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Organización  
de las  
Naciones  
Unidas  
para la  
Agricultura  
y la  
Alimentación

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**INTERGOVERNMENTAL WORKING GROUP FOR THE  
ELABORATION OF A SET OF VOLUNTARY GUIDELINES TO  
SUPPORT THE PROGRESSIVE REALIZATION OF THE RIGHT  
TO ADEQUATE FOOD IN THE CONTEXT OF NATIONAL FOOD  
SECURITY**

**Rome**

**Right to Food Case Study: Brazil**

**Study conducted for FAO in support of the Intergovernmental Working  
Group on the Elaboration of a set of Voluntary Guidelines for the  
Realization of the Right to Adequate Food in the context of National  
Food Security**

This Annex is available (in English only) from the Food and Agriculture Organization of the UN (FAO), on request. It can also be obtained from the FAO website at [www.fao.org/righttofood](http://www.fao.org/righttofood).

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## LIST OF ACRONYMS

CESCR	Committee on Economic, Social and Cultural Rights
CONSEA	National Food Security Council (Consejo Nacional de Seguridad Alimentaria)
CPT	Pastoral Land Commission (Comisión Pastoral de la Tierra)
CESCR	Committee on Economic, Social and Cultural Rights
SEDH	Special Secretariat of Human Rights (Secretaría Especial de Derechos Humanos)
IBGE	Brazilian Institute of Geography and Statistics (Instituto Brasileiro de Geografia y Estadística)
ICCN	Incentive to Combat Malnutrition
ICESCR	International Covenant on Economic, Social and Cultural Rights
INAN	National Institute of Food and Nutrition (Instituto Nacional de Alimentación y Nutrición)
IPEADATA	Data of the National Institute of Applied Economic Research (Instituto de Pesquisa Econômica Aplicada)
MESA	Special Ministry to Combat Hunger (Ministerio Extraordinario de Combate al Hambre)
MDS	Ministry of Social Development and Hunger Combat (Ministerio de Desarrollo Social y Combate al Hambre)
MST	Landless Workers Movement (Movimiento de Trabajadores Rurales sin Tierra)
PETI	Program for the Eradication of Child Labor (Programa de Erradicación del Trabajo Infantil)
PNAD	National Household Survey (Pesquisa Nacional de Muestreo Domiciliario)
PNAE	National School Food Program (Programa Nacional de Alimentación Escolar)
PNAN	National Food and Nutrition Policy (Política Nacional de Alimentación y Nutrición)
PNDS	National Demographic and Health Survey (Pesquisa Nacional sobre Demografia y Salud)
PNLCC	National Milk Program for Needy Children (Programa Nacional de Leche para Niños Carentes)
PPV	Standard of Living Survey (Pesquisa sobre Patrones de Vida)
PRODEA	Emergency Food Distribution Program (Programa de Distribución Emergencial de Alimentos)
PRONAF	National Programme to Strengthen Family Agriculture (Programa Nacional de Apoyo a la Agricultura Familiar)
SISVAN	Food and Nutrition Monitoring System (Sistema de Vigilancia Alimentaria y Nutricional)
WHO	World Health Organization
UNVP	United Nations Voluntary Program

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## **About the Study**

The Case Study on the Right to Food in Brazil is the result of a collaborative effort, conducted and supervised at the Regional Office of FAO for Latin America and the Caribbean. Six Brazilian consultants contributed to this work, more than 50 representatives from civic organizations, social movements, and former and present government high ranking officers were interviewed. Three case studies on vulnerable populations were conducted in order to assess both their food security situation and the status of the right to food. Workshops were organized in those communities. The first draft was discussed in a national workshop that took place in November, 2003 at Sao Paulo.

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## Executive Summary

The Case Study on the Right to Food in Brazil examines the institutions that are most pertinent to realizing the right to food and the most relevant legislation, programs and public policies with which Brazil has attempted to meet its international commitment to this human right. The paper is divided into four sections. The first analyzes socioeconomic and food security indicators. The second section presents an analysis of institutions and public policy designed to guarantee the right to food in Brazil. The third section describes specifically their effects on the three communities studied, while the final section offers conclusions and recommendations.

Between 35% and 40% of the Brazilian population live under the poverty line, and 44 million Brazilians, with an income of less than one dollar per day, may experience food insecurity. In some parts of the country—particularly the rural areas of the northeast—the incidence of hunger remains high. Brazil is not a poor country. It has a per capita income that ranks among the wealthiest third of all countries and is one of the major food producers and exporters in the world.

One of the main reasons for poverty and hunger in Brazil, as we argue in this paper, is its high level of social and economic inequality. The country has not improved in this respect over the last 20 years, and is now one of the world's three most unequal societies. High inequalities of wealth and income are an obstacle for the realization of basic rights, including the right to food. Economists have explained how it has harmful effects that create 'a vicious cycle' and reproduce poverty, while limiting economic growth and the effectiveness of anti-poverty policy.

The degree of inequality of land distribution in Brazil is also very expressive. Land reform has historically been avoided and progress has been extremely slow. It is clear that only by increasing access to productive resources such as land for those deprived will it be possible to fully realize the right to food of the rural population that is vulnerable today. It is important to say, however, that land reform is a complex process not limited to distributing land, though this is the first step. For a reform to be viable, as proposed in this paper, support for family farmers must be increased, and programs for credit, technical assistance and infrastructure must be significantly broadened.

The right to food has legal basis in the Brazilian constitution. The problem of guaranteeing Brazilian citizens' right to food is not a function of constitutional deficiencies, but reflects difficulties to effectively enforce these rights through policies, laws and programs due to the weak presence of the judicial branch on the issue. Despite the theoretical resources and power of the latter to *protect* social rights—such as the public civil suit—the judiciary has advanced little in this area.

The Brazilian Special Secretariat for Human Rights lacks full autonomy and pluralism, since it does not fully follow the Paris Principles. However, this weakness has been partially compensated for by the *Ministerio Publico*, which functions at both the federal and state levels and is currently the most important institution in Brazil for citizens to enforce their rights and obtain legal protection.

Various public policies directly or indirectly influence the realization of the human right to food. We highlight in this study the strong clientist bias of many of the main welfare assistance policies implemented over the last 30 years. Furthermore their short-sighted approach, lack of continuity

and transparency, centralization and lack of impact evaluation has limited their impact and efficiency.

Brazil has been making a transition from direct distribution of foodstuffs or basic baskets to direct income transfers. An effort has been made to ensure, through conditions, long term benefits that might generate structural change in the future. Direct distribution empowers the citizen, inhibits clientism and encourages transparency.

Civil society institutions have played an essential role in promoting the human right to food in Brazil. The effort to combat hunger, currently underway in Brazil, emerged forcefully in the early 1990s as the result of a social movement directed by Herbert de Souza (*Betinho*) and known as Citizen Action against Hunger and Poverty and for Life. It led to creation of the National Food Security Council (CONSEA) in 1993 as a forum for social participation and policymaking in which the concept of the right to food was adopted as a basic right.

CONSEA was abolished during the presidency of Fernando Henrique Cardoso. However, the issue remained within civil society organizations and came back strongly in the months leading up to the 2002 electoral campaign. Then the Citizenship Institute, led by Luiz Inácio Lula da Silva, who was the Workers' Party candidate for the presidency, announced a food security program known as Zero Hunger (*Fome Zero*), which made food one of its banner issues and obtained support from numerous civil society organizations.

Brazil has begun to play a leadership role in the making of policies to combat hunger and in guaranteeing the right to food at the regional and world levels. This has been made possible by the government's willingness and openness vis-à-vis both international scrutiny and participation by civil society. The incorporation of the right to food among the principal objectives of the country's food security policy, Zero Hunger and the re establishment of CONSEA show that the country is in the process of building an institutional structure that incorporates a vision of human rights.

## Introduction

The Brazilian State has recognized the human right to food since 1948, when it signed the Universal Declaration of Human Rights. Although military rule and political convulsions delayed the ratification of the Covenant on Economic, Social and Cultural Rights (ICESCR) for over 25 years (until 1992), Brazil has shown increasing concern for making this right, which lies at the very center of the right to life, a reality since the 1990s.

The effort to combat hunger, currently underway in Brazil, emerged forcefully in the early 1990s as the result of a social movement directed by Herbert de Souza (*Betinho*) and known as Citizen Action Against Hunger and Poverty and for Life. It led to the Itamar Franco government's creation of the National Food Security Council (CONSEA) in 1993 as a forum for social participation and policymaking. In 1994, CONSEA held the first national conference in which the concept of the right to food was adopted as a basic right.

In the last few years Brazil has played an important role supporting the inclusion of the right to food in the World Conference on Human Rights, held in Vienna in 1993, and at the 1996 World Food Summit, as well as at the 2002 World Food Summit: *five years later*.<sup>1</sup>

Support for this and other international instruments relating to the right to food has moved beyond words, as both the Brazilian State and society have intensified their efforts to implement a rights-based concept of development. As an important hiatus in this effort Brazil was the first State to formally extend an invitation to the United Nations Special Rapporteur on the Right to Food, Jean Ziegler, who led a mission in March of 2002 to examine Brazil's policy in this area. The Rapporteur issued relevant observations, conclusions and recommendations<sup>2</sup>.

Over the last three decades, the country has undeniably progressed in regard to its population's standard of living. Access to and quality of health, education and public services have clearly improved. However, between 35% and 40% of the population still live under the poverty line, and according to the Citizenship Institute, 44 million Brazilians, with income of less than one dollar per day, may experience food insecurity.

While there are no precise indicators of hunger in the traditional sense, in some parts of the country—particularly the rural areas of the northeast—the incidence of hunger remains high; at the same time, it is evident that one of the main reasons for this is Brazil's high level of social and economic inequality (one of the highest in the world). Given that Brazil is not a poor country and has a per capita income that ranks it among the wealthiest third of the world's countries—not to mention the fact that it is one of the major food producers and exporters—the progress of the last decades is far from acceptable.

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<sup>1</sup> It is important to recall that the Heads of State and Government at the Summit reaffirmed "the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger."

<sup>2</sup> Ziegler, Jean (2002)

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Thus, the analysis of sociologist and former President of FAO's Executive Committee Josué de Castro (1908-1973) remains pertinent:

*Hunger is exclusion. Exclusion from the land, from income, jobs, wages, life and citizenship. When a person gets to the point of not having anything to eat, it is because all the rest has been denied. This is a modern form of exile. It is death in life ...*<sup>3</sup>

This case study on the right to food in Brazil attempts to show how the Brazilian State conceives and seeks to guarantee the human right to food as envisaged in the Universal Declaration, in the International Covenant on Economic, Social and Cultural Rights (ICESCR), and in General comment 12<sup>4</sup> of the Committee on Economic, Social and Cultural Rights (CESCR), which set forth three types of obligations: to *respect*, *protect* and *fulfill* the right (*facilitating* and *providing* being the two operant dimensions of satisfaction). This structure is used as a methodological framework here<sup>5</sup>.

3 De Castro, in Carvalheira, 2003.

4 General comment 12, issued in 1999 at the 20th session of the CESCR, is available at: <http://www.derechos.org/ve/Observaciones/12E.html>

5 Examples of the levels of obligation in regard to the right to food provided by the Special Rapporteur on the Right to Food

The obligation to **respect** means that the Government should not arbitrarily take away people's right to food or make it difficult for them to gain access to food. Violations of the obligation to respect would occur, for example, if the Government arbitrarily evicted or displaced people from their land, especially if the land was their primary means of feeding themselves, or even if the Government took away social security provisions without making sure that vulnerable people had alternative ways to feed themselves, or if the Government knowingly introduced toxic substances into the food chain, as the right to food entails access to food that is "free from adverse substances." In situations of armed conflict, it would mean that the Government and other armed groups must not destroy productive resources and must not block, delay or divert relief food supplies to civilian populations.

The obligation to **protect** means that the Government must pass laws to prevent powerful people or organizations from violating the right to food. The Government must also establish bodies to investigate and provide effective remedies if that right is violated. For example, if the Government does not intervene when a powerful individual evicts people from their land, then the Government violates the obligation to protect the right to food. The Government would also fail to protect the right to food if it took no action if a company polluted a community's water supply. To protect the right to food, the Government might also have to take action if some people were denied access to jobs on the basis of gender, race or other forms of discrimination. It might also need, for example, to introduce laws to protect consumers against harmful food products or against unsustainable means of production. That could include the introduction of labeling on foods or legislation on the use of pesticides.

The obligation fulfill (includes the obligation to facilitate or provide) *To facilitate* means that the Government must take positive actions to identify vulnerable groups and to implement policies to ensure access to adequate food by facilitating their ability to feed themselves. This could mean improving employment prospects, by introducing an agrarian reform program for landless groups or promoting alternative employment opportunities. It could also include, for example, programs to provide free milk in schools in order to improve child nutrition. The further obligation to *provide* goes beyond the obligation to facilitate, but only comes into effect when people's food security is threatened for reasons beyond their control. As a last resort, direct assistance may have to be provided, by means of safety nets such as food voucher schemes or social security provisions, to ensure freedom from hunger. The Government would violate that obligation if it let people starve when they were in desperate need and had no way of helping themselves. An appeal by a State for international humanitarian aid, when it is itself unable to guarantee the population's right to food, also falls under this third obligation. States that, through neglect or misplaced national

Within this framework, the paper seeks to ascertain (i) to what extent a human rights approach has been applied to food security policy in Brazil; (ii) how the existing approach can be improved; and (iii) what experiences and lessons can be drawn from the Brazilian case in order to formulate Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food.

The paper is divided into four sections. The first analyzes socioeconomic and food security indicators: first at the national level, and then for the three vulnerable groups that are the particular subject of this study. The second section presents an analysis of institutions and public policy designed to guarantee the right to food in Brazil. The third section describes specifically their effects on the three communities studied, while the final section offers conclusions and recommendations.

The material presented here makes it possible to draw certain lessons regarding the way in which Brazil has sought to guarantee the right to food. This material, added to the six case studies that are to be presented subsequently, will provide the Intergovernmental Working Group with input to serve as the basis for formulating proposed Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food, which will be presented to the Food Security Committee (FSC) when it convenes in September 2004.

## 1. ANALYSIS OF SOCIOECONOMIC FACTORS AND FOOD INSECURITY

This chapter describes the principal socioeconomic trends that indicate improvement in the standard of living of Brazil's population, as well as the main areas of economic backwardness. It examines changes in income insufficiency and in the inequality of income distribution, which suggest that disparities of wealth and unequal access to productive resources are the principal obstacles to eradicating poverty, hunger and malnutrition in Brazil.

The second section, on food insecurity, supports this by showing that Brazil has abundant sources of food and does not have a problem producing sufficient food overall. Thus, inequality is again seen to be a major cause of the persisting problem. The third section uses the results of three empirical analyses carried out by our team in communities in northeastern Brazil to analyze the situation of those groups most vulnerable to hunger and malnutrition.

### 1.1 Socioeconomic indicators (1970 – 2000)

Over the last three decades, Brazil has registered notable improvements in standard of living. However, the sharing of the benefits of the progress remains insufficient if we consider the very substantial growth in gross domestic product, despite recessionary periods, during the last 30 years.

Family income has varied in close relationship with the vicissitudes of the economy. Though there is no evidence that periods of growth have automatically reduced the number of poor people, it is clear that periods of high inflation significantly increased the number of people living under the poverty line, since changes in prices have greater impact on those with lower incomes.

Thus, despite the Brazilian economy's "economic miracle" and the sustained growth of the 1970s, the poor population did not decline from the 40% level. Indeed, it increased at the end of the decade. In the early 1980s, the trend became yet more pronounced, as economic crisis and high inflation took their toll and the number of poor rose substantially. Starting in 1990, the incidence of poverty in Brazil began to decline. In 1995, it stabilized between 35% and 40%.

As of 2001, no significant change in this situation was evident. Thus, one third of Brazil's population can be estimated to be living in poverty.<sup>6</sup> If we carefully examine the trends of the last decade, we can see that a significant reduction in poverty and indigence occurred between 1993 and 1995 and that the patterns remained essentially the same thereafter (1996 to 1998).

It has been said that 10 million people ceased to be poor as a result of the *Plan Real* and its successful anti-inflation policy.<sup>7</sup> Thus, the number of poor fell from 63 million poor and 30 million indigent at the beginning of the 1990s to 54 million and 23 million, respectively, by the end of the decade. Nevertheless, there are indications that so-called "hardcore poverty" has not

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<sup>6</sup> In 2000 the Brazilian population was 169,590, 000.

<sup>7</sup> Martins Galeazzi, 2002.

successfully been addressed, since unequal income and land distribution, as well as inequalities among different regions of the country, have remained unchanged.

As in the rest of Latin America poverty indicators in Brazil are closely linked with *income distribution inequality*. The country has not improved in this respect over the last 20 years, and is now one of the world's three most unequal societies, with a Gini coefficient of 60.<sup>8</sup> Analyzing the population by stratum, it can be seen that half of the nation's wealth is associated with 10% of the population, while the poorer half of the population accounts for only 10% of total national income.

In addition, regional inequality is very pronounced, with income levels varying widely from one region to another. One indication of this regional disparities is that although the human development index (HDI) at the national level rose from 0.643 in 1975 to 0.777 in 2001 (one of the greatest increases recorded anywhere in the world), the figures for Brazil's northern and northeastern regions are still around 0.6, i.e., these two regions are at the level of development that Brazil as a whole was 25 years ago.

It has been argued by different authors that high inequalities, specially of wealth and income, has harmful effects in that it creates a vicious cycle reproducing poverty, while limiting the effectiveness of anti-poverty policy and economic growth. Latin America is the most unequal region in the world. Its highly unequal access to land, education and other assets are not merely untouched by the benefits of growth; they directly contribute to low growth rates and therefore the perpetuation of poverty<sup>9</sup>.

In Brazil in the mid-1960s, for example, per capita GDP varied around the figure of US\$ 2000 (R\$ 6000 in 2000 values). A somewhat less unequal distribution would have reduced substantially the number of people living in poverty. Therefore, inequality could be seen as an obstacle for the realization of basic economic and social rights<sup>10</sup>, including the right to food, not only because it reproduces poverty, but also, as argued by Terry Lynn, 'because high levels of income and wealth inequality are the basis for exceptionally inequitable distributions of political power and representation'<sup>11</sup>.

The enormous inequality that so seriously impedes the realization of basic rights, including the right to food, would be much more serious in the absence of a wide range of policies in health,

<sup>8</sup> Sierra Leone's Gini Coefficient in 1989 was 62.9 (1989); that of the Central African Republic was 61.3 in 1993 (Barro, Ricardo 2000; In Suplicy, 2002).

<sup>9</sup> (Birdsall and Londono 1997, 1998; Deininger and Olinto 1999, in Lynn, 2002). Although Latin America's per capita GDP grew by almost 6 percent in real terms between 1990 and 1995, the years of highest growth over the past two decades, the number of extremely and moderately poor actually increased by 1.5 and 5 million people, respectively, over the same period. If income and wealth had been distributed more equitably, poverty would have been reduced dramatically. Indeed, it would be practically eliminated if Latin America had the same distribution observed in either Eastern Europe or South Asia, and it would be the lowest in the developing world if inequality patterns were similar to those in the Middle East, North Africa or Central Asia. (Londoño and Szekely, 1997, in Lynn, 2002)

<sup>10</sup> Deininger and Squire, (1998) find strong correlation between inequality and economic growth, thus impairing access to economic and social rights.

