotions also bear a significant impact on the cognitive and



executive learning functions and on individual development. They can either convert difficult and complex experiences, situations, and challenges into something pleasant and exciting or into something tedious and obnoxious.

The project directly serves 80 students, whose ages range from 0 to 6 years old. The entire school's team of teachers and employees actively participates in the proposed activities, which incidentally also benefit family members and friends.

Humane Practices and Pain Management in Vaccination, by Applik Vaccine Clinic

City of Primavera do Leste/MT

Vaccination can be a painful and traumatic experience, both for children in their first years of age and for their parents. The physical pain and restraint involved in the immunization procedure can generate psychological traumas that last over a lifetime. There are many reasons why parents have shown a lack of interest in vaccinating their children. Anti-vaccine movements, fake information, lack of preparedness of vaccine administrators and low quality of administered vaccines are a few examples. Consequently, vaccination coverage rates in public healthcare network have been declining every year.

To deal with this problem, this project provides dignified and individualized care services to children and their families. It does so not only by providing clear information, but also by employing correct vaccination techniques in a standardized environment, from the patients' arrival up to their departure.

The initiative benefits mainly children and their parents. Adults and the elderly of any age group requiring vaccination are also directly benefited.



4. Organized civil society

Category comprising civil society organizations, such as social organizations, associations, foundations, and other similar non-profit entities.

Handbook of Organized Civil Society Best Practices



Program P: A Handbook for Engaging Men in Fatherhood and Caregiving

Promundo Institute

Although there is growing recognition of the key role men play in child-care, maternal and child health, and sexual and reproductive health, many still hold the belief that women should bear the brunt of responsibility for reproduction, care, and domestic tasks.

Promundo has addressed the subject of fatherhood since its founding in 1997, in view of its mission to support gender equality and reduce violence against women and children. In order to promote social change, it has chosen to involve men and boys, and, in this sense, it has endeavored to prevent and diminish inequality and violence.

Promundo's work has contributed to challenging dominant models of masculinity, helping transform the division of household labor between men and women, over and above increasing men's commitment to child-care activities.

In the last 15 years, Promundo has helped create networks of men who work for gender equity in Brazil and around the world, such as the international network *MenEngage*, in national and international campaigns related to the subject of fatherhood, such as *MenCare*, "Don't hit, educate", and "Excuse me, I'm a father!", among others.

Program P¹ is an evidence-based manual of best practices on engaging men and their partners in fatherhood and caregiving, maternal and child



^{1 [}Translator's note: 'P' for 'father' - 'pai' in Brazil and 'padre' in Spanish-speaking countries.]

health. It comprises a male self-care perspective for health, education, and community workers.

Miguel Fontes, director of Promundo Institute, presented the actions that were awarded a prize in the Civil Society category during the National Seminar of the National Pact for Early Childhood. Although awareness-raising activities among men on fatherhood were impacted by the pandemic, the joint action of the network created by the National Pact for Early Childhood facilitated the action of other agencies that also endeavor to support fathers' participation in Early Childhood care. To respect social distancing measures and prevent covid-19, activities initially supposed to be carried out in person were held through messaging applications.

A Fresh Look at Child Development

FEAC Foundation, City of Campinas/SP

This initiative created a form for monitoring child development, delivered to teaching teams. This form allows teachers to monitor and keep individual records of children's progress and difficulties.

Each stage relates to expected behaviors that indicate how a given child is developing. These observations provide educational teams with additional information that help assess whether or not the experiences, relationships and environment are meeting children's developmental needs.

They also provide teams with the opportunity to act on each child's specific needs and customize partnerships with families, identifying key strengths or addressing risk factors that curb children's holistic development.

The process of implementation and development in schools happens within a 24-month period, during which many stages are laid out to enable schools to: monitor the development of children through milestones; use monitoring data to adjust pedagogical practices; give new meaning to relationships with families and identify recurring patterns of risk situations

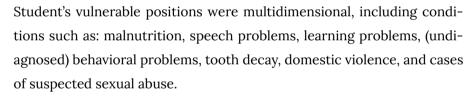


resulting from physical barriers in educational infrastructure, teachers' attitudes or the social-economic context of children in general.

Integrated Actions for Children Protection: Child Protection Policy - *Pró-Vida* (Pro-Life)

Pró-Vida Holistic Life Project, Federal District

Around 5,000 children who needed Early Childhood educational services were on a waiting list in the administrative region of Recanto das Emas, in the Federal District. In 2017, *Pró-Vida* started serving 198 children in eight classes. Several needs presented by students, aged 3 and 4, were identified during the very first year of implementation. These needs were inherently linked to the student's vulnerable positions and to their levels of education.



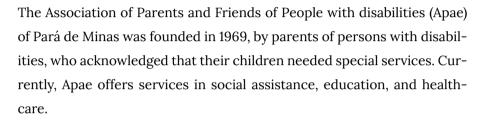
Coordinated initiatives and mobilization of partners in healthcare, development, behavior, and protection were launched following this assessment of additional needs.

These undertakings gave origin to an initiative named "Integrated Actions for Child Protection: Child Protection Policy", under responsibility of Pró-Vida Holistic Life Project. They involve a set of actions and norms that show an institutional commitment to guarantee the right to full care, as prescribed by the Legal Framework for Early Childhood.



Honorable Mention: Early Childhood *Intensivo* de marcha for Children with Disabilities

Association of Parents and Friends of People with disabilities (Apae), Pará de Minas/MG



The *Intensivo de marcha* (Gait Mobilization) program was created in 2017, during consultations that took place under the first module of the Advanced Early Intervention Program. This program considered the main concerns of family members of children with disabilities or neuropsychomotor developmental delays.

The physical therapy staff held an informal survey asking: "What is your biggest concern about your child's future?" Parents of children up to 4 years old diagnosed with some type of disability or neuropsychomotor developmental delay were interviewed. Parents reported that their chief concern was whether their child would be able to walk. Secondly, they worried whether their child would be able to speak.

The program is based on the theory of neuroplasticity, drawing on intensive activities to stimulate synapse formation and to expand the network of neurons charged with executing a given task.

The program runs in 30-minute sessions, which take place four days a week, for a month. Initially, parents are invited to an interview, which sets the tasks they are supposed to accomplish, spelled out in objective and simple goals. In addition to participating in the sessions held at the rehabilitation center, families are responsible for performing daily activities, recording images, and sending them to the physical therapist.



Honorable Mention: *Mutirão Mães Livres* (Free Mothers Taskforce): fighting female incarceration and protecting the maternal bond in the State of São Paulo

Institute for the Protection of the Right to Defense (IDDD)

IDDD implemented a prison taskforce to strengthen and discuss the implementation of the Legal Framework for Early Childhood, and to expressly secure the right of women to defend themselves in legal procedures either at liberty or under house arrest (for pregnant women and imprisoned mothers).

The Free Mothers Taskforce had the following goals: to request the provisional release of imprisoned pregnant women and mothers of children up to 12 years, and alternatively, to request the conversion of pre-trial detention orders into house arrest orders, pursuant to Law No. 13.257/2016; to inform the Judiciary about the specificities of female incarceration, in light of the Bangkok Rules; and to raise awareness among participants in the Justice System about this staggering scenario, which directly impacts Rights of children and adolescents.

Thanks to the volunteer activity of its associated lawyers, IDDD filed requests for women's freedom at the Women's Penitentiary of Pirajuí in 2017 and 2018. Women detainees in these premises were mostly black, aged between 18 and 29 years old and had a monthly income of less than a thousand Brazilian reais.

During the prison taskforce, a survey with 196 women on the subject of maternity in prison was held, culminating in the "Free Mothers Report: invisible maternity in the Justice System", published in 2019.

The project also gave rise to a documentary film called "Mães Livres" (Free Mothers), in partnership with the Forward production company, showing stories of families who have lived through the experience of maternal imprisonment.





National Pact for Early Childhood Seminar Results and Achievements of the Justice Begins in Childhood Project

Further CNJ activities and next steps

Watch the seminar in full

April 28, morning



April 28, afternoon



April 29, morning



April 29, afternoon



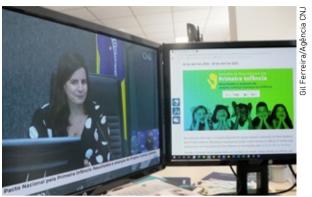
NATIONAL PACT FOR EARLY CHILDHOOD SEMINAR: RESULTS AND BREAKTHROUGHS OF THE JUSTICE BEGINS IN CHILDHOOD PROJECT

On the 28th and 29th of April 2022, the National Justice Council sponsored a national meeting disclosing the overall results of the Justice Begins in Childhood project. The findings of the National Assessment of Early Childhood were presented for the first time. The seminar was a hybrid event, opened by Justice Luiz Fux, CNJ's president. Representatives of parties to the National Pact for Early Childhood from all over Brazil were given the opportunity to share the project's breakthroughs and to share ideas on the survey data collected for the assessment.

On the first day of the National Pact for Early Childhood Seminar, Judge Richard Pae Kim, CNJ councilor and chairperson to the National Forum for Children and Youth (Foninj), announced the creation of the working group in charge of drafting the National Judicial Policy for Early Childhood, as per CNJ Ordinance no. 138 of April 27, 2022, signed by Justice Luiz Fux.



Justice Luiz Fux at the opening session of the National Pact for Early Childhood Seminar



Gabriela Moreira de Azevedo Soares, Executive Director of CNJ's Judicial Research



Leandre Dal Ponte, Federal Deputy (PSD-PR) and Chairperson of the Parliamentary Front for Early Childhood



Panel Session at the National Pact for Early Childhood Seminar: Results and breakthroughs of the Justice Begins in Childhood Project



Panel Session at the National Pact for Early Childhood Seminar: Results and breakthroughs of the Justice Begins in Childhood Project



Panel Session at the National Pact for Early Childhood Seminar: Results and breakthroughs of the Justice Begins in Childhood Project

ESTABLISHMENT OF THE NATIONAL JUDICIAL POLICY FOR EARLY CHILDHOOD



Trícia Navarro, Adjunct Judge to the CNJ Presidency and coordinator of the National Pact for Early Childhood This policy strengthens the provisions set forth in the Legal Framework for Early Childhood on the powers and duties incumbent on all Judicial Branch bodies. The National Judicial Policy for Early Childhood is a response to the findings of the Justice Begins in Childhood project. It is based on data from the Pact's National Assessment and on data from other public assessments regarding the fundamental rights of

children up to 6 years of age. It also takes the debates held in regional seminars and their workshops into account, which provided the basis for the Seminar reports. The National Judicial Policy for Early Childhood sets guidelines and outlines suitable approaches pursuant to current national legislation and international standards.

Coordinator of the National Pact for Early Childhood and Adjunct Judge to the CNJ Presidency, Trícia Navarro sums up the policy's significance: "It is a positive result of the Pact, and it helps coordinate Justice sectors that have not yet worked cohesively in initiatives that concern a given child and her/his family".

Navarro says that the Pact has shown that children and adolescent care is not restricted to Juvenile Justice Courts: "It implies the need for coordination strategies with Criminal Courts, Labor Courts, Domestic Violence Courts, Family Courts, Federal Courts and Restorative Courts, among others".

The National Judicial Policy for Early Childhood is a milestone for the Pact. It reveals an advanced stage of implementation, which is marked by clearer insight into different contexts, challenges and strategies to meet the rights of citizens up to 6 years of age; by the fact that more people have become knowledgeable about these rights and have received appropriate training; and by intensified cross-sectoral work and the pooling of

best practices (see Annex II, Resolution n. 470/2022, which establishes the National Judicial Policy for Early Childhood). This enables parties to pursue their work, without disregarding the interests of other institutions that may join the pact in the future.

"There is no doubt that the National Pact, which is not the CNJ's nor the Judiciary's deed, but rather the result of initiatives from all parties, will continue its activities and will encourage improvements for all policies. Consequently, we do need new parties, but most of all we hope that all parties and nonparties prioritize the due care of our children. Principally because the pandemic has unfortunately led to several reversals in the lives of the most vulnerable children, who suffered losses

in provision of care related to their rights to education, health, and welfare", warns Richard Pae Kim.

During the event, the National Secretary for Early Childhood Care at the Ministry of Citizenship, Luciana Siqueira, mentioned the federal government efforts in developing the National Early Childhood Policy and Plan. "We acknowledge and praise the initiatives of the National

Pact for Early Childhood. The Pact's Assessment will be used to draft both the policy and the national plan. We are reviewing everything the Pact has brought us", Siqueira noted.

In an interview, Secretary Siqueira emphasized the power of coordination brought by the National Pact for Early Childhood. "The Pact has called for dialogue and invited several organizations and institutions to look at Early Childhood in a committed way," she declared.

Maurício Cunha, National Secretary for The Rights of Children and Adolescents from the Ministry of Women, Family and Human Rights, spoke of the challenge of replicate these coordination efforts in the public budget. "In the federal government, the Pact led several participants from the "Ministries Esplanade" to join cohesive and continued initiatives to support the rights of children in Early Childhood. Public budgets raise a



Deputada Leandre dal Ponte, Presidente da Frente Parlamentar da Primeira Infância; Ministro da Cidadania, Ronaldo Vieira Bento; Conselheiro Richard Pae Kim; e Secretária Nacional de Atenção à Primeira Infância, Luciana Siqueira challenge. Considering that children, especially those in Early Childhood, do not go on rallies, do not have unions, and do not vote, that is, they cannot tell the world their rights should be defended, the government often ends up prioritizing other agendas. However, we understand that children must be an absolute priority. Accordingly, putting children at the heart of the public agenda, in a budgetary sense, is a great challenge, Cunha claims.

MEDIA OUTREACH



At the National Seminar meetings, Juliana Neiva, CNJ's communications secretary, specified the initiatives related to the implementation of judicial policies for children and youth. "In a remarkably media-driven world, one cannot implement public policies without media outreach

initiatives and without having everyone commit to the dissemination of best practices," she said.

"The press and the media play a major role in raising citizen awareness on projects and public policies," concluded Juliana Neiva, who emphasized the import of all parties' involvement and commitment in sharing information for social change.

She emphasized some initiatives that concern the National Pact for Early Childhood. Starting with the creation of the Pact's logo in 2019, during the Pact's drafting stage, the CNJ's Communications Department has undertaken many activities, among which:

- Creating the project's logo and brand identity;
- Drafting graphic pieces for seminars and other initiatives;
- Designing promotional material and dissemination strategies;
- Diagramming pieces for courses, diagnostics, reports, and other institutional materials;

- Creating web pages on the CNJ's web portal for the National Pact for Early Childhood and related initiatives, and ensuring regular updates;
- Ensuring press and photo coverage of regional seminars, events, and related initiatives:
- Ensuring coverage and dissemination of seminars, events and campaigns via the CNJ's official social media channels Facebook, Instagram, Twitter, LinkedIn and YouTube;
- Providing press consultancy services for CNJ members and analyzing the impact of related themes, including customized clipping services;
- · Producing institutional videos;
- Supporting the project's team in other media outreach activities.

The National Pact for Early Childhood webpage, hosted at the CNJ Web portal, is an information hub, where you can view, consult, and disseminate everything related to this subject, including the terms of commitment to the Pact, regulations, records of initiatives and communication materials.



FURTHER CNJ ACTIVITIES AND NEXT STEPS

Interinstitutional guidelines for the protection of children and adolescents in foster care during the covid-19 pandemic

The parties to the National Pact for Early Childhood have acted on several fronts because of the challenges brought on by the covid-19 pandemic. They have adopted specific and urgent initiatives to safeguard children, adolescents, and families during this period.

During the pandemic, the CNJ regulated the operation of the Judiciary through various resolutions, including those dealing directly with children's rights, such as the CNJ/CNMP/MDH/ Ministry of Citizenship Joint Recommendation No. 1/2020. The latter provides children and adolescents with protective measures for foster care, in the context of community transmission of the new coronavirus.

This interinstitutional recommendation was drafted in partnership with the National Council of the Public Prosecutor's Office, the Ministry of Citizenship and the Ministry of Women, Family and Human Rights (all of which are parties to the Pact, which brings the importance of collecCheck here to access the recommendation in full



tively built norms by institutions that serve the same public to the fore. During the covid-19 pandemic, this initiative led to a decrease in the number of children and adolescents in foster care, and to an increase in adoptions.

Technical Cooperation Agreement with the Ministry of Citizenship

The National Pact facilitated a technical cooperation agreement signed by the Ministry of Citizenship/ Secretaria Nacional de Assistência Social (National Department of Social Assistance) (SNAS), an agency under the Secretaria Especial do Desenvolvimento Social (Special Department for Social Development) – and the National Justice Council to coordinate their efforts. The agreement is based on collaborative initiatives for implementing the Justice Begins in Childhood Project.

