


A SYSTEMIC APPROACH TO FOOD SECURITY, FOCUSING ON THE HUMAN RIGHT TO ADEQUATE FOOD

ABORDAGEM SISTÊMICA DA SEGURANÇA ALIMENTAR, COM ENFOQUE NO DIREITO HUMANO À ALIMENTAÇÃO ADEQUADA

UN ENFOQUE SISTÉMICO DE LA SEGURIDAD ALIMENTARIA, CENTRADO EN EL DERECHO HUMANO A UNA ALIMENTACIÓN ADECUADA

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ABSTRACT

The challenge of analyzing the realization of the right to adequate food persists throughout this century, paradoxically, in a scenario where countries are capable of producing enough food to feed their entire population. This phenomenon affects a large number of people, and Brazil and Latin American countries are no exception. This paper surveys legal concepts and analyzes official data from Brazil, variations in groupings from Latin America and the Caribbean; Central America; and South America; and the world, on issues related to the Right to Food, focusing on the prevalence of undernourishment; the percentage of people experiencing food insecurity; the value of healthy diets by region; and the percentage of people unable to afford them. The fact is that food can simultaneously be available but not accessible to people, especially the economically weakest, mainly due to limited income for purchasing food and basic services. This is one of the main causes of vulnerability, as it limits families' ability to overcome poverty and food insecurity. It highlights that economic and social conditions and a market structure that favors low costs for unhealthy foods lead to persistent food insecurity. It also demonstrates that the prevalence of hunger is higher in countries with rapid population growth and limited access to healthcare and education. This highlights the clear existence of direct links between food security, nutrition, and the health of the population, which, in turn, affects prospects for economic growth and development.

Keywords: Food Security. Right to Food. Enforceability. Implementation.

RESUMO

O desafio de analisar a problemática da efetivação do direito à alimentação adequada persiste ainda nesse século, em todo mundo, paradoxalmente num cenário em que se mostra capaz de produzir alimentos em quantidade suficiente para alimentar toda a sua população. Tal fenômeno atinge grande contingente de pessoas e, no Brasil e países da América Latina esse cenário não é diferente. O presente trabalho faz um levantamento dos conceitos jurídicos e analisa dados oficiais do Brasil, variações de agrupamentos da América Latina e Caribe; América Central; e América do Sul e do mundo, sobre questões relativas ao

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Direito à Alimentação, enfocando a prevalência da subalimentação; o percentual de pessoas em insegurança alimentar; o valor das dietas saudáveis por região e o percentual de pessoas incapazes de custeá-las. Fato é que os alimentos podem ao mesmo tempo estar disponíveis, mas não acessíveis às pessoas, mormente aos economicamente mais fracos, sobretudo, em razão da limitação de rendimento para aquisição de alimentos e serviços básicos, sendo esta, uma das principais causas da vulnerabilidade pois limita a capacidade das famílias para superar a situação de pobreza e insegurança alimentar. Evidenciando que, as conjunturas econômico-sociais, estrutura de mercado que favorece custos baixos para alimentos não saudáveis conduzem à persistência da insegurança alimentar. E também, demonstrando que, a prevalência da fome é maior em países com rápido crescimento populacional e pouco acesso a cuidados de saúde e educação. Apontando para a existência clara de vínculos diretos entre segurança alimentar, nutrição e condições de saúde da população, o que, por sua vez, afeta as perspectivas de crescimento e desenvolvimento econômico.

Palavras-chave: Segurança Alimentar. Direito à Alimentação. Exigibilidade. Efetivação.

RESUMEN

El desafío de analizar la realización del derecho a una alimentación adecuada persiste a lo largo de este siglo, paradójicamente, en un escenario donde los países son capaces de producir suficientes alimentos para alimentar a toda su población. Este fenómeno afecta a un gran número de personas, y Brasil y los países latinoamericanos no son la excepción. Este trabajo examina conceptos jurídicos y analiza datos oficiales de Brasil, variaciones en las agrupaciones de América Latina y el Caribe; América Central; América del Sur; y el mundo, sobre temas relacionados con el derecho a la alimentación, centrándose en la prevalencia de la desnutrición; el porcentaje de personas en situación de inseguridad alimentaria; el valor de las dietas saludables por región; y el porcentaje de personas que no pueden costearlas. Lo cierto es que los alimentos pueden estar disponibles, pero no ser accesibles para las personas, especialmente para las económicamente más vulnerables, principalmente debido a los limitados ingresos para adquirir alimentos y servicios básicos. Esta es una de las principales causas de vulnerabilidad, ya que limita la capacidad de las familias para superar la pobreza y la inseguridad alimentaria. Se destaca que las condiciones económicas y sociales, así como una estructura de mercado que favorece los bajos precios de los alimentos poco saludables, conducen a una inseguridad alimentaria persistente. También demuestra que la prevalencia del hambre es mayor en países con un rápido crecimiento poblacional y acceso limitado a la atención médica y la educación. Esto pone de relieve la clara existencia de vínculos directos entre la seguridad alimentaria, la nutrición y la salud de la población, lo que, a su vez, afecta las perspectivas de crecimiento económico y desarrollo.

Palabras clave: Seguridad Alimentaria. Derecho a la Alimentación. Exigibilidad. Implementación.

1 INTRODUCTION

The challenge of analyzing the problem of the realization of the right to adequate food persists even in this century, all over the world, paradoxically in a scenario in which it is capable of producing food in sufficient quantity to feed its entire population. This phenomenon affects a large contingent of people and, in Brazil and Latin American countries, this scenario is no different.

The most vulnerable, due to the great inequality in the distribution of income, goods and resources and the lack of effective social protection policies, are the most affected in terms of access to food in adequate quantity and quality, according to the Food and Nutrition Security in the World Report of the Food and Agriculture Organization of the United Nations, FAO (2020). The economic and social conjunctures, the imbalances between production and access to food; market structure that favors low costs for unhealthy foods, lack of information of the population regarding the consumption of these foods leads to the persistence of food insecurity.

As reported by The State of Food Security and Nutrition in the World, SOFI (2017), smallholder farmers and communities that depend directly on the ability to produce their own food are the most affected by such phenomena, and still experience the increasing frequency of extreme weather events, altered environmental conditions and the consequent spread of pests and diseases. With the Rising unemployment and falling incomes, millions of people are unable to buy enough food, and many others are having to opt for cheaper and lower quality food, as pointed out by the same organization and the Economic Commission for Latin America and the Caribbean (ECLAC, 2020).

In addition, the prevalence of hunger is higher in countries with rapid population growth and poor access to health care and education. This creates direct links between food security, nutrition, and health conditions of the population, which in turn affects the prospects for economic growth and development (FAO, 2020).