<sup>11</sup> Lynn, 2002.

education and welfare assistance that have promoted some progress in Brazilians' quality of life during the last few decades.

In the area of life expectancy and *health*, Brazil's net mortality has slightly dropped, from 8.5% in 1980 to less than 7% in the mid 1990s. In only four years (between 1997 and 2000), the country succeeded in reducing infant mortality from 37.4% to 28.3%. To a great extent, this was due to the effective treatment of infectious and parasitical diseases. However, infant mortality remains high in northern (28.9%) and northeastern (44.9%) Brazil.

In *education*, Brazil has reduced illiteracy, though the rate is still 11.5% at the national level, while in some of the northeastern states, such as Piauí and Alagoas, it is over 30%. The country has succeeded in notably increasing school attendance by children between the ages of 7 and 14 years of age. Nevertheless, educational coverage for the above-15 population remains insufficient, women have less schooling than men, the dropout rate is higher than desirable, and the quality of teaching is still deficient, as shown in various national and international assessments.

In terms of access to water, 90% of the rural population is estimated to lack access to *potable water*. Though there is a wide-ranging system of drinking water in urban centers, almost 22% of homes (approximately 35 million) do not have access to water from the general distribution system, and among those who do, there is a segment of 5% to 20% for whom it is not piped in<sup>12</sup>. Furthermore, access to the system in the North and Northeast is very limited. Though precise figures are not available, experts estimate that 40% of families may be drinking water which, while supposedly potable, is highly uncertain in terms of its safety.<sup>13</sup>

In terms of *sanitation*, though improvements were made in the 1990s, the country's lack of proper sanitation systems is very serious, and progress in the last three decades is less than what could be expected, given the country's development. A majority of rural households lack sanitation systems, and even in urban areas less than 30% of homes are connected to the sanitation network.

In regard to *access to electricity*, there is a high degree of coverage of Brazilian homes, and if present trends continue, those still lacking service could be covered in the next few years. As in other cases, however, regional inequalities are evident in the northern and northeastern states, especially among rural populations.

Inadequacy in *road infrastructure* is a major obstacle that directly affects the distribution of production opportunities and access to the consumer market. No substantial progress in paving the nation's roads has been made in recent years. The southeastern and northeastern regions have the greatest number of roads, while the northern region has least coverage.

In general terms, it may be concluded that socioeconomic indicators show important progress, although the country has serious regional deficiencies that affect broad strata of the population.

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<sup>12</sup> Brazilian Institute of Geography and Statistics, Demographic Census, 2000.

<sup>13</sup> Malvezzi, interview, 2003.

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## 1.2 Food insecurity

There is a high degree of consensus that Brazil does not lack food overall. In terms of *availability at the national level*, it is clear that production is not only stable and sufficient for most of the population's needs, but that the country has monetary surpluses that allow it to import what it cannot produce.<sup>14</sup> In the last few decades, food production rose significantly—82% between 1988 and 2003, with only one period of decline, in the early 1990s, i.e., much faster than the population growth.

Brazil's agricultural sector has grown more rapidly than the rest of the economy. Its growth rates are generally higher than total GDP growth, and its trade balance has had almost always a *superavit* between 1974 and 2002. Over the course of the decade, agribusiness showed surpluses of over US\$ 20 million,<sup>15</sup> while the industrial sector registered a US\$ 10 million deficit. Prices of agricultural products have also risen faster than the mean for the economy in general.

Unfortunately, the encouraging figures for Brazilian agribusiness, which show that the country has sufficient food capacity, have not translated into substantial progress for the entire population regarding *access to and availability of food* are concerned. One of the main reasons for this is that food production in Brazil is closely linked with land ownership and most agricultural production takes place in areas dominated by huge land concentration.

From colonial times, Brazil has always had high degree of land concentration. According to data from the Agricultural Census 1995/96, this disparity, measured by the Gini coefficient, was 0.856 for the totality of agricultural establishments (the south had the lowest figure, 0.742, while the northeast had the highest, 0.859). These levels have remained virtually unchanged (always above 0.84) over the last 50 years, as seen in the table below. In Latin America, only Paraguay has higher levels than Brazil.

Ownership of private land is concentrated amongst a few owners. In fact, 2% of landowners own 56% of all available land and while there are approximately 59,000 large non-productive land holdings covering more than 166 million hectares of land. In the entire country there are nearly 4.8 million rural landless families who struggle to survive in properties smaller than five hectares<sup>16</sup>. The case of the Chico Mendes settlement will be discussed later in this paper. It exemplifies the problem of exclusion faced by rural landless workers in northeastern Brazil.

As regards *nutritional intake*, the 2000 FAO report, identified the daily per capita intake of food in Brazil as 2960 kilocalories, which is higher than the 1900 minimum recommended by WHO for the energy demands of a normal person. In Latin America and the Caribbean, only Mexico's figure exceeds the Brazilian one. However, there is a marked contrast between national intake and availability at the household level. The average intake of the malnourished in Brazil (10% of the population) is 1650, which represents a deficit of 250 kilocalories.<sup>17</sup>

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14 Maluf, Menezes and Valente (1996), in Hoffman, 1994.

15 Dimarzio, 2003, interview.

16 Information provided by the Pastoral Land Commission (CPT), in Ziegler, 2002.

17 FAO, The state of food insecurity in the world, 2000.

The most problematic indicators of malnutrition and under-nutrition in Brazil are concentrated in certain regions (principally the Northeast) as a result of poor sanitation and health conditions that affect both intake and the composition of the food basket. The confirmation of this is that infant malnutrition, which is a prime indicator of malnutrition in a population, is significantly lower in urban areas that have proper sanitation and free health services. It is important to note, however, that even if basic calories requirements are being met, there is a lack of detailed information on whether insufficient micronutrients may affect a significant portion of the population.

If we examine hunger, in the traditional sense of chronic energy deficit (measured in terms of energy reserves, or the proportion of individuals with a body mass index under 18.5 kg/m<sup>2</sup>), measurements taken in Brazil do not support the notion that the country has a similar situation like in some sub-Saharan countries or in some South Asian countries..

In 1996/97, the Standard of Living Survey, or PPV, gathered information on the weight of adults—but it only did so in the North and Southeast. According to the study, close to 4.9% of adults suffer from a chronic energy deficit. This figure does not suggest a population exposed to epidemic malnutrition. Even in the rural Northeast, where the rate is 7.1%, the figure falls within a range considered low by WHO standards.

The direct association generally made in Brazil between hunger and poverty bears little relation with nutritional deficiencies. This is a function of how “hunger” is defined, however. If hunger means severe malnutrition resulting from lack of food, then it affects an estimated 10% of the Brazilian population. Considered more broadly, however, as the series of deprivations that a family suffers in order to obtain fully adequate nutrition, then hunger and poverty may be seen as very similar in Brazil.

The general tendency among Brazilian nutritionists, in any case, is to treat hunger and poverty separately. As might be expected, the poor population is more exposed to lack of food and to inadequate sanitation, which are often causes of malnutrition. However, nutritionists as Carlos Monteiro and Clarissa Hoffman have insisted on treating the two categories separately, seeing hunger less as a national phenomenon than as social problem located in the Northeast whose residual appearance at the national level is increasingly dispersed, isolated, and generally in decline.

The Citizenship Institute (Instituto Cidadania) has also recognized that two different categories are involved. In 2001, however, in the basic document of the Zero Hunger program, the Institute mentioned 9.3 million families, or 44 million individuals, who, according to 1999 PNAD data, have income of less than one dollar per day, and thus could find their food security jeopardized. This population includes 19% of the population of large cities, 25% in medium-sized cities, and 46% in rural areas. This is primarily concentrated in the Northeast (which has 50% of the poor) and Southeast (26%). As for the remaining regions, the distribution is 9% in the North, 10% in the South, and 5% in central-western Brazil.

### 1.3 Vulnerable groups

We have seen that one of the principal causes of poverty, hunger and malnutrition in Brazil lies in the various forms of inequality that hinder access to productive resources and income. While we know, in general terms, that some families (those with a large number of children, and those that include elderly individuals or persons with disabilities) are more likely to become vulnerable, there are some regionally defined social groups that are under the poverty line, and thus do not have access to a basic food basket. There is no doubt that the rural population, especially in the Northeast, is proportionately the poorest in the country.<sup>18</sup>

The preceding section observed that energy deficit indicators in Brazil generally fall within limits considered normal by WHO standards. However, when the population is disaggregated by region, the deficit appears substantially higher. Thus, up to 13% of adults in the Northeast showed a weight to height deficit in the 1970s. The figure declined to 9% in the 1980s and 7% in the 1990s, but the statistics are by no means precise, since there is no monitoring and oversight system that can produce reliable data.<sup>19</sup>

The latest nutritional study, the National Demographic and Health Study (PNDS), conducted in 1996, found that 10% of the child population in Brazil had problems of malnutrition or were not as tall as they should be for their age. In the Northeast, the problem appeared more intense. The figure was over 18% in urban areas, and 25.2% in rural areas. This means that almost one out of three children in the Northeast showed signs of malnutrition—not far from the figure for Haiti.<sup>20</sup> Though more recent studies show that child malnutrition has steadily diminished over the last 25 years<sup>21</sup> (especially between 1989 and 1996), the pace of the decline in the Northeast (4%) is still slow in comparison with the central (7.4%) and southern (6.5%) parts of the country. At this rate, it will take until 2065 for the problem of rural malnutrition in the Northeast to be overcome.

It is important to take account of the fact that although the Northeast has the most serious malnutrition indicators and is proportionately the country's poorest region, its population represents only 21% of the total poor population. Thus, it does not contain the majority of the country's poor. We know today that the majority are in medium-sized cities of under 50,000 inhabitants—where, in addition, indigence is four times greater than in the large cities. One possible explanation for this is that a good deal of this poverty is the result of rural-urban migration, which creates a large unskilled labor force seeking urban jobs. Eight-point-two million Brazilians are estimated to have left the rural areas during the 1990s, and 4.3 million of these people lived in the rural Northeast.<sup>22</sup>

Thus, isolated rural populations, medium-sized cities, and even peripheral areas of the large cities may be identified as particularly vulnerable groups, in addition to the black and indigenous

18 The estimates of Sonia Rocha are that 51% of the rural population in the Northeast lived under the poverty line in 1999 (Sonia Rocha, in Instituto Ciudadanía, 2001).

19 Monteiro, 2003.

20 Child malnutrition in Haiti, at 31.9%, is the highest in Latin America.

21 This reduction may be due to a world trend to increased coverage of basic health services, mothers' level of schooling and water supplies (Monteiro, 2003).

22 EMBRAPA, 2001; in Galeazzi, unpublished.

populations, which suffer various forms of discrimination that affect their equal access to productive resources and inhibit their integration in society. Since the Northeast is the region with the greatest incidence of poverty, hunger, and malnutrition, our research team conducted three case studies in reasonably representative vulnerable communities there. Here, we provide a summary of the results.

The three case studies indicate that although Brazil has shown major improvements in the population's quality of life over the last 30 years, with poverty and food insecurity at the national level on a positive trend, excluded communities persist which cannot be analyzed as a part of that general situation. They require special study, along with policies to encourage their social inclusion and ensure their basic economic, social and cultural—as well as civil and political—rights.

The first case study is an examination of the landless workers' community Chico Mendes I, which reflects the situation regarding food insecurity and violations of food rights occurring in a community whose inhabitants occupied land in a region of sugar monoculture, with a high degree of land concentration.

The community is located in the Mata region in the state of Pernambuco, within a 2800-hectare plantation known as *Engenho Prado*. The extreme inequality of land distribution described in the section above is especially pronounced in this region, where the concentration of land ownership in a very few hands persists, preventing rural workers from gaining access to their own land.

The town of Tracunhaém, where the community is situated, has a human development index of 0.636, which ranks it 3997 among Brazil's 5507 municipalities. Here, 46.12% of families have income of less than one dollar per day, and the wealthiest 10% of the population owns 37.16% of the wealth, while the poorest 20% own only 3.34%.

Our team found families eating only once a day, consuming rice, beans and “jerimum”, and only rarely milk, meat, or eggs. They generally survive on basic food baskets, some private donations, and collective kitchens, though the latter have serious hygiene problems. While drinking water is available relatively nearby, it has been intentionally contaminated with herbicides on various occasions by sugar plantation owners attempting to force the squatters off the land.

Our second case study, Barra/Bananal, is a community located in the municipality of Rio de Contas, southeast of Bahia, where the black population has historically experienced racial discrimination and segregation. Currently, more than 50% of the population subsists on less than a dollar a day, and within the black population the illiteracy rate exceeds 34%, above the national mean of 11.5%.

Despite the fact that the community's subsistence is closely linked to family agriculture, the construction of a hydroelectric dam has prevented farming on fertile ground, thus violating many community members' right to food. The specific issue for this community relates to the way in which, for many years, the Brazilian government has conducted its relations with the black *quilombola* communities, whose ancestral lands were given official recognition only upon promulgation of the 1988 Constitution – recognition that took even longer (not until 1999 in Barra/Bananal) to take practical effect.

Our third case study, Sururu de Capote, is a community of approximately 1, 500 families living in a *favela* on the outskirts of Maceió, built beside Lake Mundaú, alongside which a huge public garbage dump has now been installed. The inhabitants exhibit extreme urban poverty which jeopardizes basic economic, social and cultural rights.

The state of Alagoas, in which this community is located, has the country's lowest human development index (0.633), one of the lowest per capita income levels in the country, and one of the highest rates of infant mortality and mortality from acute diarrhea among children under 5 years of age (66.2 per 1,000 children born for 2000). Alagoas also has the highest adult illiteracy rate (32.3 for 2000), while up to 70% of its urban sanitation is inadequate. We will address these three cases in greater detail in Chapter 3.

## 2. IMPACT OF PUBLIC POLICY AND INSTITUTIONS ON THE RIGHT TO FOOD

This chapter examines those institutions that are most pertinent to realizing the right to food. It also examines the most important legislation, programs and public policies with which Brazil has attempted to meet its international commitment to this human right. Since the explicit invocation of rights plays a minimal role in advancing the right to food, we examine the major programs and policies that have directly or indirectly impacted attempts to combat poverty and hunger.

The evaluation presented here is very general, and is based more on an assessment of process than on measured effects. The efforts by the federal government are analyzed, but action by local and private sector entities is not covered. In closing, however, we shall touch on some of the efforts undertaken by civil society.

### 2.1 General framework

During the government of President Itamar Franco, social mobilization led to the creation of the National Food Security Council (CONSEA), which had been proposed in 1991 by the symbolic, so-called “parallel” government headed by Luiz Inácio Lula da Silva as a form of opposition to the government of Fernando Collor de Mello.<sup>23</sup>

Between 1993 and 1995, CONSEA functioned in a consulting and coordinating capacity for presidential policy. Including representatives of government and civil society, it was responsible for evaluating food security policy and formulating policy proposals. In 1995, at the first National Food Security Conference, CONSEA formulated a series of food security guidelines that were the first articulation of a program in the area, as well as defining the first policy based on the right to food.

These ideas never reached their culmination, however, since CONSEA was eliminated when President Henrique Cardoso took office in 1995 and the drive to create a food security policy with social participation dissipated in the framework of a broader strategy of action in which the fight against hunger became a part of the fight against poverty. The organization *Comunidade Solidária*, chaired by the wife of the president, was formed, and it proposed a series of medium- and long-range actions to address the needs of the country’s most vulnerable groups.

Only in Cardoso’s second term did the right to food regain some prominence. Within the enormous gamut of public programs, the Ministry of Health created the National Food and Nutrition Policy (PNAN) in 1997. PNAN aimed to address the human right to food (nutrition was also included) as part of a sectoral policy. Also explicitly mentioned were fulfilling the obligation to *respect, protect and facilitate* the right to food. The policy envisaged the 2001 creation of the *Bolsa Alimentação*, which, as we shall see below, has been the only such program based on human rights.

Besides the efforts mentioned, there was no explicit public policy focus on the right to food. In the months leading up to the 2002 electoral campaign, however, the Citizenship Institute, led by

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23 Rangel, 2002

Luiz Inácio Lula da Silva, who was the Workers' Party candidate for the presidency, announced a food security program known as *Zero Hunger (Fome Zero)*, which made food one of its banner issues and obtained support from numerous civil society organizations.

Upon being elected president, Lula da Silva announced that efforts to combat hunger would be one of his government's priorities, and his first measure in office was to create a Cabinet for Food Security and to Combat Hunger. Special mention deserves the reestablishment of the National Food Security Council (CONSEA) with a larger and more representative structure, not only at the national, but also at the state and local levels.

The Cabinet for Food Security was headed by a Special Minister responsible to coordinate and establish a food security policy aimed to realize the Right to Food. A Ministry for Food Security and Hunger Combat (MESA) was created. Its main competences were articulating social participation in the establishment of a set of guidelines for a food security policy; promoting coordination between policies and programs at the national, state and municipal levels and supervising policies related to national food security issues.

Recently, those competences have been incorporated into a broader structure at the new Ministry of Social Development and Fight against Hunger with the purpose to increase institutional coordination within the government. The main argument that led this restructuring focused on the most needed consolidation of the otherwise dispersed social and income transfer programs. In addition to this, several ministries or areas within other offices are to be integrated into this new ministry.

## 2.2. Legislation

The right to food has legal basis in the Brazilian constitution, which contains several provisions that either directly or indirectly require the State to *respect, protect and fulfill* citizens' right to food, as specified in General comment 12 of the CESCR. The Brazilian constitution also establishes principles on the basis of which this right must be respected, by imposing limits on government's ability to arbitrarily deprive persons of their right to food.

Likewise, the constitution is the basis for establishing a set of measures aimed at *protecting* individuals from third parties that could infringe on this right, and even envisages the adoption of certain public policies to guarantee rights for the most vulnerable groups, as will be analyzed in this section.

In 1998, after, the Federal Republic of Brazil adopted a constitution in which a set of economic, social and cultural human rights not present in previous Brazilian constitutions was enshrined. Though the new legal framework did not originally include food either as a universal human right or as a social right (under which category the rights to health and education were established), it did specifically recognize children's and adolescents' right to food, and it declared that the minimum wage must be sufficient to cover workers' food (Table 1).

The Constitution also included a series of analogous provisions whose spirit and form imply the right to food (Table 2). Furthermore, a recent amendment to the Constitution has incorporated the right to food explicitly among the Constitution's social rights (Table 3).

