

Practical Guide:

How to use international instruments related to the right to food at the national and subnational levels - the case of Brazil

THE HUMAN RIGHT TO ADEQUATE FOOD AND SCHOOL MEALS

12



PRACTICAL GUIDE: HOW TO USE INTERNATIONAL INSTRUMENTS RELATED TO THE RIGHT
TO FOOD AT THE NATIONAL AND SUBNATIONAL LEVELS - THE CASE OF BRAZIL

The Human Right to Adequate Food and School Meals



JUNE 2026

Dados Internacionais de Catalogação na Publicação (CIP)

P895 Practical Guide: how to use international instruments related to the right to food at the national and subnational levels - the case of Brazil/ Conselho Nacional de Segurança Alimentar e Nutricional. -- Brasília : Presidência da República, 2026.

v.

v. 1. The human right to adequate food and food markets - v. 2. The human right to adequate food and agroecology: food sovereignty, sustainability and socio-environmental justice - v. 3. The human right to adequate food and consumer protection policies - v. 4. The human right to adequate food and social participation in political decision-making - v. 5. The human right to adequate food and social protection - v. 6. The human right to adequate food and the rights of indigenous peoples - v. 7. The human right to food and policies for small-scale food producers - v. 8. The human right to adequate food and water, fishers and oceans - v. 9. The human right to adequate food and the solidarity economy - v. 10. The human right to adequate food and gender equality - v. 11. The human right to adequate food and the right to land - v. 12. The human right to adequate food and school meals.

ISBN 978-65-86360-28-8

1. Direitos humanos. 2. Segurança alimentar. 3. Alimentação. 4. Participação social. I. Brasil. Presidência da República. Conselho Nacional de Segurança Alimentar e Nutricional

CDU 342.7:612.39(81)

With support from



Federal Ministry
of Agriculture, Food
and Regional Identity



SECRETARY-GENERAL



by decision of the
German Bundestag

PRESIDENCY OF THE REPUBLIC

Luiz Inácio Lula da Silva
President of the Republic

GENERAL SECRETARIAT OF THE PRESIDENCY OF THE REPUBLIC

Guilherme Castro Boulos
Minister of State
General Secretariat of the Presidency of the
Republic Secretary-General of CONSEA

Josué Augusto do Amaral Rocha
Executive Secretary

ONSEA PRESIDENCY

Elisabetta Recine
President of CONSEA

SECRETARIA-EXECUTIVA DO CONSEA

Marília Mendonça Leão
Executive Secretary

Elaine Martins Pasquim
General Coordinator

PREPARED BY

Cilídia Barbosa de Souza
Elaine Martins Pasquim

WITH CONTRIBUTIONS FROM (ONSEA MEMBERS AND COLLABORATORS)

Alfredo da Costa Pereira Júnior
Ana Maria Thomas Maya Martins
Marília Gabrielly Peixoto Souza
Glenn Massakazu Makuta
Inês Rugani Ribeiro de Castro
Lívio Sérgio Dias Claudino

COORDINATION OF THE CONCEPTION PROCESS AND TRANSLATION INTO ENGLISH

Elisabetta Recine
President of CONSEA

Martin Wolpold-Bosien
Senior Policy Adviser, German Institute for Human
Rights (2023–2025)

This publication was supported by the Agricultural Policy Dialogue Brazil–Germany (German acronym: APD) a cooperation instrument aimed at the exchange of knowledge on agricultural and environmental policies, based on a Memorandum of Understanding signed by the Federal Ministry of Food, Agriculture and Regional Identity (BMLEH), the Ministry of Agriculture and Livestock (Portuguese acronym: MAPA) and the Ministry of Agrarian Development and Family Agriculture (Portuguese acronym: MDA).

 contato@apd-brasil.de  www.apdbrasil.de  [APD Brasil Alemanha](#)  [APD Brasil Alemanha](#)

Via:



AGRICULTURAL POLICY DIALOGUE
APD | BRAZIL-GERMANY

Implemented by:



PUBLICATION DIVIDED INTO 12 VOLUMES OF THE SERIES:

**PRACTICAL GUIDE: HOW TO USE INTERNATIONAL INSTRUMENTS RELATED TO THE
RIGHT TO FOOD AT THE NATIONAL AND SUBNATIONAL LEVELS - THE CASE OF BRAZIL**

Institutional Support

The Agricultural Policy Dialogue Brazil-Germany (APD, by its German acronym) provided support for the Spanish translation and the layout of the collection.

The German Institute for Human Rights provided support for the translation into English.