The fact is that food can at the same time be available, but not accessible to people, especially the economically weaker, according to Pinto (2011), the limitation of income for access to food and basic services, is pointed out as one of the main causes of vulnerability because it limits the ability of families to overcome the situation of poverty and food insecurity.

In addition, the Brazilian food system is flawed when it permeates this discussion with the various risks imposed on rural workers, the population's access to safe food, the misuse of land, the depletion of natural resources through the appropriation of private capital from

global agricultural systems, the risks imposed on biodiversity, and the food and nutritional sovereignty and security of the population in all its dimensions (Jacob; Chaves, 2019).

It is imperatively evident the responsibility imposed by legal means on the Public Power, in its three spheres (federal, state and municipal), with the participation of organised civil society, in formulation and implementation of policies, plans, programs and actions to ensure the human right to adequate food, in accordance with the art. 1 of Law 11346 of 2006 when creating the National System of Food and Nutrition Security (SISAN). Thus, the shared responsibility between the Government and organized civil society in general for the achievement of the food security and also, to promote permanent and equal access to healthy and adequate food.

This article analyzes official data from Brazil, variations in groupings from Latin America and the Caribbean; Central America; South America and the world, on issues related to the Right to Food, focusing on: the prevalence of malnutrition; the percentage of people in food insecurity; the value of healthy diets by region and the percentage of people unable to afford them.

Showing that the economic and social conjunctures, a market structure that favors low costs for unhealthy foods, lead to the persistence of food insecurity.

2 CONCEPT OF FOOD AND NUTRITION SECURITY, BASED ON ITS HISTORICAL EVOLUTION

Food security, without a doubt, was the main precursor of the evolution of the human species and the subsequent development of civilizations. Obtaining food in sufficient quantities as the main form of subsistence meant that, in the beginning, the level of food security delimited the margin of survival of the species itself, through the highly selective path of the progress of some and the pure and simple elimination of others.

For Alencar (2001), agricultural practice decisively influenced future generations, as it no longer depended exclusively on hunting and extractivism for food and, in addition, the need to preserve and store food led to the development of activities to accumulate existing resources that directly impacted the organization of the first communities. In this way, "with food security reinforced, man also became less vulnerable, because he was better fed and protected, and multiplied at an accelerated rate, integrating into more numerous communities and spreading over various regions of the globe" (Alencar, 2001, p.138).

And so food security was perpetuated as a critical element of a social model, especially elitist, which excelled in maintaining power. Sometimes the acute imbalance between the demand and supply of food was not corrected and then nature made its severe contribution.

It was Thomas Robert Malthus who, in 1798, first addressed this problem explicitly when he concluded that the uncontrollable growth of the population would be in arithmetic progression while the force of the earth would increase in geometric ratio.

According to Gouvea (1996, p.07), Malthus, a fatalist, "considered poverty to be the inevitable end of man, since the population would grow at a rate higher than the production of means of subsistence".

According to the Malthusian thesis, it would be impossible to grow food production enough to adapt to the growth of the population in the world, which has been a reality for a long time, especially due to technological development in agriculture and the Green Revolution⁴ that exceeded this proposition. But even so, nowadays, it is natural to ask about the problem of food production, distribution and access to food for a world population of more than 8 billion people.

From a legal perspective, food and nutrition security consists of the realization of everyone's right to regular and permanent access to quality food, in sufficient quantity, without compromising access to other essential needs, based on health-promoting food practices that respect cultural diversity and are environmentally, culturally, economically and socially sustainable, in accordance with article 3 of Law 11.346 (Brasil, 2006) with a view to ensuring the human right to adequate food.

However, other concepts of food security arise from new interpretations, such as Dutra's *et al* (2014) by suggesting that rich countries, large agricultural producers, usually impose barriers to imports and artificially raise food prices on the grounds of food security; And yet, most poor countries, governed by populist leaders, use this concept to set prices and impose heavy losses on agricultural producers in order to satisfy their voters. And he also goes on to warn of interpretations where FNS is invoked by private interests to promote the destruction of the environment or even the destruction of the cultural habits of a people.

The concept of FNS is also closely related to that of adequate food, Azevedo (2017) states that the term adequate encompasses the aspects of social and economic development

⁴ "Pesticides were part of the technological package of agricultural modernization or green revolution and, therefore, their perception and use were fully connected with a series of agricultural technologies, such as synthetic fertilizers, limestone, tractors, certified seeds and other agricultural implements." (Carvalho, Nodari. 2017, p. 04).

based on a food production model that expresses food sovereignty and reinforces the importance of stimulating the revaluation of traditional methods of environmental management and management, based on the accumulated knowledge of local populations in their intimate coexistence with the natural environment and the optimization of the resources available in different places to meet the need for biological and social reproduction of human beings.

Another important aspect of adequate nutrition is related to the minimum amount of calories and protein intake to meet the individual's basic needs. This also matters in a diversity of foods, including meat, fruits, vegetables, and it is healthy that meals are eaten in innocuous environments.

For FAO, together with the World Health Organization (WHO), adequate nutrition is achieved when each individual receives a daily caloric intake capable of ensuring the normal functioning of his body, which in an adult, to be considered well nourished, must be around 2,500 kcal daily.

It turns out that the food context is not only about calories, but also about nutritional and, above all, protein intake. Towards Beurlen (2008, p.20) "these 2,500 kcal would then be the dividing line of identification of adults who feed beyond, below or according to what is necessary for the proper functioning of the organism".

This representative caloric value corroborated by FAO was the target of much criticism and disagreement, as there is a great variation in the establishment of the caloric quantum of daily intake that is necessary for a healthy human life.

Every human being should feel safe about the food ingested not only in terms of quantity, but also in terms of its quality. According to Valente (2003), a diet is adequate when, in addition to a "nutritionally balanced ration", it collaborates with the construction of healthy human beings, aware of their rights and duties and their responsibility towards the environment and the quality of life of their descendants.

With regard to health and longevity, "there are moments in the life of human beings when the right to adequate food becomes more important, determining malformations capable of harming them in the full development of their potentialities in a faster, more severe and irreversible way" (Beurlen, 2008, p. 23), and No less important is that in addition to the existential minimum of each human being, in addition to healthy food, respect for the culture and customs of each people must be preserved.

Or The right to adequate food can never be thought of as alien to the existential minimum of each human being, it is not enough to provide a daily amount of calories, it is necessary to satisfy food needs in a healthy and varied way, with respect for the culture and customs of each people, according to Muller (2014), as stated above.