**Table 1****Constitution of Brazil****Explicit recognition of the right to food**

<b>7</b>	<ul style="list-style-type: none"> <li>Creates a nationally uniform minimum wage established by law and "capable of providing for the basic vital needs of housing, food, education, health, rest, clothing, hygiene, transportation and social security, with periodic readjustments that preserve the purchasing power of the worker and the worker's family..."</li> </ul>
<b>227</b>	<ul style="list-style-type: none"> <li>"It is the duty of the family, society, and State, as an absolute priority, to guarantee the child and adolescent the right to life, health, <b>food</b>, education, leisure, job training, culture..."</li> </ul>

**Table 2****Constitution of Brazil****Implicit recognition of the right to food**

<b>1</b>	<ul style="list-style-type: none"> <li>Establishes the dignity of the human person as the basis of the republic.</li> <li>Establishes work as a social value.</li> </ul>
<b>3</b>	<ul style="list-style-type: none"> <li>Defines the construction of a more just society and one of solidarity, national development, the eradication of poverty and exclusion, the reduction of social and regional inequalities, and the promotion of the good of all, without discrimination, as fundamental objectives of the republic.</li> </ul>
<b>5</b>	<ul style="list-style-type: none"> <li>Deals with the right to life and determines the social function of property. The right to food may very well be present in the spirit of these general principles.</li> </ul>
<b>23</b>	<ul style="list-style-type: none"> <li>Establishes the State's duty to "combat the causes of poverty and factors producing exclusion, promoting the social integration of disadvantaged sectors."</li> </ul>
<b>6</b>	<ul style="list-style-type: none"> <li>Establishes the social right to health care (which includes combating malnutrition and related illnesses).<sup>24</sup></li> </ul>
<b>196</b>	<ul style="list-style-type: none"> <li>Establishes the State's obligation to guarantee the right to health through public policy designed to reduce the risk of disease.</li> </ul>
<b>203</b>	<ul style="list-style-type: none"> <li>Right to welfare assistance.</li> </ul>
<b>23</b>	<ul style="list-style-type: none"> <li>Establishes the State's duty to "encourage agricultural production and organize the food supply."</li> </ul>
<b>226</b>	<ul style="list-style-type: none"> <li>Establishes the State's obligation to create supplementary food</li> </ul>

<sup>24</sup> Beurlen, 2002.

	programs in the schools (Art. 226, VII).
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**Table 3**

**In 2003, a constitutional reform included the right to food as being a part of social rights for every citizen (not only adults, children or those earning minimum wage, as established in Articles 7 and 227). The new text reads:**

**“Art. 6 - As defined by this Constitution, social rights include education, health, food, work, housing, recreation, security, social security, protection of mothers and infants, aid to the homeless.”<sup>25</sup>.**

Even if all of the above were insufficient, Article 5<sup>26</sup> of the Constitution makes international treaties ratified by the Brazilian state part of the national body of law, although they have not the same status as the fundamental rights listed on Brazilian Constitution. Nevertheless, since the ratification of human rights treaties has automatic effects, they do not need to be internalized through a legislative act<sup>27</sup>. Therefore, the full validity of ICESCR is pertinent, with its right to food. Moreover, other agreements that contain references to the right to food, such as the Convention on the Rights of the Child or the Convention on the Elimination of All Forms of Discrimination against Women, follow suit.

It is clear, then, that the problem of guaranteeing Brazilian citizens’ right to food is not originated on constitutional deficiencies, but rather reflects difficulties to effectively enforce these rights through policies, laws and programs. The judicial branch has very limited ability to act to protect social rights (established either in the Constitution or international instruments), because these types of provisions have generally been considered to be essentially programmatic,<sup>28</sup> and their fulfillment has been considered entirely a matter of public policy, which implies a gradual process.

### 2.3 Judicial recourse

We have seen that the right to food is enshrined in the Brazilian Constitution, and that various provisions require the State to *respect, protect and facilitate* the right to food. However, one thing

<sup>25</sup> In August 2001, Senator <sup>Antonio Carlos Valadares</sup> of the Brazilian Socialist Party presented a constitutional amendment proposal (proposal number 21) to include the right to food in Article 6 of the Constitution. Only this year was the measure passed by both chambers of Congress.

<sup>26</sup> Article 5, 2nd paragraph of the Brazilian Constitution establishes: “The rights and guarantees expressed in this Constitution to not exclude others deriving from the regime and from the principles adopted by it, **or from the international treaties in which the Federal Republic of Brazil is a Party**”.

<sup>27</sup> Oliveira da Costa, 2003

<sup>28</sup> Baungartner, 2000.

that prevents full realization of this right is the lack of clear intervention of the judicial branch on issues regarding the right to food. CESCR General comment 12 speaks of the need for both legislative measures and judicial resources to make the right to food something that can be invoked in the courts. *Protecting* the right to food in practice requires not only that these resources exist, but that they be effective and accessible to citizens.

In the judicial area, the most important instrument for protecting these rights is a mechanism called *public civil suit*.<sup>29</sup> This not only protects individuals' rights, but makes it possible to enforce diffuse or collective rights<sup>30</sup>, including the right to food. Public civil suit can be used by judges to create a specific mechanism for protecting this type of right, thus providing a means of remedying the harm (e.g., monetary compensation). They may even force the government to act or cease acting in a particular way.

A public civil suit can be claimed by a state or municipality, an NGO, a public or mixed enterprise or directly through a government ministry. If, for example, the State fails to provide a hospital for a community or particular group of persons, a public civil suit can be initiated in view of the fact that the community's right to health is being harmed. Through public civil suit, a municipality can also force the State to provide the benefits of a given social program in order to realize their right to food.

Public civil suit has been used in connection with a wide range of social rights. In one successful case, the federal executive branch was forced to guarantee government-paid treatments for HIV-positive individuals. This led to a successful public policy that is now a global model. This recourse has also been used in connection with environmental and consumers rights<sup>31</sup>, although there is no jurisprudence that directly involves the Right to Food. Though public civil suit cannot be considered sufficient judicial protection for the right to food at this point, it would appear to have the potential to become so.

The public civil suit is not the only legal instrument available in the Brazilian legislation that deals with the promotion of economic, social and cultural rights<sup>32</sup>. However, this instrument has a

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<sup>29</sup> Public Civil Suit Law, No. 7.347, 24, of July 1985 is available at:  
[http://www.fazenda.gov.br/portaldaconcorrenca/legisla/E7%E3o\\_PDF/LEI%20N%BA%207.pdf](http://www.fazenda.gov.br/portaldaconcorrenca/legisla/E7%E3o_PDF/LEI%20N%BA%207.pdf)

<sup>30</sup> The original aim of the Public Civil Suit Law was to deal with situations involving a group of people, which could be identified or not, and to hold responsible agents whose acts cause damage on many various rights. After the year 1988, the new Brazilian constitution enlarged even more the possibilities to use a public civil suit, adding that this instrument could be used in order to protect any diffuse or collective interest. In 1990 the original text of the law was modified and the possibility to use a public civil suit to protect any diffuse or collective right has been introduced. (Oliveira, 2003)

<sup>31</sup> A ruling by the Special Jurisdiction, Appellate Court, State of Parana, August 2002 (Bill of Review 0208625-3), concerning disconnection of water supply and the right to water, in which the court held that disconnection for lack of payment was not permitted because of the risks of irreparable damage to the health of the population as a result of it. The decision was based on the constitutional, human and consumer's rights of the claimant.

<sup>32</sup> Other instruments, although not yet used to defend the right to food, are the *Término de Ajustamento de Conduta*, the 'ordinary suit' (*Ação Ordinária*) and the 'writ of mandamus' (*Mandato de Segurança*). The right to petition (through different channels in the executive, legislative, and judicial branches and the *Ministerio Público*) is another recourse that could be very useful.

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major importance to improve rights to all persons suffering from the same difficulties. Besides, the use of this recourse has increased over time as a means to respond to new social needs. Moreover, public civil suit empowers public prosecutors, to defend people's rights, inclusively against public powers.<sup>33</sup>

It is to be highlighted that despite its theoretical resources and power to *protect* social rights, the judicial branch has advanced little in this area, as it has principally dedicated itself to defending individual rights. The judiciary generally considers dealing with the vulnerability of particular social groups to be the exclusive province of public policy. It generally believes that compliance with international treaties and programmatic norms involves a type of activity proper to the executive branch – programs, judgments regarding their advantages and disadvantages, decisions about timing.<sup>34</sup>

As other judiciary systems in the world, the idea of justiciability of social rights in Brazil is not unanimous. A widespread belief is that in order to respect division of powers, the Judiciary branch should not intervene on the matter of economic, social and cultural rights that would then require measures in the sphere competence of the executive and legislative branches.<sup>35</sup>

As mentioned above, there appears to be too little knowledge among Brazilian judges regarding human rights norms and the obligations of the members of the Brazilian judiciary at the international level. Their prevailing view might be based on a false assumption, namely, that compliance with international agreements is the obligation solely of the executive branch, when it really involves the entire Brazilian State.

During workshops held in Brazil to discuss this case study, it was concluded that two views among the Brazilian judiciary tend to weaken its protection of economic, social and cultural rights (including the right to food). One is that human rights are properly addressed at a sub-constitutional level. The other is that social rights are basically a part of government programs. The judicial branch has perhaps not fully understood that objectives and results must be enforced, as well as behavioral requirements.

## 2.4 Public policy

Various public policies directly or indirectly influence the realization of the human right to food. In this section, we shall first attempt to examine those that generally affect the realization of the right to food, which are essentially economic policy, social policy, nutritional policy and agricultural policy. Due to space constraints, we have limited our selection to some of the most important public policies, despite the fact that others, e.g., in the areas of employment and education, are also significant.

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<sup>33</sup> Comparing to other instruments, public civil suit has the advantage to avoid the overloading of the Judiciary. As it deals collectively with rights of many people, these people do not need to go to the court to bring a claim by themselves. Thus a lot of time, resources and paperwork are saved. (Oliveira, 2003)

<sup>34</sup> Maia, 2002, interview.

<sup>35</sup> Oliveira, 2003.

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We shall then examine those sectoral policies through which the Brazilian State seeks to fulfill the obligations established in ICESCR, particularly the obligation that States have to *fulfill* the right to food. The National Program to Strengthen Family Agriculture (PRONAF) will serve as an example of a program oriented to *facilitating* the right to food. Finally, we shall examine the main welfare assistance policies that have been implemented over the last 30 years to *provide* this right in a direct way.

## A. NUTRITIONAL AND HEALTH POLICIES

During the 1970s, the Brazilian State implemented the first significant public policies for combating hunger and malnutrition. Through the National Institute of Food and Nutrition (INAN), which was created in the 1970s, some specific policies designed to address the needs of groups at nutritional risk were developed. This effort continued from 1976 to 1984 through the National Food and Nutrition Program.

In the 1980s, both INAN and the Ministry of Health undertook welfare assistance activities. With the return of the democratic regime, however, the insufficiency of most of these efforts began to be recognized, as were various problems that rendered them inefficient, highly centralized, and subject to political and clientist use. Nor did they approach food as a human right.

It was mentioned earlier that the only policy developed within the human rights framework in the 1990s was PNAN. Designed between 1998 and 1999 after the demise of INAN, PNAN was the result of a thorough review of the Ministry of Health's activity in the area of food and nutrition. The process led to the first policy to explicitly articulate the objective of guaranteeing the right to food on the basis of the three levels of obligation.

Naturally, the recognition of this right in the policy document did not, in itself, change the way in which administrators thought about programs, nor did it automatically transform its beneficiaries into possessors of rights. Nevertheless, it did constitute a first, and important, effort to gradually incorporate this dimension into policymaking, since it involved a participatory process, and gave health workers at the municipal level training that was designed to make them think of beneficiaries as the possessors of rights.

As will be seen below, the main program that emerged from this policy was the *Bolsa Alimentacao*, which conducted intense training of government teams and health workers. It included a strong component designed to promote the right to food, and also focused on basic principles of food and nutritional security. The program's 27 coordinators at the state level were also trained in this perspective, which was innovative for Brazil.<sup>36</sup>

At the end of 2002, a variant of PNAN became the National Food and Nutrition Policy for Indigenous Peoples. Its approach focused in particular on the right to food, and specifically dealt

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36 Valente, 2003, interview.

with the right to cultural diversity and respect for traditional practices in food production and consumption.<sup>37</sup>

The Food and Nutrition Monitoring System (SISVAN), introduced in Brazil in 1990, deserves mention in its own right. This was intended to function as a system for analyzing data covering everything from food availability, supply and prices to the nutritional conditions of needy groups. However, while the goals of this instrument were ambitious, the lack of a national information system to provide reliable data (particularly in regard to child malnutrition) has limited the operation of SISVAN to epidemiologic information, thus reducing significantly its potential scope.

## B. ECONOMIC AND SOCIAL POLICY

As we saw in the preceding chapter, the 1980s were marked by inflation and economic stagnation. In response to the problems this created, the Brazilian government concentrated on combating inflation in the 1990s. Indeed, conquering inflation became one of the government's top priorities overall, to which most other government action took a back seat. With the *Plan Real* and a policy of monetary adjustment and reduced public spending, the Fernando Henrique Cardoso government succeeded in reducing annual inflation from 42% to 1.6%. During the series of financial crises (particularly in Asia) that marked the following years, it seemed necessary to raise interest rates substantially, even though this limited economic growth to no more than 3% per year.

Despite major progress in macroeconomic policy, Brazil thus saw its social reform agenda, which had progressively developed in the years leading up to the 1988 Constitution, weakened in the early 1990s. Between 1989 and 1992, social spending was reduced in some areas by as much as 50%, though these levels recovered some years later. The reduction in government social spending decreased its direct efforts promoting the right to food, although reduced inflation assisted access to food in some ways.

In General comment 12, CESCR stresses that even in times of limited resources due to adjustment processes, economic recession or other factors, the vulnerable members of society can and should be protected, and programs to accomplish this are not necessarily costly. The Brazilian government had difficulty putting this principle into practice. Social spending declined 5% in real terms, while the budgetary resources devoted to the debt (domestic and foreign) rose to 165%.<sup>38</sup> Considering, in addition, the Committee's statement that available resources should be used *to the maximum possible extent*, this situation could be seen as an example of how debt repayment diminishes the available resources.

## C. AGRICULTURAL POLICY

<sup>37</sup> The *Bolsa Alimentação* adopted this logic. Among other things, it opened the possibility of distributing collective benefits to indigenous communities and other ancestral communities without having to distribute exclusively on an individual basis.

<sup>38</sup> The highest of this spending was for social security pension funds, which grew 28%. (Rocha, Eduardo and Melo, 2002, *Radiografía presupuestal del gobierno de Fernando Henrique Cardoso*, in Armani, 2003).

It was pointed out, in the preceding chapter, that the degree of inequality of land distribution in Brazil is one of the highest in Latin America. The main reason for this is that land reform has historically been put off, despite the importance of access to land in fully guaranteeing the right to food, and progress has been extremely slow. Considering that land ownership is highly concentrated, and that many pieces of land lie idle, it is clear that only by widening control of productive resources and providing access to land for those who live on it will it be possible to *respect, protect and fulfill* the right to food of the rural population that is vulnerable today.

It is clear that land reform is the principal means of raising family income for the rural poor, creating low-cost jobs, increasing the food supply, improving the quality of agricultural products, and ensuring the ability of the lower-income population to feed itself.<sup>39</sup> In 1995, after a long delay, Brazil began an unprecedented process of land grants that made it possible, according to the National Institute of Land Settlement and Reform, to settle 372,866 families between 1995 and 1999—more than in the previous three decades.<sup>40</sup> The data, however, have been questioned by social organizations, and even by the media.<sup>41</sup>

In addition, social movements such as Landless Workers Movement (MST) and the Pastoral Land Commission (CPT) have been strong in their criticism of Provisional Measure 2.027, decreed in May 2000 by President Fernando Henrique Cardoso. The decree states that “rural property occupied by squatters will become subject to land reform only two years after said occupation ends.” This provision has been interpreted by some as a violation of the right to food, since it discriminatorily prevents a specific group of people from taking advantage of policies designed to guarantee the right to food. It should be noted that, in 2002, United Nations Special Rapporteur for the Right to Food, Jean Ziegler, recommended permanently rescinding this measure.

Currently, the demands of organizations and social movements in Brazil continue to focus on progress toward broad land reform. Various national and international institutions have added their voices, including FAO, and studies by many of these institutions have suggested ways to make the process viable.<sup>42</sup> Progress on land reform has also been one of the principal recommendations of the United Nations Special Rapporteur for the Right to Food, and is a political commitment of the Luiz Inácio Lula da Silva government.

Land reform is a complex process not limited to distributing land, though this is the first step. For a reform to be viable, support for family farmers must be increased, and programs for credit, technical assistance and infrastructure must be significantly broadened.

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39 Gomes Da Silva and Salmao, 1964; in Sparovek, 2003.

40 Between 1964 and 1994, 350,836 families were settled in 1,626 settlements. In the ten previous years (1985-1994), 143,124 families were settled, i.e., an increase from 14,000 to 74,500 families per year (Guanziroli, 2001).

41 Estimates of up to 137,000 families settled and 2.4 million hectares allegedly expropriated have been made. The newspaper *Folha de São Paulo* found differences of up to 51% between government figures and the INCRA official figures in some states, such as Santa Catarina.

42 Aspectos de la reforma agraria en Brasil. Informe de la visita de la misión de la FAO, 1968, *Principales indicadores socioeconómicos de los asentamientos de la reforma agraria*, Brasilia, FAO/UNDP, 1992 (Sparovek, 2003).

Though economic policy in the 1990s placed many constraints on agricultural loans,<sup>43</sup> a program was created specifically to help family farmers. The National Program for the Promotion of Family Agriculture National Program to Strengthen Family Agriculture (PRONAF) was a major effort to *facilitate* the right to food for a vulnerable group by addressing the group specifically. The idea was to help the group achieve a level of nourishment that could enable it to create the conditions it needed to feed itself—or come as close as possible to this goal—thus reducing dependency on welfare assistance programs (Table 4).

**Table4**

#### PRONAF

The creation of the National Family Farming Program (PRONAF) in 1997 recognized for the first time through a public policy family farmers specifically and provided differentiated lines of credit for them in order to stimulate generation of income and consumption of self-produced products. PRONAF aimed to create credit, investment and technical assistance policies for particularly vulnerable groups of family farmers, such as indigenous farmers, black *quilombola* communities and land-reform squatters. It encouraged social participation and intervention in the distribution of resources by these groups.

Despite its importance, the studies of PRONAF that have been conducted agree that its efforts to date have been insufficient. Of a universe of 4 million family farmers, the program has reached only 1 million, and the funds available to make loans to small farmers have not been used to the maximum possible extent, as ICESCR requires.

In 1998, for instance, total credit for small farmers—including not only PRONAF, but also the Special Credit Program for Land Reform (PROCERA) represented only 13.1% of all government spending for rural credit. Another weakness is that the program has not succeeded in serving lower-income family farmers, and farmers with restricted access to capital resources.

Furthermore, PRONAF has not been able to facilitate the right to food in an equitable fashion for all regions, nor for the poorest populations. Resources allocated to rural credit are basically concentrated in the South and South East regions (78.9%, 69,1% and 43,4 in the years 1996, 1997 and 1998), mainly due to the existence of stronger social organizations and rural unions which enhances their lobbying powers. (Silva , 1999)

## D. WELFARE ASSISTANCE POLICY

According to CESCR, direct assistance through social security systems—such as food coupons—should be a last resort for guaranteeing the right to food. This means that public policy must essentially aim to *facilitate* the right to food, and only then to *provide* through direct assistance. In

43 Armani, 2003

recent years, however, welfare assistance has been favored over measures for structural change (which *facilitate* the right to food).

It is to be highlighted that although direct food assistance are not necessarily bad—in fact, they are required in emergency situations—, it would be expected that the ability to feed oneself should be more sustainable and dignified in the long run, while preventing starvation in the short term is also a very strong obligation.

