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NATIONAL PANORAMA OF FOOD AND ACCESS TO WATER IN THE PRISON SYSTEM



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LIST OF ACRONYMS

UNGA - United Nations General Assembly

AP - Amapá

CAISAN - Interministerial Chamber of Food and Nutrition Security

UN CHARTER - United Nations Charter

CRAS - Social Assistance Reference Center

CREAS - Specialized Reference Center for Social Assistance

CF 1988 - Federal Constitution of 1988

CNJ - National Council of Justice

CONSEA - National Council of Food and Nutrition Security

UDHR - Universal Declaration of Human Rights

FAO - *Food and Agriculture Organization*

IAN - Food and Nutritional Insecurity

LEP - Criminal Enforcement Law

LOSAN - Organic Law of Food and Nutrition Security

MDS - Ministry of Development and Social Assistance, Family and Fighting against Hunger

MJSP - Ministry of Justice and Public Safety

UN - United Nations

PB - Paraíba

PNSAN - National Plan of Food and Nutrition Security

PNAE - National School Feeding Program

PNAN - National Policy of Food and Nutrition Security

PNSAN - National Policy of Food and Nutrition Security

PIDESC - International Covenant on Economic, Social and Cultural Rights

PPL - People Deprived of Liberty

PR - Paraná

RJ - Rio de Janeiro

SC - Santa Catarina

SAN - Food and Nutrition Security

SENAPPEN - National Board of Criminal Policies

SISDEPEN - National Criminal Information System

SISAN - National System of Food and Nutrition Security

SUAS - Single system of Social Assistance

SUS - Unified Health System

STF - Federal Supreme Court

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PRESENTATION

The I National Panorama of Access to Food and Water in the Brazilian Prison System is a pioneering initiative of the National Secretariat of Criminal Policies to subsidize the institutionalization of a national program of food and nutrition security in the prison system. The paper presents a consolidated of information collected within the prison units of the country, mapped with the objective of tracing a national diagnosis and indicating possibilities of action of the state in promoting food and nutritional security of people deprived of liberty.

Food and nutritional insecurity is a public health issue and food is a fundamental right. By ensuring the quality and variety of food provided in prison institutions, public bodies and society demonstrate their commitment to human dignity.

Food security in the prison system is a humanitarian and legal imperative that transcends correctional institutions. This is an essential measure for respect for fundamental rights and citizenship of persons deprived of liberty. Ensuring that individuals deprived of liberty have access to adequate and nutritious food, not only meets a legal duty, but also reflects the values of a society that values the dignity of all its citizens, regardless of circumstances.

A balanced diet not only positively influences the physical and mental health of individuals, a primary objective for food and nutritional security policy, but also contributes to the reduction of tensions and conflicts in prisons. By acquiring skills related to healthy eating and caring for nutrition, people in prison rely on valuable tools for a post-prison licit life, especially if these skills are associated with professional training, entry into productive opportunities and access to income.

André de Albuquerque Garcia

1. INTRODUCTION

The National Panorama of Access to Food and Water in the Prison System is part of a set of essential measures to change the unconstitutional state of affairs of the Brazilian prison system, declared by the Federal Supreme Court. Even with the country's achievements in the human rights agenda, food security, a constitutionally recognized social right, is still vulnerable in the spaces of liberty deprivation.

In this perspective, the diagnosis is the result of a research, based on the objective of mapping and systematizing the information collected within the prison units. The study has a descriptive character, with evaluations guided through a quantitative and qualitative approach, used in a complementary way, before the pluralization of possibilities for understanding the context of food and access to water in prison.

The technical report is structured in 11 parts: 1) introduction; 2) historical reflection on the right to adequate food; 3) basic instruments that institutionalize the trajectory of food security in Brazil; 4) methodological parameters; and the results consolidated in other 6 topics - 5) access and availability of food; 6) evaluation of food; 7) supervision of food; 8) access to water; 9) servants' food; 10) challenges and possibilities for the promotion of food and nutritional security in the prison system. Finally, the final considerations are consigned.