The SNAS is responsible for coordinating the services of the Sistema Único de Assistência Social (Single System of Social Assistance) (Suas), including adolescent and childcare facilities, the Centros de Referência em Assistência Social (Social Assistance Reference Centers) (Cras) and the Centros de Referência Especializada em Assistência Social (Specialized Social Assistance Reference Centers) (Creas), which work closely with the protective measures determined by the Courts.

The technical cooperation agreement (ACT) was signed on July 9, 2020, establishing two axes of coordination: Axis 1 - Workshops and assessments; and Axis 2 - Data and information sharing flow.

Studies based on this ACT assessed the implementation of the Plano Nacional de Convivência Familiar e Comunitária (National Plan for Family and Community Life) (PNCFC) and helped update it. These included:

a) A study with representatives of the Justice System to examine views on the implementation of the PNCFC and to help keep it updated – drawn up via a collaborative effort by SNAS/MC, the CNJ, the National Council of the Public Prosecutor's Office (CNMP) and the National College of General Public Defenders (Condege); b) A Report drawn up by CNJ, at the request of SNAS/MC, on the issue of adoption, based on a historical review of legislative breakthroughs and the creation of the SNA. The report's purpose was to assess PNCFC implementation and help update it with regards to adoption.

This cooperation agreement facilitated SNAS' decisive participation in different activities, including drafting contents for the training courses delivered by the Justice Begins in Childhood project, organizing roundtables and panels in all seminars, and implementing initiatives to support the National Assessment and the selection of best practices.

Likewise, the agreement helped boost interoperability between CadSuas and the SNA data systems, enabling data reception from foster care services and institutions.



Destrava Brasil (Unlocking Brazil) Program

In 2019, CNJ's Judicial Research Department undertook a National Assessment to 'unlock' stalled public works, in collaboration with the Federal Court of Audit (TCU) and the Association of Members of the Courts of Audit of Brazil (Atricon)

The National Executive Committee to Support the Resumption of Stalled Public Works was created on that occasion, including the CNJ, TCU, Atricon, the National Council of the Public Prosecutor's Office, the Ministry of Infrastructure, the Office of the Solicitor General, the Office of the Comptroller General, and the National Fund for Educational Development, who came together to create the Destrava Brasil (Unlocking Brasil) Program.

The program's foremost goal is to identify reasons behind stalled works and find suitable consensual solutions for resumption, conclusion, and delivery of projects to society, especially for day care centers and Read more on the virtual workshop on the challenges for resuming public works in Goiás



schools, which are in vital need of increasing the number of vacancies in Brazilian regions.

The Destrava Program commenced its activities with a pilot project in the state of Goiás, which had 56 paralyzed works spread across 46 municipalities by the end of 2019. The first phase of the program prioritized public works involving daycare centers and Early Childhood education.

This first stage was scheduled to be completed in 2020. However, the pandemic led to changes in the schedule. These activities involved a virtual workshop, in which initiatives were coordinated to support the supply of required material to ensure the right to Early Childhood education.

Absolute Priority Award

The Absolute Priority Award was created to select, reward, and disseminate initiatives, projects, and programs that promote, value, and respect



the absolute priority of the rights of children, adolescents, and young people as set forth in the Federal Constitution and in sub-national laws, such as the Statute of the Child and Adolescent, and the Early Childhood Legal Framework.

This award, which is permanent and held annually, was created by the National Forum for Children and Youth (Foninj) and was officially instituted by CNJ in November 2020, with the issue of CNJ Resolution 355.

The first two editions, in 2021 and 2022, assessed practices related to protective measures (thematic axis I) and infractions (thematic axis II). Each axis is further subdivided into five categories:

- Courts category comprising practices developed by Courts;
- Judges category comprising judges' practices, be they individual or collective;
- Justice System comprising agencies and bodies that are part of the Justice System, such as the Public Prosecutor's Office, the Public Defender's Office, and the Brazilian Bar Association, at the federal, federated state, and district levels;

Click here to visit the Absolute Priority Award page



- Public Administration comprising agencies or bodies of the Legislative or Executive Powers, at federal, federated state, district or municipal levels, including public education and public safety institutions:
- Enterprises and Organized Civil Society category comprising business organizations, including
 private educational institutions and civil society organizations, such as social organizations, associations, foundations, and other similar non-profit entities.

LEARN ABOUT THE AWARD WINNERS

2021

1. PROTECTION AXIS

- "Enterprises and organized civil society" category Foster Families of Fazendo História Institute (IFH - São Paulo/SP)
- » "Justice System" category "Luz" Project App (MPMT)
- » "Judges" category Fighting School Dropout (TJPR)
- "Public Administration" category
 Early Childhood and Maternity on the Streets Workshops (USP Law School)
- "Courts" category Committee for the Appreciation of Early Childhood and Strategic Planning of the Court of Justice of the State of Rio de Janeiro

2. INFRACTIONS AXIS

- » "Justice System" category Center for Restorative Justice of the Public Defender's Office of the State of Ceará (CJR)
- » "Judges" category "Cica Cidadania" (Cica Citizenship) Project for enforcing the basic rights of adolescents under social-educational measures (TJPE)
- » "Public Administration" category Book Club: reading practices and reflective initiatives with teenagers in custody (Department of Justice, Family and Labor of the State of Paraná)
- » "Courts" category Program of Integrated Initiatives for Strengthening the Rights Assurance System for Children and Adolescents - PRAIF/SGD in enforcing social-educational measures in open programs (TJSE)

2022

1. PROTECTION AXIS

>> "Enterprises and organized civil society" category

Program for the Protection and Assurance of the Rights of Children and Adolescents – DEDICA (Association of Friends of the Hospital das Clínicas of the Federal University of Paraná)

- » "Justice System" category
 - "Peteca" (shuttlecock) Network (Labor Department of Justice)
- » "Judges" category

Adoption-Friendly School (Toledo Juvenile Court, TJPR)

- "Public Administration" category
 Child-Friendly Police Precinct (Department of Public Safety, Marmeleiro/PR)
- » "Courts" Category Accountable Judicial Delivery of Children for Adoption in Pernambuco (Court of Justice of the State of Pernambuco)

2. INFRACTIONS AXIS

- » "Enterprises and Organized Civil Society" category
 Wave: Voices of Citizenship (Institute of Socioeconomic Studies Inesc/DF)
- » "Justice System" category Lugar de Fala (Place for Speech) (Public Defender's Office of the State of Bahia)
- » "Judges" category Corre em Família (Runs in the Family) (Juvenile Court of Londrina, TJPR)
- "Courts" category #PARTIUFUTURO (#LETSGOFUTURE) (Court of Justice of the State of Pernambuco)

Launch of the "Se Renda à Infância" (Income for Infancy) Campaign

Launched in 2021 at the initiative of the CNJ President, the Income for Infancy Campaign encourages and clarifies how to allocate part of one's income tax to programs and initiatives promoting the rights of children, adolescents, and youth. The campaign is based upon considerations and discussions that took place against the backdrop of the National Pact for Early Childhood.



The campaign's basic idea is simple: both those who have underpaid (balance is due do the government) and those who have overpaid (a refund is due) can allocate part of these values to national, district, federated state, or municipal Funds for Childhood and Adolescence. The earmarked percentage is then deducted from the amount of income tax due or added to the refunded amount. The maximum earmarking threshold is set at 3% for individuals and 1% for enterprises.

The funds collected from the taxpayers' income tax are managed by the Boards for the Rights of Children and Adolescents and inspected by the Internal Revenue Service and the Public Prosecutor's Office, which are accountable to society.

According to ECA art. 260 (modified by the Legal Framework for Early Childhood): "The provisions of the National Plan for Promoting, Protecting, and Defending the Right of the Children and Adolescent to Family and Community Life and the National Plan for Early Childhood will be considered when determining priorities to be met with the funds raised by national, federated state and municipal funds for Children and Adolescents Rights".

The Income for Infancy Campaign aims to assist in implementing the law, given that several judicialized issues stem from the dearth of programs and projects for care and support for children, adolescents, youth, and their families. Moreover, without resources, preventive and protective initiatives cannot be offered.

Since this charge belongs to everyone – families, society, and the State, as established by the Brazilian Federal Constitution – everyone must do their share. To this end, it is vital to ensure that all taxpayers know that part of their income tax due can be allocated to funds that promote Children and Adolescents Rights, so these funds can be directed to social projects, especially those involving children, adolescents, or young people in vulnerable positions.

In fact, investing in children is the least costly and the most rewarding investment, at all levels. Each taxpayer can make a big difference and change many lives.

Several parties to the National Pact for Early Childhood have sponsored the campaign, publicizing its contents on their social networks. Watch the campaign's



Strategies for replacing the deprivation of liberty of pregnant women, mothers, fathers and caretakers of children and persons with disabilities

On January 19, 2021, the Department for Monitoring and Supervision of the Prison System and the System for Enforcing Social-Educational Measures (DMF) of the National Justice Council approved Resolution CNJ n. 369, which lays down procedures and guidelines for replacing the deprivation of liberty of pregnant women, mothers, fathers, and persons responsible either for children or persons with disabilities, pursuant to arts. 318 and 318-A of the Code of Criminal Procedure and in compliance with the collective *habeas corpus* orders granted by the Second Chamber of the Federal Supreme Court in HCs n. 143.641/SP and 165.704/DF, in compliance with provisions of the Legal Framework for Early Childhood, amongst others.

The resolution provides that systems and registers used to inspect penal establishments for processing and managing case data – covering the pre-trial, trial, and execution stages – must contain all required information to facilitate assessment of the substitution of preventive detention orders for home detention orders, and to facilitate authorization of early release, including the use of automatic alerts.

Articles 4 to 6 of the resolution propose sequences and guidelines strictly based on the provisions of the Code of Criminal Procedure and on the decisions handed down by the Second Bench of the STF in the writs of collective *habeas corpus* under discussion, making the magistrates' initiatives much simpler and more objective.

In addition, the resolution provides that Courts and judicial colleges support studies, research, and training courses on legal treatment of persons who are pregnant, nursing mothers, fathers, or persons responsible either for children or persons with disabilities, be they in custody, respondents, defendants, convicts, or deprived of their liberty.

In sum, Resolution CNJ no. 369/2021 adapts the Judiciary's electronic systems and systematizes the rulings issued by the Second Bench of the STF. It helps judges' compliance and ensures a judicial policy com-



Handbook for Resolution n. 369/2021



Learn more about the handbook here



mitted to reducing gender inequalities and alleviating the harmful impacts of imprisoning pregnant women, parents, and persons responsible either for children up to 12 years old or people with disabilities at any age.

1st Justice System Meeting: Priority of Family Foster Care

The legal provision to prioritize the enforcement of protective measures for children and adolescents in foster care services – in lieu of institutional care – was a recurring theme in the regional seminars of the National Pact for Early Childhood. According to data from the National Department of Social Assistance /Ministry of Citizenship, foster care services were available in only 3% of cases, raising the need for joint initiatives from the parties to the pact to support the implementation of additional foster care services in Brazil.

Watch the event in full



Consequently, the National Justice Council convened, through Foninj, the 1st of Justice System Meeting: "The Priority of Family Foster Care", on September 1 and 2, 2021. The event was held in partnership with the National Council of the Public Prosecutor's Office and with support of the Association of Brazilian Juvenile Court Magistrates (Abraminj), the College of Coordinators



of the Brazilian Juvenile Courts of Justice, the Coalition for Foster Care, Conanda, Condege, CNPG, Fonajup, IBDCRIA-ABMP, the Ministry of Citizenship and the Permanent College of General Inspectors of the Courts of Justice of Brazil (CCOGE). The event raised awareness and encouraged coordinated work between judges, prosecutors, and public defenders on the subject. The event's program included lectures by international and national experts and a pooling of successful experiences showcased by Brazilian magistrates.

On October 15, 2021, a letter of intent resulting from the meeting was forwarded to Foninj for appreciation, which led to the creation of a working group within the Forum. This group suggested action proposals to be

performed by the CNJ and the CNMP, in collaboration with the Departments of Social Assistance, in charge of coordinating foster care services within the Single System of Social Assistance (Suas). Drafting a normative act whose provisions are intended for all Brazilian Courts of Justice was one of the suggestions, encouraging the implementation and priority enforcement of foster care protective measures through referral to foster family services.

The Judiciary's National goals

Major commitments made by agencies of the Judiciary branch are known as the national goal, which are set at the end of every year, during the National Meeting of the Judiciary, and are expected to be met by the following year.

Twelve goals were approved for 2022, focusing on productivity, speed, and conciliation; on fighting administrative misconduct and crimes against the public administration and electoral offenses; and on reducing court overload rates.

The following priorities were also mentioned among the Judiciary's chief concerns: advancing collective initiatives, special appeals and cases involving major litigants; incorporating Agenda 2030 into the Judiciary; devoting special attention to cases related to feminicide, domestic and family violence against women; cases in electronic processing; trials of environmental lawsuits and taking care of the health of judges and public officers.

The Brazilian Judiciary's goals on the rights of children and adolescents were specified for the second time. All initiatives were set within the scope of Labor Courts in 2020. Later, in 2022, they were outlined in the following goal:

Goal 11 - Promoting the Rights of Children and Adolescents (Labor Courts, State Courts, and Federal Courts)

Goals to be met before December 31, 2022:

- Labor Courts: Implement at least one initiative aimed at fighting child labor.
- State Courts: identify and rule cases in the pre-execution phase, filed in Courts of First Instance or in Appeal Courts until December 31, 2020 that fall under the jurisdiction of Juvenile Civil Courts or under the jurisdictions addressing the investigation of juvenile offenses. In Trial Courts, at least 80% of such cases should be identified and ruled until the 12/31/2022 deadline; in Appeal Courts, the threshold is set to 95%.
- Federal Court: identify and rule 100% of cases involving international child kidnapping, filed in each instance until December 31, 2021.

Childhood Vaccination Awareness Campaign

A Foninj initiative led the National Justice Council to begin an awareness campaign about childhood vaccination through social media (Instagram, Twitter, Linkedin and Facebook) in May 2022. Information about the importance of updating the vaccination booklet was shared on the official pages of the CNJ.

"Vaccines are the best prevention method! Not all childhood vaccines are mandatory, but all of them are safe, and, more importantly, all of them save lives! Don't leave anyone out of immunization," says one of the texts.

The campaign's materials explain which vac-

cines are available for children and adolescents until the age of 15 years old, provide information about the safety of immunization and explain the impacts of vaccination on children.

The campaign also warns about the importance of immunization against covid-19 and of vaccinating children and adolescents to curb the pandemic.

Creation of the active search functionality in SNA

Ordinance n. 114 of the National Justice Council was published in May 2022. It established the National Adoption and Foster Care System (SNA) active search tool and regulated projects



to encourage the adoption of older children, teenagers, sibling groups or children whose circumstances that do not mirror the features that are sought after by families qualified for adoption.

The active search tool enables qualified applicants to meet children and teenagers suitable for adoption who have nevertheless exhausted



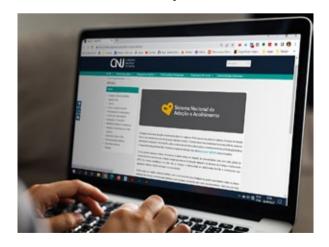
all the SNA criteria for appearing in national and international applicants' searches.

Active search will allow qualified applicants to access information such as children and adolescents' names, age, situation, photographs, and short videos containing personal depositions. If possible, children and adolescents themselves will produce personal videos with their own words. Otherwise, these videos will be produced by the institutions responsible for them.

Qualified applicants must commit to preserving the identities and images of children and adolescents, and are barred from passing on and disclosing information, subject to civil and criminal liability. They will have access to the active search information within the qualification validity period, i.e., three years, and only after other searches in the SNA registry have been exhausted.

Search exhaustion occurs when the "finders wanted" tool, available on the child or teenager's page, displays the "certificate of no suitors" at the municipal, federated state, national, and international levels.

The first phase of this feature allows judicial units to specify children and adolescents available for active search, with the possibility of including photos and videos.



In the next phase, scheduled to be launched on August 31, the tool will provide a virtual environment for over 33,000 applicants who have registered in the SNA to make searches.

On May 24, 2022, during CNJ's 351st Ordinary Session, Justice Luiz Fux, CNJ's president, pointed out that the availability of information must always be preceded by judicial authorization and by the teenager's or child's manifestation of interest, provided they are in a situation



that allows them to authorize use of data and image.

The goal is to boost adoption, using technology to help children and adolescents who are looking forward to living in a family meet people who are looking for sons and daughters "who will come to them through the infinite and inexplicable force of love," said the Justice. "Much more than a judicial measure, adopting means loving and endorsing an ongoing commitment to care for, educate, protect and wholeheartedly give oneself to one's sons and daughters."