For Silva (2019, p.180) "food must be safe and, at the same time, healthy". Food safety and healthy food are two sides of the same coin, however, unfortunately, not all safe food is also healthy. It is essential to improve and regulate our food systems: they need to be sustainable and capable of ensuring access to quality food for all people.

According to this author, countries have advanced in setting up platforms capable of showing how much progress they make each year in relation to Food Security, and the United Nations (UN) and its development partners have spared no effort to facilitate these mechanisms, establishing monitoring instruments, promoting policy dialogues and exchanging experiences between Member States and their partners in search of actions that promote FNS to the people.

In line with the currents of thought that point to the need to define an adequate diet that goes beyond the caloric quantum, that is healthy and promotes a dignified life, FAO (2019a) recommends new parameters by defining that for an adequate and healthy diet it is necessary to have less than 30% fat in its energy value and without trans fats; less than 5% added sugar; less than 5g of salt per day per person and still a minimum of 400g of fruits and vegetables for consumption per day per person.

The conception of adequate nutrition refers not only to the perspective of individual health, but also to the theme of environmental health. The food production and consumption system has a strong environmental impact, soil erosion, water contamination, deforestation and loss of biodiversity are just some of these impacts (Rocha, 2013).

There is a variation of the concept of FNS, which is Food Sovereignty, with a political aspect, driven by civil society, which emphasizes the right of people to define their own food patterns, it is considered a right, the promotion of which becomes the object of public policies associated with development and food sovereignty. From the perspective of the Human Right to Adequate Food (DHAA), this has become one of the privileged strategies to promote development because it should be the right of peoples to decide about their food (Rocha, 2013). Freedom in choosing the food that suits you, according to your culture and eating habits, is fundamental for food security.

This concept also refers to the preservation of traditional (creole) seeds⁵ and agricultural biodiversity, in addition to valuing the culture and eating habits of diverse populations (Leão, 2013) and is also relevant with regard to the sovereignty of nations and their self-sufficiency in relation to food for domestic consumption.

Food safety has the following requirements:

the notions of *safe food* (not biologically or chemically contaminated); *food quality* (nutritional, biological, sanitary and technological); *the balance of diet, information and cultural operations* (eating habits) of the human beings in question are incorporated into it (Valente, 2002. p. 112).

The population's food insecurity is a consequence of the non-realization of the right to food in sufficient quantity and quality for a life with excellence. For Maluf and Reis (2013), when considering the entire population of a country, food insecurity can express difficulty in accessing food due to lack of work or low income level, restrictions in the availability of goods and in the sustainability of the ways in which these goods are produced. It is also necessary to consider the global context, in which food insecurity manifests itself in unfavorable trade relations, in the fluctuations of the international market and in the actions of large international corporations.

In turn, the concept of Food Insecurity is related to a complex phenomenon with economic, social, cultural, and political dimensions of each nation, linked to situations of social vulnerability, exposure to certain types of risks, and a series of factors that reduce the level of well-being of people, communities, and families (Kepple; Segall, 2011).

The Commission's report *The Lancet* of FAO (2019), on the Right to Food and Food and Nutrition Security of the Community of Portuguese Speaking Countries (CPLP), brings an overview of poverty, food and nutrition insecurity in the year 2013, pointing out the main vulnerable groups and points to very different levels of human development including countries with very high (Portugal), high (Brazil), medium (Cape Verde, Timor-Leste and São Tomé and Príncipe) and low (Angola, Guinea-Bissau and Mozambique).

Weak social protection or the lack of safety nets contributes to the situation of vulnerability, and:

⁵ The Seed Law (Law No. 10,711/2003), in item XVI of its article 2, presents the definition of this type of seed: variety developed, adapted or produced by family farmers, agrarian reform settlers or indigenous people, with well-defined phenotypic characteristics recognized by the respective communities and that, at the discretion of the Map, also considering the sociocultural and environmental descriptors, are not characterized as substantially similar to commercial cultivars.

the groups most vulnerable to food and nutrition insecurity in the CPLP countries coincide with those groups traditionally most affected by hunger, namely children, women (widows, pregnant women), the elderly, small farmers and are located, for the most part, in rural areas. Poverty, through the limitation of income for access to food and basic services, is pointed out as one of the main causes of vulnerability. Also, the difficulty of access to resources, namely land, water or agricultural inputs, limits the ability of families to overcome the situation of poverty and food insecurity (Pinto, 2011, p. 8).

For Brazil, in the FAO report on progress towards the Millennium Development Goals (MDGs) it is found that:

The country has already met the goal of halving the number of people living in extreme poverty by 2015 (reduction from 25.6% in 1990 to 4.8% in 2008). Comparing population evolution with poverty reduction, the scope of these advances is more clearly perceived: between 1990 and 2008, while the Brazilian population grew from 141.6 to 186.9 million, the population in extreme poverty decreased from 36.2 to 8.9 million people. Even so, about 20% of the population is below the poverty line and 13% are at risk of entering this situation. The high level of political commitment and the various social programmes implemented have contributed to this progress. (FAO, 2011, p. 14)

It is clear that hunger and malnutrition are the result of the deprivation of the right to adequate food and affect, above all, the economically weakest and therefore invisible to the consumer market. "The dividing line between 'the haves' and 'have-nots' is not just a rhetorical cliché or eloquent slogan, but rather, unfortunately, a substantial feature of the world we live in." (Without; Kliksberg, 2010, p. 37).

In 2014, the FAO already demonstrated that world agriculture is capable of feeding twice the current population and even so, the state of hunger coexists that affects about 805 million people in the world, that is, one in nine.

The annual destruction of tens of millions of men, women and children by starvation is the scandal of our century. Every five seconds, a child under the age of ten dies. On a planet that nevertheless overflows with wealth [...] in its current state, world agriculture could feed 12 billion human beings without problems – that is, almost twice the current population. In this regard, therefore, there is no fatality (Ziegler, 2013, p. 21).

In this context, the analysis of food systems becomes essential, since only through a systemic view of FNS can one go beyond individuals to meet the social interests that cannot be postponed.

Barraclough (1991), basing the above thought, also adds that mass poverty and hunger are systemic in nature, and it is possible, in the short term, to obtain improvements in some aspects of food security independently of others; And in the long term, however, all dimensions must move forward together, otherwise the food system would become increasingly unstable.

The systemic nature of the reality in which we live is undeniable, and for this reason, in the field of FNS, it is necessary to identify its interconnected and interdependent components, precisely because they are part of a conjecture of systems.

In view of the complexity of global phenomena involving interconnected environmental, social and economic issues, a systemic approach to Food and Nutrition Security is proposed, which provokes the perception of problems in an interdependent way, with a coordinated approach to address hunger and poverty.

