

## CONSEA under threat: challenges for engagement in defense of real food and realization of rights

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The Brazilian Constitution enacted in 1988 symbolizes an important achievement of Brazilian society that, in its struggle against the military dictatorship, brought together social movements and organizations in the name of democracy and for a new path for public policies and State action. At that moment, the proposal of a National Health System and later of a National System of Social Assistance established the foundations of formal spaces of participation and social control for the implementation of these policies that inspired numerous others. Throughout our history, the majority of Brazilian society has lived with deep inequalities, hunger and lack of access to adequate living conditions. In the process of re-democratization the urban and rural movements claimed advances related to food and nutrition security (FNS) such as agrarian reform and access to food.

In the 1990s, a movement around ethics in politics and against hunger sparked a major national mobilization that culminated in the establishment, in 1993, of the

National Council for Food Security (CONSEA),<sup>1</sup> an advisory body of the President of the Republic, composed of representatives of civil society and government. At that time, the Council was short-lived, having been extinguished in 1995. However, this experience promoted the mobilization of numerous organizations and movements around the Food and Nutrition Security and Anti-Hunger agenda that led to the elaboration of the Zero Hunger Program, declared a priority in President Lula's first term.

In 2003, CONSEA was reinstated with greater representativeness of civil society and sectors of government. It is worth remembering that the re-democratization movement and its expressions of struggle against hunger have built up articulations of different popular sectors of Brazilian society that have generated a concept of Food and Nutrition Security (FNS) that has several particularities and is broader than the

one internationally adopted. This concept expresses the convergence of different agendas of the rural and urban dimensions of civil society. A historical product of Brazilian civil society, it is a driver of a proposal that intends to reorient different dimensions of food production, access to land and natural resources, protection of socio-biodiversity, supply, consumption, health, food heritage and others.

Thus, with the reinstallation of CONSEA, despite the intrinsic limitations of the processes of dialogue and the internal contradictions of the political composition of the government, begins a cycle that can be considered extremely positive. In 2006, the National Congress approved the Organic Law on Food and Nutrition Security (LOSAN, Law 11.346 / 2006), which established a national system with the fundamental objective of articulating public policies of different sectors for the realization of the human right to adequate food (RtF). The governance structure of the system was composed of two pillars. The first related to the participation

<sup>1</sup> At that time the "nutritional" dimension had not yet been incorporated.

and social control in all spheres of government, from the federal to the municipal, represented by the Councils and the second, responsible for the articulation of different sectors of government, organized in Intersectoral Chambers. The Councils are spaces of dialogue between government and civil society for critical analysis of the problems, definition of priorities and policy proposals, while the Intersectoral Chambers are instances of government that evaluate and decide on the proposals defined by the Councils. The highest level of this system of governance is the National Conference, convened by the National Council, every four years. During the Conference delegates from all Brazilian states discuss and approve priorities for the FNS national plan.

At the federal level, CONSEA was as an advisory body to the Presidency of the Republic. Its institutional competence was to present proposals and exercise social control in the formulation, implementation and monitoring of FNS policies. The National FNS System (SISAN) was consolidated at the federal level and in all Brazilian states, and in an increasing number of municipalities. The SISAN implementation process was interrupted when President Jair Bolsonaro, on his first day of mandate, on 1 January 2019, issued a Provisional Measure (# 870/2019), which changed the attributions and structure of the ministries and the Presidency of the Republic's bodies. This measure profoundly alters LOSAN and

extinguishes CONSEA.

CONSEA was established as a democratic space to articulate the dialogue between government and society, in which two-thirds of its members were representatives of civil society who carried out their functions in a voluntary, unpaid way and contributed to the improvement of public policies with their experience, knowledge and proposals to improve public policies to promote food sovereignty (FS) and FNS in Brazil. The Council was the space for the direct manifestation of the rights-holders, civil society movements and organizations. At the time of its extinction, 20 government sectors were represented in CONSEA and the following civil society segments: agroecology and small holders farmers, fisherfolk and agrarian reform movements; indigenous peoples, women, black people, traditional communities; trade unions, federations of workers; urban movements, community associations; small food industries; non-governmental organizations, FNS forums and networks; research institutions, professional associations; social assistance organizations, people with special dietary needs, homeless organizations, religious networks; human rights organizations; cooperatives or rural technical assistance associations; and youth organizations.

The priority for the representatives of the people most affected by food insecurity and malnutrition and the plurality of representations broadened the

legitimacy and representativeness of civil society in the dialogue with governmental sectors for the formulation and monitoring of public policies. Diversity of views, knowledge, practices and demands promoted a broader approach to the problems that interfere with the realization of the RtF and also expanded the possibilities of solutions. This multidisciplinary and potentially transdisciplinary perspective can thus elevate the approach to another level where the dialogue of the various dimensions of FNS and their expressions in the life of the various segments of society will demand the higher commitment of the State to fulfill the obligations necessary for the progressive realization of the RtF.