Read more about the SNA on page 119.

Configuration of Protected Delivery for Adoption

Hosted by the CNJ, The National Forum for Children and Youth passed a series of deliberations through a CNJ regulatory act which configures care procedures for women who have manifested interest in putting their children up for adoption. This initiative conforms to the discussions held at the regional seminars of the National Pact for Early Childhood - it is a response to a demand made by the Coordinating Department for Children and Youth of the Court of Justice of Acre. In this regard, the CNJ submitted a draft resolution to electronic public consultation from April 26 to May 20, 2022. In addition, the CNJ held a public hearing on June 1, aiming to learn about the experiences of several participants from the Justice System, from the services network and from organized civil society. This initiative is of utmost importance to ensure both women's and children's rights, prevent discriminatory conducts, abandonment of newborns on public roads or illegal deliveries to third parties not qualified for adoption. The resolution included several suggestions and is currently under final analysis by Foninj, for subsequent submission to the CNJ's Plenary.

Watch the TV Justiça report on the public consultation



Watch the public hearing in full



NATIONAL JUSTICE OMBUDMAN'S OFFICE INITIATIVES: END OF CIVIL UNDER REGISTRATION AND SNA INSPECTION

Workshops were held in all regional seminars on the challenge of eradicating birth under registration, with the participation of the National Registry of Justice. Dealing with this challenge was among the agency's main projects during Justice Maria Thereza de Assis Moura's term of office (2019-2022).

The project publicized the fight against civil under registration, working for its' progressive eradication, a relevant goal based on the legal regulation of live births and on the acknowledgement of the importance of citizenship in building the Brazilian state.

"Without registration, there is no citizenship," says Maria Paula Cassone Rossi, Adjunct Judge of the National Registry of Justice. "The concern with under registration became a pillar of Maria Thereza's administration and the project was developed from there," she explains.

Several initiatives were implemented, such as a data survey on civil registry underreporting, held by the National Association of Natural Person Registrars (Arpen), and the improvement of the registries of interconnected units belonging to civil registry offices in the Open Justice system.

The eradication of civil under registration was included in the strategic guidelines of the Inspector General's Office for the year 2022. Moreover, the General Courts of Justice established the goal of encouraging official negotiations with civil registry offices and health establishments, with the support of respective court presidencies. These negotiations aimed at setting up at least one interconnected unit within a hospital or maternity hospital in 700 priority municipalities, since they significantly impact the rates of under registration.

This is a strategic action for implementing art. 42 of the Legal Framework for Early Childhood, which amended Law n.12 662/2012 by establishing that interoperability between the Ministry of Health's information systems, which record data from Live Birth Declarations. It also states that "public and private health institutions where births take place will have a term of 1 (one) year to establish computer system connections to the federal unit civil registry offices that have joined the interconnected system, as provided in National Justice Council (CNJ) regulations."

"The interconnected units work inside the maternity hospitals to complete registration procedures, eliminating the need of mothers or guardians displacement," explains Judge Maria Paula.

With the support of the National Justice Department, 300 new interconnected units were set up between June 23, 2021 and June 21, 2022, according to the Open Justice system's figures.

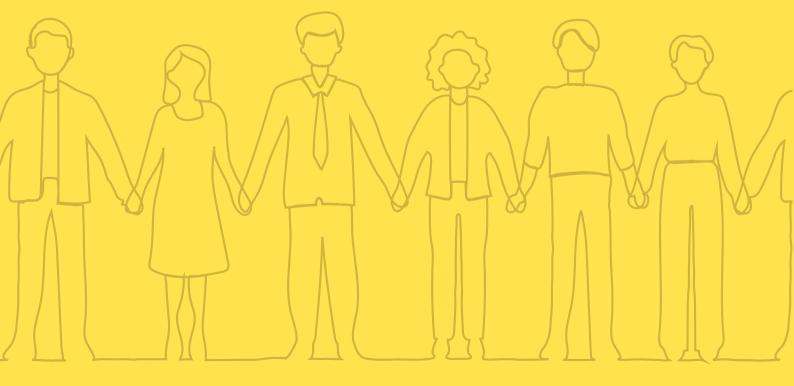
The project's success in the state of Maranhão is quite noteworthy. In April 2020, there were only six interconnected units in the Open Justice system in Maranhão. Currently, 95 are registered and one hundred are effectively set up. Thus, Maranhão moved from one of the lowest positions up to the second highest position in the ranking of states with the largest number of interconnected units, bested only by São Paulo.

The unprecedented SNA inspection that took place in 2022 stands out among the initiatives of the National Justice Inspector General's Office that have yielded remarkable results in light of the National Pact for Early Childhood. This operation verified whether the Courts of Justice were complying with CNJ Resolution n. 289/2019, which addresses the implementation and operation of the National Adoption and Foster Care System (SNA).

The inspection verified whether the procedures adopted for managing, feeding and updating the SNA were compliant with normative directives addressing the processes of adoption, removal and suspension of family power, voluntary surrender for adoption, adoption, registration of children and adolescents suitable for adoption, eligibility of applicants for adoption and institutional and family foster care services.

All situations, cases, and developments must be registered in the system since the event's inception, whether it concerns the filing of cases, the fostering of a child or teenager, or filing an eligibility request, among others.

In addition, the Inspector General's Office has always given absolute priority to the analysis of all cases related to childhood and to all relevant normative acts, such as CNJ's Provision 118/2022, which addresses concentrated protective hearings, involving the need to ensure rights that are required for holistic human development, especially in Early Childhood.



Parties to the Pact in Action

The following pages present important initiatives that have been undertaken by parties to the National Pact for Early Childhood. They illustrate the breadth of action at multiple levels, across issues, and from different perspectives. A separate publication would be necessary to address the achievements of all 300 individual parties to the Pact. As such, there are many others, equally important, that have not been recorded in this volume.

INTERNATIONAL SEMINARS IN PARLIAMENT ON THE LEGAL FRAMEWORK FOR EARLY CHILDHOOD

Since 2013, the Parliamentary Front for Early Childhood has held yearly international seminars on the Legal Framework for Early Childhood, apart from the two years in which the pandemic called for social isolation and when the CNJ collectively held the National Pact seminars online, where the Parliamentary Front directed its efforts.

The Parliamentary Front for Early Childhood comprises over 200 deputies and senators. After joining the National Pact for Early Childhood, it systematically began to address issues concerning the Justice System in all seminars, events, and interagency committees that are held in National Congress, supporting, and actively participating in events sponsored by the parties to the Pact.



Representatives of the Parliamentary Front joined the organizational committees for many initiatives of the *Justice Starts in Childhood* project and contributed significantly to their dissemination, especially regarding the Regional Seminars, via their Regional Organizational committees, consisting of parliamentarians from several Brazilian states.

The participation of federal deputies was critical in encouraging the involvement of legislative assemblies in the National Pact for Early Childhood. This was particularly meaningful given the role of the Legislative Branch in approving state and municipal plans for Early Childhood.

The National Pact for Early Childhood was given special consideration in the VII and VIII International Seminars of the Legal Framework for Early Childhood, held respectively on November 12 and 13, 2019, and on March 30 and 31, 2022, in the Nereu Ramos Auditorium of the Chamber of Deputies.

The focus of the VIII Seminar was on Listening to Children, including the judiciary. The main conference was given by Italian judge Carla Garlatti, who addressed this topic on an international level. During the five panels – one for each Brazilian region – a judge or representative of the Justice System also attended the event. To close the seminar, the next steps of the National Pact for Early Childhood were presented.

WORKSHOPS FOR GUARDIANSHIP
ADVISORY BOARDS, DISCUSSIONS
WITH EXPERTS, INTERINSTITUTIONAL
GROUPS, AND THE CREATION OF THE
EARLY CHILDHOOD FRIEND MEDAL

The Parliamentary Front has also organized online meetings (livestreams) to raise awareness and build capacities for guardianship advisory boards on the Legal Framework for Early Childhood, in partnership with the CNJ, when the in-person events were suspended due to social isolation measures caused by the covid-19 pandemic.

Watch the VIII International Seminar on the Legal Framework for Early Childhood on video

March 30 (morning)



March 30 (afternoon)



March 31 (morning)



March 31 (afternoon)





Since February 2019, the Parliamentary Front has sponsored "Conversations with Experts", typically on a monthly basis, to disseminate information and share meaningful experiences on the implementation of the Legal Framework for Early Childhood, as a response to ongoing challenges.



The Parliamentary Front for Early Childhood also sponsored two interinstitutional working groups, attended by the National Justice Council and other parties to the National Pact for Early Childhood. One of these groups discussed the establishment of paternity leave and the other focused on the public budget for Early Childhood.

Additionally, it created the "Friend of Early Childhood Medal" in 2022.

PRIORITIZING EARLY CHILDHOOD IN THE COURT OF JUSTICE OF RIO DE JANEIRO

The Court of Justice of the State of Rio de Janeiro (TJRJ) has addressed Early Childhood in its strategic planning since 2016. Cevij (The Joint Coordinating Body for Juvenile and Senior Citizen Courts) was tasked with this project in recognition of the necessity of investing in Early Childhood and the need for coordinated action among agencies of the Rights Assurance System (SGD). This unprecedented initiative by the TJRJ in time became the Strategic Project for the Appreciation of Early Childhood in the Judiciary and received the Absolute Priority Award from CNJ, in 2021, in the category of Protective Measures, under Trial Courts.

This decisive project implements managerial measures within the scope of criminal jurisdiction, criminal execution, and juvenile courts of the first and second levels to ensure that cases that affect children up to six years old, who are under protective measures directly or indirectly are prioritized and expedited. This also applies to pregnant women or imprisoned mothers who live with their children in prison.

The First Childhood Promotion and Empowerment committee (COVPI) was created to enforce this policy within the justice system under a technical cooperation agreement. COVPI comprises several public agencies

and civil society entities, such as: the Public Prosecutor's Office, the Public Defender's Office, the Committee on the Rights of the Child and Adolescent (municipal and federated state), the municipal and federated state departments of Health, Social Assistance and Education, the Department of Penitentiary Management, Universities, UNICEF, and civil society organizations.

The COVPI action plan involves five axes of assistance to Early Childhood:

- I. Implementation of the Amparando Filhos (Supporting Children) pilot project, originally created by TJGO and also a CNJ award winner;
- II. Continuous training of multidisciplinary teams from juvenile courts and foster care programs to ensure compliance with a specific approach to Early Childhood care, known as the Pikler Approach;
- III. Implementation of the Paternity Promotion pilot project, in the General Department of Social and Educational Actions (DEGASE), by creating the Center for Paternity Promotion. This project contributes to the acknowledgement of paternity through policies that promote its appreciation, resulting in a decrease in the number of young people and their children who have no record of their paternity. In addition to the decrease in under-registration, this Center intends to offer social and psychological services, with permanent workshops for the families, in partnership with the Juvenile Courts, the Office for the Promotion of the Eradication of Under-registration and Certificate Recovery, of the Office of the Inspector General of Justice, universities, the Public Prosecutor's Office, the Public Defender's Office, DEGASE, and NGOs whose work on this issue is well known. The Paternity Center's facilities, in the Central Courthouse, are currently under construction and will be run via cooperation between the State University of Rio de Janeiro (UERJ) and the Pontifical Catholic University of Rio de Janeiro (PUC-Rio), assigning trainee-volunteers from graduate courses at the aforementioned universities;
- IV. Participation in the Collegiate Coordinating Body of the Maternities Forum, to think about care strategies for homeless pregnant women and/or mothers with babies. The forum has met monthly since 2013 and one of its achievements was the creation of *Casa das Margaridas*, a mother-baby shelter in the city of Rio de Janeiro;
- V. Planning and organization of events on Early Childhood: the TJRJ's Week for Recognizing Early Childhood has been held since 2016. In March 2021, the VI Week of the Court of Justice of Rio de Janeiro and the I State Week for the Appreciation of Early Childhood were held, with the purpose of signing the State Plan for Early Childhood, encouraging membership and commitment of many agencies in the Justice System to care for children in Early Childhood;

VI. Creation of the Fortalecendo Vínculos (Strengthening Ties) pilot project, in partnership with DEGASE, the State University of Rio de Janeiro (UERJ), the Center for Popular Image Creation (CECIP), an institution that also works with education, along the lines of the Amparando Filhos (Supporting Children) project. This project focuses on the children of adolescent mothers who are serving a social and educational detention program, and who live in the city of Rio de Janeiro, to avoid the removal of these children, who are entrusted to extended families, from their families of origin. The main goal is to follow-up on these children, via the local CRAS (social assistance centers). In addition to the partners that have already been mentioned, the Health, Social Assistance, and Education Departments of the State of Rio de Janeiro have joined this initiative.

Watch a video of the TJRJ award:



JUVENILE COURT JUDGES IN SUPPORT OF IMPLEMENTING THE LEGAL FRAMEWORK FOR EARLY CHILDHOOD

The National Forum for Protective Justice (Fonajup) has encouraged the work of judges working with juvenile justice throughout the country, in accordance with the principles of the Legal Framework for Early Childhood. This issue has been addressed in many initiatives tied to its institutional mission. This approach has been present in every Fonajup biannual event, and it id intrinsically bound to the forum's debates and resolutions. Notably, VII Fonajup, on September 10, 2019, in Rio de Janeiro/RJ Court of Justice Plenary and the X Fonajup, on June 16, 2020, an online event, featured the National Pact for Early Childhood.

Judges who work in juvenile courts attended all the regional seminars and the seminar that presented the findings of the National Assessment. They also participated in round tables and workshops, and contributed to the findings of the Justice Begins in Childhood project, presenting best practices and initiatives that have been recognized and awarded over the last few years. They have been the leading partners, in association with

Abraminj, in the capacity building activities for the justice system, acting as content creators, tutors, and disseminators of the 'Legal Framework for Early Childhood and its Legal Implications' course.

Fonajup has also been repeatedly invited to join in public hearings and events held by other parties to the Pact, drafting technical briefs to ensure that bills comply with the principles and guidelines of the Legal Framework for Early Childhood, and also collaborating actively to design the National Judicial Policy for Early Childhood, sponsored by Foninj/CNJ.

INTERACTION BETWEEN EARLY CHILDHOOD AND ADOLESCENCE IN THE SOCIAL AND EDUCATIONAL SYSTEM

To celebrate the 30th anniversary of the Convention on the Rights of the Child, the Federal District and Federal Territories Courts, the Parliamentary Front for Early Childhood, the Ministry of Citizenship, the MPT, the Unesco Chair on Youth, Education, and Society, AMB, Abraminj, Amagis DF, OEI, OAB-DF, and Rede Salesiana Brasil, in partnership with the STJ, CNJ, CNMP, MPDFT, DPDF, Unicef, and the Alana Institute, held a Commemorative Seminar for the 30th Anniversary of the Convention on the Rights of the Child - a Window of Opportunities: From Early Childhood to Social Education. This event was held at the Petrônio Portela Auditorium in the Federal Senate on November 6 and 7, 2019. It pioneered the debate on intersectional issues among early children and adolescents who are serving social-educational sentences.

The meeting was inspired by the National Pact for Early Childhood and resulted in the proposition of a National Pact for Social-Educational Care, intended to combine Early Childhood care policies with social-educational policies for the social reinsertion of adolescents in conflict with the law. This initiative discussed neuroscientific findings that suggest that, after Early Childhood, adolescence is the second biggest window of opportunity for the development of cerebral architecture required for developing personal executive functions that allow people to engage in citizenship, thus emphasizing the relevance of social-education. Furthermore, the meeting emphasized the need to support pregnant women in juvenile detention and adolescents who are already mothers and fathers of children in Early Childhood.

CRIANÇA FELIZ (HAPPY CHILD) PROGRAM, FOR CHILDREN IN PROTECTIVE CARE AND FAMILY REINTEGRATION

The National Department for Early Childhood Care of the Ministry of Citizenship - SNAPI/MCid is charged with coordinating the Happy Child Program (PCF) across Brazil. This program is designed to implement article 14 of the Legal Framework for Early Childhood, and it has carried out several specific activities to promote the development of children up to 6 years of age. Beyond participating collaboratively in the implementation of the Justice Begins in Childhood project, the program focused on a methodology to follow-up on the PCF for children in Early Childhood who have been removed from their families as a result of a protective measure issued by ECA. To this end, a technical guidance handbook was prepared containing a step-by-step approach for joint actions between PCF and SUAS's High Complexity Social Protection, fostering child development for this audience, with the participation of their original families whenever possible.

This methodology was piloted in seven municipalities in the five Brazilian macro-regions: Rio Branco/AC, Crato/CE, Caruaru/PE, Campo Grande/MS, Brasília/DF, Cachoeiro de Itapemirim/ES, and Pelotas/RS. To this end, monthly training and monitoring sessions were held via meetings designed to pool experiences on the process of implementing the methodology.