Coordination of Editorial Design

Agricultural Policy Dialogue Brazil-Germany: Gleice Mere, Alexander Borges Rose
and Carlos Alberto dos Santos

English translation: Katie Whiddon - ktwhiddon@gmail.com

Editorial Design: Scriptorium Design Editorial - Kenia de Aguiar Ribeiro and Beatriz Gomes

Cover Illustration: Beatriz Gomes

 seconsea@presidencia.gov.br

 www.gov.br/secretariageral/pt-br/consea



TABLE OF CONTENTS

INTERNATIONAL INSTRUMENTS.....	11
PRACTICAL EXAMPLES OF NATIONAL-LEVEL IMPLEMENTATION	17
MAIN CHALLENGES	20
SOCIAL PARTICIPATION	22
ACCOUNTABILITY AND ENFORCEABILITY.....	23
CORPORATE POWER.....	24
FINANCING.....	26

INDEX

PUBLICATION DIVIDED INTO 12 VOLUMES OF THE SERIES:

Practical Guide: How to use international instruments related to the right to food at the national and subnational levels - the case of Brazil

1. THE HUMAN RIGHT TO ADEQUATE FOOD AND FOOD MARKETS

- INTERNATIONAL INSTRUMENTS
- PRACTICAL EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

2. THE HUMAN RIGHT TO ADEQUATE FOOD AND AGROECOLOGY: FOOD SOVEREIGNTY, SUSTAINABILITY AND SOCIO ENVIRONMENTAL JUSTICE

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

3. THE HUMAN RIGHT TO ADEQUATE FOOD AND CONSUMER PROTECTION POLICIES

- INTERNATIONAL INSTRUMENTS
- PRACTICAL EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

4. THE HUMAN RIGHT TO ADEQUATE FOOD AND SOCIAL PARTICIPATION IN POLITICAL DECISION-MAKING

- INTERNATIONAL INSTRUMENTS
- PRACTICAL EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

5. THE HUMAN RIGHT TO ADEQUATE FOOD AND SOCIAL PROTECTION

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

6. THE HUMAN RIGHT TO ADEQUATE FOOD AND THE RIGHTS OF INDIGENOUS PEOPLES

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

7. THE HUMAN RIGHT TO FOOD AND POLICIES FOR SMALL-SCALE FOOD PRODUCERS

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

8. THE HUMAN RIGHT TO ADEQUATE FOOD AND WATER, FISHERS AND OCEANS

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

9. THE HUMAN RIGHT TO ADEQUATE FOOD AND THE SOLIDARITY ECONOMY

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

10. THE HUMAN RIGHT TO ADEQUATE FOOD AND GENDER EQUALITY

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

11. THE HUMAN RIGHT TO ADEQUATE FOOD AND THE RIGHT TO LAND

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

12. THE HUMAN RIGHT TO ADEQUATE FOOD AND SCHOOL MEALS

- INTERNATIONAL INSTRUMENTS
- EXAMPLES OF IMPLEMENTATION IN BRAZIL
- MAIN CHALLENGES
- SOCIAL PARTICIPATION
- ACCOUNTABILITY AND ENFORCEABILITY
- CORPORATE POWER
- FINANCING

INTRODUCTION

BRAZIL AND THE HUMAN RIGHT TO ADEQUATE FOOD

At the heart of today's debates on equity, justice, sovereignty and democracy lies the human right to adequate food (right to food). It is not only about ensuring access to food and meals; it also means recognising that land and territory, water, health, food culture and food supply are inseparable parts of a fundamental right – one that underpins citizenship and must be guaranteed through public policies.

Brazil enshrined the right to food in the Constitution in 2010 and has since developed pioneering public policies for food and nutrition security. This is a collective achievement, resulting from decades of social mobilisation, academic work, institution-building and international commitments undertaken by the Brazilian State. This accumulated experience is expressed in a set of legal instruments, treaties, resolutions and pacts that have recognised the right to food as a legal, political and ethical guideline.

Today, this framework is not only a reference for Brazil: it has become a concrete example, able to inspire governments, institutions and civil society. In a global context of geopolitical instability, environmental crises and deep inequalities, the realisation of the right to food cannot be treated as a mere administrative choice. It is a constitutional duty and a moral imperative. Hunger, deforestation, water insecurity and an exclusionary, health-damaging agri-food model are all symptoms of the same system, which continues to violate rights and destroy lives.

Brazil has a responsibility to maintain and deepen its normative frameworks. This means advancing public policies, strengthening participatory democracy, protecting traditional peoples and communities, ensuring agroecology as a viable horizon, and confronting interests that seek to reduce food to a commodity and to superficial solutions.