Also, the diversity of representations and, therefore, of demands, is what gives visibility to themes and dimensions not traditionally addressed and allows the structuring of processes that have as an objective the concretization of the concept of FNS in a set of articulated public policies. This statement is illustrated, for example, by the moments in which indigenous peoples and traditional communities have demanded more participation in the FNS agenda. Likewise, under the principle of equity and promotion of equality, the CONSEA agenda was composed of the whole spectrum of issues that impacted the realization of the RtF and Food Sovereignty, such as access to land and territories, the right to free use of biodiversity by traditional peoples and communities, the

strengthening of family-based agro-ecological agriculture, restriction of the use of pesticides and genetically modified seeds, expansion of income transfer programs, promotion of healthy and adequate food, food and nutritional surveillance, education, public budget and monitoring, food supply, institutional racism and gender social relations. CONSEA established a dialogue not only with the executive but also the legislative and judiciary and articulated the network of State Councils to strengthen the FNS National System.

Many public policies to combat hunger and misery and to guarantee a healthy diet for the whole population were born and/or were supported by CONSEA. For example, the inclusion of RTF in the Federal Constitution; the approval of the FNS Organic Law; the proposal of the FNS National Policy and Plan; plans for financial support for small-holder farmers; public procurement programmes, programmes to guarantee access to water to drink and food production in the semi-arid region; the National Policy on Agroecology and Organic Production; the Dietary Guidelines for the Brazilian Population, the expansion of the National School Feeding Programme and the purchase of at least 30 percent of food from small-holder farmers and traditional communities, as well as the support to establish a national network of researchers on FNS and Food Sovereignty.

The FNS National System was deeply hurt with the extinction of CONSEA, since it annuls the contribution of this space to reduce the asymmetry of power in the processes of definition of public policies. It also reduces the possibility for the federal government to have direct access to the set of needs, priorities and proposals of the broader sectors of Brazilian civil society, especially those in situations of greater vulnerability. With this extinction, those who have always held the power to assert their private interests will continue to dominate. The virtuous trajectory of SISA's participatory construction was interrupted, causing serious damage to the process of planning and implementing the FNS National Plan.

These developments also reinforce a model of a food system focused on monoculture, intensive agriculture, the use of pesticides and GMOs, concentration of food production and massive supply of ultra-processed products. This model generates the concentration of income and land, contamination and environmental devastation and social and environmental injustices, promotes the increase of inequalities and conflicts and increases the risk of diseases caused by the consumption of unhealthy foods.

The democratization of public administration and the recognition of the principle of social participation as one of the pillars of the democratic State represented the transition of the vertical and

passive relationship between the citizenship and government, allowing the creation of institutionalized channels of dialogue with civil society, especially those most vulnerable.

In this sense, the extinction of CONSEA represents a serious setback and the denying of a plural public space for debate and social control of FNS policies. Beyond that, the extinction of the Council is a sign of alert and its defense is of interest to all those who are aligned with the principles of a democratic society in order to preserve the mechanisms in which the legitimate and autonomous participation of civil society takes place without constraints. Social participation is guaranteed in the federal Constitution as a full exercise of citizenship. It is in the mediation of interests and coexistence with the contradictions that the true politics exist, where the public good can be defended directly by the rights-holders, without intermediation and protected from conflict of interests.

Although envisaged by law, CONSEA relied on the political-institutional environment and the effective and active involvement of government sectors in the dialogue with civil society. Considering the risk of reflecting on a present situation, it can be said that the reaction of national and international civil society, as well as of some sectors of the State to the extinction of the Council, confirms its importance, its role and the quality of its actions. In addition to all the other challenges

already faced for the effective implementation of the FNS Policy, the Provisional Amendment threat affects a more structural expression of a fundamental right of social participation and raises such questions as: how to guarantee the proposition and monitoring of the actions necessary for the realization of the RtF with the loss of an institutional and political space of plural dialogue, participation and decision? How to monitor the performance of the obligations of the Brazilian State to respect, protect, promote and provide the Human Right to Adequate Food?

During the analysis of the Provisional Measure, as a result of the social mobilization, dozens of amendments for the reinstatement of the Council were presented. In May 2019, one of these amendments was approved by the National Congress and CONSEA will be reinstalled but no longer in the Presidency of the Republic, but in the Ministry of Citizenship, which is now responsible for the Food and Nutrition Security agenda. Despite a significant victory for civil society, there is still much doubt and questions ahead of us, like, who and how the resettlement process will be conducted, what will be the representativeness of civil society, especially those groups of greater vulnerability, the proportionality of representation (civil society and government) and the maintenance of the presidency in civil society.

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