Until now, the government has resorted to innumerable welfare assistance strategies, some more successful than others. Table 5 provides condensed information on the 8 most important programs we assessed— important is that they are capable of guaranteeing the right to food. Many of these policies have been criticized by civil society and professional associations, due to their strong clientist and short sighted perspective, their lack of continuity, their centralization, their inefficiency, and their lack of transparency.<sup>44</sup>

Various studies we reviewed, conducted during the 1980s, agree that federal food and nutrition programs performed unsatisfactorily as a result of insufficient and intermittent funding, administrative problems, and insufficient coordination.<sup>45</sup> As a whole, these programs did not succeed in fulfilling the State's obligation to *provide*, since they had minimal impact and were not always truly effective.

According to studies based on the 1989 National Health and Nutrition Study, only 10% of the funds used by the government succeeded in benefiting the target population.<sup>46</sup> The effective number of beneficiaries failed to reach the government's goals, food supplements were not directed at those groups that were poorest and biologically most vulnerable to malnutrition, enrollment in government programs was not always a guarantee that the programs would reach the enrollees, and food assistance was not linked to basic health measures, as was needed.<sup>47</sup>

In the early 1990s the government of Fernando Collor de Mello generally abandoned social policy and welfare policy, citing a series of critiques of the programs' inefficiency and high funding levels. In August of 1990, the milk program developed during the José Sarney administration (1985-1989) was suspended with virtually no program of this type being created to supplant it. Aggravating this situation, the semi-arid Northeast suffered one of the worst droughts in its recent history between 1990 and 1993, creating an emergency situation for its inhabitants. The government's inability to take significant action during this period was probably one of the most serious violations of the right to food seen, to date, in modern-day Brazil.

The government of Itamar Franco (1992-1995) provided new impetus for social policy and created a series of emergency programs for the most vulnerable groups. On the health front, a program to combat child malnutrition – the Incentive to Combat Malnutrition (ICCN) – was created in 1993. In response to CONSEA recommendations, the Emergency Food Distribution

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44 Valente, **no date**. La Canasta Básica como Complemento para la Alimentación, la Nutrición y la Renta, at <http://www.agora.org.br/agora/artigos05.htm>

45 Peliano, 1992; **quoted by** Gasquez, 2002, **quoted by** Rangel, 2002.

46 Amélia Cohn (1995) **and** Carlos Monteiro (1997), **in** Rangel, 2002.

47 Monteiro 1997, **in** Rangel, 2002.

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Program (PRODEA) was created the same year. Despite its importance, PRODEA was highly subject to political and clientist use, and in 1998 a series of interruptions in programming occurred, along with deficiencies in the number of food baskets distributed to the target population. Those in charge thereby committed serious violations of the right to food, since they did not take alternative measures to address the needs of the most vulnerable populations.<sup>48</sup>

Social policy underwent a change during the second term of President Fernando Henrique Cardoso (1998-2002). A social safety net was created, with a set of programs that provided for direct monetary income transfers to needy families. The object of this new generation of programs was to go beyond the welfare assistance and emergency character of existing policies—adopting instead measures that would create change. Thus, an effort was made to ensure that benefits were provided under certain conditions that might generate structural long-term change, e.g., nutritional education and assistance to children in school.

In this way, the State concentrated on *providing*, by means of direct distribution, but at the same time it took measures to create conditions that would lead to people's capacity to feed themselves in the future, without need for public aid or provisions. Though these programs are still too recent to evaluate, it can be said that through them the government aimed to meet the obligation to *fulfill* the right to food, acting simultaneously on the *facilitating* and *providing* dimensions of fulfillment, which was an innovative experiment.

The Social Safety Net emerged from a Land Registry [*Cadastro Único*] created by the Ministry of Welfare Assistance. The Registry was based on information provided by prefectures regarding families living under the poverty line. On the basis of this Registry, families would receive a bank card providing a series of benefits. Families could thus access – based on the type of need – a series of public programs. Table 5 presents some of the most significant examples of these.

Families receiving benefits from the Eradication of Child Labor program, for instance, are obliged to keep their children in school, and parents must participate in a program of occupational training and legally commit themselves not to have their children work. The *Bolsa Escola*, while providing families a sum of money for each child attending school, seeks to prevent school drop-out and thus “link the minimum income to the right to education.” The Ministry of Health's *Bolsa Alimentação* program functions in a similar fashion. In addition to distributing resources, it works to improve family health and provide nutritional education.

Though most income distribution programs are not presented as anti-hunger policies or policies to guarantee the right to food, the government had assumed that the funds given to families would be used primarily to buy food. In directing the effort at families receiving less than one half the minimum wage, it was assumed that those resources would be used to improve nutrition.

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<sup>48</sup> The Rapporteur on the Right to Food, Water and Rural Land documented one of the most serious violations, which occurred when “between June and October 1999, the flow of funds to the program was interrupted, leaving close to 1.8 million indigent families without service.” (Valente, 2002).

Unfortunately, there is no evidence that this always occurred. Furthermore, funds did not always go to the neediest families.<sup>49</sup> There are various assessments and opinions' regarding what percentage of the transfers was actually used to buy food. Since these programs are recent, there is not yet sufficient evidence to make an accurate assessment.<sup>50</sup> Thus, mechanisms to evaluate and assess the realization of the human right to food are still inadequate and, in some cases, nonexistent.<sup>51</sup>

The *Fome Zero* project, presented by the Instituto Cidadania in October, 2002 assumed the insufficiencies of the previous income distribution programs. As a complex set of various policies *Fome Zero* addresses different actions to each segment of the population and contemplates structural, specific and local policies for rural, urban and metropolitan areas. Toward the poorest rural inhabitants the program intends to increase their purchase capacity for local foodstuffs, stimulating the small local farmer's production.

Fome Zero seeks to tackle demand insufficiency, incompatibility between food prices and low purchasing power and the exclusion of poorest people from the food consumption market. One of its main policies, the *cartao alimentacao*, now integrated in *Bolsa Familia*, diverges from the traditional hunger combat policy –the supply of basic food baskets- by linking low-purchase power consumers and small food farmers.

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<sup>49</sup> Most assessments of these programs do not deal with the question of families' nutrition. For instance, an assessment of the Program for the Eradication of Child Labor coordinated by <sup>Guilherme Sedlacek</sup> of the Inter-American Development Bank carefully analyzes the effects of the program by increasing children's time in school, decreasing child labor, improving school achievement and improving hazardous work situations, but it does not examine the effects that income distribution have had on families that receive less than half the minimum wage monthly (the beneficiaries of this program), nor does it show to what extent the program has improved their nutrition. Other PETI assessments also fail to deal with questions of this sort.

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<sup>50</sup> According to the World Bank, which states that, "In the absence of data on experiment and control groups, only indirect evidence on targeting is available." (World Bank, 2001)

<sup>51</sup> Not so in the case of the Bolsa Alimentacao program, which has progressed significantly in monitoring. (Ministry of Health, 2003).

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The innovative food security policy that is being implemented in Brazil combines two dimensions: the structural policies –such as production, employment generation, agrarian reform, among others- and the emergency interventions or compensatory policies.<sup>52</sup>

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<sup>52</sup> A synthesis of the Fome Zero project in English is available at:  
<http://www.ryerson.ca/~foodsec/Documents/hungerzero.html#document>

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## National Welfare Assistance Policy

	Program	Description	Advantages	Disadvantages
70	<b>Workers' Food Program (PAT)</b> 1976	Functions as a partnership between government, businesspersons, and workers, addressing the basic health and food needs of wage workers.	For 10 years, without interruption, since its creation, the program increased its number of beneficiaries at a steady annual rate of 17%, making it possible to move toward realizing the right to food. By 2002, it had served 7 million workers.	The program's coverage is still small, in that it only reaches 28% of its target population. It is also limited in that its target population is restricted to the formal labor market.
80	<b>National Milk Program for Needy Children (PNLCC)</b> 1986 Defunct	Distribution of a coupon to families with children under 7 for the purchase of one liter of milk per day.	Strong effect on demand and per capita milk consumption in the country. Production increased 20% annually (94 liters per capita per year). The increase in production, based on incentives for consumption to address specific needs, was a positive experience <sup>53</sup> .	The program had operational problems, and the distribution of the coupon created a black market. It suffered from clientelism and a pattern of dependence on assistance.

<sup>53</sup> Graziano Da Silva, J. and others, What Brazil Can Do to End Hunger, work presented at the International Seminar on Experiences with Food Security and anti-Hunger Policy. Campinas, São Paulo, April 2 and 3, 2002.

	Program	Description	Advantages	Disadvantages
	<b>National School Food Program (PNAE)</b> <b>(The first version was created in 1954)</b>	Transfer of funds to states and municipalities to provide school snacks for children enrolled in public schools or philanthropic institutions. Determining the type of food to distribute is a local responsibility and must be submitted to school food councils in each municipality.	<ul style="list-style-type: none"> <li>• An important Constitutional provision complied with.</li> <li>• Considered one of the largest food programs in the world, as it distributes food to 37 million students.</li> <li>• Includes measures for social control and participation by nutritionists who monitor the quality of the food.</li> <li>• Priority on natural, rather than artificial, foods, and emphasis on respect for local food customs.</li> </ul>	<ul style="list-style-type: none"> <li>• Purchasing has been decentralized by locating it at the state and municipal level, but these levels of government have evaded their responsibilities.</li> <li>• The funds assigned by the federal government are minimal, and in many cases local governments do not contribute their corresponding sums. This reduces the value of the snack to the federal government's contribution, which is R\$ 0.13 (less than the normal price of a piece of bread).</li> <li>• The social control measures do not work adequately, since the School Food Council does not operate properly.</li> <li>• The school snack is conceived as a food supplement for children in school. In reality, however, it is often the main or only meal in the day for a substantial number of children.</li> </ul>
90	<b>Incentive to Combat Nutritional</b>	Transfer of funds to municipalities to purchase and distribute powdered milk on a	<ul style="list-style-type: none"> <li>• Succeeded in reducing malnutrition between 13% and 15%, achieving better figures in the northeastern states<sup>54</sup>.</li> </ul>	<ul style="list-style-type: none"> <li>• Up to two thirds of the children who received supplements showed indications of</li> </ul>

<sup>54</sup> Ministry of Health, 2000, 2001.

	Program	Description	Advantages	Disadvantages
	<b>Deficiencies (ICCN) 1993-2000 Defunct</b>	monthly basis, along with a soy oil energy supplement distributed to children of 6 to 23 months who show signs of malnutrition.	<ul style="list-style-type: none"> <li>• According to the Ministry of Health, the program had over 419,000 beneficiaries in mid-2000, thus exceeding the targets.</li> <li>• According to the Ministry of Health, the soy oil experiment was positive, since it was able to provide children approximately 800 Kcal and 30 grams of protein per day<sup>55</sup>.</li> </ul>	malnutrition, and the rest were in the at-risk range. <ul style="list-style-type: none"> <li>• The target public was not adequately identified, because local executing agents did not have adequate equipment and training.</li> <li>• The selection was based on socioeconomic speculation, which sometimes eliminated children who actually did have nutritional problems.</li> <li>• Milk ended up being the main food, which made the children's diet monotonous, excessively heavy in protein, and though rich in calcium, notably deficient in iron and zinc<sup>56</sup>.</li> <li>• Insufficient nutritional education for beneficiary families.</li> </ul>

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<sup>55</sup> Ministry of Health, 2000, 2001.

<sup>56</sup> Iná Dos Santos, 2000.

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90	<b>Emergency Food Distribution Program (PRODEA)</b> <b>1993-2000</b> <b>Defunct</b> Population in emergency situations	Distribution of food baskets to families living in extreme poverty, drought victims, landless rural workers and undernourished indigenous populations.	<ul style="list-style-type: none"> <li>• Incorporated forms of democratic management and transparency in food distribution.</li> <li>• Functioned with participation by municipal committees in which social organizations, churches, rural unions, and local government played a significant role<sup>57</sup>.</li> <li>• Distributed food to close to 1.5 million families in over 1000 of the county's municipalities<sup>58</sup>, which doubtless represented a distribution policy unprecedented in the history of the country.</li> </ul>	<ul style="list-style-type: none"> <li>• High operating costs and various administrative problems.</li> <li>• Local culinary customs not taken into account. Food was purchased in, and distributed from, the large cities.</li> <li>• Food distribution was carried out on a discretionary basis in exchange for political/electoral support.</li> </ul>
90	<b>Eradication of Child Labor Program (PETI)</b> <b>1996</b> Rural areas of the northeast.	Distribution of an income of R\$ 25 in rural areas and R\$ 40 in urban areas (between US\$ 8 and US\$ 13) for each child that a family promises will not work. Families also promise that the children will maintain at least 80% school attendance. In	<ul style="list-style-type: none"> <li>• Was implemented in parts of the country with the highest incidence of child labor, principally northeastern agricultural Brazil, where 90% of the cases are reported.</li> <li>• By 2001, had reached 977 municipalities in 27 states, allowing almost 400,000 children to stop working. By 2002, 720,000 children had been benefited.</li> </ul>	<ul style="list-style-type: none"> <li>• No assessments have been performed to determine to what extent the program improved the nourishment and nutrition of the children and their families<sup>59</sup>.</li> </ul>

<sup>57</sup> As expressed by Flavio Valente in an article published in *Ágora* (no date), entitled, *Alimentos para el Desarrollo – Uno de los caminos para enfrentar/salir de la crisis*. <http://www.agora.org.br/agora/artigos04.htm>

<sup>58</sup> The calculation does not take account of the population affected by the drought in the Northeast, landless rural workers in settlements, or indigenous communities. Flavio Valente gave an estimate according to which PRODEA distributed, in 1995, more than 3 million basic food baskets in more than 500 of the country's municipalities (Valente, op. cit.).

<sup>59</sup> In this regard, the World Bank points out the need for a broader and more systematic assessment of this program, and recommends a formal assessment such as the PROGRESA assessment that was conducted in Mexico, which included control groups, making possible a scientific analysis of effectiveness. (World Bank, op cit., v)

		addition, the program transfers funds to municipalities for out-of-school activities (the so-called "extended school day"), which doubles the number of hours in school, making it difficult for children to work.		
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00	<p><b>Bolsa Escola (BE) 2000</b></p>	<p>Provides an income to families—approximately US\$ 5 for each child attending school at least 80% of the time, up to a maximum of 3 children per family. This operates throughout the country.</p>	<ul style="list-style-type: none"> <li>• This income distribution program has enjoyed the greatest budgetary resources (aside from social security). It has benefited 10.7 million children.</li> <li>• It has provided for social control and participation at the community level.</li> <li>• It is designed to affect the generational poverty cycle, combating not only the effects but the causes of poverty. “It fights the causes, in that it invests in the future by monitoring children’s school attendance; it fights the effects, in that it transfers income to the families.”<sup>60</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Local and federal studies of the School Fund contain evidence regarding its impact on diminishing poverty, reducing school dropout rates and increasing attendance. However, no findings have been made regarding the program’s effect in the area of the right to food.</li> <li>• Lack of proper planning and regular monitoring<sup>61</sup>.</li> <li>• A World Bank study indicates that a large segment of the population remains untouched by this program, because it is implemented at the municipal level, where there are no mechanisms to ensure coverage in the financially weakest municipalities<sup>62</sup>.</li> <li>• Since the program is explicitly designed for needy families with school-age children, “it tends to exclude low income families with preschool or adolescent children.”<sup>63</sup></li> </ul>
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<sup>60</sup> Aguiar, 2002, interview

<sup>61</sup> Marcelo Aguiar, 2002: 64.

<sup>62</sup> World Bank, op. cit., iv.

<sup>63</sup> World Bank, op. cit., ii

<p><b>Bolsa Alimentação (BA) 2000</b></p>	<p>Provides an income or financial supplement to improve nourishment and guarantee a basic level of family health conditions. The target population includes families at nutritional risk with pregnant women, children under 6 or nursing mothers.</p> <p>A condition for delivery of funds is that the mothers attend talks by health workers, where food, nutrition and health education takes place.</p>	<ul style="list-style-type: none"> <li>• It has benefited approximately 800,000 pregnant and nursing women and 2,700,000 children.</li> <li>• According to the <i>Bolsa Alimentação's</i> Information and Research Coordinating Office, an International Food Policy Research Institute (IFPRI) study found that the program encouraged greater food consumption. (The marginal propensity to consume changed between 0.57 and 0.70 for each real transferred, which implies that up to 70% of the funds were spent on food.)</li> <li>• It had positive effects on the diversification of diet, permitting greater use of fruit, vegetables, fish and meat.</li> <li>• The experiment of transferring funds directly to families by the use of a magnetic card has proven positive, since it increases transparency.</li> <li>• The program is not entirely welfare assistance-oriented, since it is not limited to distributing money, but also seeks to promote improvements in family health.</li> </ul>	<ul style="list-style-type: none"> <li>• The funds transferred are insufficient, and the program has not succeeded in reaching all those in need of it, thus it cannot yet be considered an entitlement or right.</li> <li>• The program's banking transaction costs are excessive—according to Ministry of Health data, above 50%.</li> <li>• Existing studies have not yet reported substantial changes in terms of beneficiaries' body mass index.</li> <li>• Implementation has suffered from administrative problems that have arbitrarily excluded families in need.</li> </ul>
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## 2.5 Public funds and redistribution

General comment 12 expresses the need for Nations to fully demonstrate that they have used the maximum resources available to realize the right to food. There is evidence, however, that the Brazilian State has not only failed to meet this criterion, but that those resources allocated have not been used properly. Despite the fact that there was a decline in public social spending in Brazil in the 1990s<sup>64</sup>, spending is significant in comparison with other Latin American countries. This shows that realizing the right food is not only a question of amount of expenditure but also of efficiency in the allocation channeled to the most vulnerable segments of the population, in its low distributive impact, and in the fact that public expenditures are pro-cyclical in terms of economic conditions.

According to the World Bank's assessment, the theoretical amount needed to eliminate poverty in Brazil is 12 billion reals annually (around 4 billion US\$)<sup>65</sup>, which is less than 5% of the income of the 10% of the population with the highest income<sup>66</sup>. In August of 2003, *The Economist* based on strong data assumed that under ideal conditions, everyone in Brazil could be brought above the poverty line for an amount equivalent to 1.6% of GDP<sup>67</sup>. There are serious differences of opinion regarding the reliability of calculations on the funds needed to eliminate poverty and hunger. As we have mentioned, there is no adequate consensus on the definition of these concepts, but it is also a fact that public policies have different implementation costs, making it impossible to generalize.

Venturing some projections based on Table 7, it could be posited that with perfect targeting, zero administrative cost (both impossible conditions to meet in practice) and a poverty line set at 90 reals per month (half the minimum wage), 2,100,000 reals per month would be needed. This is 4.3% of Brazil's per capita income and 1.9% of its GDP.

It is clear that the government has lacked, in the strict sense, a program to directly redistribute national income, the great disparity of which reproduces and aggravates poverty and hunger in Brazil. Even in the institutional area, there are a series of provisions that maintain and deepen social inequality. Specific examples of this are the regressive nature of the tax system and the fact that federal spending is dedicated to finance (primarily to pay the interest on the domestic and external debt). This situation limits considerably the availability of resources for redistributive programs.