The methodology was positively implemented in these municipalities, and is considered to be applicable nationwide. It had a direct impact on discussions and joint actions to encourage family and community life during Early Childhood, and helped improve the quality of care given to children in shelter services, with the purpose of child development, just as it did in family settings, when children were reunited with their birth families or placed in adoptive families.

This initiative addressed the specific needs of children who have been separated from their families. It has been a joint effort between the National Department of Social Assistance (SNAS) and the National Justice Council (CNJ). Beyond this new methodology, SNAPI has developed other outputs, which were introduced at the Seminar entitled *Improving Lives from Early Childhood:* the Happy Child Program as a means of accelerating SDGs in Brazil. The event was held on March 23 and 24, 2022, by the Ministry of Citizenship and the UN, in which the CNJ and other parties to the National Pact for Early Childhood were commended.

AFIN PROJECT - AFFECTION IN CHILDHOOD

Afin Project - Affection in Childhood: tuning in to your kid was launched on March 31, 2017, as a partnership between the Juvenile Court and the Nova Odessa Judicial Center for Conflict Resolution and Citizenship, under the Court of Justice of the State of São Paulo. The project is based on the understanding of affection as an agent of social transformation, acknowledging that parental skills are a powerful driver in shaping the entire physical, socio-emotional, and cognitive development of human beings, and that they need to be supported by public policies.

With exhibitions, lectures, study groups, round tables, debates, and publications, among other activities, the project encouraged parents, caregivers, and social and political players to shoulder their share of responsibility in caring for the needs, anxieties, and achievements of their children and adolescents. The program seeks to strengthen the bonds of affection between fathers, mothers, and children, and to stimulate the creation of public policies based on the Legal Framework for Early Childhood guidelines.

Some of the most important results achieved in the community include the ongoing awareness of many players about Early Childhood, which led to the enactment of Law 3,476/2021, establishing the Integrated Municipal Policy for Early Childhood in Nova Odessa/SP, and the creation of the cross-sector committee for drafting a Municipal Early Childhood Plan, which is currently assessing the local context. The national visibility and drive for this endeavor is also due to the excellent and active participation of social and political players involved in the implementation of Law n. 13.257/2016, notably joined via the National Pact for Early Childhood.

This project was awarded an honorable mention in the Absolute Priority Awards by the National Justice Council, in 2022.

INCLUSION OF EARLY CHILDHOOD IN THE HUMANIZA (HUMANIZE) STJ PROGRAM

After joining the National Pact for Early Childhood in March 2021, the Superior Court of Justice (STJ) created Early Childhood Committees and prepared an action plan which included specialized care focusing on children's first six years of life, known as the *Humaniza* STJ program.

One of these initiatives was the STJ Parents' Comfort Circle. A series of lectures, which are available on the Agency's YouTube channel, brings scientific knowledge about Early Childhood development



and information on respectful, non-violent parenting practices to the body of active Public Officers, employees and their spouses who work at the STJ and other courts.

Giulianna de Sousa, a pediatrician at the STJ

and leader of the *Humaniza* STJ Early Childhood Committee, states that "you can say there was an STJ before joining the National Pact for Early Childhood and that afterwards there is a different institution". The committee brings together pediatricians, pediatric dentists, psychologists, nutritionists, social workers, and people who have been trained and show marked interest in this issue.

the project we wrote inaction, and many of its' initiatives are aimed at Early Childhood. We have noticed a rise in engagement from Public Officers - the events have become larger and larger. We held debates, lectures, parenting cycles. We are managing to make a difference with this

mission to protect children in Early Childhood, reinforced by the Pact."

"The Court opened its doors to this agenda. We had no trouble putting

Watch the lectures online:



TRAINING STRATEGIES FOCUSING ON EARLY CHILDHOOD IN THE PUBLIC PROSECUTOR'S OFFICE OF RIO DE JANEIRO

A Party to the National Pact for Early Childhood since its inception, MPRJ has developed several training strategies, among which:

- A minicourse called "Building Leadership for Promoting Early Child-hood", in 2019;
- Training MPRJ employees (outsourced employees) about the importance of Early Childhood care;
- Inclusion of training on the Legal Framework for Early Childhood in the training course for newly appointed prosecutors;
- Offering a Post-Graduate Course on Children, Adolescents and Families from IERBB/ MPRJ and FEMPERJ. This specialization course (lato

sensu) takes a unique approach, in which, besides theoretical knowledge, the exchange of experiences is maximized. The course includes transdisciplinary and innovative content because the incorporation of disciplines from different areas – such as pedagogy, psychology, sociology, and anthropology – is a priority need for training any professional that works with children and adolescents, or families. The in-depth study of Early Childhood is mentioned in the *curriculum*, emphasizing that any investment in public policies for this sector is an efficient way to mitigate



social inequalities and poverty, and build a more sustainable society;

Annual seminars and courses on many different aspects of the protection of Early Childhood rights.

These initiatives include participation of several parties to the Pact.

APPROVAL OF THE PUBLIC PROSECUTOR'S OFFICE'S PROPOSAL FOR DEVELOPING MUNICIPAL PLANS FOR EARLY CHILDHOOD

During the 23rd National Congress of the Public Prosecutor's Office, held in Goiânia/GO in 2019, MPRJ prosecutor Luciana Pereira Grumbach Carvalho presented a thesis called *The Public Prosecutor's Office as supervisor* to the creation of municipal plans for Early Childhood, in which she upheld the idea of mandatory plans for Early Childhood designed by the Union, the Federated States, and the municipalities.

For Grumbach Carvalho, art. 4 of Law n. 13.257/2016 (Legal Framework for Early Childhood) is quite clear when expressly determining that the absolute priority of art. 227 of the CF/88 determines a duty of the State to establish policies, programs, services, and plans for Early Childhood, laying down a legal obligation on the respective heads of execu-

tive power. This understanding is confirmed by reading of art. 7 of the same law, which uses the wording "shall" in regard to the constitution of cross-sectoral committees. The prosecutor argues that (in the municipal sphere) if mayors fail to prepare municipal plans for Early Childhood, the Public Prosecutor's Office must take the necessary measures to ensure that these plans are duly prepared, such as establishing administrative proceedings and filing a public civil action which focuses on the Public Prosecutor's Office extrajudicial initiatives. The thesis was unanimously approved, with the following wording: Municipal Plan for Early Childhood. Legal obligation as described in the Legal Framework for Early Childhood. The Public Prosecutor as a supervisor and facilitator for drafting.

Read the MPT's comicbooks:

Pregnant Women's Rights



"What if it were you?" Women in the labor market



Ending violence against women



Watch MPT's webinar on "Work and the right to care"



GUARANTEED RIGHTS OF PREGNANT WOMEN, WORKING MOTHERS, AND WORKING FATHERS FOR EARLY CHILDHOOD CARE

The Labor Prosecutor's Office has fostered the Citizen Company Program (Law n. 1,770/2008), which extends the term of maternity leave (180 days) and, after Law n. 13,257/2016 (Legal Framework for Early Childhood), extends paternity leave (20 days) by companies and public entities, and adoption of parental leave as a benefit offered by the company itself (complementary affirmative action).

This is based on the understanding that the protection of Early Child-hood includes the protection of physical and mental health of pregnant and nursing women at work, and the promotion of the division of house-hold chores and care between women and men, which have an impact on equal opportunities at work and on the decrease of domestic and family violence.

In addition, *Coordigualdade* - MPT's National Coordinating Department for the Promotion of Equal Opportunities and the Elimination of Discrimination at Work published comic books on the rights of pregnant women and women's labor market and has upheld the importance of reflection on

the impact of family growth on productive work by hosting virtual events. The actions have been developed by the National Strategic Project for the Employability of Women Victims of Violence ("Program for the End of Violence against Women") and by the Working Group on Gender and Care.

It is worth mentioning that the working group was set up to promote the ratification of ILO Convention 156, which recommends the approval of a national law on parental leave and the debate with social actors in the world of work about masculinity, gender, and caregiving.

WORKING GROUP ON PARENTAL LEAVE

The Working Group on Parental Leave was an initiative coordinated by the non-governmental organization called Family Talks in partnership with the Parliamentary Front for Early Childhood, through its interinstitutional committee, in 2020.

The WG was composed of representatives from the public and productive sectors, civil society organizations and the UN system, as well as researchers, and worked from June to November 2020 to discuss different aspects involved in the implementation of parental leave in Brazil.

The points discussed were:

- Children's rights to care;
- Women's participation in the labor market;
- Male involvement in caregiving;
- Impact on businesses;
- · Impact on public spending.

The methodology addressed:

- Involvement of partners related to the five discussion points;
- Receiving written contributions from partners;
- Six focus groups were held to discuss parental leave in the Brazilian case.

Learn more about the WG and access the final report



LAUNCH OF THE MEU PAI TEM NOME (MY FATHER'S NAME) PROJECT AND OTHER INITIATIVES

In addition to its active participation in the initiatives of the Justice Begins in Childhood project, the National College of General Public Defenders (Condege) has been coordinating its own actions to positively impact the lives of children from 0 to 6 years old since joining the Pact. Among such initiatives, the following are noteworthy:

- a) Continuous training actions, including the VII Congress of Public Juvenile Defenders, in Belo Horizonte, on the issue of 'the voice and the turn of children and adolescents', and a specific focus on strategies that ensure the right of children from 0 to 6 years of age to speak out in any processes that concern them;
- b) Interventions in a case submitted to the general repercussion regime, in which the self-applicability of art. 208, IV, of CF/88 (subjective right to a daycare spot) is being discussed;
- c) Implementing "My father's name" project, which began on March 12, 2022, to solve cases related to acknowledgement of paternity, offering DNA tests, mediations, and attempts at extrajudicial resolution of these issues and the right to alimony and family cohabitation.

Launch of My Father's Name Project



CREATION OF THE EARLY CHILDHOOD FRIEND PUBLIC DEFENDER SEAL

The National Justice Ombudsman's Offices from the Public Defender Offices of Brazil was created in 2008 with the purpose of gathering 15 Ombudsman Offices from State Public Defender Offices representing all regions of the country in one national venue. Its initiatives are strategic to strengthen the human rights bias of the Public Defender Offices, and expand democratic management within these institutions, help bringing

them closer to social and popular movements. Therefore, several Ombudsman offices, especially in the Northeast Region, joined the National Pact for Early Childhood.

In this context, the Coordinating Body for Early Childhood of the National Council of Ombudsmen of the Brazilian Public Defender's Offices was created on March 16, 2021 and held several meetings to disseminate the Legal Framework for Early Childhood for state ombudsmen and parties to the Pact.

They have also created the Early Childhood Friend Public Defender Seal, during the 5th Regular Meeting of 2022, held on July 6, to acknowledge successful practices of State Public Defenders for Early Childhood.

SCALING UP TRAINING ON EARLY CHILDHOOD

The training courses developed under the *Justice Begins in Childhood project* have generated impact among professionals who work with children in Early Childhood and fed into networking reinforcement actions.

The institutions that signed the National Pact for Early Childhood were urged to develop actions to tackle ignorance about the norms that guarantee the rights of children up to 6 years of age. One of the actions is the dissemination of the 40 hour-long course on "Legal Framework for Early Childhood and its legal consequences" with tutorials, with 1.5 thousand slots for judges and other participants from the Justice System (*read more on page 74*). ENFAM offered the course to all Law Schools in Brazil, and to Public Prosecutor's , Public Defender's and bar associations schools.

The goal is to ensure that knowledge in the protection network is duly spread throughout Brazil, support participants in supervising the application of the law in their daily work and ensure integrated care to children and their families.

This goal was also furthered by the Legal Framework for Early Childhood Course on the Rights Assurance System. This course is *online* and self-instructional. The CNJ recommends a coordinated approach by personnel, which supports the cross-sectoral application of knowledge.

The Inspector General's Office of the Court of Justice of Goiás (TJGO), for instance, mapped the network of social protection services to understand the level of knowledge of frontline professionals regarding the Legal Framework for Early Childhood. In partnership with the Judicial School of TJGO and with the participation of CNJ representatives, the course is currently being adapted

for a hybrid distance education, in which topics such as "National Pact and a sustainable society", "Integration of public policy applied to concrete cases" and "Protection measures of the Statute of the Child and Adolescent (ECA) in the light of the Legal Framework for Early Childhood" will be addressed.

STATE PACT FOR EARLY CHILDHOOD IN ALAGOAS

Learn more:





The State Pact for Early Childhood of Alagoas was signed on September 2, 2019, in the Plenary of the Court of Justice of Alagoas, with the presence of representatives of the covenanting public agencies and several other constituted authorities, federal and state deputies, mayors, city councilors, deans, and other representatives of society. Parties to the State Pact for Early Childhood are the Court of Justice of Alagoas, the Government of Alagoas, the Legislative Assembly, the Public Prosecutor's Office, the Court of Audit of the State of Alagoas, the Public Defender's Office, the Brazilian Bar Association - Alagoas Chapter, and the Association of Municipalities of Alagoas. The Federal University of Alagoas and the Early Childhood State Network joined the State Pact for Early Childhood. In November of the same year, the first training session of the Pact was held in the auditorium of the Superior School of Magistrates of Alagoas, to qualify the role of institutions and agents of the justice system and the childcare network for the effectiveness of the Legal Framework for Early Childhood. The event included several lectures by experts and group dynamics on the effectiveness of the "Legal Framework for Early Childhood" and "Justice begins in childhood: The era of Positive Rights".

These institutions joined the National Pact for Early Childhood on April 22, 2021, on the occasion of the Pact's Seminar in the Northeast Region, and resumed face-to-face meetings on March 21, 2022, which have been occurring frequently (11/28/2019; 3/21/2022; 4/5/2022 and 8/16/2022), alternately at the headquarters of each participating agency.

The meetings are aimed at implementing previously defined actions, such as a technical study in the municipalities of Alagoas; an analysis of the municipal PPAs; training and mobilization of public agents of children and adolescents care network; updating the analysis of plans; carrying out a comparative study of the last three municipal PPAs; defining new effective members; a new round of training for public agents involved with Early Childhood; creation and installation of day care centers; creation of a panel with indicators related to Early Childhood with municipal scope; creation of an information base to subsidize necessary investments for Early Childhood; creation of the Municipal Early Childhood Index.

EARLY CHILDHOOD NETWORK AMONGST COURTS OF AUDIT

Among the results of the National Pact for Early Childhood is the strengthening of the mobilization of an Early Childhood network in the country's Courts of Audit. The mobilization was initiated by the Parliamentary Front for Early Childhood and reinforced by the Courts of Audit's adherence to the Pact. Their members have participated in seminars and training programs sponsored by the Justice Begins in Childhood project.

Members of control bodies from all over Brazil have been increasingly committed to ensuring the priority of public policies related to Early Childhood. In 2019, a letter from the National Council of Courts of Audit Presidents (CNPTC) called for "the constant and permanent action of the Courts of Audit with regard to the awareness and mandatory compliance by jurisdictional bodies of the provisions of one of the most advanced laws in the world on public policies for children up to six years of age – Federal Law No. 13.257/2016, known as the Legal Framework for Early Childhood."

In addition to the Federal Court of Audit, the Association of Members of the Courts of Audit of Brazil (Atricon) joined the Pact in 2019 and since then has promoted a series of actions. One example is the TC Educa project, a monitoring and warning system designed by Atricon and the Rui Barbosa Institute (IRB) to monitor the goals of the National Education Plan, the PNE, with an emphasis on Early Childhood education.

Using numeric indicators ranked by color, the system presents an overview of the evolution of the Brazilian states, the Federal District and the municipalities in achieving the goals of the PNE, highlighting situations or risks of noncompliance. In these cases, an alert is sent to the accountable administrators.

The Rui Barbosa Institute, a civil association created by the Court of Audit of Brazil in 1973 to help develop and improve the activities of the Courts of Audit, stablished a specific committee on the subject, the Technical Committee for the Evaluation of the National Pact for Early Childhood. It also joined the working group of the Parliamentary Front for Early Childhood, with the purpose of offering subsidies for the Union, Federated states, and municipalities to prioritize Early Childhood in the Multi-Year Plans (PPAs) and in the Budget Directives Laws (LDOs), a fun-



damental step towards implementing the legislation.

In the National Pact for Early Childhood Seminar, in April 2022, the president of the Court of Audit of the State of Goiás (TCE-GO), Councilor Edson Ferrari, presented the National Pact for Early Childhood Portal, developed by the TCE/GO.

