

Committee on World Food Security
Bureau of the IWGRF

Statement by Ambassador Flávio Perri,
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and delegate to the Inter-Governmental Group on the Right
to Food

The Right to Food in Brazil
[Rome, may 16, 2003]

Mr. Chairman,

When we talk about hunger and food for the poor, when we deal with the social plague of exclusion and under-development in Brazil we immediately remember two leading pioneers in the fight against hunger - Josué de Castro e Herbert de Souza (affectionately known as "Betinho").

Under the leadership of Presidente Luis Inácio Lula da Silva, with Josué de Castro and Betinho's work in mind, we have just started a nation-wide anti-hunger program which we hope will chase the scourge of hunger from Brazil in four years.

In the all-encompassing "Fome Zero" program, *Right to Food* is a major conceptual framework, to be designed under the *aegis* of the Humankind's permanent struggle for *Human Rights*, where the *aegis* is the protective shield of Zeus to the basic concepts enshrined in International Covenant on Human, Economic, Social and Cultural Rights.

It is a continuous fight to be fought in all frontiers where under-development still prevails and injustice has not been banned. It is both a conceptual and practical war to be waged on behalf of humankind for the sake of Peace, the true peace of social justice.

Feeding and nourishing are acts of living. They are acts that intrinsically and solely belong to beings or organs to which they give life. Therefore, we cannot separate them from life and Nature.

We must understand them as belonging to a process of transformation. The acts of feeding and nourishing are at the very beginning respect for Nature; they are the acknowledgement that people are part of Nature; they suppose a perfect harmony with its richness and fertility.

In the ultimate sense, feeding and nourishing are acts of the conscience of being part, they are acts of

understanding that we are all part of the *Cosmos* as opposed to *chaos*.

At the social level, the Right to Food implies inclusion through the hard paths of development. It supposes peaceful resilience and a strenuous confrontation to resistance. It implies negotiation and reform on all levels, from the political to the structural. It should at the end be a juridical synthesis of people's inherent right to a humane quality of life.

Brazilian society suffers from the inequalities of the system. The model of development we historically adopted has brought with it many symptoms of the injustices derived from those inequalities which persists among nations and people. It created social exclusion and its suite, such as poverty, hunger and malnutrition.

For Flavio Valente, a Brazilian thinker and activist in our common quest for Justice, the implementation of the right to adequate food must be linked to a new social paradigm based on the quality of life as a right of the human being.

Mr. Chairman,

Although in Brazil we do not have yet a specific law about the Right to Food, Brazilian Government has ratified without reservations all the major international conventions containing provisions relevant to the Right to Food.

Ratification process in the Brazilian constitutional system gives international law the same *status* as national law.

In the process of legal acceptance to the national juridical system, therefore, both legislative houses of the Brazilian Congress must approve any international instruments in order to give them the necessary legitimacy. Such a process is embedded in the very nature of the democratic process where the Congress functions as the interpreter of the people's sovereignty. At the final end, ratification gives positive efficacy to international law in the sense that it produces its effects over institutions and people.

We have pioneered the adoption of various multilateral agreements that can contribute to the internal implementation of a right to food.

Brazil is part:

(a) to the *International Covenant on Economics, Social and Cultural Rights*, the most important human rights instrument protecting the right to food, since 1992. Article 11 of the Covenant enshrines the right to food and the right to be free from hunger. Brazilian Government has, therefore, committed itself to ensure access to and the availability of nutritionally adequate and acceptable food to every men and women.

(b) to the *International Covenant on Civil and Political Rights*, since 1992. As you all know, this treaty guarantees the right to life in Article 6. This implies protecting the right to life, including taking positive steps "to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics".

(c) to the *Convention on the Rights of the Child* since 1990. Under this Convention, the Government commits itself, among other things, to take appropriate measures to combat disease and malnutrition, including to adopt provisions and measures relating to nutritious foods and drinking water; to ensure that parents and children are informed about child health and nutrition, including about the advantages of breastfeeding, hygiene and environmental sanitation. This Covenant's system recognizes the right of every child

to a standard of living adequate for the child's physical development.

(d) to the *Convention on the Elimination of Discrimination Against Women*, since 1984, which prohibits discrimination against women, ensuring their full enjoyment of human rights. Under this agreement, Brazil must ensure that women have access to "*adequate nutrition during pregnancy and lactation*". It is worth noting that under this international instrument Brazil also agreed to "*take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the non monetized sectors of the economy*". Within the same framework the Brazilian Government has determined "*all appropriate measures*" to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development. A significant step in the same direction is the Brazilian Government forceful implementation of the right of rural women to have equal access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land tenure and agrarian reform.