Recent information from the National Household Survey study (PNAD) shows that half of the interest paid on savings is received by less than 2% of the population (not, one might note, the poorest portion of the population). Moreover, a significant proportion of government resources go to retirement pay and pensions. Though the pension system is a form of redistribution, and is the only source of income for many beneficiaries, close to half of these funds still goes to the

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<sup>64</sup> Social spending between 1990 and 1998 as a percentage of GDP rose from 15% to 22.15%, representing an increase from US\$ 937 to US\$1,022 per capita.

<sup>65</sup> Calculation based on a poverty line of \$R 65 monthly.

<sup>66</sup> World Bank (2001), *Attacking Brazil's Poverty: Volume 1*, Washington (in Ziegler, 2002).

<sup>67</sup> Social Policy in Brazil, *The Economist*, August 16, 2003, pp. 32 and 33.

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wealthiest 20% of the population. There are indications that less than one fifth of Brazilian public spending is directed at the poorest.

**Table 6**  
**Simulated cost of policies to combat poverty by income transfer, 2001**  
**In billions of September 2001 reals**

Allocation	Targeting	Program cost	Poverty line	% per capita income	Poverty line R\$	% per capita income
			R\$ 90.00 per capita		180.00 per capita	
Perfect	Perfect	0%	2.1	4.3%	8.7	17.9%
Single value R\$ 41.90	Perfect	0%	2.1	4.3%	3.8	7.8%
Perfect	30% error	0%	3.7	7.5%	14.2	29.1%
Single value R\$ 90.00	Perfect	0%	4.5	9.1%	8.2	16.8%
Single value R\$ 90.00	Perfect	15%	5.1	10.5%	9.5	19.4%
Single value R\$ 90.00	30% error	15%	6.8	14.0%	11.3	23.1%
Single value R\$ 180.00	Perfect	0%	8.9	18.3%	16.5	33.7%
Single value R\$ 180.00	30% error	15%	13.7	28.0%	22.6	46.2%

Source: IBGE - PNAD 2001

Note: The R\$ 90.00 per capita line represents 1/2 minimum wage, the R\$ 180.00 per capita line represents 1 minimum wage.

The table uses two poverty lines based on different fractions of the minimum wage. The first defines as poor those individuals living in families whose income is less than half the minimum wage per capita (R\$ 90.00 as of September 2001). This amount will most likely be the first official poverty line adopted by the Brazilian government in the coming months. Since this may create discrepancies, the exercise was also carried out with a poverty line twice as high, i.e., one minimum wage per person (R\$ 180.00 as of September 2001).

The R\$ 90.00 poverty line (1/2 the minimum wage) puts approximately 30% of the population under the poverty line. If we take a full minimum wage (R\$ 180.00) as the line, approximately 56% of the population is poor. The poverty intervals corresponding to these lines would be 2.1 and 8.7 billion reals per month, respectively, or roughly between 4.3% and 8.7% of the country's per capita income.

Given Brazil's income distribution inequality, and an institutional structure that, to a great extent, reproduces inequality, the distributive effect of neutral and ineffectively targeted social policy is limited, and its direct effects are still insufficient to address the problem. The problem is clear

with regard to the effect on the poorest. Indeed, the World Bank estimates that only 14% of the spending targets the most disadvantaged sectors<sup>68</sup>.

## 2.6 Institutions

There are a number of Brazilian institutions that share responsibility for guarantying the right to food. We have already examined the main programs and public policies that impact the realization of this right, though it remains to address the degree of efficiency, systems providing accountability, and levels of transparency and decentralization. This section will therefore give a general overview of these aspects, emphasizing mechanisms through which the right to food is monitored, both by government and by society.

As was mentioned earlier, the creation of CONSEA in 1993 was the first serious effort to establish an institution in Brazil based on food security and the right to food. Despite this important experience<sup>69</sup> – and perhaps as a result of its short life – the proposals presented there did not manage, in practice, to go beyond the scope of welfare assistance to communities facing food emergencies.

The elimination of CONSEA with the subsequent appearance of *Comunidade Solidária* in 1995 prevented the consolidation of an institutional structure designed to guarantee food security. Though the new institution widened governmental action in the social area by mobilizing and optimizing the use of resources, as well as streamlining bureaucratic procedures in some government programs,<sup>70</sup> it certainly did not solve any of the most serious structural problems in Brazilian social policy—most notably, the clientist use and short-sighted horizon of public programs. Thus, despite the effort to create a coordinating agency, it was difficult to eliminate the fragmentation that continues to be one of the principal institutional weaknesses in Brazil<sup>71</sup>.

For the range of institutions to be able to guarantee food in a framework of respect for human rights, it is essential not only that they be made efficient and effective, but also more transparent, with more accountability, and that they be more decentralized, so as to better align citizens with public policy. Brazil has a number of oversight mechanisms for the executive, legislative and judicial branches, covering federal, state and municipal government. Outside control is principally

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<sup>68</sup> World Bank (2001), *Attacking Brazil's Poverty: Volume 1*, Washington (in Ziegler, 2002).

<sup>69</sup> The Zero Hunger project recognized: "CONSEA represented an innovation in terms of govern mechanisms in Brazil: direct representatives of the Federal Government and Civil Society discussed proposals that should fasten the hunger and poverty eradication process. Some innovative public policies became viable: descentralization of the National School Food Program, implementation of the National Income and Employment Generation Program; transparency in public resources administration; and creation of PRODEA as a mechanism of use of the public food stocks that are about to be thrown away. The new management procedures implemented, such as the multiple mixed work groups (civil society and government), were also innovative and have consolidated a new practice and a culture of shares public policies.

<sup>70</sup> IPEA, IBAM, UNDP: 1998, Rosende: 2000; in Rangel, 2002.

<sup>71</sup> Rangel, 2002.

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exercised by the Court of Auditors of the Union, while internal controls are exercised by the Office of the Comptroller General of the Union<sup>72</sup>.

In the last few years, Brazil has seen intense participation, which has led to the creation of institutional mechanisms for social control. Though the process has been rather uneven, and has not been evident in all regions, the experience of participatory budget design in cities such as Porto Alegre and São Paulo (as well as Recife to a lesser extent) has been valuable as a way of involving society more fully and increasing the legitimacy of public programs. Participation by society has also occurred through different types of councils, which are a part of various social programs. Though these are important in encouraging social participation, there is sometimes an excessive proliferation of these, leading to fragmentation and wasted effort. Frequently, it is a small group of citizens that participates in decision-making.

In terms of decentralization, there are different degrees in Brazil's institutions, thus general conclusions cannot be ventured.<sup>73</sup> In comparison with other Latin American countries, however, Brazilian social programs may be said to show a high degree of decentralization, both in the distribution of resources and in terms of responsibilities. Though this is positive, it should be examined carefully. For example, a World Bank study of the *Bolsa Escola* program states that decentralization in Brazil has created a "particularly perverse" problem, because municipalities with fewer resources (the ones that most need the benefits of the program) are incapable of financing them, due to their limited capacity to obtain government resources.

The World Bank figures show that, except for the wealthiest urban municipalities, these types of programs can represent a high budgetary burden at the local level, which plays a role in their low coverage rates.<sup>74</sup> Thus, certain decentralization processes may make social spending and territorial development policies more fragile, particularly in terms of the ability of municipal governments to manage the services needed to effectively implement social action. In many cases, these processes have even ended up reinforcing local political cronyism and *coronelismo*, or political patronage<sup>75</sup>.

We have mentioned some of the institutions involved in combating poverty and hunger. It is clear that their experience varies enormously, and that the tendency to innovate in these areas often leads to great fragmentation. "The response to this, however, does not seem to be bureaucratic centralization, but rather the creation of a shared, horizontal agenda by the central government, with operational roots at the state, municipal and community levels, that is systematically legitimized by social oversight and mobilization."<sup>76</sup>

<sup>72</sup> These entities are responsible for review of public accounts and for auditing social programs in which federal funds are involved. The Congress has a similar major auditing role vis-à-vis the executive branch.

<sup>73</sup> In Health and Social Assistance, for example, a good deal of the funds are transferred to states and municipal governments. Income distribution programs, however, have chosen to provide funds directly to families through a bank account, as a way of preventing diversion of funds. Participation in the *Bolsa Alimentação* program must be requested by the municipal government, which is also responsible for selecting beneficiary families, though the programs' rules and general functioning are determined by the federal government.

<sup>74</sup> World Bank, 2002: iii.

<sup>75</sup> Soares, 2001; in Armani, 2003.

<sup>76</sup> See "Disipación de Recursos," an article by Gustavo Gordillo, at: <http://www.jornada.unam.mx/2003/oct03/031013/020a1pol.php?origen=opinion.php&fly=1>

Through the MESA, the new government conducted an assessment that indicated that programs to date have lacked articulation and suffered from a range of operational problems. A decision has been made to keep the existing programs, which are “parts that do not form a whole,” and to articulate and unify them.

Thus, the creation of the MESA, the incorporation of the food security policy in the MDS and the reestablishment of CONSEA represents a substantive difference, since it makes the right to food an explicit objective of public policy, as well as explicitly aiming to coordinate different government agencies with civil society in pursuit of the objective. Another major effort toward better institutional coordination is the recent announcement that direct income transfer programs will be unified under the *Bolsa Familia* program<sup>77</sup> and that the operational system under which they are to function

### A. MONITORING INSTITUTIONS

The Brazilian State has food monitoring systems, as well as systems to provide follow up on the achievement of human rights objectives. However, it has not, until now, had a public agency to monitor enforcement with the right to food.

Brazil has shown interest in creating institutions to protect human rights, and a willingness to be subject to international scrutiny. The creation of the Special Secretariat of Human Rights as a part of the Ministry of Justice was an important step, though it does not yet meet the criteria of independence and autonomy set forth in the Paris Principles,<sup>78</sup> in that it is not an autonomous governmental agency. This weakness has been partially compensated for by the *Ministerio Publico*, which functions at both the federal and state levels and is currently the most important institution in Brazil for citizens to enforce their rights and obtain legal protection.

The 1988 Constitution gave the *Ministerio Publico* functional and administrative autonomy, and this has allowed it to play an increasingly important role in the defense of human rights, including social rights. The Ministry’s responsibilities include the defense of social interests, and it has authority to initiate so-called public civil inquiries to gather information and investigate possible irregularities or violations, and then submit evidence for the inquiry to the judicial branch. The importance of this institution lies in its ability to initiate inquiries into violations of basic rights and to issue recommendations to the government. There have been some important actions in connection with the right to food, particularly regarding malnutrition among children and indigenous groups<sup>79</sup> and in connection with the National School Food Program<sup>80</sup>.

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<sup>77</sup> Through this program, families receiving an income of under R\$ 100 per month are eligible for the benefits of various programs, according to the particular case, by means of a single magnetic card that gives them access to a monthly income.

<sup>78</sup> The Paris principles that regulate the status and functioning of national institutions for the defense and promotion of human rights may be viewed at: <http://www.unhcr.ch/html/menu6/2/fs19.htm#annex>

<sup>79</sup> The *Ministerio Publico* has major responsibility for the protection of indigenous groups. There have been some cases in which—usually indirectly—the Ministry has invoked the right to food. Prosecutor Paulo Leivas, who has worked specifically on indigenous issues in the

One of the most important efforts to create a system for monitoring the realization of social rights has emerged from a group of prosecutors in the federal *Ministerio Publico* who have shown increasing interest in publicizing and promoting the right to food, as well as in influencing public policy in this area. As a result, 26 federal prosecutors, in collaboration with a number of social organizations, created a public civil inquiry to monitor public policy and funding designed to realize the right to food.<sup>81</sup> Similar initiatives have been, and are being, taken at the local level.<sup>82</sup>

Given these efforts, it may be concluded that the *Ministerio Publico* is an innovative model<sup>83</sup> with significant powers. Unfortunately, it lacks funds and personnel to fulfill its function and address the demand of the many cases emerging from Brazil's enormous population.

One pending effort at consolidation involves putting the so-called National Council for the Promotion of the Human Right to Food into operation. The Council was created by decree of President Fernando Henrique Cardoso in May 2002 in response to recommendations of Rapporteur Jean Ziegler. Now that the new government has committed itself to creating a National Human Rights Secretariat (SNDH), making the Council a practical reality is more feasible, and if this occurs, the Council will be the best way of monitoring goals and agreed timeframes, as well as investigating reasons for failures to fulfill goals.

## B. SOCIAL INSTITUTIONS

Civil society institutions have played an essential role in promoting the human right to food in Brazil. Despite the elimination of CONSEA, civil society continued its efforts to include the right

state of R o Grande do Sul, as well as on malnourished children in Porto Alegre, issued two important recommendations based on PIDESC.

They requested the Ministry of Health to make a register of all the indigenous children in the state in situations of food insecurity within 10 days, and to implement the Bolsa Alimentação program for their benefit within 30 days. Another recommendation asked the Ministry of Health to allocate at least 7,386 Bolsas Alimentação to children identified by the Porto Alegre prefecture as being at nutritional risk. The recommendation regarding the right to food of indigenous peoples was issued on September 9, 2002, the one on children on September 9, 2003.

<sup>80</sup> The *Ministerio Publico* looked into the case of PNAE, whose delivery of food purchasing funds to 700 municipalities that failed to submit accounting was suspended by the federal government. The Ministry considered that the fact that authorities failed to meet their responsibilities should not be a reason for denying almost 2.5 million children their right to food. Based on this, the Office of the Deputy Attorney General of the Republic requested new allocations for the purchase of food, and asked that there be an investigation of the prefects.

<sup>81</sup> The public civil inquiry law was signed in Brasilia on May 23, 2003 (Portaria No. 001/03/PFDC/GTPP).

<sup>82</sup> In R o Grande do Sul, for example, a public civil inquiry formed a working group that discusses, proposes and monitors the situation of the state's indigenous communities. The federal *Ministerio Publico*, government officials and non-governmental organizations, participate in the group.

<sup>83</sup> The mission report of United Nations Rapporteur for the Right to Food, Jean Ziegler, pointed to the role and mandate of the *Ministerio Publico* as an example for other nations.

to food perspective in the public agenda over the last few years. One of the most important initiatives in this respect was creating the Brazilian Food and Nutrition Security Forum (FBSAN) in 1998. This is a network of organizations, social movements, individuals, and institutions now comprising over 100 organizations with representation in all of the country's states.

The right to food is a relatively new focus of attention for many of Brazil's social organizations, having been taken on as an issue in the wake of the World Food Summit.<sup>84</sup> One of the first organizations in Brazil to assume the discourse and methods of the right to food perspective was the National Organization for the Human Right to Feed Oneself (FIAN), which has been directly involved in reporting violations of the right to food, principally in cases involving lack of access to land. It has been joined in this effort by a wide range of other national organizations and movements, such as the Pastoral Land Commission (CPT) and the Landless Rural Workers' Movement (Movimento de Trabalhadores Rurales Sin Tierra, or MST).

The historical conjunction of social mobilization and a national movement for human rights has created an encouraging climate for debate on economic, social and cultural rights.<sup>85</sup> It is, to a great extent, due to strong social mobilization that the Brazilian State has intensified efforts to comply with international agreements over the last few years. Thus, in 1999, at the Fourth National Conference on Human Rights held by the Human Rights Commission of the Chamber of Deputies, a series of hearings was held around the country at which different groups stressed the importance of having Brazil take decisive policy measures in the area of social rights.

Since the federal government had not prepared the report on compliance with ICESCR, the organizations prepared an alternative report that was accepted by the Committee, though there had been no previous provision for this procedure. This compromised the government politically and led to the inclusion of an unprecedented section on economic, social and cultural rights in the National Human Rights Plan.

One of the major efforts in the social area is the creation of the so-called Articulation of the Semi-arid Area (ASA), in which over 700 non-governmental organizations and social movements active in the Northeast have worked to build cement cisterns for capturing rainwater—a specific example of measures taken by society in order to realize the right to water and food for families living in the semi-arid region. Thus, through the One Million Cisterns Program, organizations that traditionally took an assistance-oriented approach to communities in emergency conditions (as in the case of Caritas Brazil) have begun to promote a more modern concept of development based on notions of rights and citizenship, one that seeks to change the social situation of communities in a structural sense and help them overcome dependence on local government<sup>86</sup>.

In terms of monitoring the right to food, social organizations have begun to play an increasingly important role. One of the major initiatives has been the Economic, Social and Cultural Rights Rapporteurs' Project, which is part of the Economic, Social and Cultural Human Rights Platform - Brazil, a national network of civil society organizations. Inspired by the United Nations special rapporteurs, the project seeks to monitor the development of these rights and establish a method

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<sup>84</sup> Gómez, 2002

<sup>85</sup> Valente, 2003, interview.

<sup>86</sup> Malvezzi, 2003, interview.

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for advancing them. To this end, it has established rapporteurs in education, health, land, environment, labor, and food<sup>87</sup>.

Today, there is a National Rapporteur's Office for the Right to Food, Water, and Rural Land. Its mission is to conduct research on the exercise of the different rights, and to write national reports that provide critiques and proposals which can serve as references for public policymaking and justiciability in monitoring these rights. The rapporteurs in this project will hold national or regional hearings to hear complaints, assessments and proposals relating to their respective areas of activity.

Financially supported by the Special Secretariat of Human Rights (SEDH) and the Voluntary Program of the United Nations (VPUN), the Rapporteur is appointed by a special commission integrated by representatives from the Economic, Social and Cultural Human Rights Platform – Brazil, the SEDH and the VPUN, to whom she/he is accountable. It is honorary and non remunerated post with a mandate for one year, with the possibility of reappointment. He/she has to conduct at least two missions 'in loco' per year. Further missions can be launched as required.<sup>88</sup>

We have seen how, from Citizen Action Against Hunger and Poverty and for Life, and the creation of the first National Food Security Council, to the formation of the *Fome Zero* program itself, civil society has been playing an increasingly important role in efforts to combat hunger and guarantee the right to food in Brazil. Thus, in the future, the results of this effort will depend to a great extent on the success achieved in bringing together social participation and common objectives.

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<sup>87</sup> Benvenuto, interview, 2002.

<sup>88</sup> The National Rapporteur for the Right to Proper Food, Water and Rural Land, Flavio Valente, submitted the first national report in March 2003. He has also submitted reports on violations of the right to food in the state of Amapá (December 2002), in Rio Grande do Sul (November 2002), in Piauí (February 2003), and in Pernambuco (August 2003). He is currently working on a project with the federal *Ministerio Publico* and the Alagoas *Ministerio Publico* to investigate the use of public funds in school and food supplement programs.

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### 3. EFFECTS OF PUBLIC POLICY ON VULNERABLE GROUPS

There are problems in effectively implementing both policy measures and legislation at the local level, and in incorporating poor communities in the national economy. Thus, these communities are highly vulnerable in regard to the right to food.

This chapter presents an analysis of the effectiveness of governmental institutions, policies and programs in relation to three vulnerable groups visited by our case study team. The objective was to provide a more qualitative evaluation of the realization of the right to food. Hence, we present an analysis that combines the three levels of obligation regarding the right to food with the normative principles that define food security. Finally, we offer some conclusions and present a series of proposals to help these communities advance toward realizing the right to food.