"Through maps, indicators, graphs, and comparisons, one can clearly see that the rights of children in Early Childhood are not being guaranteed. The numbers show great social inequality, especially among the regions of the country. The information amassed in the portal is laid out in an intuitive, easy-to-understand way," he explained.

On August 3, 4 and 5, 2022, the IRB promoted, in partnership with the Courts of Audit of Ceará and Goiás, the 1st National Seminar on Early Childhood and the Courts of Audit, on the topic "children as a priority". Best practices were shared at the meeting, in Fortaleza/CE, and issues such as the role of Courts of Audit in the evaluation of public policies, advances in education, and mechanisms to implement article 11 of the Legal Framework for Early Childhood, which deals with the control of resources, were discussed.

The seminar discussions resulted in the Fortaleza Charter, sent to the Courts of Audit all over the country for adherence by their corresponding presidents. The document offers recommendations aimed at enforcing the rights of children up to 6 years of age in Brazil:

Learn about TC Educa



Visit the National Pact for Early Childhood Web Portal



The signatory Courts of Audit resolve to recommend the following actions and strategies, all of which are inserted into the daily routine of external control and into the Courts of Audit System, with the aim of helping enforce, with absolute priority, the rights of children from zero to six years of age:

- 1. hold awareness-raising events for Public Officers and members of the Courts of Audit about the importance of Early Childhood, the monitoring and evaluation of public policies, and their duties in promoting social control of Early Childhood;
- 2. prioritize, within the strategic plans, guidelines, and inspections of the Court of Audit, initiatives that address the evaluation of public policies aimed at Early Childhood;
- 3. establish, within the organizational structure of the Courts of Audit, technical unit(s) of evaluation of public policies to coordinate assessment surveys, evaluation and monitoring actions in conjunction with all inspection sectors, strengthening cross-sectoral and integrated actions within the scope of the corresponding Court of Audit;
- 4. Train audit teams, with the goal of unifying understandings and disclosing the methodology used in indicators, stimulating the performance of assessment surveys on the subject;
- 5. promote training events for public managers, focusing on budget planning instruments, using updated indicators from reliable official sources, as a way to ensure the effectiveness of actions aimed at Early Childhood and stimulate the development of specific plans for the subject;
- 6. promote joint/integrated actions (IRB, Atricon, CNPTC, TCU and others), aimed at increasing knowledge and dissemination of best practices on Early Childhood among all Courts of Audit;
- 7. encourage the creation of State and Municipal Committees (inter-institutional/cross-sectoral groups, aimed at strengthening the Legal Framework for Early Childhood and the National Pact for Early Childhood, and also at monitoring the actions thereof;
- 8. encourage and disseminate best practices and promote awards based on objective criteria and focused on Early Childhood, in order to acknowledge initiatives in Federated States, Municipalities and Courts of Audit;
- 9. ensure timely disclosure of Early Childhood public policies' assessments, with the goal of disseminating information;
- 10. support and participate in the drafting of Early Childhood plans at state and municipal levels, including assessments, goal setting, training, and pedagogical guidance;
- 11. guide public managers on the need to take into account the results of public policy assessments, including those carried out by the Courts of Audit, so as to include them in the set of goals, objectives, and priorities of budget planning instruments (PPA, LDO, and LOA) of the guiding aspects outlined in the Legal Framework for Early Childhood and in the National Pact for Early Childhood;
- 12. consolidate, integrate and strengthen the network of Courts of Audit that have joined the pact.

GOIÁS COMMITTEE FOR THE NATIONAL PACT FOR EARLY CHILDHOOD



In the state of Goiás, the Court of Justice was the only federative entity to have joined the National Pact for Early Childhood from 2019. However, in April 2022, thanks to a series of coordinated efforts from the Court of Audit of the State of Goias, representatives from all branches of government, along with several institutions from the federated state, established

the Goiás Committee of the National Pact for Early Childhood.

In May, the group's actions were defined. Among them are creating a media group, implementing the Legal Framework for Early Childhood course, selecting the committee's logo, creating municipal committees and offering support to municipalities in vaccination campaigns against polio.

Developed by the Court of Audit of the State of Goias (TCE/GO), the Early Childhood Portal includes 12 indicators for all Brazilian states and municipalities and is being delivered to every Goiás mayor, with the support of the Court of Audit of the Municipalities of Goiás (TCM/GO).



In addition, the TCE/GO and TCM/GO formulated a joint proposal aimed at establishing municipal committees to implement actions to improve social indicators, especially vaccination against infantile paralysis and vacancies in day care centers. This initiative also seeks to sensitize other actors to join the Pact, such as federations and associations of municipalities, unions, trade associations, and other entities.

PUBLIC BUDGET PLANNING FOR EARLY CHILDHOOD



By subscribing to the National Pact for Early Childhood, the Ministry of Economy committed to coordinate and monitor the budget for Early Childhood, with due regard to the rule that the budget must provide transparency of information and be structured in a way that facilitates its reading for and by society.

To meet this commitment, the Ministry of the Economy, through the Sub-Department of the Multi-Year Plan of the Federal Budget Department, undertook several strategic actions:

- In accordance with the Congressional agenda for Early Childhood, the Ministry created the Crosscutting and Multi-sectoral Agenda for Early Childhood, through Law n. 13.971, which establishes the Union's Multi-Year Plan (PPA) from 2020 to 2023. The law determines that the PPA programs related to Early Childhood must be budgeted prior to the execution of obligatory expenses;
- 2. Enacted Decree n. 10,770/2021, which established the Early Childhood Crosscutting and Multi-sectoral Agenda, thus regulating art. 10, sole paragraph, of Law n. 13,971 and art. 11 of the Legal Framework for Early Childhood. The decree encourages joint action by participating ministries focused on enhancing protection and promotion of children's rights, from pregnancy to 6 years of age;
- 3. In view of its mission of collaborating with the federated states, the Federal District, and municipalities, the Ministry of Economy has implemented, along with the Secretary of Health, Social Assistance, and Housing of the municipality of Colinas/RS, a pilot project on governmental actions based on crosscutting themes and cross-sectoral initiatives for Early Childhood;
- 4. Established ME Ordinance 1.410/2022, which regulates how information on budget and on budgetary-financial and physical results of government actions included in the Crosscutting and Multi-sectoral Early Childhood Agenda are presented to the Ministry of Economy, with the goal of disseminating such information on the Ministry's website;
- 5. The ME has oriented other ministries to establish and outline a budget breakdown for Early Childhood based on methodological proposals to estimate funding requirements for the 2023 budget. The practical goal is to spell out budget information on Early Childhood and, subsequently, on children and adolescents.

All these actions allowed the Ministry of Economy to carry out a survey and analysis of Early Childhood budget data collected by the six participating ministries, in accordance with the guidelines of ME Ordinance 1.410 and under the terms of Decree 10.770/2021.

The report will be published every year, and its first publication is available on the Ministry of Economy's website.

RECOMMENDATION OF A PARLIAMENTARY FRONT FOR THE INCLUSION OF EARLY CHILDHOOD IN THE PPA

Click here to access the Instruction n. 895/2019



The Parliamentary Front for Early Childhood forwarded to the President's Chief of Staff Instruction n. 895/2019, signed by more than 200 parliamentarians, requesting that: a) the PPA forwarded to the National Congress include Early Childhood as one of the priorities of the Public Administration; b) that the PPA allow for the establishment of cross-sectoral programs between ministries and other agencies.

WORKING GROUP ON PUBLIC BUDGETS FOR EARLY CHILDHOOD

Report: Measuring Social Spending on Early Childhood in 2021



The Parliamentary Front for Early Childhood established a working group (WG) composed of 18 organizations, with the goal of designing strategies to generate evidence and draw up proposals and concrete applications – inside and outside the Legislature – of public budgeting on Early Childhood in Brazil. Coordinated by UNICEF, the WG included federal public agencies, among which the National Justice Council, IPEA, the Ministry of Economy, the Office of the Comptroller General, and the Ministry of Citizenship, as well as prominent academics and numerous civil society and international organizations. The activities took place in 2021 and 2022.

Among the main actions implemented, the following are worth noting: 1) recommendations, public letters, organization of public events aimed at incorporating Early Childhood in the municipal budget cycles, with emphasis on the municipalities' PPAs; 2) A technical note presented in a public hearing at the Mixed Budget Committee, laying out proposals to complement the 2022 budget for Early Childhood; 3) A study to assess Federal Social Spending on Early Childhood, based on previous methodology from IPEA and UNICEF. Using an innovative methodology, the study covers the entire federal budget – and not only its most usual areas such as education, social assistance, and health. In addition, the study develops

a more accurate way of estimating non-specific expenditures, known as expanded spending. The results show that less than 1% of the federal budget is allocated to Early Childhood in Brazil and identify the areas and policies to which resources are being directed.

RESOURCES FROM THE FUND FOR THE RIGHTS OF THE CHILD AND ADOLESCENT TO IMPLEMENT THE DISTRICT POLICY ON EARLY CHILDHOOD

Fostering dialogue between government agencies and civil society on the Legal Framework's implementation was one of the National Pact's main achievements in the Federal District. Following the enactement of Law n. 7.006, of December 14, 2021, which established the District's Early Childhood policy, and following the adherence of the Federal District Government to the Pact, also in 2021, and the action of the Board for the Rights of the Child and Adolescent (CDCA/DF), an action line for the implementation of both the District's policy and the Legal Framework was inserted in the Public Call Notice n. 3/2022. This call for proposals aims to analyze and select projects that can be supported in whole or in part with resources from the Fund for the Rights of Children and Adolescents of the Federal District - FDCA/DF, totaling 40 million Brazilian reais, of which 1.5 million can be allocated to individual projects.

Introduced by Law n. 7.006/2021, the regulation of the Federal District Cross-sectoral Management Committee of Public Policies for Early Childhood, coordinated by the Department of Justice and Citizenship, was another significant action. It aims to coordinate policies and initiatives focusing on the development of children from 0 to 6 years of age, in order to encourage comprehensive care, periodical monitoring and assessment of the Federal District's integrated policy for Early Childhood.

ESTABLISHMENT OF A CROSS-SECTORAL COMMITTEE FOR EARLY CHILDHOOD IN RIO GRANDE DO SUL

The governor of Rio Grande do Sul announced the creation of the State Cross-Sectoral Committee for Early Childhood during the opening of the National Pact for Early Childhood Seminar - South Region, in August 2021.

According to the Legal Framework on Early Childhood:

Art. 7 The Union, the Federated States, the Federal District, and the Municipalities may establish, in their respective spheres, cross-sectoral committees of public policies for Early Childhood with

the purpose of ensuring the coordination of actions aimed at the protection and promotion of children's rights, guaranteed social participation through the rights' councils.

This is a strategic action to meet the provisions of art. 3 of the Legal Framework, according to which "The absolute priority in ensuring the rights of children, adolescents, and young people, under art. 227 of the Federal Constitution and art. 4 of Law no. 8069 of July 13, 1990, implies the duty of the State to establish policies, plans, programs, and services for Early Childhood that meet the specific nature of this age group, in order to ensure their full development.

According to Carolina Drügg, deputy coordinator of the Better Early Childhood Program (PIM) and committee coordinator, the mobilization capacity of the National Pact for Early Childhood was vital to create the group. "The signature of the Pact for Early Childhood allowed us to coordinate our actions with managers and make them aware of the importance of creating the committee, whose creation decree draft had been in process for a year," she says.

The Rio Grande do Sul state committee is tasked with developing the State Plan for Early Childhood in Rio Grande do Sul. Required by the Legal Framework, the State Plan regulates the actions aimed at the first years of life and establishes the guidelines for public policies and specific guarantees targeting children up to 6 years old.

"The decree was published a few days after the seminar and we have already started to meet. The forecast is that we will have a state plan by next year. In other words, the coordination brought about by the Pact has unlocked all needed processes for drafting the plan".

The experience of the PIM, implemented in Rio Grande do Sul since 2003, has been used to generate content. "In this process, we are meeting with other parties to the Pact here in Rio Grande do Sul that are also part of the committee," Carolina reports.

In a similar vein, the state of Santa Catarina has marshaled increased efforts to draft a state plan for Early Childhood. This was the object of an action plan designed by an officer of the Court of Justice of Santa Catarina, while attending a course on the Legal Framework for Early Childhood and its legal implications.

These actions will also be vital to draw up the municipal plans in the South Region, where the Pact's actions revealed that only one municipality had built a plan for Early Childhood: Chopinzinho, in Paraná, whose plan was presented in the South Region seminar. The presentation helped disseminate this action, which received great support from the Parliamentary Front for Early Childhood and the National Early Childhood Network.

INCLUSION OF JUSTICE IN THE NATIONAL PLAN FOR EARLY CHILDHOOD

Currently made up of 272 organizations from the public administration, civil society, and other networks, forums, and movements, The National Early Childhood Network (RNPI) has been among the parties the Pact since its momentous launch in 2019. It has thereafter participated in various activities in view of its mission, such as disseminating and inviting other organizations to join the Pact, participating in regional seminars, helping develop curriculum course contents on the Legal Framework for Early Childhood (Law n. 13.257/2016) and on municipal policies and plans to ensure the rights of children up to 6 years of age.

Among RNPI's foremost actions within the Pact's framework stands the inclusion, in the National Plan for Early Childhood (2020-2030), of a specific chapter on rights assistance to early children in the Justice System. In light of the importance of addressing problems and solutions in an inter-institutional manner, RNPI has drawn on this initiative to suggested that states and municipalities include a similar chapter in their Early Childhood plan.

Children and the Justice System (National Plan for Early Childhood, Chapter 15)



COALITION FOR FOSTER CARE

The Coalition for Foster Care - which brings together governmental and non-governmental actors, managers, researchers, and national leaders on the subject - has been supporting foster care in Early Childhood, in view of the well-documented emotional and neurological damages that institutionalization measures cause to the lives of children in their early years.

The Coalition includes the National Department of Social Assistance from the Ministry of Citizenship, the National Movement for Family and Community Life, the Bernard van Leer Foundation, the Center for Public Policy Studies from UNICAMP, the *Geração Amanhã* (Generation Tomorrow) Institute, the Fazendo História (Making History) Institute, the Brazilian As-



sociation *Terra dos Homens* (Man's Land), SOS Children Villages, the *Pastoral da Criança* (Children's Pastoral), and *Aconchego* (Cozy up) - Support Group for Family and Community Life.

To strengthen foster care services, the Coalition has developed numerous support materials for technical teams, managers, and agents of the Justice System, including the Family Fostering Guide.

CONTINUING EDUCATION ON THE LEGAL FRAMEWORK OF EARLY CHILDHOOD BASED ON ENDICA

Featured among the parties to the National Pact for Early Childhood, the Ministry of Women, Family and Human Rights created the National School for the Rights of Children and Adolescents (Endica) through its National Department for the Rights of Children and Adolescents (SNDCA). Tasked with promoting the coordination and professional development within the Rights Assurance System for Children and Adolescents, Endica offered the course "Public Policies for the Protection of Children and Adolescents (PPPCA)" in 2021.

The course was designed for students and professionals interested in promoting, protecting and defending the rights of Children and Adolescents and the rights of experts working in the Rights Assurance System. The course's distance-learning (EAD) mode addressed the following topics: child development, from pregnancy to 6 years of age; the importance of playing; national plans for Early Childhood and plans for family and community life; the Legal Framework for Early Childhood; participation and dialogue; assistance and cross-sectoral coordination of services aimed at children; and public services and programs.

Within the policy of continuing education on the rights of children and adolescents, Endica will incorporate actions and contents developed by the National Pact for Early Childhood into its agenda, especially those from "Legal Framework for Early Childhood" course. The actions are based on a partnership between the National Department for Children and Adolescent Rights, the Ministry of Women, Family and Human Rights, the United Nations Development Programme (UNDP) and the University of Brasília (UnB). They will be implemented through a letter of agreement of international cooperation.

Among planned outcomes are a detailed survey of continuing education initiatives, outreach projects and ongoing research on Early Childhood. Another outlined action is the set up a network of continuing education in Early Childhood, which will offer courses in collaboration with other parties to the pact.

The letter also provides for developing methodological and pedagogical strategies to design curricular proposals including content and training courses open to different areas and levels of instruction. Moreover, it provides for adapting content developed in line with curricular proposals, to be used both by Endica and its training network partners.

EARLY CHILDHOOD EDUCATION CENTER AT UNB

Over the course of its history, the University of Brasília has developed teaching, research and outreach projects on Early Childhood on its four campuses. To integrate these actions and foster capacity building, the university is implementing the Early Childhood Education Center (Cepi-UnB) in partnership with the Federal District Government, targeting children up to 6 years old.