One of the great obstacles to the consolidation of actions against hunger is the planning approach itself, which does not consider the problem in a systemic and joint way, as a complex of simultaneously biological, economic and social manifestations, as Josué de Castro has already pointed out in his book *Geotabley of hunger* (Castro, 2011).

At the international level, the High-Level Panel of Experts on Food Security and Nutrition (HLPE), in its 2016 and 2017 reports, objectively demonstrate that food systems are at a crossroads and suggest new paths to be followed from the transformation of agriculture and food systems to achieve food and nutrition security in a sustainable way that respects human health and the environment, ensuring the production of sufficient food for the entire population and its respective access.

The same report later reinforces the systemic view of food security by pointing out that its agroecological approach is a factor of environmental sustainability and social innovation, "establishing a link between food production and consumption, with special emphasis on solutions adapted to the local context and based on the participation of the local population and their knowledge" (HLPE, 2019, p.29).

Links at the international level where systemic interdependence prevails encompassing issues of agroecological production, distribution and consumption of these goods are determinant for the conception of the food system. The measures adopted by farmers on what to produce are guided by the preferences of urban consumption and the demands of national and international trade.

For Maluf and Reis (2013), the conformation of a global food system has significant repercussions on national plans, as it reveals the links and the growing systemic articulation between the various activities related to food and food. Consequently, the conduction of a certain pattern of agricultural production and processing of goods, with a growing standardization of eating habits and the expansion of the weight of international trade.

In Brazil, in 2004, during the II National Conference on Food and Nutrition Security, at the initiative of the National Council for Food and Nutrition Security (CONSEA), the creation of the Organic Law on Food and Nutrition Security (LOSAN) was proposed, which was approved after two years of being processed by the National Congress as Law 11.346 (Brasil, 2006). This proposal already clearly demonstrated the tendency towards a systemic and coordinated resolution of FNS problems.

In the first article of this law, the National Food and Nutrition Security System (SISAN), through which the government, with the participation of organized civil society, will formulate and implement policies, plans, programs and actions with a view to ensuring the human right to adequate food.

Such positivity leads to the conclusion that food security is a shared responsibility, in which the Government at the three levels (federal, state and municipal), regional economic bodies, development agencies, commercial organizations, consumer and producer groups, academic and research institutions and private sector entities must work together.

This collaboration also results from the organization and influence of civil society, to promote permanent and equal access to healthy and adequate food, assuming that "this perspective implies going beyond individual organisms towards social systems" (Maluf; Reis, 2013, p. 46).

The complexity of the phenomenon of hunger is linked to the situation of poverty, and it is essential to interface with income generation, especially in the countryside, through family farming that produces food for all, and also efforts to reduce social inequalities, so that the economically weaker can have access to food in the expectation of achieving autonomy (FAO, 2019).

Public policies aimed at this approach contribute to the effectiveness of the legal-regulatory system, by ensuring that the results and impacts resulting from the proposed measures are consistent with the magnitude of the problems of food insecurity experienced around the world.

Structurally, the Food System is basically formed by 4 parts, the first of which is the food chain that goes from production to the consumer; the second is the environment of the food environment, which is composed of the physical element (supermarkets, street markets, trade gardens, among others) and the subjective element that refers to income (determinant of food consumption) and education (importance of exact knowledge about the food to be consumed). The third refers to the rules that regulate food (laws and government regulations). Finally, the fourth part refers to the behavior of consumers, with their individual preferences reflecting their culture and other value influences, according to the FAO High-Level Expert Group on Food Security and Nutrition (HLPE, 2019).

Thus, it can be inferred that Food Security permeates four distinct dimensions, which are: food production and availability; access to what is regulated by purchasing power; use of agricultural inputs and artificial products that are decisive for human health; stability or education of eating habits that are strongly influenced by disinformation and propaganda by large companies.

3 ENFORCEABILITY AND ENFORCEMENT OF THE RIGHT TO ADEQUATE FOOD

In 1948, the Universal Declaration of Human Rights internationally enshrined food as a fundamental right, stating that "Everyone has the right to a standard of living capable of ensuring health and well-being for himself and his family, including food, clothing, housing, medical care and the necessary social services" (art. 25).

The International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted in 1966 by the UN, the signatory States recognize the right of every person to an adequate standard of living for himself and his family, giving rise to the term Human Right to Adequate Food (DHAA).

In 1999, the United Nations Committee on Economic, Social and Cultural Rights drafted General Comment 12, stating "The right to adequate food is realized when every man, woman and child, alone or in community with others, has uninterrupted physical and economic access to adequate food or to the means necessary to obtain it".

The Food and Agriculture Organization of the United Nations (FAO, 2002) implemented the set of voluntary guidelines on the progressive realization of the right to food in the context of food and nutrition security, which were only approved in 2004 by the 151 countries that make up its council; pioneering agreement on the human right to food.

Brazil, considering the ICESCR, Decree 591/92 emerges, recognizes the right of everyone to an adequate standard of living (...) including the fundamental right of everyone to be free from hunger and establishes the objective of improving the methods of production, conservation and distribution of foodstuffs through the full use of technical and scientific knowledge, the dissemination of principles of nutritional education and the improvement or reform of agrarian regimes, in order to ensure the more effective exploitation and use of natural resources (BRASIL, 1992). Constitutionally protected, The right to food is provided for in article 6, through Constitutional Amendment 64/2010, as a fundamental social right. Even belatedly, it was a strong advance for the theme on the Brazilian legal stage.

Even in the face of a situation with significant legal-institutional consolidation, Corrêa; Oliveira (2019, p. 27), contrary to the majority thought, bring a critical reflection on the theoretical premises of the Right to Food, stating that "the issue of the effectiveness deficit does not arise only from a possible dysfunctionality of the political-legal system, but from the traditional conception of human rights that underlies the debate".

In fact, despite the fact that the realization of this right represents a great political challenge, it is imperative to analyze the theory of fundamental rights in a critical and reflective way. For Bobbio (1992, p. 24) "the fundamental problem in relation to human rights today is not so much to justify them, but to protect them. It is not a philosophical problem, but a political one."

In the view of Flores (2002), the global configuration of Fundamental Rights is simplistic and causes serious consequences to the extent that it leads to a decontextualized thinking in which everyone, a priori, has rights even before being offered the true conditions to exercise them, distancing the population from the struggle for them, given the lack of conditions to move from the mere position of objects of the discourse of Rights to true holders.

