On March 12, 2019, the Brazilian president enacted Law 13,811, already in force in the country, which amended Article 1,520 of the Brazilian Civil Code as follows:

- Previous text: “Exceptionally, the marriage of those who have not yet reached the nubile age (art. 1.517) shall be allowed to avoid imposition or enforcement of criminal punishment or in case of pregnancy”.

- Current text: “The marriage of those who have not reached the age of marriage, in compliance with the provisions of article 1,517 of this Code, shall not be allowed in any case”.

Article 217-A of the Penal Code, introduced in 2009, already provided for a penalty of imprisonment of 8 to 15 years in case of “carnal conjunction” with persons under the age of 14. Articles 102 and 103 of Law No. 8,069/1990 (Statute of the Child and Adolescent) protect adolescents up to the age of 18.

The National Secretariat for the Rights of Children and Adolescents of the Ministry of Woman, Family, and Human Rights has also formalized a Contribution Agreement with the United Nations Development Program (UNDP) and the United Nations Population Fund to address the rights of adolescents and young people in a condition of early union. Therefore, beyond the legal provision, there are public policies aimed at preventing and fighting child, early, and forced marriage.

Brazil also has established the right to equal access to free public education legally guaranteed for boys and girls, in addition to several programs and actions aimed at promoting their technical and vocational skills and federal programs that ensure awareness and access to sexual health and social services. For example, Article 8 of Law 8,069/1990 (Statute of the Child and Adolescent – ECA, in Portuguese) ensures specific care for pregnant women and therefore, for the fetus:

Article 8. All women shall have access to women's health and reproductive planning programs and policies, and pregnant women shall have access to adequate nutrition, humanized care for pregnancy, childbirth and the puerperium, as well as to full prenatal, perinatal, and postnatal care within the Unified Health System (as amended by Law 13.257/2016).

§ 1. Prenatal care shall be performed by primary care professionals (as amended by Law 13.257/2016).

§ 2 The reference health professionals of the pregnant woman shall ensure their affiliation, in the last three months of pregnancy, to the establishment where the delivery is going to be performed, ensuring the woman's right to choose (as amended by Law 13.257/2016).

§ 3 Health-service facilities that perform childbirth shall ensure responsible discharge from the hospital and counter-referral in primary care to women and their newborn children, as well as access to other services and breastfeeding support groups (as amended by Law 13,257/2016).

§ 4. It is incumbent upon the public authorities to provide psychological assistance to pregnant women and mothers, in the prenatal and postnatal periods, as a means of preventing or alleviating the consequences of the puerperal state (as amended by Law 12.010/2009).

§ 5. The assistance referred to in paragraph 4 of this Article shall also be provided to pregnant women and mothers who express an interest in surrendering their children for adoption, as well as to pregnant women and mothers deprived of their liberty. (as amended by Law 13,257/2016).

§ 6. Pregnant women and parturients are entitled to one (1) companion of their choice during the prenatal, labor, and the immediate postpartum period (as amended by Law 13.257/2016).

§ 7. Pregnant women shall receive guidance on breastfeeding, healthy complementary feeding, and child development and growth, as well as ways to foster the creation of emotional bonds and stimulate the integral development of the child (as amended by Law 13.257/2016).

§ 8. Pregnant women have the right to healthy follow-up throughout pregnancy and careful natural childbirth, being the cesarean section and other surgical interventions applicable for medical reasons (as amended by Law 13.257/).

§ 9. Primary health care service institutions shall actively search for pregnant women who do not start or who abandon prenatal consultations, as well as those who do not attend postpartum consultations (as amended by Law 13.257/2016).

§ 10 It is incumbent upon the public authorities to ensure to pregnant women and women with children in early childhood who are in custody in a deprivation of liberty unit an environment that meets the health care and sanitary standards of the Unified Health System for the reception of children, in articulation with the competent education system, aiming at the integral development of the child (as amended by Law 13.257/2016).

Article 8A. The National Adolescent Pregnancy Prevention Week, to be held annually during the week that includes February 1st, is hereby established, to disseminate information on preventive and educational measures that contribute to reducing the incidence of teenage pregnancy. (as amended by Law 13,798/2019)

Single paragraph. The actions aimed at implementing the provisions of the main section of this article shall be the responsibility of the public authorities, in conjunction with civil society organizations. They shall be directed, as a matter of priority, to adolescents. (as amended by Law 13,798/2019)

The Brazilian government is committed to ensure the protection of pregnant women and, consequently, the right to life, under the provisions of Article 2 of the Civil Code, which safeguards the rights of the unborn child since conception.

The Statute of the Child and Adolescent, in turn, imposes on the government the obligation to provide medical services and protection measures to pregnant women, through the Unified Health System, as well as to guarantee special care to the newborn, ensuring his or her permanence with the mother for the first six months of life, even if the mother is deprived of her liberty.

In conclusion, besides the legal prohibition of early marriage in Brazil and the provision of criminal punishment in such cases, the country advances and refines its mechanisms for preventing, fighting, and defending child, early, and forced marriage through public policies in several fields.