The university is also constructing a new building to host the Research Area on Education and Early Childhood. This multidisciplinary environment will host professors and researchers from different units. Its objectives include:

To make UnB a leading center for Early Childhood in Brazil and abroad, contributing to research, teaching, outreach activities and the development of innovative practices and public policies related to the subject; to coordinate research activities on education and Early Childhood carried out on the four campuses of the University of Brasília; lay out collaborative research, teaching and extension strategies to suggest projects on topics related to education and Early Childhood; and to encourage and facilitate the dissemination of research on education and Early Childhood at research, teaching and outreach levels, both in the Federal District and in Brazil.

EARLY YEARS PROJECT (EARLY CHILDHOOD EDUCATION)

The Early Years project is an initiative of the Organization of Ibero-American States for Education, Science and Culture (OEI) in Brazil and supported by the Ministry of Education (MEC). The project aims to build up comprehensive policies for Early Childhood care, in order to improve the quality of education children receive at this stage. The project also supports coordination with networks, organizations, and other national and international institutions to shape and reinforce public policies for Early Childhood; foster capacity building in public institutions, civil society, and educational agents; and create knowledge about Early Childhood.

In this vein, the Early Years project carried out a research activity consisting in an exploratory study to identify the conditions of the educational offer for early children in the public network of municipalities, within the five regions of Brazil. The following axes were considered: management and infrastructure (structural aspects); and pedagogical practices and child development (processes). The research will employ a multi-methodological approach incorporating several areas of Early Childhood education, focused on providing specific and necessary information to help consolidate the network. This approach envisions Early Childhood education as a social priority investment, both a facilitator and a guardian of children's development.

NATIONAL PACT FOR SECURE LISTENERS

On April 5, 2018, an event marked a major milestone in the cause of child protection: Federal Law n. 13.431/2017 came into force, establishing principles for secure listening to avoid revictimization of children and adolescent who have already suffered violence.

According to data, girls and boys are heard eight to ten times during the course of a judicial process, being led to repeat - and relive - the situation of violence they endured when speaking to numerous care, investigation and accountability agencies. In view of this issue, the new law established two distinct ways of hearing children and adolescents: a) specialized listening, conducted by the agencies of the protection network and aimed at gathering information that is strictly necessary b) special testimony, conducted by police and judicial authorities, such as the Civil Police, the Public Prosecutor's Office, the Public Defender's Office, and juvenile or criminal courts. The law emphasized that both procedures must take place in a suitable space, equipped with convivial rooms, appropriate furniture, and audio and video tools to record conversations. In light of this, the CNJ drafted Resolution n. 299/2019, which provides for the rights assurance system for children and adolescents victims or witnesses of violence, referred to in Law n. 13.431/2017.

The National Pact for Secure Listening was signed on June 13, 2019, under the coordination of the Ministry of Justice, with the goal of assisting the implementation and giving effectiveness to Law n. 13.431/2017. The following are part of the mobilization: the CNJ, the National Council of Civil Police Chiefs (CONCPC), the Ministries of Justice and Public Security, Casa Civil (Civil House), Education, Health, Citizenship, Women, Family, and Human Rights; the First Lady of Brazil; the National Council of the Public Prosecutor's Office, the Federal Public Defender's Office, and the National College of General Public Defenders (Condege).

These institutions have made strides in their spheres of activity. Child-hood Brazil launched two publications on the subject: the Guide to Integrated Care for Children Victims or Witnesses of Violence, containing information on the implementation of the law within the multi-year planning of Brazilian municipalities and states (from 2018 to 2021), and the Guide to Integrated Care for Children Victims of Violence: best practices and recommendations for state public policy. Both publications are available on Childhood Brazil's website.

The Joint Ordinance n. 4, of May 27, 2022, ensued from this pact. The Ordinance determines that all its parties to the Pact, within the scope of their competencies, are to apply the routine it provides for, through guidelines and specific policies in their corresponding areas of activity.

Access Joint Ordinance n. 4



Learn more about the National Pact for Secure Listeners



TRAINING ON JUSTICE AND EARLY CHILDHOOD FOR JOURNALISTS

Within the framework of the National Pact for Early Childhood, ANDI – Communication and Rights and the National Early Childhood Network – RNPI, in partnership with Alana Institute, convened the Justice and Early Childhood Workshop, on January 26, 2022. The event was broadcast on ANDI's YouTube channel and targeted journalists, communicators, justice personnel, social workers, educators, and supporters of Early Childhood issues.

The workshop addressed the topic: "How has the Brazilian Justice System been acting to guarantee the rights of children in Early Childhood? And what instruments for protecting and ensuring children's rights does the Brazilian State offer in topics such as adoption, right to education, right to health for mothers and babies, protection of children in cases of violence, right to family life, among others?"

The training was divided into two axes:

Axis 1: Overview of public policies for Early Childhood and the Judiciary's performance in guaranteeing the rights of children aged 0 to 6 years;

OBSERVA's survey analysis: implementing the right to house arrest of pregnant women or mothers serving pre-trial detention orders



- Axis 2: Journalistic coverage related to the thematic agenda, including:
 - >> Drafting reports (on topics such as adoption, daycare vacancies, violence against children, etc.);
 - >> Presenting the legal frameworks for Early Childhood;
 - >> Compiling reference sources for journalists (Judiciary source bank and specialized organizations);
 - >> Analysis of socioeconomic factors (including racism and other vulnerability vectors), among others.

This initiative shows how the Brazilian Judiciary has made significant strides to ensure rights in the areas of decision-making processes, service infrastructure, and personnel training.

The presentation of the survey "Observa Analysis: how have judges been enforcing the right to house arrest of mothers who are serving pre-trial detention orders?" was one of the workshop's highlights. The survey emerged from the Supreme Court's granting in 2018 of the Collective Habeas Corpus writ (HC n. 143.641/SP), which ensured the right to house arrest for pregnant women and mothers of children up to 12 years old who are serving pre-trial detention orders – in other words, the Court's decision made it clear that maternity at risk should be protected rather than discarded or interrupted.

JUSTICE BEGINS IN CHILDHOOD WEBINAR, ADVOCACY AND RESEARCH SUPPORT

Alana Institute actively participated in the actions of the National Pact for Early Childhood. It worked all over the Justice System to promote the rights of Children and Adolescents through institutional transformations related to the training of professionals. The institute has also promoted the improvement of routines and cross-sectorality, as well as encouraged best practices in several areas.

Organized by the Early Childhood National Network, with support from ANDI - Communication and Rights, Alana Institute, and Open Society Foundations, the Justice Begins in Childhood Webinar was held in August 2020. The Webinar is part of the scope of the project "Justice Begins in Childhood", which seeks to discuss the role of the Public Administration and organized civil society in guaranteeing the rights of children in Early Childhood.

The survey "The application of the right to home arrest to pregnant women or mothers serving pretrial detention", related to axis 1 of the Assessment of Early Childhood Care in the Justice System,

was launched as a result of this partnership. The launching of a new research project supported by Alana Institute is expected within the same thematic axis and will take place in the second semester of 2022. The research is specifically focused on assessing the situation of teenage pregnant women and mothers in the juvenile detention system. In 2021, advances made in Brazil regarding the coordination for Early Childhood drew the international community's attention, as the organizers of the 14th United Nations Congress on Crime Prevention and Criminal Justice enabled the pooling of knowledge and experiences on the subject by representatives of the Judiciary Branch and experts. The debate demonstrated the importance of coordination between civil society entities and several bodies of the Justice System to guarantee the rights of children in Early Childhood.

The future goal is to expand debates and knowledge about the relationships between Early Child-hood and digital environment, and between climate justice and the protection of traditional communities, in view of the challenges and violations of rights in these thematic axes.

IMPLEMENTATION OF THE MEU PAI TEM NOME (MY FATHER'S NAME) IN AMAPÁ

Created by Instituto Promundo, Program P – ('P' stands for 'Pai' (father) in Brazil and 'padre' in Spanish speaking countries) – is an evidence-based handbook of best practices on engaging men and their partners in fatherhood and caregiving, in maternal and child health, and in the inclusion of a male self-care perspective. It is aimed at professionals in the health sector, education, and community workers (read more on page 176). Implemented in Rio de Janeiro, it received a best practice award under the Organized Civil Society category, sponsored by the National Pact for Early Childhood.

The dissemination of Program P to the North Region took place after its presentation in the National Pact for Early Childhood Seminar - North Region. The State of Amapá requested the program's implementation, aiming to serve two traditional communities: riverbank dwellers in the municipality of Ilha de Santana and indigenous Wajāpi people from the municipality of Pedra Branca do Amapari.

With the aim of understanding how parenthood is traditionally practiced in these communities, the Listening stage was added to the usual four stages of Program P's methodology - Sensitization, Engagement, Participation, and Evaluation.

In addition, throughout this process, Early Childhood care among the riverside dwellers and the Wajāpi was systematized, in order to address various forms of childcare.

This is a pioneer project, which embraces parenthood and childhood dimensions in traditional communities, and generates important documents for further work with traditional Brazilian and Amazonian communities.

The Wajāpi indigenous leader, Viseni Wajāpi, appraised the experience: "I said that [I think] it is very interesting and also very important, because we have to make this project happen, so that our state also understands what we have to care for. I was really touched, as a teacher, by the work of the organization. I am the father of 12 children, and now I have an even greater number of grandchildren. You realize how important fatherhood is for the Wajāpi people, right? This project for the state of Amapá is very interesting, right? And who knows, maybe one day we will bring the knowledge of Wajāpi fatherhood to other states, right? Bringing them our projects, our books and our little videos".

Promundo has also expanded its activities in the Northeast Region. It started to implement actions in collaboration with the Government of Pernambuco – a party to the National Pact for Early Childhood – to recognize the importance of fathers' participation in the Happy Childhood Program.

PREVENTION OF SKIN BURNS IN EARLY CHILDHOOD

The Brazilian Society of Aid to Burns (SBQ) included children in Early Childhood in its scope and joined the National Pact for Early Childhood during the Northeast Region Pact Seminar.

As a party to the National Pact for Early Childhood, the SBQ has sought to improve the national policy for burns, collaborating to speed up discussions with the Ministry of Health on the care strategy, starting with prevention, and including specialized professionals in the process.

SBQ is also conducting an active search on attention and care capacity for affected individuals, in addition to a survey of areas lacking structured care.

Studies on mortality from burns and demographic aspects are under development, with special emphasis on children, identifying action points for improvement.

In addition, SBW has developed training projects for professionals performing home services to prevent risks, raise public awareness and encourage continued care with a focus on children, as well as continuing education programs for multi-professional teams.

The prevention of accidents in Early Childhood, including burns prevention, is one of the priority areas provided for by art. 5 of Law n. 13.257/2016.

TESTIMONIALS FROM PARTIES TO THE PACT

Anderson Alves Garcia, Policy Coordinator for Other Diffuse Rights at the Ministry of Justice and Public Security

"Since its inception, the Pact has proven to be a project that overcame several adversities, among them the substantial negative impact caused by the covid-19 pandemic, whose effects are still being felt today. In my opinion, in the current scenario, changes in culture and paradigm shifts have become secondary factors; the budget problem is perhaps a challenge we will have to overcome through a form of financial support that regulates the Pact's implementation. Moreover, as we seek to ensure full child development, the disconcerting lack of social and economic development that touches approximately 20 million of children in Early Childhood has become ever more challenging. The National Pact for Early Childhood has proven to be more than a simple action of the Judiciary, via the CNJ - it has become a truly judicialized public policy to give effectiveness to the Executive, Legislative and Judiciary Branches' joint actions. It has entrenched the fight against crime impacting children and adolescents, contributed both to children development and, in the medium and long run, to human development."

Raquel John, general coordinator of Early Childhood Education at the Board of Policies and Regulation in the Ministry of Education's Department of Basic Education

"The National Pact for Early Childhood encourages integrated action supporting holistic development of children in this age group. Cross-sectorality is intrinsic to the cause of Early Childhood. The Pact helps people recognize the urgent need to work together, to unite efforts so that Brazil can stand out for its actions and initiatives targeting children up to 6 years old. The National Pact for Early Childhood implies taking this agenda to the next level in Brazil; it represents a sum of efforts to ensure the rights set forth in the Legal Framework for Early Childhood."

Janini Ginani, coordinator for Child Health and Breastfeeding at the Ministry of Health

"The rigidity of bureaucratic structures that prevent cross-sectoral action, especially in the federal government, is the biggest challenge we face. Even though people are aware today of the path we should follow, many difficulties remain. These are not only related to issues of bureaucratic structure, but also to problems in understanding how to implement cross-sectoral practices. We need to make much more progress. The commitment mentioned by the Pact will only become effective on a daily basis through cross-sectoral actions, not only at the federal level, but also in the Federated States and municipalities—where the policy is implemented. Only by starting from this cross-sectoral work will we be able to achieve the Pact's goals."

Moacir Nascimento, prosecutor, auxiliary member of the Children, Youth and Education Committee of the National Council of the Public Prosecutor's Office (CNMP)

"The mobilization of such a significant amount of public and private institutions for the cause of Early Childhood has helped the subject get the attention it deserves, especially in the media. This has led to advances in policy implementation and effectiveness of legal norms enacted by the National Congress. Promoting effective respect for the rights enshrined in Law no. 13,257, of 2016 implies raising everyone's awareness about the benefits that such commitment to child development will bring. This admirable coalition has greatly contributed to this process by bringing together so many organizations around the cause. The regional events were key moments of awareness raising, since leading experts on the subject had the opportunity to address a wide audience and share their knowledge with other experts. This also helped public and private agents, who need to make decisions to implement legal commands, to deepen their thoughts on the subject. Given Brazil's continental dimensions, it is also worth highlighting how effective the strategy of decentralizing and spreading the discussions across all regions of the country is."

Rodrigo Azambuja, coordinator of the Committe for Promoting And Defending Children and Adolescents at the National College of General Public Defenders (Condege)

"In my view, the National Pact for Early Childhood has an unprecedented capacity of including a colossal number of parties. It encompassed numerous powers and institutions. And it has raised awareness among these actors about the legislation. The Pact has a scientific basis. Here in Brazil, some laws won't take hold. The Pact has a theoretical-scientific substrate that allows people to grasp the evidence. I think that the Pact's greatest gain consists in its massive academic output and in the ability to draw people's attention and help establish evidence-based public policies. The Pact made the Justice System realize the exceptional nature of measures that deprive of liberty those who are responsible for children from 0 to 6 years of age. This is a substantial progress in our culture, which privileges incarceration."

Cezar Miola, councilor of the Court of Audit of the State of Rio Grande do Sul (TCE-RS) and president of Atricon

"The Pact is a very important initiative that encourages cooperation, collaboration, and coordination among actors and initiatives that didn't interact before. It fosters knowledge and in-depth discussions, and leads to lasting and systematic commitments aimed at producing effective results. There are many challenges to be overcome. The rights of children in Early Childhood interact crosscutting and multi-sectorally with countless actions in distinct areas of public policy development, such as: education, health, social assistance, culture, and sanitary infrastructure, among others. Now, I am concerned with the effects of the pandemic on children's education. For instance, a study released in February by "Todos pela Educação" (United for Education), based on the Continuous National Household Sample Survey (PNAD Contínua) of the Brazilian Institute of Geography and Statistics (IBGE), shows that 40.8% of children between 6 and 7 years old are not yet literate, a rate that represents around 2.4 million students. This is the worst level on record in Brazil since 2012. Moreover, according to data from the Court of Audit, over 2 million additional vacancies in daycare centers must be opened to achieve Target 1 of the National Education Plan (to serve, by 2024, at least 50% of children from zero to three years old)."