#### 3.1 Landless workers' community Chico Mendes I, Pernambuco.

This research provides a sample of the reality in which landless rural workers live throughout the country, and particularly in the Northeast, where violations of the three obligations in respect to the right to food have a common denominator: lack of access to land and, concomitantly, to work and income. Since government (at the federal, state and municipal levels) is the party primarily responsible for realizing these rights, its acts and omissions make it primarily responsible for the violations. Based on the information in the sidebar below, which is a condensation of the results of the case study and field visit to the community, we conclude that:

The State has not met the obligation to *respect* this community's right to food, in that actions such as that carried out by the military police and measures taken to exclude squatters from the land reform process (Provisional Measure 2183-56) have impeded the inhabitants' ability to create conditions under which they can provide for their own sustenance.

The State has not fully met the obligation to *protect* the right to food, for although it has promulgated laws to prevent powerful individuals or organizations from violating this right, it has not intervened when powerful groups such as that of Joao Santos have evicted workers from their land, nor has it taken action when water was contaminated with herbicides and the community's crops were destroyed.

The State has not met the obligation to *fulfill* the community's right to food in terms of *facilitating*, in that *positive measures designed to treat vulnerable groups individually and apply policies to ensure that they have access to sufficient food, facilitating their ability to feed themselves*, are not made available to squatting landless workers, but only to formally recognized rural settlements.

The State has not met the obligation to *fulfill* the community's right to food in terms of *providing*, since the direct distribution of food is insufficient, and income distribution programs have minimal coverage. The government has, in practice, failed to meet its international obligations, in that it has allowed the population of this community to be victims of food insecurity.

**Community perspective:**

*Executive summary of case study  
Field visit, September 2003*

**To respect**

The obligation to *respect* the right to food has not been met in the community, in that there is a situation of violence in which the military police has blocked entrance to areas of production and taken the community's tools away from it.

Provisional Measure 2183-56 of August 24, 2001 excludes areas occupied by squatters, which are at issue in land conflicts, from the land reform process. This is a failure of the State's obligation to *respect* this community's right to food.

The community's physical and economic access to food, nutritional diversity and the healthiness of its food have been compromised. The inhabitants basically consume rice, beans, flour and "jerimum". They eat only once a day, and living conditions are unhealthy.

**To protect**

The Constitution establishes that property must have a "social function," but government in both the executive and judicial branches fails to observe this provision and does not *protect* access to property for landless workers.

The Brazilian Constitution and international treaties signed by Brazil guarantee legal protection to landless workers. The Land Statute, in effect since 1964, recognizes the need for land reform to improve the distribution of land. Nevertheless, local government does not *protect* the right to food of this community of landless workers, since it places no precise limits on the region's agricultural properties and lacks an effective plan to enforce laws that are technically in effect.

Government also fails in its obligation to *protect* this right in that it has not stopped the formation of armed militias and the activity of groups that carry out attacks on the squatters' means of production. This has had serious impact on the hygiene and healthiness of the food that they consume.

Though the inhabitants say that the community has good water, the water has been intentionally contaminated with herbicides by some of the Joao Santos landowners' group. Dead fish and a strong odor of putrefaction were in evidence at one of the water sources visited.

Though mothers' right to nurse their children is recognized in the law, it is not protected either, since measures to promote and provide information about nursing in the state have not yet been extended to rural areas or to landless workers' settlements. The Family Health program serves the community, but workers assert that the care provided by the area's health workers is insufficient.

**To fulfill**

**Facilitate/Provide**

There are various national policies designed to *facilitate* the right to food by supporting marketing, credit and price guarantees for family farmers. These include the *Plano Safra* and PRONAF. However, this and other squatters' settlements do not have access to these programs as long as their legal situation remains irregular and they do not become formal rural settlements.

The main policy designed to directly *provide* for the right to food in the community is the distribution of basic food baskets. Though the community dislikes the dependency that this creates, it accepts the food in the absence of alternative ways of feeding itself.

According to the National Institute of Land Settlement and Reform (INCRA), 26 kilograms of food per family are distributed monthly. However, the community's workers say that the food arrives late and only lasts 8 days. There are doubts about its hygienic condition, since it is stored in inadequate facilities. On occasion, the milk has produced diarrhea in the children, and in some extreme cases, this has led to anemia.

The school snack benefits only 3 of the community's 75 children, since many stopped attending school (35 kilometers away) because they were harassed by the police. In any case, the implementation of this program has problems, and the social control that should be exercised through the programs' council is not being exercised.

Income transfer programs reach only 10% of the families. Funds from the Program to Eradicate Child Labor (PETI) arrive up to four months late, and some families have been excluded without prior notification.

Based on this study, it can be concluded that only if land reform is implemented, as contemplated in Brazilian legislation, will it be possible for the community to attain food security. In the case of the Chico Mendes I community, the State's inability to prevent violence and the various forms of coercion exercised by the military police on land movements may be considered impediments to the realization of the right to food, as these movements are the primary path to the community's realizing that right.

It is important to note that land distribution is an important first step. To provide communities of landless workers the conditions they need to feed themselves, family farming must be aided through credit and technical assistance, as well as by promoting sustainable practices. As long as this is not carried out, landless communities of workers such as this one require greater and more efficient welfare assistance to cover the needs of their people.

### 3.2 Black community of remaining “quilombolas,” Barra/Bananal, Bahía

The study conducted in the Barra/Bananal community illustrates the situation in which various remaining black communities of *quilombolas* live. Though they have the same rights as other citizens under law, in practice they are subject to hidden discrimination that creates social exclusion and prevents them from enjoying their basic rights. We have analyzed how the right to food is intimately linked to land access.

In the case of the *quilombola* communities, the fact that the 1988 Constitution recognized their right to ancestral lands is of major importance. However, the slowness with which property titles have been granted (in the case of this community, not until 1999) has left many *quilombola* groups without legal recourse.

Based on the comments made in this community, it can be determined that:

The State did not *respect* the community’s right to food, since in planning infrastructure (in this case, a dam) it failed to consider the community’s rights, expropriated their fertile land, and thereby impeded their access to food. Likewise, the State met the obligation to *protect* the community’s right to food by recognizing the ancestral *quilombola* lands. However, it failed to meet this obligation in that it took over 10 years to make the recognition a reality.

Moreover, the State failed to meet the obligation to *fulfill* the community’s right to food in terms of *facilitating*, in that it has not been able to create mechanisms that make the community eligible for programs that support vulnerable groups and productive activities. The State did not meet the obligation to *fulfill* the community’s right to food in terms of *providing*, in that income transfer programs do not reach the majority of people in need of them.

#### Community perspective:

##### (a) Executive summary of case study

Field visit, October 2003

#### To respect

The construction of the Luiz Vieira dam on the Brumado River between 1976 and 1983 was a measure by the National Department of Anti-Drought Works (NDOCS) that failed to *respect* the community’s right to food, in that it expropriated fertile land and flooded the main growing areas.

There are currently no regular activities or effective mechanisms in the nutritional area that ensure the community’s right to food. In addition, the community has no treated water, thus increasing the risk of poisoning by direct or indirect ingestion.

It is clear that the community’s sustainable agricultural practices have not been respected, since the deprivation of land destroyed its crop diversity as well as the sugar cane production that was its major source of money and insertion in the market.

**To protect**

The 1988 Constitution recognized the *quilombola* communities' ancestral lands. However, as a result of social pressure, it provided this community no property titles before 1999. It thus failed to *protect* the community's right to food.

In terms of nutrition, there is no regulation of food production or programs to guarantee people proper nutritional information. Though there is a Health Monitoring Code, enforcement does not usually reach rural communities such as this one. The right of mothers to nurse their children up to at least six months of age is not ensured either, since they are forced to bring their children to their workplaces.

Access to potable water is regulated by Federal Law No. 9.433, which considers water to be a public good and limited natural resource which, in the event of scarcity, should be used for human and animal consumption. There is also a state law that recognizes water as a right. This legislation, however, is not fully respected. The community suffers serious problems of water supply and lack of water treatment.

There are no government programs or actions to *protect* local food customs, nor is there proper regulation to *protect* local producers' access to traditional varieties of seeds and grains. The Bahia Agricultural Development Enterprise (EBDA) rarely distributes seed beans to the community, and when it does, it does not necessarily provide traditional species.

There is a Sustainable Regional Development Program for Chapada Diamantina, but the community is not yet a part of it. Those programs designed to create local agribusiness do not reach the community, nor are measures to prevent soil and water pollution enforced here.

**To fulfill****Facilitate/Provide**

Expropriation of the most fertile land reduced crop diversity, which compromised the community's ability to feed itself. Though there is a federal program designed to provide customized service to target family farmers (PRONAF), the community has not had access to it to date. Thus, the State has not met the obligation to *fulfill* its right to food.

Though the community lacks food self-sufficiency, measures designed to *provide* for the right to food are insufficient and have insufficient coverage. Only 30% of the families have regular access to federal income transfer programs, and 23 families are simultaneously enrolled in the *Bolsa Escola* (which only covers families with children between 8 and 15 years of age) and Auxílio-Gas.

The program with the greatest coverage in the community is the National School Food Program (PNAE). Despite its major importance, this program has been intermittent, and it is not in tune with the food preferences of the community or with recommended nutritional requirements. The products provided are predominantly canned and artificial, aside from fruits, legumes or other vegetables, and the health conditions of the facilities in which they are processed are poor.

Improving the life of this community requires, first of all, supporting and respecting the local culture, and taking its form and vision as a basis for action. One reflection of this would be to make collective land ownership possible. Beyond this, the community's social integration must be promoted. This seems essential to ensure the community's access to fertile soils and to reestablish its productive base through credit and training programs for family farmers. These elements, without jeopardizing local traditions, could allow the inhabitants to create the capacity to fulfill their basic needs.

### **3.3. *Favela* community of Sururu de Capote, Alagoas.**

In contrast to the communities described above, Sururu de Capote is not a rural or isolated community, but a peripheral urban one excluded from the economic activity of the city. The main reason that the right to food is not in effect here involves not access to land, but rather the inhabitants' lack of opportunity for sufficient income to satisfy their basic necessities.

As a result, they have installed themselves in a location lacking even minimal health and hygiene conditions. Recognizing this, the State should meet its obligation to implement measures that make it possible for the population to feed itself. However, the State has virtually no presence here. Hence, we conclude that:

The failure of the State to act is a failure to *respect* the community's right to food, since by taking no action to remove trash or maintain the lagoon in proper conditions for fishing, it is depriving the inhabitants of their right to proper nourishment.

Likewise, the State does not *protect* the community's right to food, in that it does not fully comply with existing nutritional, health and environmental standards, nor does it have a system to monitor compliance with them.

The State has not met the obligation to *fulfill* the community's right to food in either of its dimensions, since it has developed practically no public programs in the community, and existing programs lack sufficient funding to serve this community.

**Community perspective:**

*Executive summary of case study  
Field visit, September 2003*

**To respect**

There are serious omissions on the part of the State, and they constitute a failure to *respect* the community's right to proper nourishment, in terms of nutrition and hygiene.

The prefecture has not taken the measures needed to remove the garbage dumping facility next to the community, nor to improve the healthiness of its food. Sururu fish, for example, has a high percentage of fecal matter, making it unfitted for human consumption.

In decree No. 4.680/2003, the federal government authorized the use of genetically modified soy and allowed it to be marketed in December 2003 pursuant to a provisional measure, which some have considered to be a violation of the right to food.<sup>89</sup>

**To protect**

There is legislation that guarantees access to drinkingwater and defines it as a public good with respect to which social needs take priority over private property rights. Criticism of the Brazilian Water Resources Law, however, has led to distortion of these priorities.

Though there is regulation to ensure that food production meets nutritional standards, and though there is a Health Monitoring System, monitoring is lacking and regulations are not always enforced in communities such as this.

The right of mothers to nurse their children to the age of at least 6 months is enshrined in the law. However, the state of Alagoas has the lowest nursing indices in the country, and little has been done to encourage and promote it in the community.

Furthermore, the lack of access to any type of identity document prevents many mothers from accessing health programs or prenatal courses provided at health facilities.

Federal approval of genetically modified soy took place without duly informing consumers, though such information is a necessary element in respecting their right to food.

In terms of the environment, though there is national legislation to *protect* soil and water from contamination, public policy to implement this is lacking in the community. The lagoon shows high levels of pollution that lead to a great loss of fish and make the fish unfit for human consumption. The reason for the pollution is that the inhabitants do not have a sanitation system, while sugar refineries release a large

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<sup>89</sup> This is the opinion of Alexandra Beurlen, Promoter of Justice at the Alagoas Ministerio Público.

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quantity of harmful chemicals into the environment.

**To fulfill**

**Facilitate/Provide**

Since the State has failed to carry out public programs in the community to allow the inhabitants to achieve the conditions needed to feed themselves and thus *fulfill* their right to food, the guarantee of this right must be *provided* by the State through food distribution programs.

In this respect, the only program implemented at the local level is the “milk program,” through which the Maceió prefecture distributes directly to children 6 months to 3 years of age who are at nutritional risk. The program has not allocated the funds needed to serve all children at risk, distribution is carried out on an irregular basis, and the program has been used for electoral ends.

The School Food Program has serious problems. Both the state government and the prefecture consider it to be exclusively a federal responsibility and therefore do not contribute supplementary resources. Thus, the snack is based simply on a minimum government allocation (whose per capita value is R\$ 0.13, less than the price of a piece of bread). There are frequent cases of fraud and misappropriation of funds, both in buying food for the school snacks and in other use of the funds. Furthermore, the storage and preparation of the food is not hygienically sound. The *Ministerio Publico* held hearings in various municipalities and found that the stored food was infected with bat feces, and that a number of packages had been broken open by rats.

The income distribution programs that exist in the community (*Bolsa Escola*, *Bolsa Alimentação*, Eradication of Child Labor) have very limited coverage, and the funds that they provide families are insufficient. One of the main problems is that only those who have a birth certificate or identity document (which much of the population does not) are eligible for these programs.

Currently, Sururu de Capote is not considered a high policy priority by local or federal government (perhaps because it is an urban community within the state capital). Hence, improving its conditions depends on the government’s recognizing the situation in which the inhabitants live and transcending the simplistic logic that defines these people and their rights, in terms of the fact that they live in an irregular settlement. There is a legal basis (Provisional Measure 2.220/01) for properly recognizing this group as a vulnerable group that should be the target of specific public policy designed to ensure its right to food, health, education, etc.

## CONCLUSIONS AND LESSONS

The analysis we have presented on the right to food in Brazil, and the related institutions, provide a general overview. Given the lack of a precise means of measuring effects, it does not represent an evaluation of programs and policies. In view of these constraints, and based on the observations presented, the following conclusions and recommendations can be made:

Though the Brazilian State has made considerable efforts to improve the population's standard of living, it should be noted that progress is insufficient if considered in comparison with the economy's real growth and the country's limited demographic expansion. Brazil has no overall food shortage, so that the food insecurity situation of specific population groups is due primarily to the lack of either a minimum income to purchase food on the market or the conditions to produce needed amounts of food.

Though poverty, hunger and malnutrition have been reduced, the pace of reduction is far from reaching the goals established at the Millennium Summit in 2000 and the World Food Summit in 1996, which made a commitment to halve the number of people suffering from hunger and extreme poverty by 2015. The unsatisfactory progress is essentially due to unequal income distribution and inequality in land ownership, as well as extremely uneven regional development. These three forms of inequality generate a vicious circle that substantially reduces the impact of public policy.

Historically, Brazil has a tradition of clientism and reliance on welfare assistance which, particularly among the poorest populations, leads to confusing rights with favors. It is therefore necessary to move toward a true culture of rights, and a modern approach to welfare assistance in which the citizenry is made aware of its rights, while a clear consciousness of obligation is instilled in public servants. This is possible only through an appropriate policy regarding information and education.

After observing the high degree of inequality in Brazil, it can be concluded that, in order to guarantee the right to food, an authentic income redistribution strategy must be put in place, opportunities for regional development must be created, and, most important, significant progress must be made in land reform. Only measures that actually increase access to land, and to productive resources in general, will make it possible to create the conditions under which people can feed themselves and do so without provisions supplied by the State. It is important, however, that land reform not be limited to land redistribution, but that it also be designed to meet the need for credit and technical assistance.

In terms of combating poverty, hunger and malnutrition, Brazil has been making a transition from direct distribution of food or basic baskets programs to transfer income programs directed to families. This is important in that it empowers the citizen, inhibits clientism and encourages transparency. Furthermore, to the extent that the distribution of resources is linked to conditions such as children's school attendance (the *Bolsa Escola*) or enrollment with health workers (the *Bolsa Alimentação*), long-term structural changes are possible.

Despite the importance of direct food distribution programs, it must be recommended that measures of this sort be the last resort for guaranteeing the right to food. Thus, most efforts should

be dedicated to creating conditions under which people can feed themselves. PRONAF is positive in this respect, in that it has created specific credit lines for family farmers. Programs like this must increase coverage and improve efficiency, so as to reach the most needy farmers.

It can generally be concluded that the Brazilian State has lacked public policies that encourage the social inclusion of the most vulnerable groups, as well as effective policy to identify them. Lack of access to land, as well as lack of credit or income transfer policies that help relevant communities to produce, aggravate the situation. Hence, specific policies must be designed with these groups in mind, and they must channel the needed resources efficiently and effectively. Measures to stimulate consumption and production of food within the most isolated communities can be a positive alternative.

There is evidence that the Brazilian State has not spent the maximum available resources to eradicate poverty, hunger, and malnutrition. Policies to guarantee the right to food for the most vulnerable groups have not succeeded in reaching all those who are in need of them. Thus, we recommend that a budget review be conducted, in order to ensure that this occurs. In addition, the efficiency of existing programs should be improved so as to ensure that resources reach the poorest.

A view of public policy based on the right to food should start with the principle of universal human rights. In this sense, the right to food must be understood as related to other rights, such as the right to land, water, sanitation, health, work, housing, and other civil and political rights, such as the right not to be discriminated against. The inseparability of human rights should be the axiom on which any public policy is based, so that one right cannot be used to the detriment of other rights.

Whenever possible, rights must be guaranteed for all. Only when there are not enough resources to do this, or concrete means are lacking, should a strategy of targeting benefits primarily to the poorest families be followed. Even then, the goal of making the strategy universal in the medium term must not be overlooked.

It is desirable to decentralize social programs designed to guarantee the right to food, encouraging citizens' participation into decision making and providing for greater exercise of their rights and obligations. However, it must not be forgotten that in a nation with precarious conditions at the local level, coordinated federal policy is essential to guarantee the right to food. Furthermore, the central government is important in exerting controls so that public funds are not used for private ends.

The judicial branch of government has great responsibility for helping guarantee the right to food. Its arsenal includes different instruments, specially the public civil suit. For these to be used in connection with the human right to food, however, the judicial branch must alter its traditional behavior. This can occur through reform, as well as by increased exchanges with national and international human rights organizations.<sup>90</sup>

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<sup>90</sup> The board proposed that FAO hold an international seminar on the realization of the right to food within the High Court of Justice (a suggestion made at the judicial branches Study Center), possibly involving members of the United Nations Human Rights Committee, in order to discuss this subject with ministers and other Brazilian jurists and enhance the work that these organizations have been carrying out.

The Brazilian State's human rights organizations lack full autonomy and pluralism, since they do not fully follow the principles set forth in the Paris Principles. They must be made more independent, and a national system to monitor human, economic, social, and cultural rights is needed. It is recommended that a proposal to create a Council for the Promotion of the Human Right to Food be studied carefully. Moreover, all of these bodies must function with independence and autonomy, and must have the authority to issue recommendations.

