****

***PERMANENT MISSION OF BRAZIL TO THE UNITED NATIONS OFFICE***

***AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA***

*Ch. Camille Vidart, 15 – 1202 – Geneva / Switzerland*

N. / 2023

The Permanent Mission of Brazil to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch and, in response to the call for inputs from the Special Rapporteur on the right to food “The right to food in the context of post-covid recovery”, dated 3 March 2023, has the honor to transmit herewith the contribution of the Brazilian Government.

The Permanent Mission of Brazil in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 18 April 2023

To: Office of the UN High Commissioner for Human Rights (OHCHR) – Special Procedures Branch

E-mail: hrc-sr-food@un.org

SUBMISSION OF THE GOVERNMENT OF BRAZIL

Question 1.

Brazil has implemented several policies to guarantee adequate amounts of food and nutrition to its population in the context of the Covid-19 pandemic. It is worth mentioning, initially, the creation of the Emergency Aid program, which granted more than 354 billion Reais (US$ 68 billion), between 2020 and 2021 for 70 million Brazilians, with positive effects for national food and nutritional security.

With the new Brazilian government, in January 2023, the Bolsa Família Program (PBF) was relaunched. The Bolsa Família is a well-known Brazilian policy of cash transfer, characterized by the provision of monthly cash payments to eligible families, as long as they meet requirements such as keeping their children in school and taking them regularly to medical appointments for nutritional and vaccination appointments.

In its current format, the PBF allocates a minimum amount equivalent to US$ 115 per family. The program includes two complementary benefits: the First Childhood, which provides an additional amount of about R$30 for each child up to 6 years old in the family, and the Income and Citizenship Income, which establishes an additional of R$10 for pregnant women and for each family member between 7 and 18 years old.

The National School Meals Program (PNAE), on the other hand, offers free school meals to more than 40 million students in Brazilian public schools. In the context of the pandemic, the majority of schools continued to offer free meals to their students, even in locations where classes were suspended. It is worth mentioning that the Law 11.947/2009 determines that at least 30% of the food used by the PNAE must come from family farming.

In addition, the General Coordination of Food and Nutrition of the Ministry of Health has taken the following measures:

- Maintenance of National Micronutrient Supplementation Programs;

- Publication of material containing recommendations on nutrition in the context of the Covid-19 pandemic, with a specific chapter dedicated to the needs of the elderly population;

- Signing, in 2020, of a declaration by Mercosur health ministers on food assistance to vulnerable populations in the context of the Covid-19 pandemic, which recognizes the need for actions in this field to be aligned with each country's Food Guides and other food-related regulations.

- Launch, in 2022, of the document "Food Insecurity in Primary Health Care: a manual for identifying households and organizing the network", which contains guidelines to support managers and professionals in organizing care for people in a situation of food insecurity, in order to strengthen the articulation between the SUS and other government sectors that work to promote Food and Nutrition Security;

- Support for the qualification of health professionals and Primary Care teams in food counseling for the population. In the context of a pandemic and of a reduced offer of face-to-face services, these counseling protocols favored the continuity of the actions of health professionals and teams in the promotion of appropriate and healthy eating.

Question 2.

The right to adequate food is recognized as a human right in the Federal Constitution. To realize this right, the country makes use of various programs consolidated by law, such as the Bolsa Família Program (PBF), the National School Meals Program (PNAE), the Food Program (PNAE), the Food Purchase Program (PAA) and the National Program for the Strengthening of Family Agriculture (PRONAF), relaunched and restructured by the new Brazilian government, which took office in 2023. The country also has a permanent network of social assistance network, called the Unified System of Social Assistance System (SUAS), which has more than 5,000 reference centers for screening and welcoming people in vulnerable situations throughout the country. Through the reference centers, SUAS provides assistance such as emergency food baskets and transfers of resources to individuals in situations of temporary vulnerability.

In addition, the Ministry of Health has implemented the following permanent initiatives: National Micronutrient Supplementation Programs; the Food and Nutritional Surveillance, based on the monitoring of food and nutrition conditions and their determining factors through population surveys and data collection in Primary Health Care services; and inter-federative support to states and municipalities for food and nutrition agendas. Furthermore, the Ministry of Health is making efforts to have the Screening for Food Insecurity Risk in Primary Health Care included in the instruments used in primary health care services, with a view to promoting adequate care for families and agile attendance by actions and programs.