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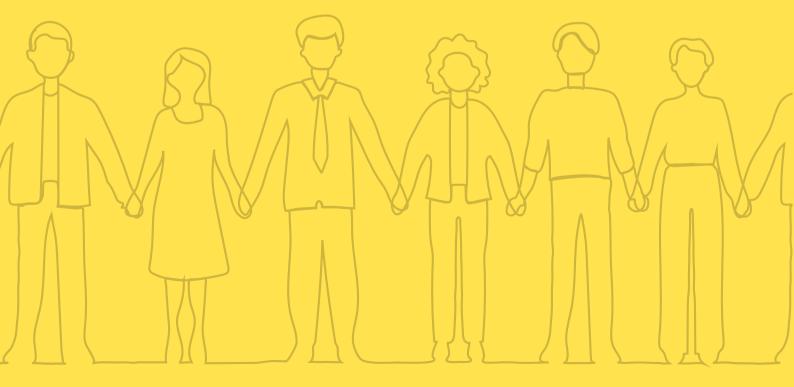
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ANNEX I

LIST OF PARTIES TO THE PACT IN ALPHABETICAL ORDER

- 1. Andi Comunicação e Direitos
- 2. Arquidiocese de Goiânia
- 3. Assembleia Legislativa do Estado da Paraíba
- 4. Assembleia Legislativa do Estado de Alagoas
- 5. Assembleia Legislativa do Estado de Goiás
- 6. Assembleia Legislativa do Estado de Pernambuco
- 7. Assembleia Legislativa do Estado de Roraima
- 8. Assembleia Legislativa do Estado de Santa Catarina
- 9. Assembleia Legislativa do Estado de São Paulo
- 10. Assembleia Legislativa do Estado de Sergipe
- 11. Assembleia Legislativa do Estado do Acre
- 12. Assembleia Legislativa do Estado do Amapá
- 13. Assembleia Legislativa do Estado do Amazonas
- 14. Assembleia Legislativa do Estado do Ceará
- 15. Assembleia Legislativa do Estado do Espírito Santo
- 16. Assembleia Legislativa do Estado do Maranhão
- 17. Assembleia Legislativa do Estado do Paraná
- 18. Assembleia Legislativa do Estado do Rio Grande do Sul
- 19. Associação Beneficente Encontro com Deus ABECD
- 20. Associação Brasileira de Enfermagem Santa Catarina ABEn-SC
- 21. Associação Brasileira de Magistrados da Infância e da Juventude Abraminj
- 22. Associação Brasileira de Psiquiatria ABP
- 23. Associação Catarinense de Psiquiatria ACP
- 24. Associação de Desenvolvimento da Família ADEF
- 25. Associação dos Juízes Federais do Brasil AJUFE
- 26. Associação dos Magistrados Brasileiros AMB

27.	Associação	dos Membros	dos Tribunai	s de Contas	do Brasil –	ATRICON
41.	ASSOCIAÇÃO	dos Mellinios	uos midunai	s ue Comas	s uo brasii –	AIRICON

- 28. Associação dos Municípios Alagoanos AMA
- 29. Associação dos Municípios do Estado do Amapá AME
- 30. Associação Municipalista de Pernambuco AMUPE
- 31. Associação Nacional das Universidades Particulares ANUP
- 32. Associação Nacional dos Grupos de Apoio à Adoção ANGAAD
- 33. Associação Nacional dos Magistrados da Justiça do Trabalho AMATRA
- 34. Associação Nacional dos Ministros e Conselheiros Substitutos dos Tribunais de Contas AUDICON
- 35. Associação Paulista de Magistrados Apamagis
- 36. Associação Paulista do Ministério Público APMP
- 37. Associação Pikler Brasil APB
- 38. Avante Educação e Mobilização
- 39. Câmara de Vereadores de Juiz de Fora
- 40. Câmara dos Deputados
- 41. Central dos Sindicatos Brasileiros CSB
- 42. Central Única dos Trabalhadores CUT
- 43. Centro de Integração de Redes Sociais e Culturas Locais Cirandar
- 44. Centro Universitário de União da Vitória UNIUV
- 45. Childhood Brasil
- 46. Círculo Operário Leopoldense COL
- 47. Colégio de Coordenadores das Coordenadorias da Infância e da Juventude dos Tribunais de Justiça
- 48. Confederação Israelita do Brasil CONIB
- 49. Confederação Nacional da Indústria CNI
- 50. Confederação Nacional dos Municípios CNM
- 51. Conselho dos Direitos da Criança e do Adolescente do Distrito Federal CDCA
- 52. Conselho Estadual de Direitos da Criança e do Adolescente de Santa Catarina CEDCA SC
- 53. Conselho Estadual de Direitos da Criança e do Adolescente do Paraná CEDCA PR
- 54. Conselho Estadual de Direitos da Criança e do Adolescente do Rio Grande do Sul CEDICA RS
- 55. Conselho Municipal dos Direitos da Criança e do Adolescente de Juiz de Fora CMDCA JF
- 56. Conselho Nacional de Defensoras e Defensores Públicos-Gerais Condege
- 57. Conselho Nacional de Justiça CNJ
- 58. Conselho Nacional de Ouvidorias de Defensorias Públicas CNODP
- 59. Conselho Nacional de Procuradores-Gerais de Contas CNPGC
- 60. Conselho Nacional do Ministério Público CNMP
- 61. Conselho Nacional dos Direitos da Criança e do Adolescente Conanda
- 62. Conselho Superior da Justiça Federal
- 63. Controladoria-Geral da União CGU
- 64. Defensoria Pública da União DPU

- 65. Defensoria Pública do Distrito Federal DPDF
- 66. Defensoria Pública do Estado da Bahia DPBA
- 67. Defensoria Pública do Estado da Paraíba DPPB
- 68. Defensoria Pública do Estado de Goiás DPGO
- 69. Defensoria Pública do Estado de Minas Gerais DPMG
- 70. Defensoria Pública do Estado de Pernambuco DPPE
- 71. Defensoria Pública do Estado de Rondônia DPRO
- 72. Defensoria Pública do Estado de Roraima DPRR
- 73. Defensoria Pública do Estado de Santa Catarina DPSC
- 74. Defensoria Pública do Estado de São Paulo DPSP
- 75. Defensoria Pública do Estado de Sergipe DPSE
- 76. Defensoria Pública do Estado do Acre DPAC
- 77. Defensoria Pública do Estado do Amazonas DPAM
- 78. Defensoria Pública do Estado do Ceará DPCE
- 79. Defensoria Pública do Estado do Espírito Santo DPES
- 80. Defensoria Pública do Estado do Maranhão DPMA
- 81. Defensoria Pública do Estado do Paraná DPPR
- 82. Defensoria Pública do Estado do Piauí DPPI
- 83. Defensoria Pública do Estado do Rio de Janeiro DPPI
- 84. Defensoria Pública do Estado do Rio Grande do Norte DPRN
- 85. Defensoria Pública do Estado do Rio Grande do Sul DPRS
- 86. Escola Paulista da Magistratura EPM
- 87. Faculdade de Direito da Universidade de São Paulo
- 88. Federação Catarinense de Municípios FECAM
- 89. Federação das Indústrias do Estado de Santa Catarina FIESC
- 90. Federação das Indústrias do Estado de São Paulo FIESPI
- 91. Federação das Indústrias do Estado do Paraná FIEP
- 92. Força Sindical
- 93. Fórum Colegiado Nacional de Conselheiros Tutelares FCNCT
- 94. Fórum Nacional da Justiça Protetiva FONAJUP
- 95. Frente Parlamentar da Primeira Infância do Distrito Federal
- 96. Fundação Abrinq
- 97. Fundação Bernard Van Leer FvanLeer
- 98. Fundação Escola Superior do Ministério Público do Estado do Rio de Janeiro FEMPERJ
- 99. Fundação Itaú Social
- 100. Fundação José Luiz Egydio Setúbal
- 101. Fundação Maria Cecília Souto Vidigal FMCSV
- 102. Fundação São Paulo Fundasp

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103. Fundo das Nações Unidas para a Infância - Unicef Brasil 104. Governo do Distrito Federal 105. Governo do Estado da Bahia 106. Governo do Estado da Paraíba 107. Governo do Estado da Santa Catarina 108. Governo do Estado de Alagoas 109. Governo do Estado de Goiás 110. Governo do Estado de Pernambuco 111. Governo do Estado de Roraima 112. Governo do Estado de São Paulo 113. Governo do Estado de Sergipe 114. Governo do Estado do Amazonas 115. Governo do Estado do Ceará 116. Governo do Estado do Espírito Santo 117. Governo do Estado do Maranhão 118. Governo do Estado do Pará 119. Governo do Estado do Paraná 120. Governo do Estado do Piauí 121. Governo do Estado do Rio de Janeiro 122. Governo do Estado do Rio Grande do Norte 123. Governo do Estado do Rio Grande do Sul 124. Grupo de Institutos, Fundações e Empresas - GIFE 125. Instituto Alana 126. Instituto Árvores Vivas para a Conservação e Cultura Ambiental - IAV 127. Instituto Brasileiro da Criança e do Adolescente - IBDCRIA 128. Instituto Cidade Segura - ICS 129. Instituto da Infância - IFAN 130. Instituto da Primeira Infância - IPREDE 131. Instituto Dakini 132. Instituto Dara 133. Instituto do Cérebro - INCER PUC-RS 134. Instituto Florence de Ensino Superior 135. Instituto Geração Amanhã - IGA 136. Instituto Mundo Melhor - IMM 137. Instituto para o Desenvolvimento do Investimento Social - IDIS

Instituto Paternidade Responsável - P.A.I.

Instituto Rui Barbosa - IRB

Instituto Viva Infância

- 141. IPA Brasil Associação Brasileira pelo Direito de Brincar e à Cultura
- 142. LARAMARA Associação Brasileira de Assistência à Pessoa com Deficiência Visual
- 143. Ministério da Cidadania Mcid
- 144. Ministério da Economia ME
- 145. Ministério da Educação MEC
- 146. Ministério da Justiça e Segurança Pública MJSP
- 147. Ministério da Mulher, da Família e dos Direitos Humanos MMFDH
- 148. Ministério da Saúde MS
- 149. Ministério Público de Contas do Estado de Santa Catarina MPCSC
- 150. Ministério Público de Contas do Estado de São Paulo MPCSP
- 151. Ministério Público de Contas do Estado do Rio Grande do Sul MPCRS
- 152. Ministério Público do Distrito Federal e Territórios- MPDFT
- 153. Ministério Público do Estado da Bahia MPBA
- 154. Ministério Público do Estado da Paraíba MPPB
- 155. Ministério Público do Estado de Alagoas MPAL
- 156. Ministério Público do Estado de Goiás MPGO
- 157. Ministério Público do Estado de Minas Gerais MPMG
- 158. Ministério Público do Estado de Pernambuco MPPE
- 159. Ministério Público do Estado de Rio Grande do Sul MPRS
- 160. Ministério Público do Estado de Roraima MPRR
- 161. Ministério Público do Estado de Santa Catarina MPSC
- 162. Ministério Público do Estado de São Paulo MPSP
- 163. Ministério Público do Estado de Sergipe MPSE
- 164. Ministério Público do Estado do Acre MPAC
- 165. Ministério Público do Estado do Amapá MPAP
- 166. Ministério Público do Estado do Amazonas MPAM
- 167. Ministério Público do Estado do Ceará MPCE
- 168. Ministério Público do Estado do Espírito Santo MPES
- Ministério Público do Estado do Maranhão MPMA
- 170. Ministério Público do Estado do Pará MPPA
- 171. Ministério Público do Estado do Paraná MPPR
- 172. Ministério Público do Estado do Piauí MPPI
- 173. Ministério Público do Estado do Rio de Janeiro MPRJ
- 174. Ministério Público do Estado do Rio Grande do Norte MPRN
- 175. Ministério Público do Trabalho MPT
- 176. Ministério Público do Trabalho no Amazonas e em Roraima MPT-AM/RR
- 177. ONG Vozes de Anjos
- 178. Ordem dos Advogados do Brasil OAB

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Primeira Infância Melhor - PIM

Rede Nacional Primeira Infância - RNPI

Seccional da Bahia da Ordem dos Advogados do Brasil - OAB BA

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- 217. Seccional da Paraíba da Ordem dos Advogados do Brasil OAB PB
- 218. Seccional de Alagoas da Ordem dos Advogados do Brasil OAB AL
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- 220. Seccional de Juiz de Fora da Ordem dos Advogados do Brasil OAB JF
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- 227. Seccional do Ceará da Ordem dos Advogados do Brasil OAB CE
- 228. Seccional do Maranhão da Ordem dos Advogados do Brasil OAB MA
- 229. Seccional do Paraná da Ordem dos Advogados do Brasil OAB PR
- 230. Seccional do Piauí da Ordem dos Advogados do Brasil OAB PI
- 231. Seccional do Rio de Janeiro da Ordem dos Advogados do Brasil- OAB RJ
- 232. Seccional do Rio Grande do Norte da Ordem dos Advogados do Brasil OAB RN
- 233. Seccional do Rio Grande do Sul da Ordem dos Advogados do Brasil OAB RS
- 234. Senado Federal
- 235. Sociedade Brasileira de Pediatria-SPB
- 236. Sociedade Brasileira de Queimaduras SBQ
- 237. Sociedade Cearense de Pediatria SOCEP
- 238. Superintendência de Ciência, Tecnologia e Ensino Superior do Estado do Paraná SETI
- 239. Superior Tribunal de Justiça STJ
- 240. Todos pela Educação TEP
- 241. Tribunal de Contas da União TCU
- 242. Tribunal de Contas do Distrito Federal TCDF
- 243. Tribunal de Contas do Estado de Alagoas TCAL
- 244. Tribunal de Contas do Estado de Goiás TCEGO
- 245. Tribunal de Contas do Estado de Mato Grosso do Sul TCEMS
- 246. Tribunal de Contas do Estado de Pernambuco TCEPE
- 247. Tribunal de Contas do Estado de Santa Catarina TCESC
- 248. Tribunal de Contas do Estado de São Paulo -TCESP
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- 250. Tribunal de Contas do Estado do Maranhão TCEMA
- 251. Tribunal de Contas do Estado do Pará TCEPA
- 252. Tribunal de Contas do Estado do Rio Grande do Norte TCERN
- 253. Tribunal de Contas do Estado do Rio Grande do Sul TCERS
- 254. Tribunal de Contas do Estado do Tocantins TCETO

- 255. Tribunal de Contas do Município de São Paulo TCMSP
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- 257. Tribunal de Contas dos Municípios do Estado de Goiás TCMGO
- 258. Tribunal de Justiça do Distrito Federal e Territórios TJDFT
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- 260. Tribunal de Justiça do Estado da Paraíba TJPB
- 261. Tribunal de Justiça do Estado de Alagoas TJAL
- 262. Tribunal de Justiça do Estado de Goiás TJGO
- 263. Tribunal de Justiça do Estado de Mato Grosso TJMT
- 264. Tribunal de Justiça do Estado de Mato Grosso do Sul TJMS
- 265. Tribunal de Justiça do Estado de Minas Gerais TJMG
- 266. Tribunal de Justiça do Estado de Pernambuco TJPE
- 267. Tribunal de Justiça do Estado de Rondônia TJRO
- 268. Tribunal de Justiça do Estado de Roraima TJRR
- 269. Tribunal de Justiça do Estado de Santa Catarina TJSC
- 270. Tribunal de Justiça do Estado de São Paulo TJSP
- 271. Tribunal de Justiça do Estado de Sergipe TJSE
- 272. Tribunal de Justiça do Estado de Tocantins TJTO
- 273. Tribunal de Justiça do Estado do Acre TJAC
- 274. Tribunal de Justiça do Estado do Amapá TJAP
- 275. Tribunal de Justiça do Estado do Amazonas TJAM
- 276. Tribunal de Justiça do Estado do Ceará TJCE
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- 278. Tribunal de Justiça do Estado do Maranhão TJMA
- 279. Tribunal de Justiça do Estado do Pará TJPA
- 280. Tribunal de Justiça do Estado do Paraná TJPR
- 281. Tribunal de Justiça do Estado do Piauí TJPI
- 282. Tribunal de Justiça do Estado do Rio de Janeiro TJRJ
- 283. Tribunal de Justiça do Estado do Rio Grande do Norte TJRN
- 284. Tribunal de Justiça do Estado do Rio Grande do Sul TJRS
- 285. Tribunal Regional do Trabalho da 4ª Região TRT 4ª Região
- 286. Tribunal Regional Federal da 1ª Região TRF 1ª Região
- 287. Tribunal Regional Federal da 3ª Região TRF 3ª Região
- 288. Tribunal Regional Federal da 4ª Região TRF 4ª Região
- 289. Tribunal Superior do Trabalho TST
- 290. UniAcademia Centro Universitário
- 291. União Geral dos Trabalhadores UGT
- 292. União Marista do Brasil UMBRASIL

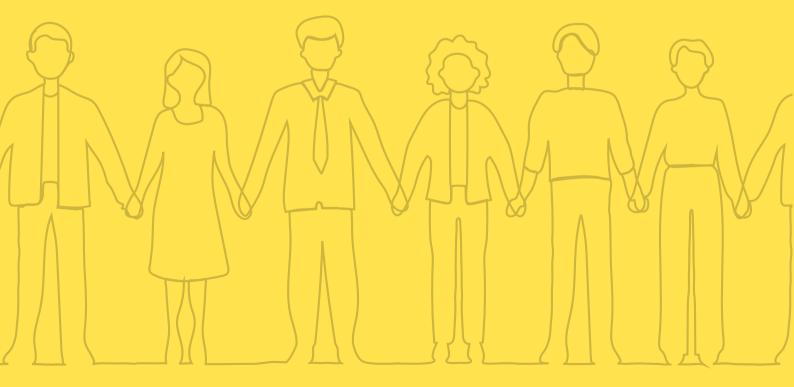
293.	United Way Brasil
294.	Universidade de Brasília – UnB
295.	Universidade de São Paulo - USP
296.	Universidade do Estado de Santa Catarina - UDESC
297.	Universidade do Sul de Santa Catarina - UNISUL
298.	Universidade do Vale do Rio dos Sinos - UNISINOS
299.	Universidade Estadual do Oeste do Paraná – UNIOESTE
300.	Universidade Estadual do Rio Grande do Sul - UERGS
301.	Universidade Federal de Alagoas - UFAL
302.	Universidade Federal de Juiz de Fora - UFJF
303.	Universidade Federal de Pelotas – UFPel
304.	Universidade Federal de Santa Catarina – UFSC
305.	Universidade Federal do Espírito Santo – UFES
306.	Universidade Federal do Paraná – UFPR
307.	Universidade Federal do Rio Grande do Norte - UFRN
308.	Universidade Federal do Rio Grande do Sul - UFRGS
309.	Universidade Vila Velha – UVV
310.	Vale S.A.