The information produced indicates that it is essential to invest in structuring measures and in the integration of public policies and the organs of the criminal justice system, criminal enforcement and social protection to meet national and international health and food and nutritional security standards in the prison system.

In recognition of the construction of the National System of Food and Nutritional Security (SISAN), established by Law No. 11.346, of September 15th, 2006, as a model that seeks to break with sectorialism in public policies, the work indicates the intersectoral model of public policies as a strategy to reaffirm people deprived of liberty as subjects of rights and beneficiaries of policies social protection, combating hunger and poverty. The possibilities of the State to promote significant changes in the prison system require the construction of national parameters for the visibility of persons deprived of liberty in the policies of citizenship implemented by the various ministerial departments.

The intersectoral, participatory management and the articulation between the federal entities to promote food and nutritional security in prison enables the implementation of convergent policies, in a perspective of complementarity, optimization and potentiality of sectors such as education, work, social assistance, agriculture, health, technology and so many others that can favor and increase criminal services and universalization of access to the fundamental rights of the population deprived of liberty.

The pre-existing conditions of vulnerability in the life trajectories of people deprived of liberty are deepened during the execution of sentences. Therefore, the proposal for reflection reproduces the argument about the relationship between access and quality of food, in which, decoupled access from quality perpetuates rights violations and subordination. Therefore, the complexity of the questions presented indicates the intersectoral and interfederative action among all powers as an imperative condition to advance in the realization of the civilizational frameworks that determine a fair, safe and peaceful criminal system.

2. THE HUMAN RIGHT TO ADEQUATE FOOD

In order to understand food security policy in Brazil, it is essential to restore the historical context in which food becomes a fundamental right of the human person.

After World War II, human rights moved toward a resignification aimed at protecting the basic values of dignified life, in a perspective that anyone, man or woman, with education or not, adult or child, sick or health good, would be entitled to a right holder (OREND *apud* ALMEIDA; DÍAZ, 2021). In 1945, the United Nations incorporated human rights into the United Nations Charter, with a commitment to promote peace and protect fundamental rights.

In this sense, from 1948, according to the Universal Declaration of Human Rights of 1948:



Article

2 All human beings may invoke the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, fortune, birth or any other situation.



The right to food also goes back to the context of global post-Monday, followed by the expansion of food production in industrialized countries.

Even with the replacement of colonial rule, economic, cultural and social dependence was maintained among the richest and most economically fragile countries, including access to food (Barros; Pereira, 2009).

In this sense, the Universal Declaration of Human Rights was a pioneering instrument in the recognition of the universal human right to food, establishing the equitable distribution of world food resources in relation to the needs of each country, taking into account the problems of both importing countries, as for the exporters of foodstuffs (Barros; Pereira, 2009). At that time, food was seen only as a lack of food resources, without relations with other human rights, causing a reductionism of food policies, restricted to the increase in food production, because it was related only to the liberation of hunger (Barros; Pereira, 2009).

It was only in the 80 that the international human right to food began to progress toward the awareness that the food crisis and hunger in the world were not only due to the lack of food, but also to complex social situations, the lack of individual and collective rights, able to ensure the control of production processes, the final destination of products and their link to export due to profit, to the detriment of local demand (Barros; Pereira, 2009). That is, it was begun to realize that, in some way, the poor distribution of wealth contributed to the insufficiency of food and consequently, the enhancement of misery and hunger.

In 1996, at the global food summit, *the Food and Agriculture Organization* (FAO) mobilized the heads of state and government of member countries to engage in the eradication of hunger in the world, reaffirming the right of all human beings to adequate food. The commitment to gradual implementation of the law was signed, guaranteeing food security for the entire population until 2015. The 1999 San Salvador Pact included social rights in the American Convention on Human Rights catalog, consolidating the right of all human beings to adequate nutrition, ensuring that they have the possibility of adequate physical, emotional and intellectual development (Camera; Wegner, 2017). For FAO, food security occurs when all people have permanent physical, social and economic access to safe, nutritious and sufficient food to meet their nutritional needs. Today, in addition to the economic and social factors related to lack of access to adequate food, climate change also impacts on Food Security.