The existing set of international normative instruments related to the right to food has been fundamental in guiding Brazilian public policies on how to use human rights-based approaches at national and subnational levels. This guide provides an overview of how public policies of major relevance to the realisation of the right to food in Brazil connect with international instruments adopted by the United Nations and by regional bodies as part of an advanced normative framework on the right to food; how these instruments can be used for effective policies to combat hunger and malnutrition, to guarantee healthy food; and how they relate to key areas such as social participation, accountability, corporate power and finance.

Bringing together the core instruments that underpin the right to food internationally and nationally, linking them to public policies in practice, and identifying challenges is not a bureaucratic exercise. It is a political act. It is a way of insisting that rights cannot be suppressed, diluted or negotiated away. It affirms our place in a history that moves forward when the State plays its role and when civil society participates, holds authorities to account, proposes solutions and drives change.

The human right to adequate food is more than a constitutional provision: it expresses a social pact. A pact that allows no setbacks, and that demands vigilance, commitment and courage to meet the present while keeping our eyes on the future.

CONSEA Brazil

THE HUMAN RIGHT TO ADEQUATE FOOD AND SCHOOL MEALS

INTERNATIONAL INSTRUMENTS

The Global School Meals Coalition (2021)¹ – This coalition brings together more than 100 countries and international partners around the goal of expanding access for children and adolescents to healthy and nutritious meals during the school day. The secretariat is coordinated by the United Nations (UN) World Food Programme (WFP). The second summit was held in Brazil in September 2025, bringing together around 80 Member States. Brazil assumed the co-presidency of the Coalition alongside France and Finland.

At this Summit, several countries presented commitments and reaffirmed their engagement with school feeding, including the aim of guaranteeing healthy school meals to more than 700 million primary-school children worldwide by 2030. Some

1 Global School Meals Coalition, 2021. See: https://schoolmealscoalition.org/sites/default/files/2025-09/PT_Outcome%20Statement%20Second%20SMC%20Summit_2025_FINAL.pdf

outcomes included: over 40 countries presenting new national commitments; around 50 countries sharing voluntary national reviews outlining their responsibilities and progress on school feeding; and a call for collaborative efforts to promote culturally appropriate approaches that incorporate Indigenous foods and traditions, ensure Indigenous participation, and foster care for the environment.

The Sustainable School Feeding Network (RAES) is a Brazil–FAO international cooperation initiative launched in 2018², with 18 participating countries. It brings together and strengthens school feeding programmes in Latin America and the Caribbean, seeking solutions to the challenges of school feeding from the perspective of the human right to adequate food (right to food). RAES also took part in the Summit, contributing with mobilisation, experience and operational support.

UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) (2018)³ – UNDROP recognises and strengthens the rights of peasants, Indigenous Peoples, traditional communities and other rural workers, ensuring their access to adequate food, seeds, land, water and the means of production necessary for a dignified life. The document underscores the importance of promoting and protecting the rights of children in rural areas, including through the eradication of poverty, hunger and malnutrition, and through the promotion of quality education and health, access to nutrition education, and basic knowledge on child nutrition.

UN Committee on Economic, Social and Cultural Rights General Comment No. 12 (1999)⁴ – This document sets out the normative content of the right to food and provides guidance to States on how to implement it. It affirms that adequate food must be guaranteed for all, including children, and is understood to require both the sufficient availability of food and sustainable access to it, in a way that does not compromise the enjoyment of other rights.

2 Sustainable School Feeding Network (RAES), 2018. See: <https://redraes.org/pt-br/sobre-a-raes/>

3 UN Declaration on the Rights of Peasants and Other People Working in Rural Areas. See: <https://digitallibrary.un.org/record/1650694?ln=en>

4 General Comment No. 12, 1999. See: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec1219995-general-comment-no-12-right-adequate-food>

Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador, 1988)⁵ – This additional instrument to the American Convention strengthens the protection of economic, social and cultural rights in the regional context. Among these rights, it reaffirms the commitment of the States of the Americas to guaranteeing the right to food, establishing obligations of progressive realisation and follow-up mechanisms within the Inter-American system. It represents a key milestone in consolidating the right to food in the region. The Protocol was incorporated into Brazilian law through Decree No. 3.321 of 30 December 1999 (Article 12). Brazil is also subject to both the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, which act as mechanisms for claiming and ensuring the effective implementation of these rights.

FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (2004)⁶ – These Guidelines form a comprehensive set of technical recommendations to assist States in implementing the right to food, ensuring this right for every child, woman and man. In Guideline 10 on Nutrition, they encourage States to promote the establishment of school gardens as a means of combating micronutrient deficiencies and fostering healthy diets.