The existence of the *Ministerio Publico* as an autonomous governmental body for the defense of individual and collective rights is positive, in that it has functioned transparently, guaranteeing participation by those who are the objects of policies and programs, articulating with non-governmental organizations in promoting human rights, and creating new fora for coordination and consensus building. To increase the effectiveness of the Ministry, we suggest that it be given more personnel and funding, while encouraging greater dialogue and cooperation at the national and international levels.

The Food and Nutrition Monitoring System (SISVAN) is fragmented, and its use is limited to certain programs. It must therefore be enlarged, and other existing systems must be integrated with it, in order to effectively monitor the right to food. A single assessment system is needed to create uniform indicators, goals and timeframes for realizing the right to food. This process can be enhanced through partnerships with the *Ministerio Publico* and the Court of Auditors of the Union (Tribunal de Cuentas de la Union, or TCU).

Though the creation of direct income distribution programs has had a measurable positive impact on poverty, more detailed assessments are needed to ascertain to what extent families' food and nutrition has actually been improved. For this purpose, the programs must have articulated systems to monitor and evaluate their progress toward the realization of the right to food.

Brazil has begun to play a leadership role in attempts to combat hunger and in guaranteeing the right to food at the regional and world levels. This has been made possible by the government's willingness and openness vis-à-vis both international scrutiny and participation by civil society. The incorporation of the right to food among the principal objectives of the country's food security policy, Zero Hunger, and the creation of CONSEA, MESA and the MDS, show that the country is in the process of building an institutional structure that incorporates a vision of human rights.

The recent announcement of the unification of various different income transfer programs within the *Bolsa Familia* program represents the potential to increase inter-institutional coordination and end the fragmentation that has characterized social policy in Brazil. For a unification of this sort to be successful, however, a strong component of promoting the human right to food must be included.

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For these efforts to succeed, public policies must increasingly be viewed within a framework of human rights, so that what has been developed in discourse can be translated into a new development approach in which public policies do not constitute government concessions designed from the top down, but rather reflect the obligation to guarantee universal human rights for all.

For these efforts to succeed, public policies must increasingly be viewed within a framework of human rights, so that what has been developed in discourse can be translated into a new development approach in which public policies do not constitute government concessions designed from the top down, but rather reflect the obligation to guarantee universal human rights for all.

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**Beghin, Nathalie**, IPEA consultant, Director of Acción Brasileña por la Nutrición y los Derechos Humanos (ABRANDH).

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**Betto, Frei**, Special Adviser to the President of the Republic and Coordinator of Social Mobilization of the Zero Hunger Program.

**Beurlen, Alexandra**, Prosecutor of the *Ministerio Público* of the state of Alagoas.

**Bianchini, Valter**, Secretary of Family Agriculture.

**Brancher, Julio Cesar**, President of CEPO, Río Grande do Sul.

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**De Souza Martins, José**, Writer and Professor at the University of São Paulo, member of the External NGO/CSO Advisory Council of the FAO Regional Office for Latin America and the Caribbean.

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**Henderikx, Elisabeth Maria Gerarda Johanna**, Technical coordinator of ADITEPP, and Paulo José Portes, Deputy Director; Paraná.

**Leivas, Paulo Gilberto Cogo**, Prosecutor of the *Ministerio Público Federal*, Rio Grande do Sul.

**Lopes de Freitas, Márcio**, President of the Organization of Brazilian Cooperatives (OCB).

**Maia, Luciano**, Prosecutor of the *Ministerio Público Federal*, Region V.

**Malvezzi, Roberto**, Member of the National Coordination Office of the Pastoral Land Commission (CPT).

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**Menezes, Francisco**, Director of Policy and Planning of the Instituto Brasileiro de Estudos Sociais y Económicos (IBASE).

**Miranda, Nilmário**, Secretary of State for Human Rights.

**Monteiro, Carlos**, Professor at the School of Public Health of the University of São Paulo.

**Oliveira, Celso**, Consultant of the Association of Northeastern Cooperatives (ASSOCENE).

**Oliveira, Patrick**, Coordinator of Vida Brasil, Fortaleza, Ceará.

**Paranhos, Marcelo** and **Jonas Silver**, Coordinators of SASOP in the municipalities of Remanso and Campo Alegre de Lourdes, Bahia.

**Passos, Sonia** and **Schmidt, Davi Luiz**, staff involved in the design of Zero Hunger, at the Secretariat of Municipal Government of the Prefecture of Porto Alegre.

**Peixoto, Luiz**, Secretary General of FIAN – Brasil.

**Peliano, Anna Maria**, Coordinator of the Social Area of the Instituto de Investigación Económica Aplicada (IPEA).

**Pinheiro, Margarita**, General Coordinator of Cetra, Fortaleza, Ceará.

**Pinheiro, Maristela**, Coordinator of ESPIAR, Centro de Investigación y Asesoría, Fortaleza, Ceará.

**Recine, Elisabetta, Oliveira, Michelle**, former Technical Director of the *Bolsa Alimentação* program and currently Coordinator of Implementation.

**Rolenberg, Eliana** and **Matos, Olga**, Executive Director and Project Advisor of the Ecumenical Service Coordinator (CESE), Salvador, Bahia.

**Silva, Sonia**, former Secretary of Planning and Evaluation of the Ministry of Social Assistance and Security, Ministry of Social Assistance.

**Suniga, Rosa Rogério**, Organic Agriculture Association of Paraná (AOPA), Paraná.

**Suplicy, Eduardo**, Senator of PT, Professor of Economics of the Fundação Getúlio Vargas.

**Surita, Rita**, Coordinator of CAPA, Rio Grande do Sul.

**Tavares, Sila**, Coordinator of the Centro de Nutrição de Conjunto Palmeiras, Fortaleza, Ceará.

**Thiago, Torlby, Novaes, Joao Arnaldo**, Official of the Pastoral Land Commission (CPT) in Pernambuco and Judicial Advisor to the CPT.

**Torrens, Joao**, Department of Rural Socioeconomic Studies (DESER), Paraná.

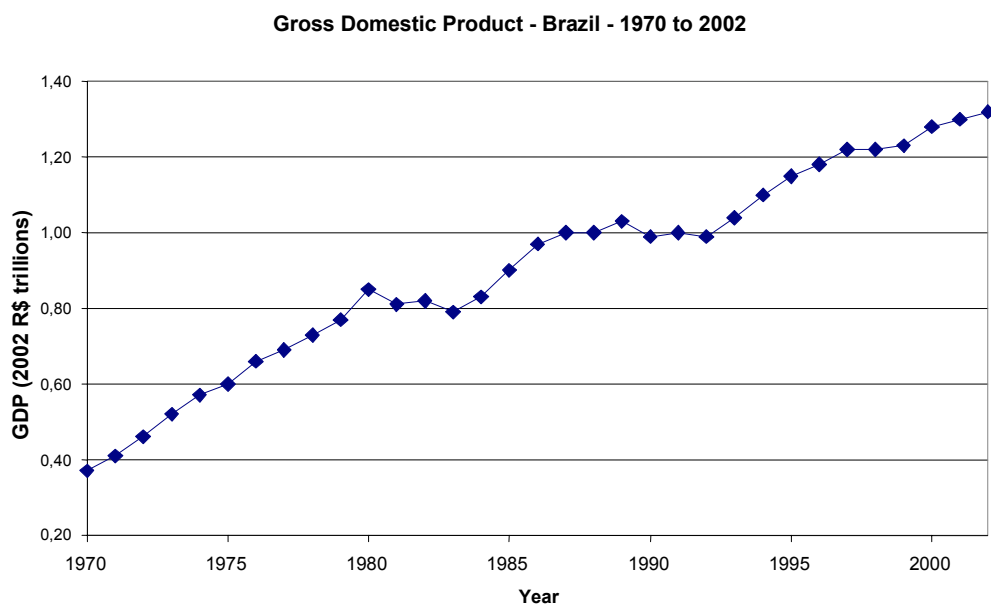
**Tortelli, Altemir**, President of the Federation of Family Agricultural Workers (FETRAF).

**Valadares, Antonio Carlos**, Senator for PSB, author of the proposed amendment to Article 6 of the constitution (on inclusion of the right to food).

**Valente, Flavio**, National Rapporteur for the Right to Food, Water, and Rural Land.

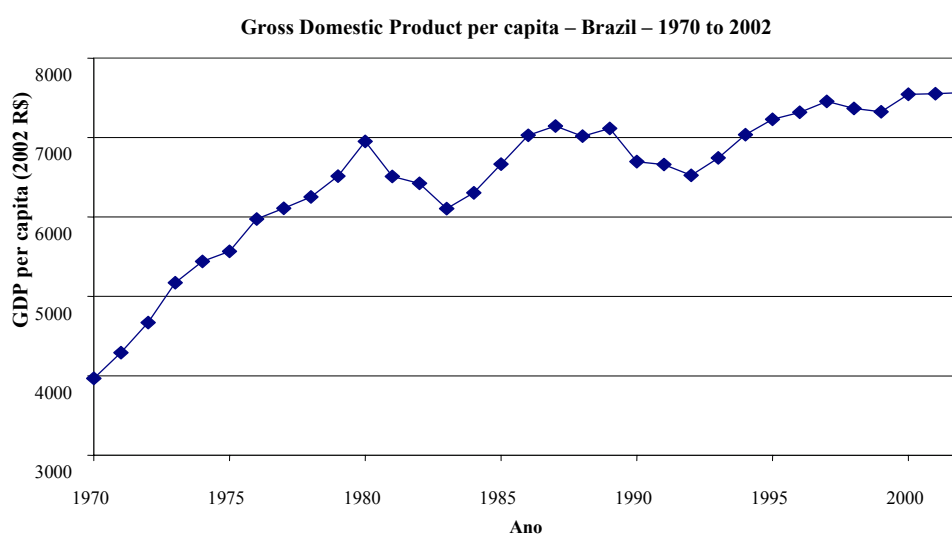
**Ziegler, Jean**, United Nations Special Rapporteur on the Right to Food.

## STATISTICAL ANNEX

**Estimate of Gross Domestic Product – 1970 to 2002**

Source: IPEADATA, based on IBGE data – System of National Accounts

Note: Series estimated based on the 2002 nominal value of GDP (IBGE New System of National Accounts) and the real annual rate of change in GDP (IBGE).

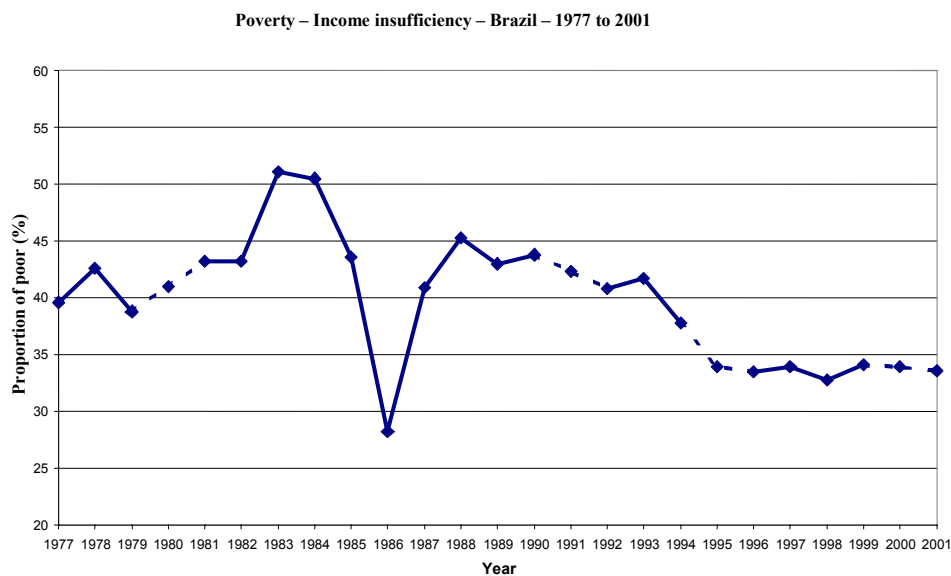
**Per capita Gross Domestic Product – 1970 to 2002**

Source: IPEADATA, based on IBGE data – System of National Accounts and Population Estimates

Note: Series estimated using the nominal implicit GDP deflator and the resident population as of July 1.

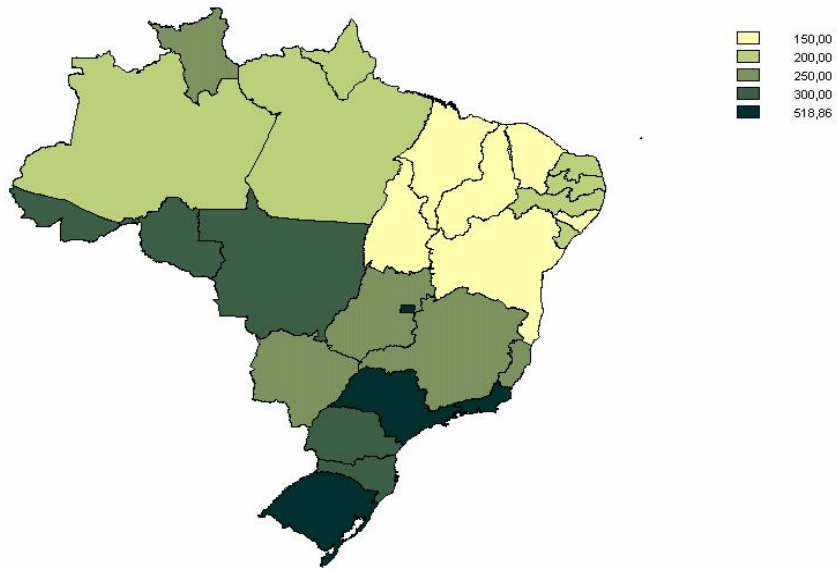
The general trends in per capita GDP are the same ones seen in the behavior of total GDP. The chart clearly shows the accelerated growth of the 1970s, as well as the periods of recession and economic stagnation in the 1980s, and the reduced growth with a tendency to stagnation of the 1990s. This indicates that demographic questions relating to the magnitude and rate of growth of the Brazilian population are not relevant for explaining fluctuations in GDP.

### **Historic changes in poverty – Income insufficiency – 1977 to 2001**

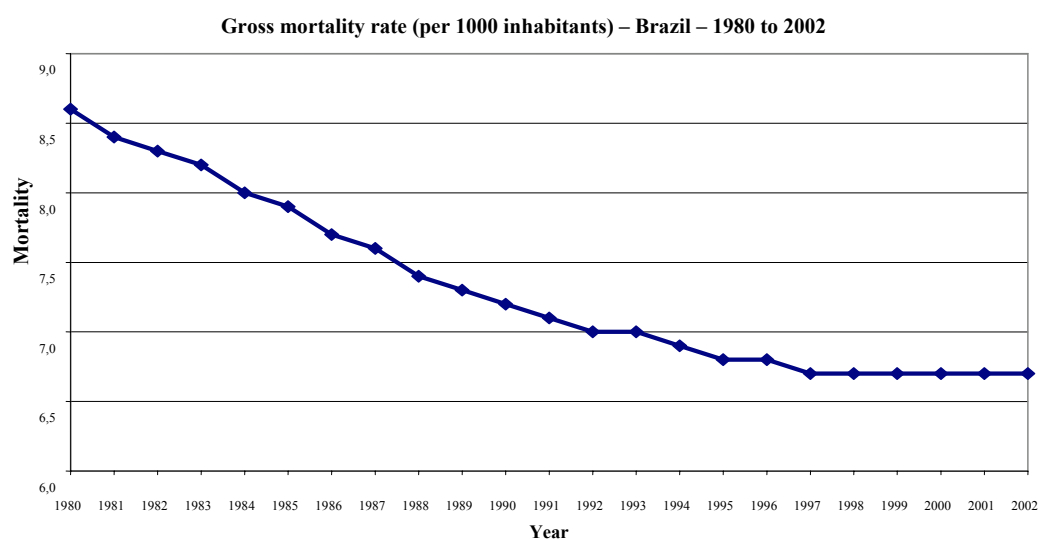


Source: IPEADATA, based on PNAD and IBGE data

Note: Proportions for 1980, 1991, 1994 and 2000 obtained by interpolation

**Per capita income distribution by state - 1999**

Source: IBGE-PNAD 1999

**Historic changes in gross mortality (per 1000 inhabitants) - 1980 to 2002**

Source: IBGE–DEPIS, Division for the Study and Analysis of Demographic Dynamics

**Estimates of infant mortality by region - 1997 to 2000**

Region	1997	1998	1999	2000
Northern region	36.0	34.6	33.9	28.9
Northeastern region	58.3	53.5	52.4	44.9
Southeastern region	26.1	22.1	20.6	19.1
Southern region	24.0	18.7	17.2	17.1
Central-Western region	27.1	25.6	25.1	21.9
<b>Total</b>	<b>37.4</b>	<b>33.1</b>	<b>31.8</b>	<b>28.3</b>

Sources: IBGE/Population Estimates and MS/Funasa/CENEPI/SIM and SINASC

**Adult illiteracy rate – Brazil – 2001**

State	Adult illiteracy
Rondônia	9.7
Acre	17.5
Amazonas	7.9
Roraima	11.9
Pará	11.0
Amapá	5.7
Tocantins	18.4
Maranhão	24.8
Piauí	31.0
Ceará	26.2
Rio Grande do Norte	24.2
Paraíba	27.1
Pernambuco	22.6
Alagoas	32.3
Sergipe	22.0
Bahia	23.5
Minas Gerais	10.4
Espírito Santo	10.8
Rio de Janeiro	4.5
São Paulo	4.9
Paraná	7.5
Santa Catarina	4.8
Rio Grande do Sul	4.9
Mato Grosso do Sul	8.3
Mato Grosso	11.7
Goiás	11.0
Federal District	5.6
Brazil	11.5

Source: IBGE–PNAD 2001

**School attendance by age and state - 2001**

State	Non-attendance					Total
	0-3 years	4-6 years	7-14 years	15-17 years	18-24 years	
Rondônia	96%	47%	6%	22%	74%	66%
Acre	97%	45%	5%	27%	54%	61%
Amazonas	95%	46%	5%	17%	63%	62%
Roraima	86%	28%	3%	11%	68%	61%
Pará	91%	31%	5%	23%	62%	63%
Amapá	85%	48%	1%	14%	47%	69%
Tocantins	97%	52%	5%	17%	63%	64%
Maranhão	93%	31%	5%	22%	67%	62%
Piauí	90%	28%	4%	18%	59%	62%
Ceará	83%	20%	4%	20%	66%	64%
Rio Grande do Norte	85%	24%	4%	20%	64%	65%
Paraíba	91%	30%	4%	21%	65%	66%
Pernambuco	89%	32%	6%	26%	66%	67%
Alagoas	92%	34%	7%	23%	65%	66%
Sergipe	89%	25%	4%	24%	61%	65%
Bahia	92%	33%	5%	18%	60%	65%
Minas Gerais	91%	37%	3%	21%	72%	71%
Espírito Santo	87%	37%	4%	28%	72%	70%
Rio de Janeiro	87%	26%	3%	14%	64%	72%
São Paulo	88%	31%	2%	14%	69%	71%
Paraná	89%	45%	3%	25%	71%	71%
Santa Catarina	84%	31%	2%	17%	68%	69%
Rio Grande do Sul	90%	53%	3%	20%	70%	73%
Mato Grosso do Sul	93%	48%	3%	26%	77%	71%
Mato Grosso	94%	49%	3%	23%	71%	68%
Goiás	96%	47%	3%	19%	65%	68%
Distrito Federal	88%	35%	3%	13%	59%	65%
Brazil	89%	34%	4%	19%	67%	69%

Source: IBGE–PNAD 2001

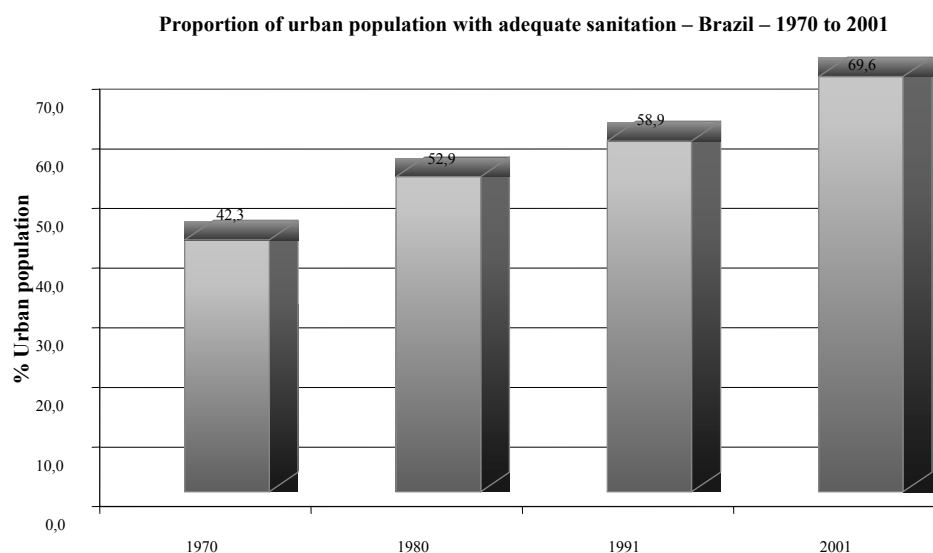
<sup>1</sup> Valente, 2003.