Question 3.

The Administrative Council for Economic Defense (CADE) is the main Brazilian agency responsible for excessive market concentration. The agency acts through the supervision and regulation of mergers and acquisitions that may limit competition between companies, as well as by investigating and sanctioning companies that violate antitrust laws. In the past three years, CADE has acted in cases involving areas related to food and nutritional security, such as agricultural production and food processing.

Question 4.

The Food Purchase Program consists of the public purchase of family farming products for distribution to people in situations of food and nutritional insecurity, entities of the social assistance network, public restaurants, community restaurants, community kitchens, food banks, as well as public and philanthropic health, education, and justice network. In its most recent version, the PAA prioritizes the promotion of family production of indigenous, quilombola and traditional communities, land reform settlers, afrodescendants, women, and rural youth. In addition to guaranteeing nutrition to the population, the PAA stimulates the local economy by encouraging the production and distribution of family farming products.

Another important policy is the National Program for the Strengthening of Family Agriculture (PRONAF), which offers technical assistance and rural extension to small farmers, as well as credit for them to invest in infrastructure, machinery and equipment. O PRONAF has been instrumental in improving access to food and the fight against poverty and food insecurity in rural communities in Brazil.

Other initiatives to improve the capacity of local governments to fulfill the Human Right to Food include:

- Sending guidelines and recommendations to the State Food and Nutrition Coordination, so that they establish governance spaces aimed at coordinating the initiatives, plans, and direct and indirect emergency food supply actions developed and/or executed by the three spheres of government.

- Fund-to-fund financial transfer to municipalities and guidance on the relationship between the impacts of Covid-19 and obesity through Ordinance GM/MS No. 2,994/2020, which established, on an exceptional and temporary basis, a federal financial incentive for the care of people with obesity, diabetes mellitus, or systemic arterial hypertension within the SUS, in the context of the Public Health Emergency of National Importance resulting from the pandemic of the new coronavirus. The ordinance brings as a proposal actions to be intensified, prioritized or implemented in order to induce and strengthen early care for people with obesity and/or diabetes and/or systemic arterial hypertension, through the organization of assistance based on protocols and lines of care, seeking to achieve therapeutic goals and reduction of complications associated with the risk of Covid-19. The amount of R$ 221,811,937.50 was decentralized to 5,505 municipalities, with the objective of reinforcing the qualification of the attention to people with obesity. In the same context, the following support material was published: Manual - how to organize the care for people with chronic diseases in PHC in the context of the Pandemic.

- Fund-to-fund financial transfers to municipalities through Ordinance GM/MS No. 894/2021, which established, on an exceptional basis, federal financial incentives to fund municipalities and the Federal District to address the Public Health Emergency of National Importance resulting from covid-19. The funds transferred aim to strengthen the care for children under 7 years of age and pregnant women who are beneficiaries of the Bolsa Família Program (BFP) and present malnutrition (malnutrition and/or obesity), seeking to reduce complications associated with the covid-19 infection. The minimum actions to be carried out by the municipalities receiving the resources involve: conducting Food and Nutrition Surveillance; monitoring individual health, including levels of growth and child development; monitoring the health conditionalities of the BFP of children and pregnant women with malnutrition; and implementing integrated family and community actions for the SAN, involving the prevention, control and treatment of malnutrition in children and pregnant women. Together with the Ordinance, the instructive document "Actions for Confronting Malnutrition in the Context of the COVID pandemic" was published.

- Periodic meetings with the states to follow up on the activities of the state coordinations for the promotion of adequate food and nutrition in relation to facing the pandemic.

Question 5.

In Brazil, the promotion of food and nutritional security is a shared responsibility between the federal government, state governments and municipal governments. The National System of Food and Nutritional Security (SISAN) was created to coordinate these efforts, relying, in its structure, on participatory councils at the federal level (the National Council and Nutritional Security - CONSEA, extinct by the previous Brazilian government and recreated last February); at the state level (the "State CONSEAs"); and at municipal level (the Municipal Food and Nutritional Municipal Food and Nutritional Security Councils - COMSEAs). Also part of the Interministerial Chamber of Food and Nutritional Security (CAISAN), composed by representatives of 24 federal government departments that monitor the SAN themes. CAISAN is responsible to elaborate, based on the National Policy of Food and Nutritional and Nutritional Security, established by Decree No. 7272/2010, the National Plan of Food and Nutritional Security, indicating guidelines, goals, sources of resources.