At the regional level, Brazil has ratified the *Additional Protocol to the American Convention of Human*

Rights, in 1996, in accordance of which Brazil recognizes that every Brazilian "has the right to adequate nutrition which guarantees the possibility of enjoying the highest level of physical, emotional and intellectual development". In order to promote the exercise of this right and eradicate malnutrition, the government undertakes to improve methods of production, supply and distribution of food, and to this end, agrees to promote greater cooperation in support of the relevant national policies.

Mr. Chairman,

In becoming part to these international treaties, Brazil is fully committed to fight hunger from its territory.

The fight against hunger confounds itself with the struggle for development which supposes an important degree of aggregation.

The object of the macro concept of development is the central pillar for any discussion regarding social exclusion and poverty eradication. In this context, development should be the result of a more balanced world.

Our aim at the international level should thus be to review and reform the present system that erected barriers among nations, in a long series of differences and inequalities, among other things, in food distribution, resources, knowledge, technology and capital.

The first step in this direction was also taken in our Constitution, a truly progressive instrument in its chapters dealing with economic, social and cultural rights. The Brazilian Constitution (considered along with the accompanying legislation that translates to practice its normative commitments) serves as a valuable model for our consideration of economic, social and cultural rights.

Its Preamble places a primary focus on ensuring the exercise of social and individual rights on an equal standard with equality and Justice.

Under Article 3, the fundamental objectives of the Federative Republic of Brazil are

- to build a free, just and solidary society;
- to guarantee national development;
- to eradicate poverty and substandard living conditions and to reduce social and regional inequalities;
- to promote the well being of all...

[It is eloquent to note that the need to guarantee national development is enshrined in the Brazilian Constitution as a fundamental objective and we cannot ignore the all encompassing nature of this process].

Article 6 defines "Education, health, work, leisure, security, social security, protection of motherhood and childhood, and assistance to the destitute" as social rights. An important new amendment was recently proposed to this particular Article in order to make it clear that the right to food is an integral part of social rights.

Mr. Chairman,

The rich and far reaching principles set forth in the national legal framework however are still to be put to practice.

As you heard yesterday in the presentation by the Vice-Minister for Food Security, under the leadership of the President Luis Inácio Lula da Silva the Brazilian Government has just adopted the "Fome Zero" Program. With its adoption we gathered up the necessary political will and initiated very precise and concrete actions to fight hunger as an additional tool to promote social inclusion

and Justice in the framework of the Brazilian process of development.

Brazil is fully committed with this endeavor.

During the last few years, Brazil has adopted decisive measures to improve its people's food and nutritional situation. Since 1993, under the leadership of Betinho, a *Citizenship Action against Hunger, Poverty and for Life*, was enacted allowing Government and Society to join efforts in the long road to defeat hunger, misery and social exclusion. It would not be improper to say that this was the very inception of progressively larger programmes towards the inspired mission of protecting, promoting and implementing the Right to Food in the country.

Under President Luiz Inácio Lula da Silva we understood the political meaning of the holistic approach of the Right to Food as the very indivisible nature of Human Rights.

The Zero Hunger Program acknowledges this principle in adopting a philosophy of action which encompasses actions in all layers of the Brazilian society, with no exceptions. We will combat hunger and malnutrition, within a broader range of measures of social scope: we will fight

illiteracy, unemployment, lack of income, rural poverty and land concentration; we will promote education, job creation, new revenue sources for the poor and deprived households and people, rural development and a socially just land availability and tenure.

The Brazilian Program involves Government and Society alike. Brazil has an extremely rich and vibrant civil society, with many non-governmental organizations that are increasingly working to promote economic, social and cultural rights. For this reason, the Brazilian Government has reestablished the former National Council for Food and Nutritional Security (CONSEA), in order to help the Government in formulating public policies to fight hunger and malnutrition. We expect that in the next future CONSEA will be able to hammer out specific laws out of the existing juridical framework and the new executive public and private practices and experiments under the Zero Hunger Programme in order to regulate the Right to Food in the country.

Brazil wages its war against hunger. It is the very survival of human values which are involved in our efforts to promote development. We deal with historic social imbalances and an unjust process of development. It is a task for all sectors of the Brazilian life, Government and

civil society alike; it is a task for many years of work ahead of us. We wage a war to attain social justice and human well-being for 170 million Brazilians.

I finish this presentation offering to your reflection the apparent paradox of talking about a peaceful war to be waged to attain Peace. We have to fight such a war for the betterment of our people and with the help of all those who want to participate.

We hope that, together, we will all win.

THANK YOU.