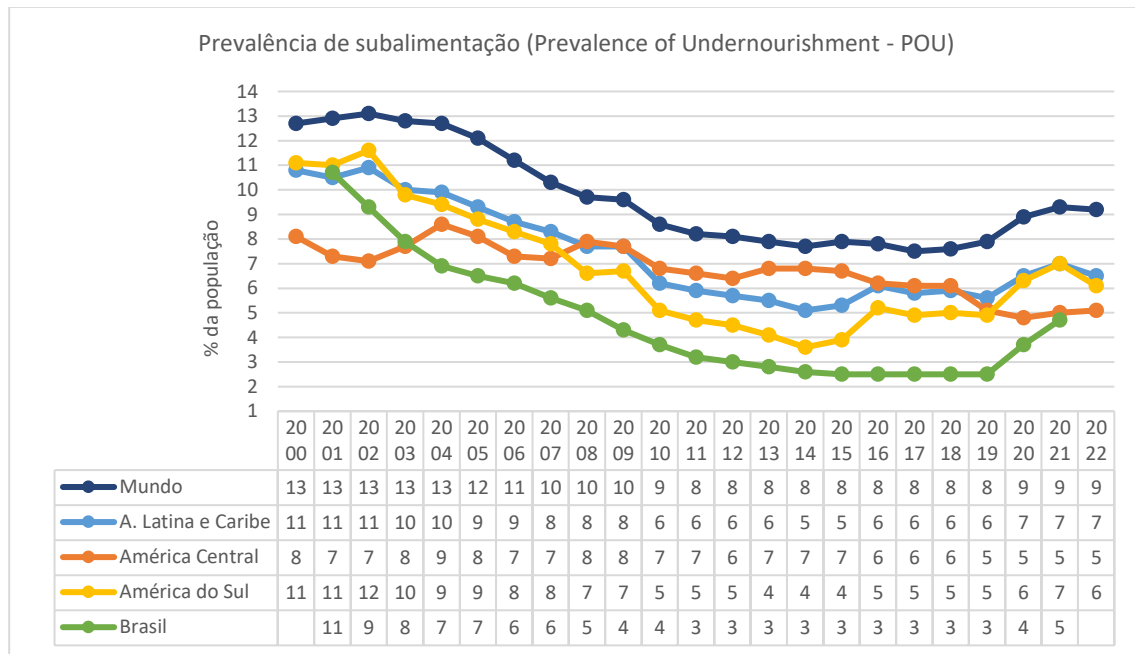
4 OVERVIEW OF HUNGER IN BRAZIL AND IN LATIN AMERICAN GROUPS

For the scenario of Hunger in Brazil and groupings in Latin America and the world, it is important to observe the Prevalence of Malnutrition (Table 1). Brazil has a significant acceleration in the reduction of hunger until 2010, advancing more slowly until 2014, with a sharp growth in undernourishment in 2020, the beginning of the pandemic. The decline perceived in the first years of this Table is attributed to the "Zero Hunger Project – a proposal for a food security policy for Brazil" initiated in 2002 by the Institute of Citizenship and the

main government strategy for economic and social policies and in the fight against hunger and poverty from 2003 onwards, with the Lula government (Silva, 2010).

Figure 1

Percentage of people in Prevalence of Malnutrition (POU) between 2000 and 2022



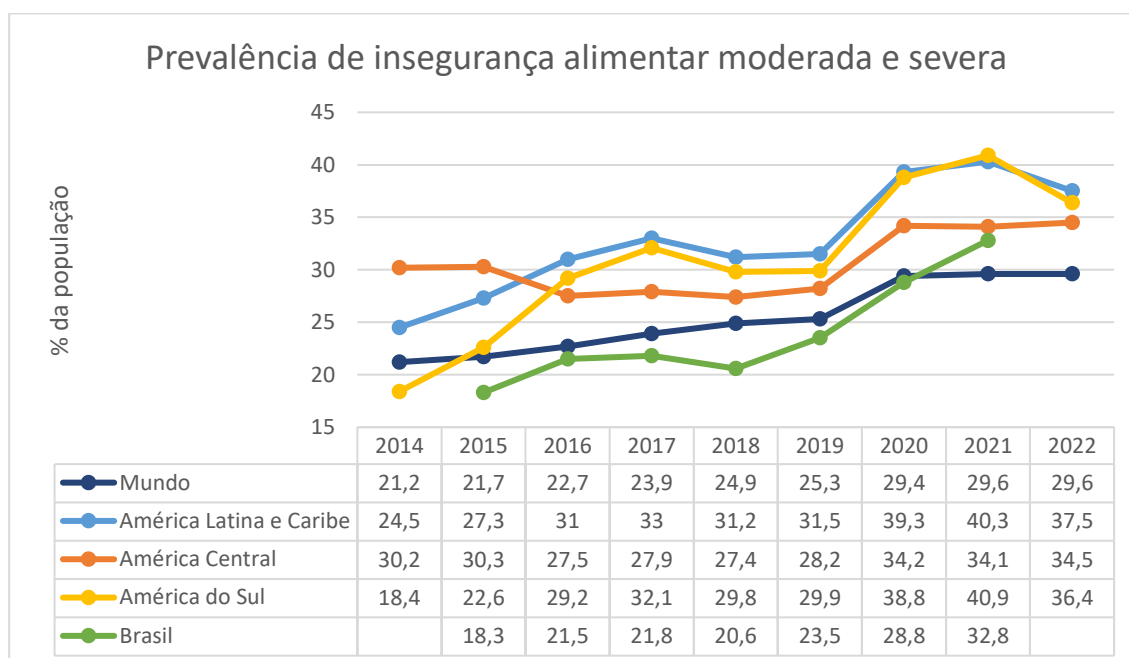
Source: Prepared by the authors with data from FAO (2024).

When we look at the time curve, with the exception of Central America, all percentages of prevalence of malnutrition were decreasing significantly until 2014, after this period there was stagnation, and Latin America and the Caribbean and South America showed increases in this prevalence. This was the year of definition of the 2030 Agenda at the UN General Assembly, with the delimitation of the 17 sustainable development goals, number 2 being "Zero Hunger". Thus, we can say that despite the meritorious point out guidelines for the policies of the countries, there is a limitation regarding the execution of public policies that promote the objectives.

Another indicator that explains this situation is the prevalence of moderate and severe food insecurity (Table 2), in which only Central America does not show an increase in food insecurity from 2015 onwards, followed by a significant worsening in 2020 and 2021 due to the pandemic.