2030 Agenda – Sustainable Development Goals (SDGs)⁷ – The 2030 Agenda for Sustainable Development incorporates the right to food by setting global targets for sustainable development. Among these, SDG 2 (Zero Hunger) highlights support for family farming, including purchases for the National School Feeding Programme, the promotion of food and nutrition education in schools, and the encouragement of school gardens. SDG 3 (Good Health and Well-being) proposes promoting food and nutrition education in schools that values food diversity, food culture, traditions, production systems and the positive socio-environmental impacts of food. SDG 4 (Quality Education) calls for the integration of

5 Protocol of San Salvador, 1988. See: https://www.oas.org/en/sla/dil/inter_american_treaties_b-52_additional_protocol_american_convention_human_rights_economic_social_cultural_rights.asp

6 Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, 2004. See: <https://openknowledge.fao.org/items/8316667b-59fa-40a1-98ea-1344daa68247>

7 2030 Agenda – Sustainable Development Goals (SDGs). See: <https://sdgs.un.org/goals>

food and nutrition education into school curricula. SDG 12 (Responsible Consumption and Production) encourages the adoption of sustainable food practices, including within the school environment.

UN Convention on the Rights of the Child (1989) – This Convention is the most relevant international legal framework for grounding school feeding as a right. Articles 24, 27 and 28 establish that States have the obligation to ensure adequate nutrition for children, conditions for their full development, and measures that guarantee that the school environment contributes to the fulfilment of these rights.

Rome Declaration on Nutrition (2014)⁸ – This FAO-WHO Declaration reaffirms States' obligations to ensure conditions that promote healthy diets throughout the entire life course, with special attention to children and adolescents. In this context, it recognises schools as strategic spaces for realising the right to food and for preventing malnutrition. The document recommends that governments adopt integrated actions in school settings, including the provision of nutritious meals, the creation of healthy food environments and the implementation of food and nutrition education programmes. These measures are presented as part of States' responsibilities to secure food systems that are fairer, healthier and aligned with the promotion of public health.

International Conference on Nutrition (ICN2) Framework for Action (2014)⁹ – This Framework guides States in strengthening public policies that integrate health, nutrition and education, recognising schools as a decisive environment for shaping children's eating habits. The document highlights the need to promote healthy school meals, alongside measures to regulate the availability and marketing of ultra-processed foods, ensure food and nutrition security in school settings, and implement continuous food and nutrition education programmes. These recommendations form a coherent set of actions that governments should adopt to protect children and adolescents, prevent malnutrition and promote healthier and more sustainable food systems.

8 Rome Declaration on Nutrition, 2014. See: <https://www.fao.org/3/ml542e/ml542e.pdf>

9 ICN2 Framework for Action, 2014. See: <https://www.fao.org/3/mm215e/mm215e.pdf>

UN Committee on the Rights of the Child General Comment No. 16 (2013)¹⁰ – This General Comment guides States to adopt concrete public measures to ensure the full realisation of children’s rights, especially for those in situations of greater vulnerability. From this perspective, the Committee affirms that governments must implement policies that address the social determinants of inequality, including school feeding programmes capable of ensuring adequate nutrition, supporting holistic development and reducing the effects of poverty on children’s daily lives. School feeding is presented as a central instrument for fulfilling States’ obligations to protect, provide and promote the rights set out in the Convention on the Rights of the Child.

WHO Global Strategy on Diet, Physical Activity and Health (2004)¹¹ – This strategy sets out guidelines for States to promote healthy dietary practices and adequate levels of physical activity, with the aim of preventing chronic diseases and improving population health. In the school context, the document emphasises the importance of healthy eating policies, including the provision of nutritious meals, the creation of safe food environments and the integration of food and nutrition education programmes. It recognises that schools are a strategic space for establishing healthy eating habits from childhood onwards, serving as an instrument for health promotion, obesity prevention and the strengthening of food and nutrition security.

UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979)¹² – This Convention requires all States to ensure equal access for girls to education, preventing discrimination that may hinder their school attendance and educational trajectory. It calls for concrete support measures, including those that remove socio-economic barriers that disproportionately affect girls and adolescent girls. In this context, the Convention’s monitoring bodies have interpreted school feeding as an essential policy for ensuring educational equity, supporting girls’ school attendance, and addressing gender inequalities linked to poverty, domestic work and caregiving responsibilities.