Zelo Consultoria em Educação e Desenvolvimento

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Visão Mundial Brasil



ANNEX II

RESOLUTION N° 470, OF AUGUST 31, 2022.

Establishes the National Judicial Policy for Early Childhood.

The PRESIDENT OF THE NATIONAL JUSTICE COUNCIL (CNJ), exercising his legal and statutory duties,

CONSIDERING the rights set forth in art. 227 of the Federal Constitution of 1988; in the Statute of the Child and Adolescent (Law no. 8.069/1990); and in the Convention on the Rights of the Child, ratified by Brazil through Decree no. 99.710/1990; and the duty of public authorities to ensure them with absolute priority;

CONSIDERING the Legal Framework for Early Childhood (Law no. 13,257/2016), which establishes principles and guidelines for designing and implementing public policies for Early Childhood, in view of the specific nature and relevance of such early years in child and human development;

CONSIDERING the National Pact for Early Childhood, established on June 25, 2019, by the CNJ and other parties, which implements project "Justice begins in childhood: strengthening the justice system's role in fostering rights for holistic human development" and its correlate actions;

CONSIDERING the results of the assessment on the Early Childhood care system within the Brazilian Justice System, drawn up for the National Pact for Early Childhood;

CONSIDERING the conclusion of the Pact for the Implementation of the Sustainable Development Goals of Agenda 2030 in the Judiciary and Public Prosecutor's Office, signed by CNJ on August 19, 2019, at the I Ibero-American Meeting of the Agenda 2030 in the Judiciary, to incorpo-

rate, disseminate and help implement the United Nations Agenda 2030 for Sustainable Development, endorsed by Federative Republic of Brazil;

CONSIDERING that the guarantee of fundamental rights is one of the Judiciary's overarching challenges, according to CNJ Resolution no. 325, of June 29, 2020, which provides for the 2021-2026 National Strategy for the Judiciary;

CONSIDERING Ordinance No. 138, of April 27, 2022, which establishes a working group for developing a "National Judicial Policy for Early Childhood";

CONSIDERING CNJ Plenary 's deliberations specified in Normative Act procedure no. 0005452-49.2022.2.00.0000, at the 355th Ordinary Session, held on August 30, 2022;

RESOLVES:

CHAPTER I

THE NATIONAL JUDICIAL POLICY FOR EARLY CHILDHOOD

Art. 1 The National Judicial Policy for Early Childhood is hereby established to ensure, with absolute priority, the fundamental rights of children from 0 (zero) to 6 (six) years of age within the scope of the Judicial Power, considering the specific nature and relevance of early years in child and human development.

Sole Paragraph. This Judicial Policy shall be implemented via operational integration among diversified agencies of the Judicial Power, in coordination with other bodies of the Justice System and of the Rights Assurance System for Children and Adolescents, to develop institutional capacities for the full and integrated assurance of rights pertaining to Early Childhood.

CHAPTER II

PRINCIPLES, GUIDELINES AND OBJECTIVES

Art. 2 The National Judicial Policy for Early Childhood is led by the following principles and guidelines:

I - a comprehensive view of children's rights in Early Childhood, involving care to pregnant women, parents, families, and considering the communities in which children are included;

- II prevalence of the best interests of the child, due to its specific condition as a developing person, a subject of rights, and a citizen, recognizing its right to participate, inclusive of any judicial procedures that concern it, according to age group and specific manners of manifestation and expression, including non-verbal manners;
- III priority and integrated care, respecting the diversity of Brazilian childhoods and considering the specific nature and relevance of the early years in human full development;
- IV quality assurance of interventions based on scientific methodologies, best practices, ethics, and confidentiality, delivered by qualified professionals;
- V coordinated action with governmental and non-governmental institutions for effective application of initiatives that ensure the rights of Early Childhood.
- Art. 3 The aims of the National Judicial Policy for Early Childhood are the following, without prejudice to any others:
- I to increase access to justice and encourage protective measures for the fundamental rights of Early Childhood;
- II to organize assistance to children in Early Childhood and their families within the scope of the Judiciary;
- III to encourage the adoption of appropriate conflict resolution methods, focusing on restorative approaches and consensual resolutions;
 - IV to encourage preventive and collective actions that reduce judicialization;
- V to establish a continuous training program for Judiciary practitioners on the specific nature of Early Childhood, on cross-sectoral strategies and on the prevention and protection against all forms of violence against children, and also contribute to training external actors;
- VI to act in cooperation with public and private agencies and entities to guarantee the rights of the child in Early Childhood and improve specialized care and jurisdictional provisions;
- VII to encourage the inclusion of Early Childhood among the topics of public tenders and professional training programs;
- VIII to monitor the procedural backlog of judicial claims related to Early Childhood, aiming at data-driven decision-making;
- IX to invest in technological solutions for continued improvement of the Policy's implementation.

CHAPTER III

OF JUDICIAL ASSISTANCE TO CHILDREN IN EARLY CHILDHOOD AND THEIR FAMILIES

Art. 4 Within the scope of the Judiciary, the provision of assistance to children in Early Childhood and their families must be steered by a rights-based approach, pursuant to international and national standards, and must be operationally directed to promote and protect fundamental rights.

Sole Paragraph. The rights-based approach must take heed of social inequalities, discriminatory practices and inequality of opportunities that hinder holistic human development, especially in contexts of greater vulnerability in Early Childhood.

- Art. 5 To ensure the right of early children to parenthood, family and community life, education, health, social assistance to their families, housing, leisure, and play, and to education exempt from corporal punishment practices, among other rights, the courts must evaluate and provide, among other actions:
- I assurance of civil birth registration and access to paternity acknowledgement procedures for individuals whose registers include only information about their mothers;
- II access to support programs for developing parenting skills in cases of conflict, neglect, violence, family reintegration, and creation of new family ties through adoption;
- III availability of multidisciplinary teams, whose members are selected according to the nature of the conflicts and the origin of the parties, to act in lawsuits involving children in Early Childhood;
- IV procedural coordination, with due priority, among the different branches and areas of justice, to prevent or overcome vulnerabilities that may affect parents' or guardians' capacity to care;
- V integrated action with foster care service teams to ensure compliance with procedures and deadlines required for family reintegration, termination of parental rights, eligibility of prospective adopters, and placement in an adoptive family;
- VI creation of cross-sectoral channels to ensure respect to the right to voluntary surrender of custody in cases of pregnant or parturient women who intend to place their children for adoption, as well as the referral of the above-mentioned women to the health or social assistance services to which they are entitled;

- VII achievement of technical partnerships with social policy management agencies for ensuring full and integrated care for children in Early Childhood and their families, and for mutual evaluation of the impact of policies, care modalities, and decisions on rights effectiveness;
- VIII continuous improvement of strategies for reference, counter-reference, coordination, and integration of care involving the justice system and sectorial policies for Early Childhood;
- IX conclusion of cooperation agreements with the Executive Branch for swift resolution of judicial demands, notably in social assistance, human rights, education, health, and public security;
- X specialized support to judges in decisions regarding the right to health of children and their families, including mental health;
- XI diversified and inclusive mechanisms for participation in public civil actions, especially when they involve structural issues, seeking, as much as possible, to evaluate the perceptions of the children themselves, when they are directly affected;
- XII incentives to procedural participation of Social Assistance, Health, and Education professionals in lawsuits involving children, to arrive at consensual solutions involving all interested parties;
- XIII adoption of an inclusive and accessible model for particularly vulnerable groups, such as homeless people or people at risk of homelessness, drug users, pregnant women or mothers in prison, migrants or people with disabilities, traditional peoples and communities, giving priority to overcoming social barriers to ensure the exercise of fundamental rights;
- XIV the right to leisure and play in legal proceedings, notably in permits, individual or family care plans, agreements, and public civil actions involving leisure areas;
- XV incentives to educational initiatives focused on self-care and body self-image as a basis for preventing and identifying gender and sexual violence;
- XVI incentives to fair responsibility sharing between mothers and fathers for Early Childhood care and education:
- XVII monitoring of the situation of pregnant and nursing women in prison and social-educational systems;
 - XVIII actions to protect and control the use and exposure of children to digital media.

Art. 6 In order to implement the National Judicial Policy for Early Childhood, the courts shall, without prejudice to others:

I - outline comprehensive attention routines for Early Childhood, based on the guarantee of rights ensured by the various actors in the service network, making them available to the population;

II - outline protocols for personalized care within the scope of the Judiciary and, whenever applicable, encourage the adoption of protocols in other institutions from the Rights Assurance System for Children and Adolescents;

III - encourage appropriate conflict resolution modalities based on consensual solutions and restorative approaches, considering participation of children in Early Childhood and their families:

IV – ensure that territorial division and the determination of initiatives and indicators are compatible with other services in the Early Childhood care network, for the purposes of Judiciary administration and, in particular, of state courts, to enable cohesive and uniform practices within a given territory that are compliant with its specific features, and ensuring the institution of measures for monitoring and evaluation of implemented actions;

V - develop reference and counter-reference measures, delivering differentiated access to information about judicialization data on children in Early Childhood and ensuring the protection of personal data and judicial confidentiality, to safeguard due conditions for decision-making and well-informed interventions by all the participants in the caregiving network;

VI - galvanize the selection of leading professionals for the caregiving network –not only for children and their families but also for other participants of the care network – thereby facilitating court provisions, stakeholder access to information, and integrated case management;

VII - promote continuous, cross-sectoral, and interdisciplinary training, for the constant improvement of Judiciary practices;

VIII - disseminate best management practices and assurance of Early Childhood rights within the Judiciary and examine the feasibility of incorporating them into care lines or broader policies;

IX - develop procedural signaling and alerts that signal the existence of other proceedings involving the same child or family in other areas of the Judiciary, so related cases are taken into consideration for decision-making;

- X adopt judicial cooperation mechanisms for coherent decision-making in different branches and areas of justice, whenever decisions may affect children and their families; and
- XI sign cooperation, agreements, and partnerships with other bodies and entities of the public administration and organized civil society that promote full and integrated care for children in Early Childhood and their families.
- Art. 7 To guarantee the right to participate in initiatives that concern children in early Childhood in the judicial sphere, with the purpose of serving their best interests, the courts must
- I encourage the espousal and improvement of protocols or attendance guidelines by judges whenever they are taking depositions from children in Early Childhood, ensuring that diversified deposition modalities are possible;
- II offer appropriate facilities for the procedural participation of children, including waiting rooms, reception rooms for multidisciplinary teams, courtrooms, and rooms suited for special depositions, pursuant to accessibility protocols, among other required facilities;
- III consider the needs of children when scheduling their participation in procedures, so their feeding, sleeping, or school attendance times are not affected;
- IV deliver continuous training for judges and practitioners on the appropriate procedures and methodologies for listening to children in Early Childhood;
- V assess the suitability of child participation in court proceedings from the perspective of children, their families and/or guardians, for constant improvement of services.
- Art. 8 To ensure fairness and non-discriminatory service, the courts must enlist specialized professionals to provide support in cases involving traditional peoples and communities, as well as populations from other countries or cultures.

Sole Paragraph. The courts shall scrutinize service gaps in relation to race-ethnicity, nationality, socioeconomic background, cultural, sexual, and gender diversity, and adopt specific measures to prevent such distortions and to assess the impact of values and beliefs on required judicial impartiality.

Art. 9 To address and prevent revictimization in the course of judicial proceedings, the courts must ascertain the existence of recurring situations that bespeak institutional violence against children in Early Childhood and create solutions to remedy them.

CHAPTER IV

GOVERNANCE AND PLANNING

Art. 10 The National Judicial Policy for Early Childhood shall be coordinated by the National Forum for Children and Youth - FONINJ, with the support of the National Steering Committee for Early Childhood.

- Art. 11 The National Steering Committee for Early Childhood is hereby established and invested with the following duties, without prejudice to any others:
 - I to steer and monitor Policy implementation within the scope of the courts;
 - II to suggest actions or procedures related to Early Childhood;
- III to participate in communications with the Local Steering Committees mentioned in art. 12 of this Resolution;
 - IV to analyze and follow up the implementation of local action plans;
- V to draw up a national action plan for the policy, which shall be established by a specific normative instrument.

Sole Paragraph. The composition and activities of the National Steering Committee for Early Childhood shall be regulated by an act issued by Presidency of the CNJ.

Art. 12 Within the scope of the courts, the Policy shall be implemented via their respective Local Management Committees, with the support of the Coordinating Departments for Children and Youth from all Brazilian Federated State Courts of Justice, involving negotiations with agencies, among which:

- I the State Coordinating Body for Women in Situations of Violence;
- II the Prison Monitoring and Inspection Groups;
- III the overarching management or representative body of the Family Court segment;
- IV the Restorative Justice overarching management bodies;
- V the Inspector General's Office;
- VI the overarching management and coordinating bodies of the Labor Justice segment;
- VII the overarching management and coordinating bodies of the Federal Justice segment;

- § 1 It is up to the courts to establish and appoint their respective Steering Committees for the Judicial Policy for Early Childhood.
- § Paragraph 2 The Local Steering Committee for the Judicial Policy for Early Childhood must be coordinated by a judge, whose appointment shall be briefed to the CNJ.
- § 3° The Local Steering Committees must encourage collaborative governance within the court and within the Rights Assurance System to duly achieve the judicial policy's goals.
- Art. 13 The courts must present an action plan to guarantee integrated care for children in Early Childhood, within a timeframe to be established by the National Management Committee, to ensure the implementation, development, dissemination, monitoring, and evaluation of the National Judicial Policy for Early Childhood.
- § 1° The Local Steering Committee is tasked with coordinating the drafting of the action plan mentioned in the *caput* of this article, and with monitoring its implementation.
- § The action plan must identify the means to fulfill the obligations needed to effectively implement the National Judicial Policy for Early Childhood, with due regard to the specific nature of corresponding jurisdictional provinces.
- § The action plan must be reviewed at least annually for continuous improvement of the policy's implementation and analysis of its results.

CHAPTER V

MONITORING AND EVALUATION

- Art. 14 The National Steering Committee for Early Childhood, in partnership with the CNJ, through the Judicial Research Department (DPJ), the Department of Information Technology (DTI), and the Department of Monitoring and Inspection of the Prison System and the System for Enforcing Social-Educational Measures (DMF), shall adopt the appropriate criteria for monitoring and evaluating the actions outlined in this Resolution.
- Art. 15 In all lawsuits involving children's interests, it shall be mandatory to include the procedural attributes of the children involved in the case, specifying their name, CPF, and date of birth.
- § If the child's interest is identified after the action has been filed, the proponent or the office tasked with processing the lawsuit must update the field referred to in the *caput*.

§ Paragraph 2 The DPJ shall alter the Data Transmission Model to include information on the procedural descriptors of such children, which must be sent by courts through the Judiciary DataJud National Database.

Art. 16 The CNJ shall endeavor to develop a project to share procedural information and documents among the courts tasked with handling cases affecting the same child, to help enforce the child's fundamental rights.

Art. 17 The CNJ, via the DPJ, shall endeavor to set up and provide data panels regarding proceedings that deal with fundamental rights of Early Childhood, to help data analysis and the design of strategic actions by the Judiciary and other bodies that constitute the Rights Assurance System for Children and Adolescents, based on current metadata from DataJud and from the field provided for in art. 15 of this Resolution.

Sole Paragraph. The panels developed by the CNJ must be available in the field/space identified as "Statistics" on the websites of all courts, pursuant to art. 3 of Resolution CNJ no. 333/2020.

CHAPTER VI

FINAL PROVISIONS

Art. 18 – In the interest of productivity, courts must consider the participation of judges in the implementation of routines regarding local Judicial Policy for Early Childhood as an intrinsic activity in judicial proceedings, with due regard to the specific nature of its jurisdiction.

Art. 19 This Resolution goes into effect on the date of its publication.

Justice LUIZ FUX