Figure 2

Percentage of people in prevalence of moderate and severe food insecurity between 2014 and 2022



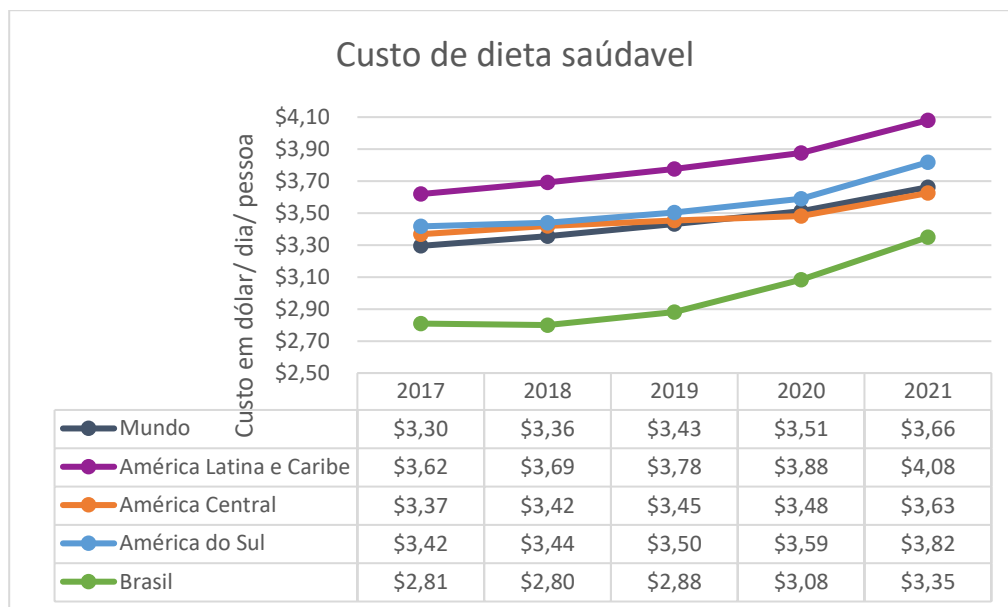
Source: Prepared by the authors with data from FAO (2024).

A relevant factor in this scenario is that in 2016 Brazil had a high unemployment rate and the number of discouragements reached 4.3 million persons, the largest contingent since the beginning of the time series of the Quarterly Continuous National Household Sample Survey – PNAD, started in the 1st quarter of 2012, when discouragements totaled 1.9 million (IBGE, 2018).

Observing the financial issue in access to food, it is important to realize the variation in the cost of healthy diets in these places (Table 3). In it we can see that Brazil has the lowest values, however it has the highest increase curve in the values of healthy diets. The impact of the Covid 19 pandemic is presented as a central point in Latin America as the region of the planet where it is most expensive to eat well and healthily.

Figure 3

Healthy Diets Cost from 2017-2021 (USD)



Source: Prepared by the authors with data from FAO (2024).

Latin America and the Caribbean stand out with costs above the rest, and costs directly influence the choice of food. High food prices have a direct impact on people's quality of life, especially in relation to the quality of products obtained by families that allocate a large part of their income to food.

Below, the cost table of healthy diets in Latin America and the Caribbean:

Table 1

Cost of Healthy Diets in LAC in 2017 (USD)

	Sufficient diet in daily calories	Adequate nutrient diet	Healthy diet
World	0,79	2,33	3,75
LAC	1,06	2,83	3,98
Caribbean	1,12	2,89	4,21
Latin America	1	2,78	3,75
Central America	1,13	3,04	3,81
América del Sur	0,91	2,61	3,71

Source: SOFI (2020).

In this table, three columns are indicated: sufficient diet in terms of energy, that is, if there are enough calories per person so that, on average, all people can have an active life. Then a diet that is adequate in terms of nutrients. And lastly, a healthy diet.

Compared to the world, a diet sufficient in energy in Latin America and the Caribbean is 34% more expensive; the adequate diet in terms of nutrients is 21% higher than the world average and; the healthy diet, which is the aspired one, 6% more expensive. It is possible to conclude that the healthy diet is more expensive worldwide and has the lowest price variation among Latin American countries.

High food prices have a direct impact on people's quality of life, especially in relation to the quality of products obtained by families that allocate a large part of their income to food.

From these evidenced statistics, a significant reason for having high levels of overweight and obesity in LA and the Caribbean is revealed. In our region and in the world it is much more expensive to eat well, eat healthy than eat badly. Eating foods that are not nutritious is cheaper than eating healthy foods.

Part of the population has daily and regular access to foodstuffs, however they make choices and combinations whose effects, for the body, are the insufficient supply of certain essential elements for adequate nutrition, generating hidden hunger⁶, and the excessive intake of other substances, contributing to the incidence of overweight, obesity, hypertension, among other complications associated with excess weight (Dutra *et al*, 2014, p. 02).

The contribution of the Caribbean stands out to this situation, which, with its small islands, imports most of the food they consume. Due to their small population, where tourists visiting these islands often have a number equal to or greater than their own, the import of food is often conditioned by the type of food that tourists order, and in this case, with a strong inclination towards fattier, ultra-processed foods⁷, with a lot of salt, etc. It should be noted that eating well, in a healthy way, has a much higher cost and in the Caribbean it costs USD 4.21 per person per day; in Central America this cost drops to USD 3.8 per person per day; in South America it is 3.7 USD. It is understandable to conclude that many families with 4 people, for example, cannot afford to eat healthily.

⁶ Hidden hunger is "the lack of micronutrients, in particular minerals and vitamins (iron, iodine, vitamin A...). The term "hidden" refers to mild and moderate cases, in which no visible signs appear and the people who suffer from it are unaware of these deficiencies" (Medina, Febrer, 2014, p.07).

⁷ According to the National Health Surveillance Agency (ANVISA), the importance of avoiding the consumption of ultra-processed foods, which generally have higher amounts of food additives, is also reinforced by the Food Guide for the Brazilian Population. This document recommends that the amount and names of ingredients declared in the list of ingredients be used to assist in the identification of products that should be avoided.

The following table (Table 2) shows numbers that demonstrate this reality.

Table 2

*Number of people who cannot afford a healthy diet – Latin America and the Caribbean – 2017
(Million inhabitants)*

	Sufficient diet in calories	Nutritionally adequate diet	Healthy diet
World	185,49 (4.63%)	1.513,01 (23.31%)	3.021,53 (38.3%)
LAC	10,46 (3.7%)	66,7 (18.2%)	104,24 (26.5%)
Caribbean	1,32 (3.4%)	8,29 (23%)	13 (36.7%)
Latin America	9,14 (3.7%)	58,48 (16.8%)	91,24 (23.6%)
Central America	2,19 (4.9%)	20,39 (22.6%)	31,64 (28.5%)
América del Sur	6,95 (3%)	38,09 (13.1%)	59,59 (29.5%)

Source: FAO, IFAD, PAHO, WFP and UNICEF (2023).