10 General Comment No. 16, 2013. See: <https://www.refworld.org/legal/general/crc/2013/en/102811>

11 WHO Global Strategy on Diet, Physical Activity and Health, 2004. See: <https://www.who.int/publications/item/924159222>

12 Convention on the Elimination of All Forms of Discrimination against Women, 1979. See: <https://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966)¹³ –

Article 11 explicitly enshrines the right to food, recognising that everyone has the right to live with dignity, to access safe, nutritious and culturally appropriate food, and to be free from hunger and malnutrition. The Covenant establishes that States have obligations to respect, protect and progressively realise this right, adopting legislative, administrative and policy measures to ensure its full effectiveness. It is the main legally binding international instrument for guaranteeing the right to food. As a right subject to progressive realisation, it must be implemented using the maximum available resources, and retrogression is prohibited.

Universal Declaration of Human Rights (1948)¹⁴ – Article 25 affirms that everyone has the right to an adequate standard of living, including food, clothing, housing and the necessary conditions for health and well-being. By recognising food as an essential element of human dignity, the UDHR became the foundational instrument for the right to food within the international human rights system.

UN Resolution on the Decade of Action on Nutrition (2016–2025)¹⁵ – This resolution establishes a global effort to accelerate action against all forms of malnutrition. It reinforces the right to food and calls on countries to adopt integrated nutrition policies, set clear targets, strengthen healthy food systems and report on their progress. Although non-binding, it guides national actions by linking health, agriculture, education and sustainable development, under the coordination of WHO and FAO. The Resolution also encourages States to adopt school feeding policies and food and nutrition education programmes as priority measures to address hunger, nutritional deficiencies, overweight and obesity.

13 International Covenant on Economic, Social and Cultural Rights, 1966. See: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

14 Universal Declaration of Human Rights, 1948. See: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

15 UN Resolution on the Decade of Action on Nutrition. See: [https://www.who.int/news/item/26-03-2025-united-nations-decade-of-action-on-nutrition-\(2016-2025\)-extended-to-2030](https://www.who.int/news/item/26-03-2025-united-nations-decade-of-action-on-nutrition-(2016-2025)-extended-to-2030)

Universal Declaration on the Eradication of Hunger and Malnutrition (1974)¹⁶ – Although not legally binding, this Declaration guides international and national policies by reaffirming the eradication of hunger through structural transformations, establishing cooperation among countries and demanding sustained commitment. It recognises freedom from hunger as a fundamental human right and affirms that all people must have access to sufficient and nutritious food. Produced in the context of a global food crisis, it identifies hunger as arising from structural causes, poverty, inequalities and historical constraints on development, rather than natural inevitabilities. For this reason, it calls for coordinated action both within countries and among them. States with greater resources have a responsibility to cooperate with developing nations by providing technical support, food assistance and incentives for rural development.

PRACTICAL EXAMPLES OF NATIONAL-LEVEL IMPLEMENTATION

1988 Federal Constitution – The Brazilian constitution introduced constitutional protection for the right to food by recognising it in Article 6 as a social right essential for ensuring human dignity. This recognition, however, gained full normative force with Constitutional Amendment No. 64/2010, which formally modified the constitutional text to explicitly include food among the social rights, consolidating the obligation of the State to adopt public policies that guarantee regular and adequate access to food. Together, these instruments reinforce that food is not a charitable action, but an enforceable fundamental right, guided by human rights principles and by the State's legal responsibility.

In 2002, an Intergovernmental Working Group was created within FAO, with participation from the Brazilian government at the time, in the context of the Zero Hunger Programme. The Ministry of Foreign Affairs contributed through its Food Security Coordination and through the National Rapporteur for the Human Right to Adequate Food, Water and Rural Land (Flávio Valente). Brazil subsequently incorporated elements of the Voluntary Guidelines for the Right to Food into its legal and policy framework.

¹⁶ Universal Declaration on the Eradication of Hunger and Malnutrition, 1974. See: <https://www.ohchr.org/en/instruments-mechanisms/instruments/universal-declaration-eradication-hunger-and-malnutrition>

Law No. 11.346/2006 – This Law establishes the foundations of the right to food in Brazil and creates the National Food and Nutrition Security System – SISAN, which brings together the federal government, states, the Federal District, municipalities and civil society to guarantee food and nutrition security. Its principles include universality and equity in access to adequate food without any form of discrimination; the preservation of autonomy and respect for human dignity; social participation in the formulation, implementation, monitoring and oversight of food and nutrition security policies and plans at all levels of government; and transparency in programmes, actions and in the allocation of public and private resources and the criteria for their provision. Its guidelines include the intersectoral nature of policies, the decentralisation of actions among levels of government, and the monitoring of the food and nutrition security situation.