These facts are of fundamental importance, considering that they represented the starting point for the creation of international treaties and other documents of universal recognition on human rights, including the right to adequate food. In the national scenario, Brazil, as a signatory to the United Nations Charter, needed, primarily, to amplify the notoriety of the international treaties. In order to subsidize the admission of human rights in national order, the 1988 Constitution provided that:

Article 5th

§2nd The rights and guarantees expressed in this Constitution do not exclude others arising from the regime and principles adopted by it, or from the international treaties to which the Federative Republic of Brazil is a party.

Faced with this scenario, the State began to expand the number of ratifications of conventions in favor of human rights and among them, stands out those that endorse the respect and dignity of persons deprived of liberty, among which we cite: The International Covenant on Civil and Political Rights of 1966; the American Convention on Human Rights of 1969; and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (Almeida, Díaz, 2021). Mandela's Rules, which constitute an update to the "minimum rules for the treatment of prisoners" approved in 2015, also corroborates the importance of guaranteeing the human right to adequate food for people deprived of liberty.

Although normalized in several international texts, the human right to adequate food is treated more comprehensively in the International Covenant on Economic, Social and Cultural Rights (ICESC). This instrument is a multilateral treaty adopted by the United Nations General Assembly on December 16th, 1966, in force since January 3rd, 1976.

2.1 Food Safety in Brazil

The trajectory of Food and Nutrition Security was driven at the 1st National Conference on Food Security in 1994, a movement that discussed the agenda, seeking solutions to end hunger, poverty, lack of citizenship and social exclusion. In 2004, through the Second National Conference on Food Safety, the definition of Food and Nutrition Security reaches cultural, social and environmental dimensions related to food and feeding, incorporating the nutritional component, related to food practices and the biological use of food (Villas Boas; Soares, 2020).

Advancing Law No. 11.346, of September 15th, 2006, known as the Organic Law of Food and Nutritional Security (Losan), established in Brazil the National System of Food and Nutritional Security (SISAN) with a view to ensuring the human right to adequate food. The system has as its central organ the National Council for Food and Nutrition Security (Consea) and the State and Municipal Councils, as decentralized bodies, composed of representatives from all spheres of government and civil society, with attributions to encourage the elaboration of public policies.

Law No 11.346 of 2006 also provides the duty of the State to ensure the human right to adequate food, and defines that food and nutrition security is 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 environmental, cultural, economic and socially sustainable. From Losan, through Amendment to Constitution No. 64, in 2010, food becomes recognized as a fundamental social right, and is now included in article 6 of the Federal Constitution of 1988.

Flávio Valente argues that:

[...] the right to food is considered a basic human right, without which there is no right to life, there is no citizenship, there is no right to humanity, that is, the right to access the material, cultural, scientific and spiritual wealth produced by the human race. People need appropriate food in the quantitative sense. However, this is not enough. For the human being to feed himself, the act is linked to tradition, family life, friendship and collective celebrations [...] strengthening beyond the physical and mental aspect, his self-esteem (Valente *apud* Araújo and Silva, 2022).

Law No. 8.080, of September 19th, 1990, establishes the Brazilian Unified Health System and aims at the integrality of health promotion, protection and recovery actions, considering the interrelations between the biopsychosocial dimensions of the health-disease process. Health levels are expressed from determinants and constraints, including access to food, sanitation, the environment, work, income, education, etc. (Brasil, 1990). Law No. 8.080, of 1990, brings universal parameters to promote the right to health in the country, as a fundamental right of the human being, and the State must provide the necessary conditions for its full exercise. Similarly, Law No. 11.346 of September 15th, 2006 establishes the parameters of the National Policy of Food and Nutrition Security (SAN) and extends to all, in a universal way, regular access and permanent to quality food in sufficient quantity.

The National System of Food and Nutrition Security is intended to approve the production, supply, commercialization and consumption of food, also considering its interrelations with the diverse aspects of citizenship. According to the Sisan parameters, food security consists of 4 dimensions: food availability, access to food, food and nutrient use, and stability, which is a cross-sectional dimension to the other three (MDS, 2014).