**Access to water in the home – 2000**

Type of access	Brazil	North	Northeast	Southeast	South	Center-West
<b>General network</b>	78%	48%	66%	88%	80%	73%
<b>Well or spring</b>	16%	39%	16%	10%	18%	24%
<b>Other</b>	7%	13%	17%	2%	2%	3%
<b>Total</b>	100%	100%	100%	100%	100%	100%

Source: IBGE-2000 Demographic Census

<sup>1</sup> Malvezzi, interview, 2003

**Proportion of urban population with adequate sanitation - 1970 to 2001**

Source: IBGE–Demographic Censuses and PNAD 2001

**Proportion of population with adequate water service, sanitation and garbage collection, by state and location - Brazil – 2001**

State	Urban	Rural
	Inadequate	Inadequate
Rondônia	77%	n/a
Acre	75%	n/a
Amazonas	59%	n/a
Roraima	21%	n/a
Pará	67%	n/a
Amapá	58%	n/a
Tocantins	84%	100%
Maranhão	58%	97%
Piauí	39%	100%
Ceará	57%	100%
Rio Grande do Norte	35%	84%
Paraíba	46%	99%
Pernambuco	54%	98%
Alagoas	70%	100%
Sergipe	23%	100%
Bahia	41%	97%
Minas Gerais	18%	98%
Espírito Santo	30%	99%
Rio de Janeiro	20%	87%
São Paulo	8%	72%
Paraná	35%	94%
Santa Catarina	20%	95%
Rio Grande do Sul	23%	94%
Mato Grosso do Sul	79%	100%
Mato Grosso	61%	100%
Goiás	63%	100%
Distrito Federal	11%	86%
Brazil	30%	95%

Source: IBGE-PNAD 2001

**Access to electrical energy - 1991 and 2000**

State	% of persons living in homes with electrical energy, 1991	% of persons living in homes with electrical energy, 2000
Brazil	84,9	93,5
Acre	62,8	76,2
Alagoas	75,8	89,9
Amapá	84,7	95,4
Amazonas	73,1	82,2
Bahia	68,9	81,0

Ceará	65,8	88,3
Distrito Federal	98,3	99,7
Espírito Santo	93,3	98,7
Goiás	87,2	97,2
Maranhão	58,9	78,7
Mato Grosso	74,3	89,4
Mato Grosso do Sul	88,2	95,6
Minas Gerais	85,3	95,6
Paraíba	72,6	94,4
Paraná	90,9	97,7
Pará	64,1	76,7
Pernambuco	80,3	95,4
Piauí	53,8	74,7
Rio de Janeiro	98,3	99,5
Rio Grande do Norte	82,7	94,3
Rio Grande do Sul	92,2	97,9
Rondônia	60,3	83,9
Roraima	78,1	86,2
Santa Catarina	94,8	98,6
São Paulo	99,1	99,7
Sergipe	79,8	91,8
Tocantins	51,4	77,4

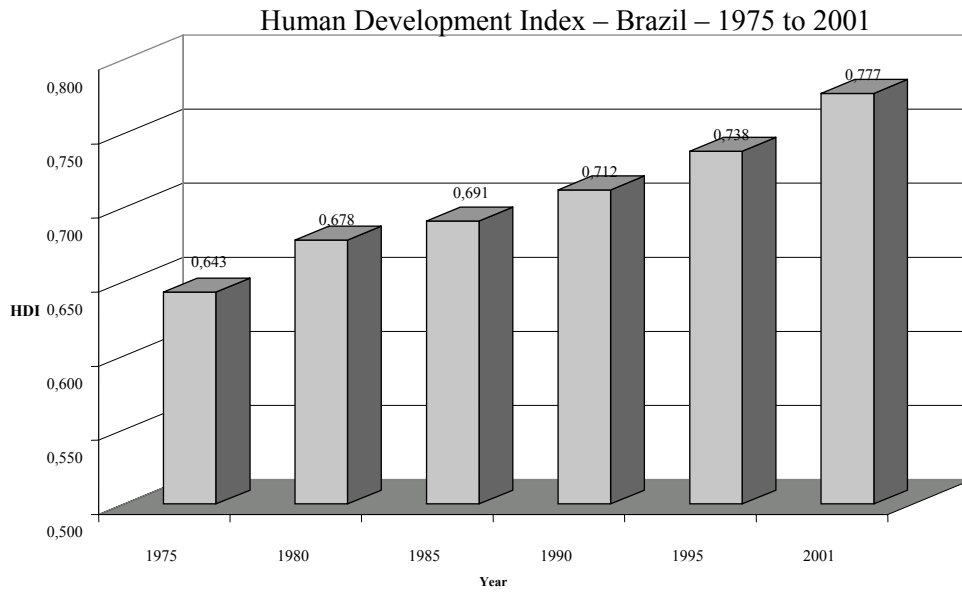
Source: Atlas of Human Development in Brazil

***Kilometers of paved roads and percentage of paved roads - 1997, 1999 and 2000***

<b>Region</b>	<b>1997 (Km)</b>	<b>1997 (%)</b>	<b>1999 (Km)</b>	<b>1999 (%)</b>	<b>2000 (Km)</b>	<b>2000 (%)</b>
North	9,475	9.8%	12,083	11.7%	12,394	12.0%
Northeast	41,763	10.5%	44,693	11.0%	45,232	11.2%
Southeast	52,574	11.0%	54,216	10.6%	54,184	10.6%
South	29,820	6.5%	32,441	6.8%	32,364	6.8%
Central-western	17,204	7.6%	20,814	9.1%	20,814	9.1%
Brazil	150,836	9.1%	164,247	9.5%	164,988	9.6%

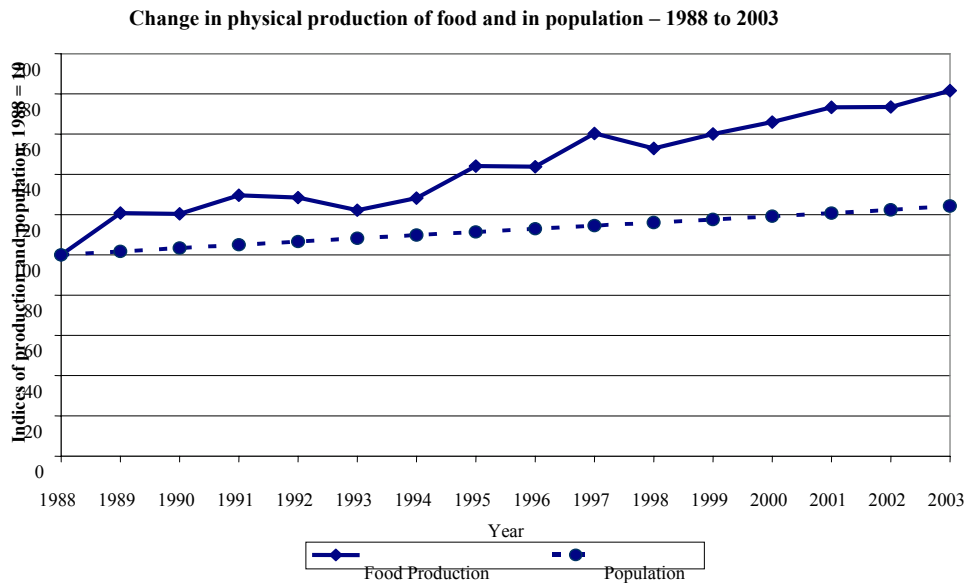
Source: DNER

**Human Development Index – Brazil – 1975 to 2001**



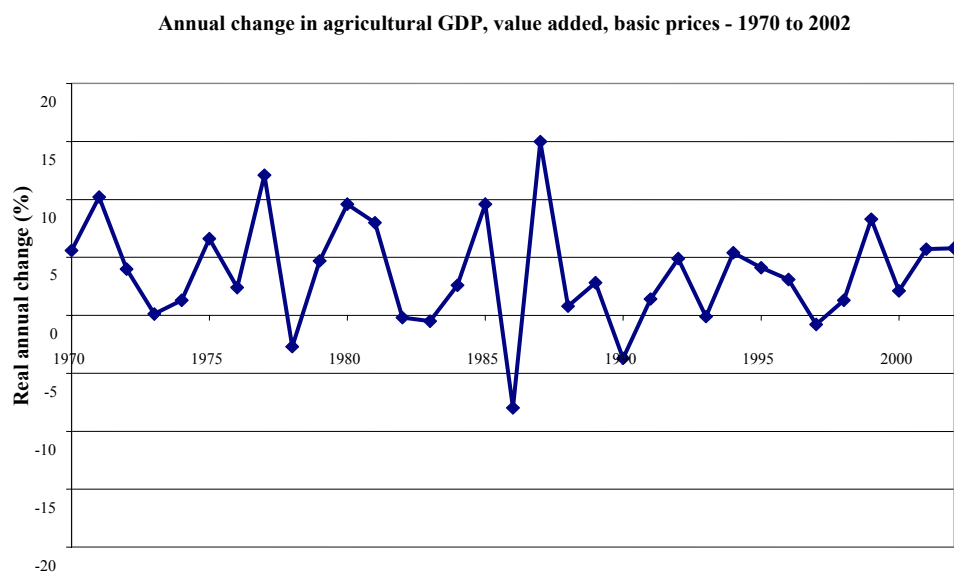
Source: Human Development Report, 2003.

**Change in physical production of food and in population – 1988 to 2003**



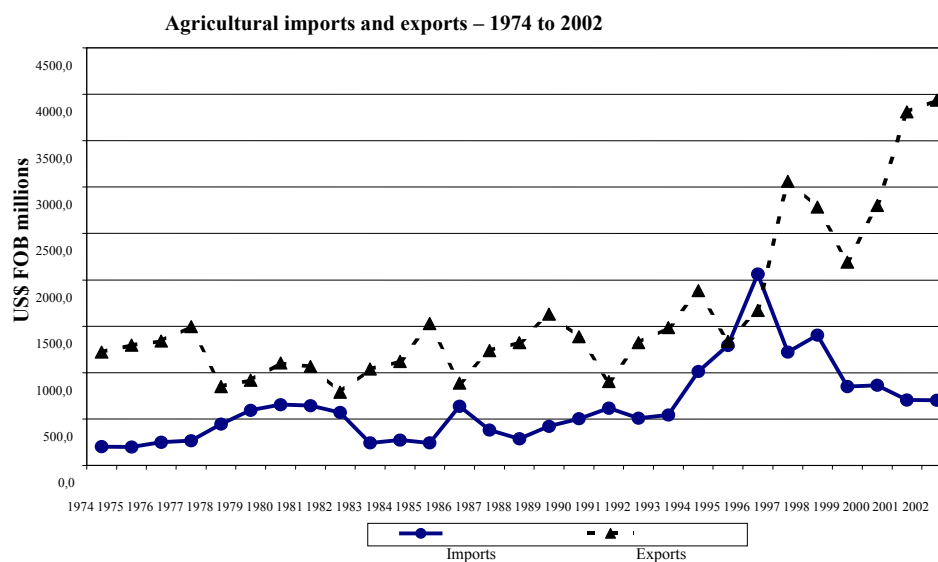
Source: Food production – Brazilian Food Industry Association, Abia-Brasil (ABIA) Survey, Study of trends in food industry, indices based on estimates for June Population: IBGE, population as of July 1

### Annual change in agricultural GDP, value added, basic prices - 1970 to 2002



Source: Brazilian Institute of Geography and Statistics, New System of National Accounts (IBGE SCN/Annual Accounts)

### Agricultural imports and exports – 1974 to 2002

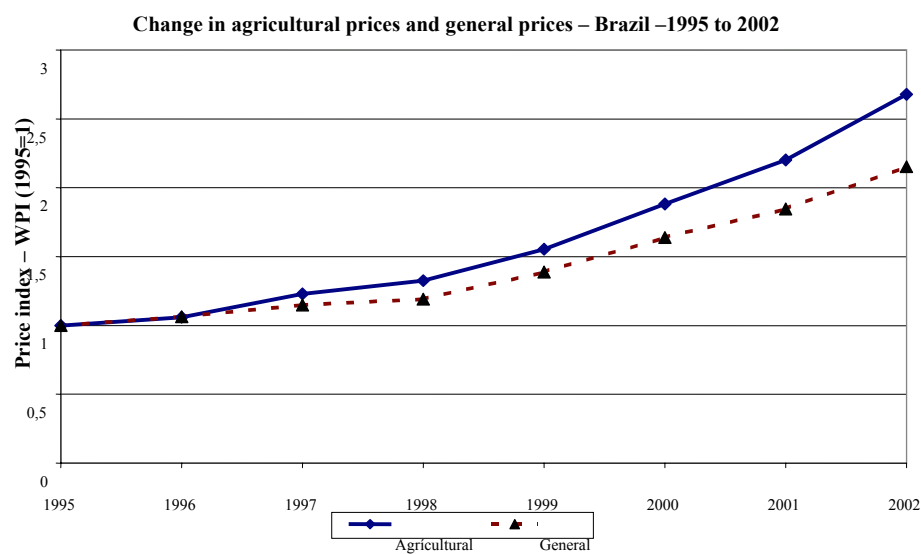


Source: Foreign Trade Research Center Foundation

(Funcex) with IPEADATA

Note: Values in US\$ millions FOB for imports and exports. Landing values starting in 1997

### Change in agricultural prices and general prices – 1995 to 2002

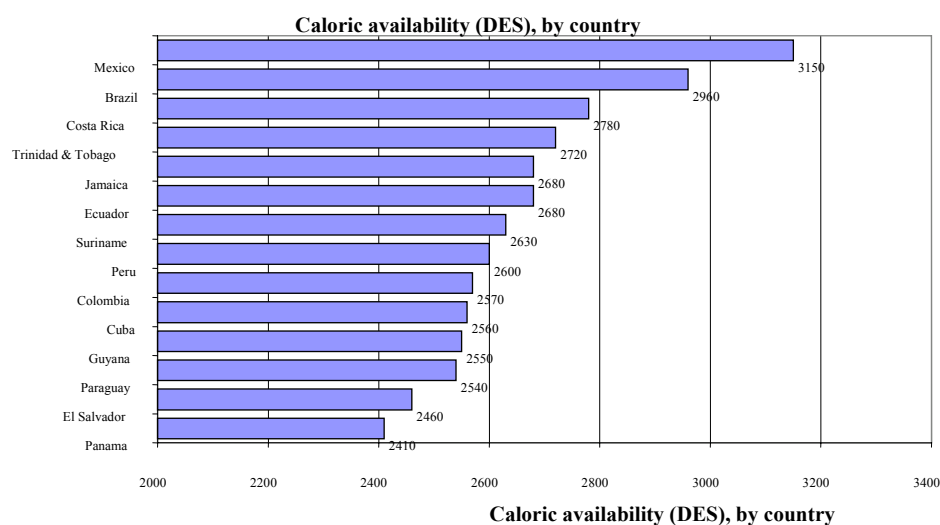


Source: Getúlio Vargas Foundation (FGV), Economic Environment (FGV/Economic Environment).

Note: Based on the Wholesale price index -- Aggregate supply (WPI/AS). Includes animals and animal products, cereals and grains, vegetable fibers, export crops, vegetables and fruits, oilseeds, root and tubers, and others. Based on monthly indices, with 1995 baseline (1995=1).

It must be noted that the increase in agricultural prices is not necessarily a positive factor. It can be harmful to the poorest populations, given that their food purchasing power may be reduced. A detailed analysis will be possible next year, when the 2002-2003 Family Budget Survey 2002 – 2003 is completed.

### Available Food Energy (AFE) by country in Latin America and the Caribbean - 2002



Source: FAO - The State of Food Insecurity in the World 2002

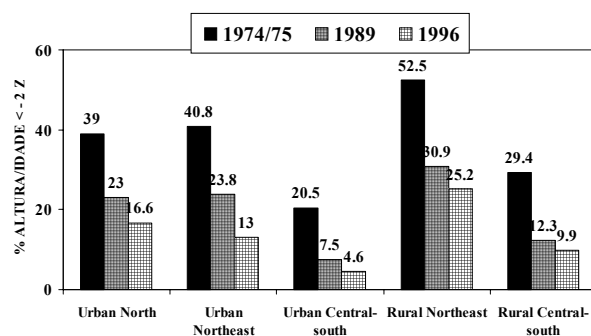
### Percentage of child malnutrition\* - 1996

Region	Area		Total
	Urban	Rural	
North	16.6	-	-
Northeast	13.0	25.2	17.9
Central-south	4.6	9.9	5.6
Brazil	7.7	18.9	10.4

\* Children 0-5 years old whose height is more than two deviations from the average for their age and sex, according to international growth patterns.

\*\* Includes Central-West, Southeast and South regions.

Source: Monteiro et al. 2000.

**Historical trends in child malnutrition 1974/75 - 1996.**

Source: Adapted from Monteiro et al 2000.

**Chronic energy deficits in adults \* - 1996/97.**

Region	Area		Total
	Urban	Rural	
Northeast	5.5	7.1	6.1
Southeast	4.0	5.4	4.2
Northeast + Southeast	4.5	6.4	4.9

\* Adults aged 20+ with body mass index of less than 18.5 kg/m<sup>2</sup>.