Law No. 11.947/2009, amended by Law No. 13.987/2020 – This Law regulates school feeding in Brazil and consolidates the National School Feeding Programme (PNAE). The PNAE is not an isolated policy; it operates within the framework of the National Food and Nutrition Security System (SISAN), and therefore draws on a consolidated legal foundation and a set of family farming public policies that influenced its implementation. Key features include universal access and non-discrimination; the regular provision of school meals; menus based on fresh or minimally processed foods; priority for diversified diets; respect for food culture and for special dietary needs; and the democratisation of public food procurement from family farming. The Law ensures that all pupils in public basic education have continuous access to adequate and healthy food, linked to food and nutrition education actions. It requires that at least 30 percent of the resources of the National Fund for the Development of Education (FNDE) be used for the direct purchase of food from family farming, thereby strengthening local economies and sustainable production systems. It also establishes criteria for nutritional quality, respect for food culture and the participation of nutritionists in menu planning. In summary, it organises school feeding as a right of pupils and a duty of the State, connecting health, education and rural development.

Law No. 9.394/1996, the Law of Guidelines and Bases of Education (LDB) – This Law incorporates the right to food as an essential component of the guarantee of the right to education. Although it does not address the issue in a dedicated chapter, the Law recognises that pupils' access to and continuity in schooling depend on basic material conditions, among which school feeding is fundamental. In Article 4, VIII, the LDB establishes that the

State's duty regarding public education includes the mandatory provision of school feeding programmes, giving concrete effect to the constitutional requirement set out in Article 208. Thus, school feeding ceases to be an accessory policy and becomes part of the legal content of the right to education, functioning as an instrument of equity and as a requirement for ensuring quality standards. An interpretation of the LDB aligned with human rights and integral protection shows that school feeding is a permanent State obligation directed at the dignity, development and learning of pupils.

Law No. 14.660/2023 – This Law amends the rules of the National School Feeding Programme (PNAE) to strengthen the participation of women family farmers in supplying food for school meals. It establishes that formal and informal groups of women become priority suppliers and determines that, when purchases are made from individual family farmers, at least 50 percent of the payment value must be registered in the name of the woman in the family. While maintaining the requirement that at least 30 percent of PNAE resources be allocated to purchases from family farming, the Law introduces a gender focus aimed at expanding the economic autonomy of rural women, reducing inequalities and strengthening more inclusive local food systems.

National Council for Food and Nutrition Security (CONSEA) – The Council constitutes a strategic political space for advancing the right to food. It was within CONSEA's discussions on the National School Feeding Programme (PNAE) that key ideas and proposals were developed, many of which informed Law No. 11.947/2009, particularly regarding public food procurement from family farming and the allocation of these foods to the rights holders of public policies, such as pupils in public education.

In 2005, a group of CONSEA councillors prepared a set of Recommendations for the realisation of the right to food in the context of the PNAE, a document that guided the improvement of the programme and strengthened the rights-based approach within the school feeding policy.

At present, there is no exhaustive compilation of experiences at state and municipal levels; however, there are numerous experiences related to the right to food expressed through administrative, judicial and political mechanisms. Several states in the Northeast, South and Centre-West regions stand out for having consolidated plans, legal frameworks on food and nutrition security, active councils and strong social accountability actions. These

cases include practices such as recommendations from Public Prosecutor's Offices, public civil actions—especially those related to school meals—robust public procurement programmes for family farming and monitoring systems for food supply policies.

There have also been important advances at the municipal level through the implementation of structural food and nutrition security policies. Some municipalities have established public food facilities, enacted municipal laws, opened popular restaurants, food banks and community kitchens, and created or strengthened councils, ensuring political participation by civil society. Many of these developments result from legal action and recommendations from oversight bodies seeking to guarantee adequate school feeding, ensure that vulnerable populations have access to dignified food, and improve the effectiveness of public procurement from family farming.

MAIN CHALLENGES

The consolidation of the National School Feeding Programme (PNAE) as a State policy faces risks posed by legislative proposals, bills and parliamentary amendments that seek to alter provisions of the PNAE Law, potentially resulting in setbacks in recognising school feeding as a right. There is, of course, a need to improve the enactment of existing normative instruments through more effective mechanisms for accountability, monitoring and implementation, ensuring full execution of the programme throughout the national territory.

Another central challenge is the prevention of conflicts of interest that aim to create market reserves for large companies, shifting the Programme's focus and undermining its principles of health, equity and local development.

To maintain its structuring role within food systems, it is essential to strengthen the integration of the PNAE with family farming, expanding small farmers' access to financing, technical assistance and administrative processes necessary to supply their products.

Among the challenges is the need for transparent accountability systems to track the use of resources and verify compliance with targets. Without such information, monitoring becomes compromised, especially given that some municipalities fail to comply with PNAE guidelines, such as difficulties in purchasing food from family farming cooperatives.