In the world, three billion people cannot afford to buy food to compose a healthy diet. In Latin America and the Caribbean, 104 million, equivalent to 27% of the population, cannot maintain a healthy diet. In South America, 60 million, almost 30% of the population cannot eat healthily.

In an ethical approach, regarding ignorance about what we eat and its relationship with diseases caused by substances added to food, Muller (2014, p. 29) brings a highly pertinent question:

The question is to know what we know and what we don't know about food. Certainty is a privilege that we do not know and food security a utopia that we insist on imagining one day to be achieved. After all, what is revealed to us by large corporations in the manufacture of industrialized foods? Or are we simply pieces of an (un)known mechanism that manages

the productive and industrial market, whose only objective is profit, whatever the human price?

It is clear that economic interests seek profit as their main objective, and in the context of food systems it is no different. Hence the importance of strengthening and improving the population's knowledge about the food they consume, in order to make it possible to choose those that are healthy and produced in a sustainable, culturally and socially appropriate way. Although, as already demonstrated above, a large part of the population does not have the financial conditions to adhere to this type of diet, it is imperative to have such discernment at least so that the choices are the least harmful possible.

From the perspective of producing and acquiring food without compromising people's dignity and basic rights, Rocha (2013, p.73) points out that "in a market economy, a dignified and acceptable means of access to food is purchase. When the market fails, the dignity and human rights of many people are threatened in the urgency of obtaining food and being free from hunger."

In addition to the economic difficulty of accessing healthy food, it is healthy for people to know the importance of three meals a day, especially in relation to the quality of the products ingested and how they can contribute positively or negatively to their health. Accepting people's right to autonomy over their food alternatives, in compliance with the human right to adequate and healthy food, is crucial to enable access to reliable references about the food ingested, as the adoption of healthy eating habits is not just an individual choice, being influenced by several factors ranging from education to socioeconomic issues. Also undeniable is the influence of the media that reflect and emphasize foods and diets, favoring fads and unusual eating behavior patterns that can often cause damage to health (BRASIL, 2016).

Numbers prove that diet is not an individual option, where people can choose between eating well or eating badly. For large segments of the population it is impossible to make this type of choice, because the cost of healthy food in our region is the highest on the planet.

The high cost of food in Brazil, from a nutritional point of view, according to Claro (2018, p.27) there are two conclusions considered solid and stable: "the first is that energy costs more where it is scarce and cheaper where it is abundant; The second is that the current scenario favors the choice of ultra-processed foods with worse energy density. Which is to say that the trend is for fresh foods to be more expensive than those", which is equivalent to

saying that the trend is for fresh foods to be more expensive than those that undergo some type of processing.

This scenario of high prices of healthy foods certainly favors people to choose low-quality foods due to their financial situation and not to simply because I wanted to.

5 FINAL CONSIDERATIONS

It is necessary to provide an environment in which the right to food is exercised in such a way that it allows all people to feed themselves, producing their own food or having economic and dignified conditions of access to adequate food.

Freedom in the choice of food concerns the sovereignty of nations and their self-sufficiency in food for internal consumption. Thus, food is not alluded to as a commodity, but a human right.

Food sovereignty, also considered a right, the promotion of which becomes the object of public policies associated with social development, becomes one of the privileged strategies to promote adequate food, because it should be the right of peoples to decide about their food. Freedom in choosing the food that suits them, according to their culture and eating habits, is fundamental for food security, in addition to valuing the culture and eating habits of different populations. And, it is also relevant with regard to the sovereignty of nations and their self-sufficiency in food for domestic consumption. This time, food is not alluded to as a commodity, but as a human right.

Capitalist hegemony shapes the stages of the food system, creating consumption patterns that affect the eating habits of the population, especially the economically weaker, favoring the acquisition of unhealthy products due to their lower cost and greater ease of access. And thus, triggering the emergence of diseases, including obesity and its disastrous consequences on human health.

The right to adequate food should never be thought of as alien to the existential minimum of the human being, it is necessary to respect the dietary needs of a healthy, varied diet, and consistent with their culture and customs.

REFERENCES

- Azevedo, E. de. (2017). Alimentação, sociedade e cultura: Temas contemporâneos. *Sociologias*, 19(44), 276–307. <https://doi.org/10.1590/15174522-019004412>
- Beurlen, A. (2008). Direito humano à alimentação adequada no Brasil. Juruá.

- Bobbio, N. (1992). A era dos direitos (D. B. Vresiani, Trans., 2nd ed.). Campus.
- Brasil. (1992). Decreto nº 591, de 6 de julho de 1992. Atos internacionais. Pacto Internacional sobre Direitos Econômicos, Sociais e Culturais. Promulgação. Presidência da República. http://www.planalto.gov.br/ccivil_03/decreto/1990-1994/d0591.htm
- Brasil. Ministério do Desenvolvimento Social e Combate à Fome. Secretaria Nacional de Renda de Cidadania. (2015). Manual de gestão do Programa Bolsa Família (2nd ed.). http://www.planalto.gov.br/ccivil_03/_ato2004-2006/2006/lei/l11346.htm
- Castro, J. de. (2011). Geografia da fome: O dilema brasileiro: Pão ou aço (11th ed.). Civilização Brasileira.
- Claro, R. (2018). Avaliação dos estudos brasileiros sobre o impacto de medidas regulatórias no consumo de alimentos. Mesa 2. Universidade Federal de Minas Gerais, OPAS.
- Comissão Econômica para a América Latina e o Caribe. (2020). Cepalstat. Bases de datos SIAGRO-GIPP, estadísticas de la actividad agropecuaria, desarrollo rural y seguridad alimentaria y nutricional. <https://www.cepal.org/es/datos-y-estadisticas-desarrollo-agricola>
- Conselho Nacional de Segurança Alimentar e Nutricional. (2014). Análise dos indicadores de segurança alimentar e nutricional. CONSEA.
- Corrêa, L., & Oliveira, L. C. (2019). Direito humano à alimentação adequada e a teoria crítica dos direitos humanos: Um diálogo possível e necessário. In L. Corrêa (Ed.), Diálogos sobre direito humano à alimentação adequada (pp. 26–40). Faculdade de Direito da Universidade Federal de Juiz de Fora. <https://actbr.org.br/uploads/arquivos/livro-dhaa-versc3a3o-final.pdf>
- Dutra, L. V., et al. (2014). Disponibilidade alimentar para famílias residentes na zona rural: Situação de segurança ou insegurança alimentar e nutricional. Segurança Alimentar e Nutricional, 21(1), 320–329.
- Flores, J. H. (2002). Direitos humanos, interculturalidade e racionalidade de resistência. Sequência, 23(44). (C. Proner, Trans.).
- Food and Agriculture Organization. (2006). The right to food guidelines: Information papers and case studies. FAO.
- Food and Agriculture Organization. (2014a). O estado da segurança alimentar e nutricional no Brasil: Um retrato multidimensional. FAO.
- Food and Agriculture Organization. (2014b). Cadernos de trabalhos 7 (J. M. Rey & M. T. de Febrer, Eds.). PROSALUS. <http://www.fao.org/3/i3454o/i3454o.pdf>
- Food and Agriculture Organization. (2017). O estado da segurança alimentar e nutricional no mundo 2017: Construindo resiliência para a paz e segurança alimentar. FAO. <http://www.fao.org/3/a-l7695s.pdf>

