



Digital Law in Brazil - Current Hot Topics | Brazil's Digital ECA and Its Impact on the Technological Ecosystem

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Law No. 15,211/2025, known as the Digital ECA, represents an unprecedented regulatory milestone in Latin America by establishing a specific legal framework for the protection of children and adolescents in the digital environment. Acknowledging that young people are immersed in online platforms from early childhood, the legislation seeks to update the Child and the Adolescent Statute to reflect a reality in which risks such as exposure to harmful content, abusive data collection, persuasive advertising, emotional manipulation, and digital dependency have become part of everyday life.

This constitutes a paradigm shift: protection is no longer confined to unlawful content, but rather extends to internal policies and to the structure and design of technologies themselves, requiring that digital products and services incorporate safeguards from the outset, with high standards of privacy and security by default.

In this context, the Digital ECA imposes broad obligations on technology developers, application providers, social media platforms, streaming services, marketplaces, electronic games, and other actors within the digital ecosystem. These requirements include the implementation of robust age-verification mechanisms that transcend mere self-declaration while respecting the principle of data minimization; the provision of effective parental supervision tools; the adoption of default settings that limit minors' exposure; and the obligation to promptly moderate inappropriate content, including violence, sexualization, hate speech, self-harm, dangerous challenges, gambling, and other materials capable of causing psychological or physical harm to children and adolescents.

Platform liability is further reinforced by allowing the swift removal of harmful content upon notification by legal guardians or authorities, regardless of a court order, thereby creating a responsive and preventive protection system.

Another central dimension of the law is the prohibition of advertising practices targeted at minors based on behavioral or emotional profiling, as well as the ban on monetization mechanisms deemed abusive, such as "loot boxes" and other reward-based systems that exploit psychological impulses typical of childhood. Through these measures, the legislature seeks to reduce the risk of commercial manipulation, prevent behavioral addictions, and shield minors from disproportionate persuasive techniques.

From a data protection standpoint, the Digital ECA reinforces, in line with the Brazilian General Data Protection Law (LGPD), that any processing of personal data involving children and adolescents must observe the principle of the best interests of the minor. In addition, it requires full transparency toward families regarding

the nature of the data collected, the purposes of processing, and the duration of data retention, strengthening platform accountability and demanding continuous governance to mitigate risks.

The institutional role of the Brazilian Data Protection Authority (ANPD) also acquires new contours under the law. Now vested with full regulatory agency status, the Authority is empowered to supervise, regulate, and impose sanctions related to the Digital ECA, including fines, warnings, mandatory corrective measures, and even the temporary suspension or prohibition of services. The ANPD has already announced that the Digital ECA will be a priority on its regulatory agenda, with the development of guidelines, technical standards, and supervisory actions to ensure effective implementation of the new legislation. This signals that companies must prepare for audits, technological architecture reviews, contractual adjustments, reinforcement of internal controls, and the adaptation of data processing flows.

The entry into force of the Digital ECA will therefore require structural changes to business models, particularly those reliant on targeted advertising, behavioral analytics, or engagement strategies driven by intensive attention-capture metrics. Companies with a significant presence among underage users will need to internalize the principles of “privacy by design” and “security by design,” ensuring that privacy and security are not afterthoughts, but integral components of product development from inception. This includes revisiting recommendation algorithms, moderation policies, data collection parameters, and design practices that may encourage compulsive behaviors.

Although it presents operational and regulatory challenges, the Digital ECA places Brazil at the forefront of online child and adolescent protection, aligned with international discussions on platform regulation and digital environment governance. The legislation strengthens family trust, provides greater transparency, holds economic agents accountable, and encourages a culture of digital protection and awareness. For companies, it opens an opportunity for competitive differentiation through the adoption of ethical, responsible practices aligned with global regulatory expectations.

In summary, the Digital ECA inaugurates a new regulatory framework within the Brazilian market, requiring organizations to undertake a profound review of internal processes, supporting technologies, and governance policies. For the private sector, it represents a call for responsible innovation; for families, a safer environment; and for society, the consolidation of a more ethical, transparent, and protective digital ecosystem for future generations.

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