PNAE financing is supplementary, meaning that municipalities must complement federal resources. In practice, some municipalities contribute three to four times more, while others do not complement at all, and these inequities are not corrected by the programme. In addition, adequate financing is essential for ensuring quality standards, regularity and diversity in the provision of food. There is no mechanism for annual adjustment of per capita school feeding amounts to food inflation, which weakens budgetary planning for programme managers.

Continuous training for nutritionists, technical supervisors, cooks and members of the School Feeding Councils (CAE) is fundamental for improving the planning, oversight and monitoring of Programme actions, ensuring their effectiveness and adherence to legal and nutritional guidelines.

SOCIAL PARTICIPATION

Within the scope of school feeding, the National School Feeding Programme (PNAE) affirms this role by establishing the School Feeding Councils (CAE), which are responsible for monitoring financial execution, ensuring the quality of the food provided and serving as a permanent link between the school community, programme managers and oversight bodies.

It is essential to guarantee autonomy, infrastructure and human and financial resources so that the School Feeding Councils can fully exercise their role in monitoring and social accountability.

There are many challenges in implementing the PNAE in a way that meets the needs and specificities of pupils and complies with the programme's legal and institutional norms. For this reason, monitoring and social participation are fundamental to ensuring proper implementation.

Brazil has a robust set of participation mechanisms distributed across different levels of public policy on food and nutrition. The National Council for Food and Nu-

trition Security (CONSEA) and its state and municipal branches constitute other participatory instruments that play an extremely important role. The conferences held periodically at the municipal, state and national levels function as broad democratic spaces in which thousands of delegates discuss problems, present proposals and define the national policy agenda. Public hearings and consultations promoted by ministries, regulatory agencies and parliaments allow citizens and organisations to contribute to regulatory processes, normative formulation and decision-making.

Added to these institutional mechanisms are consolidated experiences of community participation, such as local school feeding committees, groups of school cooks, and management groups of community kitchens, food banks, community gardens and many other territorial initiatives. These spaces weave together public policies and local realities, expanding the capacity for social accountability and community mobilisation.

ACCOUNTABILITY AND ENFORCEABILITY

The accountability of the right to food is realised through multiple channels. At the administrative level, ombuds offices, School Feeding Councils (CAE), CONSEA bodies, responsible secretariats and managing agencies receive complaints and determine corrective measures. The CAE plays a central role in ensuring pupils' right to food. These spaces allow civil society to monitor and oversee the implementation of the Programme, although there are limitations and a need to strengthen the CAE with greater technical capacity and autonomy so that it can fully carry out its function.

There is a need to develop and make available accountability tools that are more user-friendly and agile. Ensuring accountability in school feeding requires building strategies and developing transparency mechanisms such as clear and accessible reporting systems.

At the political level, participatory processes influence the formulation and monitoring of public policies. In this regard, the Collaborative Centres for School Feeding

and Nutrition (Cecane) are strategies that link academia and government, working in monitoring, training and social oversight. There are currently 26 Cecanes across Brazilian states. In addition to the Cecanes, civil society initiatives such as the School Feeding Observatory (ÓAÊ) contribute to monitoring, public mobilisation and advocacy related to the National School Feeding Programme (PNAE).

In the legal sphere, complaints at the federal level may be submitted to the ombuds office of the National Fund for the Development of Education (FNDE), but any person may also turn to public defender's offices, federal and state public prosecutor's offices. Instruments such as public civil actions, writs of mandamus and conduct adjustment agreements allow the judiciary to compel the State to meet its obligations. It is important to stress that the State's obligation is objective. Oversight bodies such as courts of accounts and comptroller's offices complete this framework by auditing resources and holding managers accountable.

CORPORATE POWER

School feeding understood as a right and a State obligation must not be viewed merely as an expense, but as an investment to be made with public funds. The overlap of private interests over public interests can be highly detrimental to school feeding when mechanisms for identifying, preventing, mitigating and managing conflicts of interest are not used.

Some countries are promoting an emerging “hunger industrial complex” driven by large corporate investments in food banks that donate ultra-processed foods close to their expiration date. The risk of this strategy reaching schools runs counter to the public interest. Such outsourcing to the private sector—including subsidies to large food retail chains—further weakens families in situations of vulnerability and food insecurity by introducing ultra-processed foods and false solutions.

Corporate power influences multiple areas of food and school feeding, as private economic actors—especially ultra-processed food industries, meal suppliers and parts

of agribusiness—exert organised pressure on the formulation, regulation and implementation of public policies.