The municipalities have the autonomy to develop, under the monitoring of the COMSEAs, plans, policies, and municipal budget plans related to promotion of SAN. The federal government contributes to the execution of these directives through CAISAN and through the transfer of resources, which were reinforced in the context of the recovery from the pandemic. In this sense, it is worth highlighting the recent 39% increase in the budget for school meals distributed in the municipalities, which will reach the amount of R$ 5.5 billion (US$ 1.05 billion) in 2023, as well as the reinforcement of transfers to states and municipalities for the implementation of the services of the Unified System of Social Assistance (SUAS), which will have a total budget of R$2.2 billion (US$420 million).

Question 6.

Through the Brazilian Cooperation Agency (ABC), of the Ministry of Foreign Affairs, Brazil develops bilateral and trilateral South-South cooperation projects, with international organizations or other countries, as well as humanitarian cooperation actions, in Latin America and the Caribbean, as well as in Africa, in fields of food security, such as school feeding and public food purchasing programs, family agriculture, and the eradication of hunger and rural poverty.

As examples of bilateral projects, we can mention those aimed at promoting the production of cotton and associated food crops in 17 African countries.

Among the projects of trilateral cooperation examples include initiatives in partnership with the FAO, such as "Latin America and the Caribbean without Hunger 2025"; "Consolidation of School Feeding Programs in Latin America and the Caribbean"; and "Support to Strengthening the Responsible Governance of Land Tenure Governance in Latin America and the Caribbean".

Brazil, moreover, is one of only three countries with a World Food Program Center of Excellence in its territory. Based in Brasilia and supported by resources from the Brazilian government, the Center implements South-South cooperation projects by sharing Brazilian public policies for the promotion of SAN in African countries.

Among the humanitarian cooperation actions, it is worth noting that Brazil has already donated food to the following countries: Belize; Cape Verde; Honduras; Madagascar; Malawi; and Syria.

As an initiative that contributes to the valorization of traditional knowledge and practices related to food, the Brazilian food guides stand out. Such documents gather evidence and guidelines to structure public policies on nutrition and health programs in the country. The latest food guide of Brazil, published in 2014, stands out for valuing the social and cultural aspects of food practices, taking into consideration the regional and ethno-racial specificities of the national population. The 2014 Food Guide, in addition, defends the protection of biodiversity as an essential part of the development of sustainable food systems.

The National Food and Nutrition Policy (PNAN) affirms the importance of encouraging organic, agroecological and family agriculture, with the objective of producing food that is healthy, nutritious, diverse, and accessible to the entire population. The National Plan for Agroecology and Organic Production 2013-2015 (PLANAPO I) benefited thousands of small farmers through the granting of credit and agricultural insurance for agroecological production, training, rural extension, and technical assistance, with special attention to the needs of rural women. The PLANAPO II (2016-2019) prioritized the access of the farming family farmers' access to markets, in line with the PAA and PNAE. These programs have recognized the importance of "sociobiodiversity" products as well as the experiences of sustainable use and conservation of genetic resources of plants and animals, and of animal genetic resources, especially of traditional and native varieties. The implementation of PLANAPO I involved a wide range of actions by various national ministries and institutions, including the Brazilian Agricultural Research Corporation (Embrapa), with the objective of improving production management, conservation, acquisition and distribution of genetic resources of interest for agroecology and organic production. The measures taken include identification of organizations and networks involved in the conservation of genetic resources, support for agroecology networks, and the establishment of community seed banks.

With regard to labor rights, Brazilian rural workers have rights such as to a minimum wage and many benefits, including social security. The Labor Prosecutor's Office and the labor inspectors of the Ministry of Labor and Social Security work in an inspection capacity, aiming to ensure that these rights are respected by employers. It is also worth mentioning that in Brazil owners of small productive rural areas have, in their favor, the benefit of the unseizability of the property, that is, the prohibition of having their property taken and auctioned due to debts.