- Food and Agriculture Organization. (2019a). A sindemia global da obesidade, desnutrição e mudanças climáticas. NUPENS/USP. <https://www.thelancet.com/commissions/global-syndemic>
- Food and Agriculture Organization. (2019b). The state of food security and nutrition in the world 2019. <http://www.fao.org/state-of-food-security-nutrition/en/>
- Food and Agriculture Organization. (2020). El estado de la seguridad alimentaria y la nutrición en el mundo 2020: Transformación de los sistemas alimentarios para que promuevan dietas asequibles y saludables. FAO. <https://doi.org/10.4060/ca9692es>
- Food and Agriculture Organization. (2021). Venezuela (Bolivarian Republic of) humanitarian response plan 2021. <http://www.fao.org/3/cb3648en/cb3648en.pdf>
- Food and Agriculture Organization. (2023). O estado da segurança alimentar e nutricional no mundo 2023. <https://openknowledge.fao.org/items/2241e4d7-dbc4-46e9-ab05-70db6050ccf9>
- Food and Agriculture Organization. (2024a). FAOSTAT: Cost and affordability of a healthy diet (CoAHD). <https://www.fao.org/faostat/en/#data/CAHD>
- Food and Agriculture Organization. (2024b). FAOSTAT: SDG indicators. <https://www.fao.org/faostat/en/#data/SDGB>
- Food and Agriculture Organization, & Comissão Econômica para a América Latina e o Caribe. (2020). Milhões de pessoas podem cair em extrema pobreza e fome até 2020 na América Latina e no Caribe devido ao impacto da pandemia. <http://www.fao.org/brasil/noticias/detail-events/pt/c/1293730/>
- Food and Agriculture Organization, Fundo Internacional de Desenvolvimento Agrícola, Organização Pan-Americana da Saúde, Programa Mundial de Alimentos, & UNICEF. (2023). Panorama regional de la seguridad alimentaria y nutricional - América Latina y el Caribe 2022: Hacia una mejor asequibilidad de las dietas saludables. <https://doi.org/10.4060/cc3859es>
- Food and Agriculture Organization, Fundo Internacional de Desenvolvimento Agrícola, UNICEF, Programa Mundial de Alimentos, & Organização Mundial da Saúde. (2017). O estado da segurança alimentar e nutricional no mundo 2017: Construindo resiliência para a paz e segurança alimentar. FAO. <http://www.fao.org/3/a-l7695s.pdf>
- Instituto Brasileiro de Geografia e Estatística. (2018). O desalento das pessoas que desistiram de procurar trabalho. Revista Retratos. <https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/21318-o-desalento-das-pessoas-que-desistiram-de-procurar-trabalho>
- Leão, M. (Org.). (2013). O direito humano à alimentação adequada e o sistema nacional de segurança alimentar e nutricional. ABRANDH.

- Maluf, R. S., & Reis, M. C. (2013). Segurança alimentar e nutricional na perspectiva sistêmica. In C. Rocha, L. Burlandy, & R. Magalhães (Eds.), *Segurança alimentar e nutricional: Perspectivas, aprendizados e desafios para as políticas públicas* (pp. 43–67). Fiocruz.
- Muller, M. (2014). *O direito social fundamental à alimentação adequada e sua proteção no contexto das organizações internacionais*. Juruá. ISBN: 9788536248257
- Organização das Nações Unidas. (1948a). Declaração Universal dos Direitos Humanos. <https://acnudh.org/pt-br/o-escritorio/>
- Organização das Nações Unidas. (1948b). Universal Declaration of Human Rights. <http://www.refworld.org/docid/3ae6b3712c.html>
- Organização das Nações Unidas. (1999). Comentário Geral número 12. Comitê de Direitos Econômicos, Sociais e Culturais do Alto Comissariado de Direitos Humanos. <https://acnudh.org/pt-br/comite-da-onu-sobre-direitos-economicos-sociais-e-culturais-publica-suas-conclusoes-sobre-o-brasil/>
- Pinto, J. N. (2013). Direito à alimentação e segurança alimentar e nutricional nos países da CPLP: Diagnóstico de base. FAO. <http://www.fao.org/3/i3348o/i3348o.pdf>
- Rocha, C. (2013). A contribuição da economia para a análise de políticas públicas de segurança alimentar e nutricional. In C. Rocha, L. Burlandy, & R. Magalhães (Eds.), *Segurança alimentar e nutricional: Perspectivas, aprendizados e desafios para as políticas públicas*. Fiocruz.
- Segall-Corrêa, A. M., Marin-León, L., Melgar-Quinonez, H., & Perez-Escamilla, R. (2010). Relatório da oficina técnica para análise da escala brasileira de medida domiciliar de insegurança alimentar: Aprimoramento da escala brasileira de medida domiciliar da insegurança alimentar (Nota Técnica nº 128/2010/DA/SAGI/MDS). Brasília.
- Sen, A., & Kliksberg, B. (2010). *As pessoas em primeiro lugar: A ética do desenvolvimento e os problemas do mundo globalizado*. Companhia das Letras.
- Silva, J. G. da. (2010). *Fome zero: A experiência brasileira*. MDA. ISBN 978-85-60548-79-8
- Silva, J. G. da. (2019). *Do Fome Zero ao Zero Hunger: Uma perspectiva global*. FAO. <https://openknowledge.fao.org/server/api/core/bitstreams/8274525f-da59-43e4-81d9-c87cb666410a/content>
- The Lancet, Bogard, J., et al. (2019). The global syndemic of obesity, undernutrition, and climate change: The Lancet Commission report. EAT-Lancet Commission. <https://www.thelancet.com/commissions/EAT>
- Valente, F. L. S. (2003). Fome, desnutrição e cidadania: Inclusão social e direitos humanos. *Saúde e Sociedade*, 12(1). <https://doi.org/10.1590/S0104-12902003000100008>