From a legal and institutional perspective, this corporate power operates through lobbying strategies, regulatory pressure and disputes surrounding public procurement, seeking to loosen nutritional standards, influence menu planning and expand the presence of ultra-processed foods in the National School Feeding Programme (PNAE). This private influence can undermine constitutional principles such as the primacy of the public interest, impartiality, administrative integrity, and the full protection of children and adolescents, as well as public management guided by food and nutrition security.

Corporate interference in school feeding therefore poses significant challenges to the effectiveness of the accountability and social control mechanisms established by law, such as the School Feeding Councils (CAE), the National Fund for the Development of Education (FNDE), internal and

external oversight bodies and the Public Prosecutor's Offices. These bodies must ensure ongoing oversight, transparency in procurement processes and strict compliance with the legal and constitutional guidelines governing the programme in order to safeguard the public purpose of the PNAE and protect the right to food.

Technical Note No. 3.228.950/2022 guides managers in identifying and preventing conflicts of interest during the implementation of the National School Feeding Programme (PNAE), with the aim of keeping the school environment protected. It encourages programme managers to apply a decision tree and a conflict-of-interest risk assessment tool when interacting with external partners. By applying these procedures, education authorities can prevent activities and donations involving ultra-processed foods or other products harmful to pupils' health and development. The Note also reiterates that all food purchases for the Programme must be free from conflicts of interest.

FINANCING

The financing of the National School Feeding Programme (PNAE) follows the federative arrangement established in the Federal Constitution, which sets out the shared responsibilities among federal entities as defined in Law No. 11.947/2009. The federal government acts as a supplementary financier, and the National Fund for the Development of Education (FNDE) transfers resources automatically based on objective criteria established in federal regulations—most notably the number of pupils recorded in the School Census of the National Institute for Educational Studies and Research Anísio Teixeira (INEP), the 200-day school calendar and the nationally defined *per capita* amounts. These transfers are strictly complementary and are not intended to cover all expenses required for implementing the programme.

Given this legal framework, states, the Federal District and municipalities hold the direct and immediate financial responsibility for providing school meals. They must ensure the resources necessary to meet

the goals and quality standards defined by the PNAE, including the obligation to supplement federal transfers when they are insufficient. These entities are also responsible for maintaining the physical infrastructure, human resources and administrative means required to guarantee proper programme implementation and the full functioning of the School Feeding Councils (CAE), which are essential bodies for social oversight and monitoring.

State, district and municipal authorities hold the final and non-transferable responsibility for guaranteeing the right to school feeding—arising from the fundamental right to food (Article 6 of the Federal Constitution) and from the full protection of children and adolescents (Article 227). The federal government, in turn, fulfils the supplementary and regulatory functions assigned to it by the Constitution.

The programme also prioritises the purchase of food from family farming (at least 30 percent), as well as from traditional

peoples and communities and from rural women. It further establishes differentiated per capita amounts in federal transfers for pupils from Indigenous Peoples and from Quilombola communities.

PUBLICATION DIVIDED INTO 12 VOLUMES OF THE SERIES:

PRACTICAL GUIDE: HOW TO USE INTERNATIONAL INSTRUMENTS RELATED TO THE RIGHT TO FOOD AT THE NATIONAL AND SUBNATIONAL LEVELS - THE CASE OF BRAZIL

1. THE HUMAN RIGHT TO ADEQUATE FOOD AND FOOD MARKETS
2. THE HUMAN RIGHT TO ADEQUATE FOOD AND AGROECOLOGY: FOOD SOVEREIGNTY, SUSTAINABILITY AND SOCIO-ENVIRONMENTAL JUSTICE
3. THE HUMAN RIGHT TO ADEQUATE FOOD AND CONSUMER PROTECTION POLICIES
4. THE HUMAN RIGHT TO ADEQUATE FOOD AND SOCIAL PARTICIPATION IN POLITICAL DECISION-MAKING
5. THE HUMAN RIGHT TO ADEQUATE FOOD AND SOCIAL PROTECTION
6. THE HUMAN RIGHT TO ADEQUATE FOOD AND THE RIGHTS OF INDIGENOUS PEOPLES
7. THE HUMAN RIGHT TO FOOD AND POLICIES FOR SMALL-SCALE FOOD PRODUCERS
8. THE HUMAN RIGHT TO ADEQUATE FOOD AND WATER, FISHERS AND OCEANS
9. THE HUMAN RIGHT TO ADEQUATE FOOD AND THE SOLIDARITY ECONOMY
10. THE HUMAN RIGHT TO ADEQUATE FOOD AND GENDER EQUALITY
11. THE HUMAN RIGHT TO ADEQUATE FOOD AND THE RIGHT TO LAND
12. THE HUMAN RIGHT TO ADEQUATE FOOD AND SCHOOL MEALS