Regarding national itineraries for the promotion of the right to adequate food, the following can be mentioned:

- Food Guide for the Brazilian Population and Food Guide for Brazilian Children under the age of two: official Brazilian guidelines for the promotion of adequate and healthy eating and for inducing policies in different sectors, such as health, education, agriculture, economy and assistance. These documents consider the different aspects of adequate and healthy eating, including discussions on food systems, forms of food production, circumstances surrounding the act of eating, valuing traditional Brazilian food, and the multiple determinants of food and malnutrition. They also recognize that food consumption goes beyond individual choices and demands a comprehensive approach that takes into consideration the production, distribution, and consumption of food, seeking to improve food environments.

- Brazil is the coordinator of the Action Network on Food Guides based on the level of food processing in the Americas, whose primary objective is to support countries in the development, implementation, monitoring, and evaluation of food guides that take into account the level of food processing, with the aim of inducing public policies that give value to fresh and minimally processed foods. The countries that currently make up the Network are: Argentina, Brazil (chair), Canada, Chile, Colombia, Costa Rica, Ecuador, Mexico and Uruguay (co-chair).

Question 7.

Brazil values the coexistence and complementarity among diverse models of production, including agroecology, family farming and semi-intensive agriculture with crop-livestock-forest integration. While models such as family farming and agro-ecology produce most of the food consumed by the Brazilian population, the model of large production, focused on exports, contributes to food security in other regions of the world, besides generating jobs and income for a significant part of the rural Brazilian population.

Brazil was one of the first countries to create a specific state policy to encourage agroecology and organic production. The National Policy National Policy on Agroecology and Organic Production (PNAPO), launched in 2012, aims to integrate, articulate, and adjust policies and adjust policies, programs, and actions that induce the agroecological transition and organic production, in order to expand sustainable use of natural resources.

The Interministerial Chamber of Agroecology and Organic Production (CIAPO), composed of representatives from ten ministries, elaborated the National Plan for Agroecology and Organic Production (PLANAPO), articulating organs and entities of the Federal Executive Power for the implementation of the policy.

Question 8.

Brazil has a federal institution responsible for the implementation of the agrarian reform in the country, the National Institute of Colonization and Agrarian Reform (INCRA). The tasks of INCRA include the identification, selection and expropriation of rural properties that are unproductive or underutilized, with the objective of promoting distribution of land to landless families or to those living in precarious conditions. Besides this, INCRA is also responsible for the regularization of land ownership, that is, the titling of lands occupied by land reform settlers and for the legalization of lands of the Union. INCRA's work is fundamental to guarantee access to land and dignity in the contributing to the reduction of social inequality and the sustainable development of the rural regions of the country.

The process of demarcation of indigenous and quilombola lands in in Brazil is supported by the Federal Constitution of 1988, which recognizes the right of these groups to possession of the lands they traditionally occupy. Article 231 of the Constitution establishes that "their social organization, customs, languages, beliefs and traditions are recognized, in addition to the rights over the lands they traditionally occupy, being up to the Union to demarcate them and to protect and enforce respect of all their assets". Article 68 of the Transitory Constitutional Provisions states that "the remaining quilombola communities that are occupying their lands are recognized as the definitive property owner and that the State shall issue them the respective titles". The current Brazilian government has announced the resumption of the process of land demarcating. It is expected that, in the coming months, demarcation processes of 13 indigenous lands in the North, Northeast, Midwest, and South regions of the country will take place.

It is worth mentioning, finally, that in 2021, Brazil passed Law 14.216, which forbids eviction from for non-payment of rent during the Covid-19 pandemic, in order to protect the fundamental rights of people rights of people in vulnerable conditions.

Question 9.

Brazil's successful experience in combating hunger in the early 21st century and the resumption of this project in 2023 indicate that overcoming the fight against hunger demands the development of a structuring and complex strategy that takes into consideration social, regional, racial and gender aspects, as well as of structuring policies of social assistance, family agriculture, protection of the property rights of traditional communities, the complementary coexistence between different models of agricultural production, and the defense of the labor rights of rural workers.

The overall challenges and lessons learned in the context of the covid-19 pandemic include the need to strengthen the legal framework that guarantees the promotion of adequate and healthy food in situations of sanitary crises and emergencies, based on food guides and respect for the culture of the populations served by these actions, whether they involve the provision of food by the government or are based on food donations by international organizations, national cooperation agencies, or national and international non-governmental organizations.