Table 1 - Dimensions of Food Safety



Access

Dimension of SAN that addresses the presence of economic and physical resources, to acquire the food available to meet their needs, uniting economic and social factors and rights to access to food.



Availability

Dimension corresponds to the existence of sufficient quantities of food of adequate quality, supplied through country production or imports, including food aid.



Use

A dimension that focuses on the effects of climate change on food consumption, nutritional quality and its social value, influencing the living conditions, nutritional status and health of individuals.



Stability

Dimension that corresponds to the guarantee of availability, access and adequate use of food by individuals and therefore encompasses the other 3 dimensions.

Elaborated by the authors, from Alpino, Mazoto, Barros, Freitas, 2022.

Table 1 presents the concept of food security adopted at the national and international level, which is related to health and the conditions of social and economic organization of the country

Food and nutrition security presupposes access to safe and health-free foods. A food may become at risk for reasons such as: improper handling; use of raw and contaminated materials; contamination and/or microbial growth; improper use of chemical additives; accidental addition of chemicals; environmental pollution and nutrient degradation (Sousa *apud* Massarollo *et al*, 2012).

In this perspective, despite the construction and conquest of human rights in Brazil, the absorption of food security as an elementary human right and legal precept guaranteed as a social right is still vulnerable in the spaces of deprivation of liberty.

The struggle to ensure the dignity of all human beings is remarkably accentuated within the Brazilian prison system. Despite the normative ties, protection of human rights is still more sensitive to people deprived of liberty (Sarlet, 2010), both because of the condition of compliance with sentences in total institutions such as prisons, and because of the social stigma toward people in conflict with the law, factors that negatively impact the public legitimization of investments for citizenship of prisoners.

It is also observed the absence of specific public policies within the National System of Food and Nutrition Security to achieve this right for people deprived of liberty, which implies the need to problematize the theme and the responsibility of the institutions in the realization of this fundamental right (Dunck; Santos, 2017).

3. METHODOLOGY USED IN THE CONSTRUCTION OF THE DIAGNOSIS

Applied with Survey methodology, the project had a hybrid approach, carried out by means of electronic tools with qualitative and quantitative questions, especially by the descriptive research feature with primary data source. Table 2 shows that the field studied involved the entire national territory, represented by prison units from all over the country, reaching 80.41% per cent of the universe of 1384 state prison units registered in Sisdepen (Brasil, 2023).

Table 2 - Field and sample

| REGION | UNITS IN THE STATE | UNITS IN THE RESEARCH |
|--------|--------------------|-----------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

Source: Prepared by the authors.

In the 1,113 state prison units represented in the survey, 581,993 people deprived of liberty are custodian, therefore, the sample coverage represents the portrait of the feeding of 90.32% of the people institutionalized in the national prison system, based on population data registered in Sisdepen (Brazil, 2023). In order to identify minimum criteria regarding access, availability and quality of food, including questions about access to water in prison systems in the states of the federation, a survey was applied consisting of 32 questions, set out in Table 3.

The instrument was composed of open and closed questions, structured in 3 blocks.

Section 1 - Organizational Structure

- Name of Prison Unit.
- Name of the Person Responsible for the Information. Contact of the Person Responsible for the Information. federative Unit.
- Municipality.

Section 2 - Feeding Data

- How many meals are held per day? What do meals consist of?
- Do meals that come in a lunch box form have some specific minimum weight? What is the time of the meals and how is the delivery carried out?
- Is the menu prepared by nutritionist? Is there own kitchen in the unit? If not, where does the supply come from?
- If the unit does not have a kitchen: Is there a space available to implement kitchens in the unit?
Are there sales of products and objects allowed and not provided by the Administration? In case of sale of products, what items are sold?
- Are family members or other people allowed to bring food to custodian people (such as through bags or food on visiting days)?
Is there a supply of special food for custodian people who, by virtue of religious belief, origin, or other reason other than health, cannot consume the food ordinarily provided?
- Is there a supply of specific food for people with restrictions on food? (e.g. diabetics, allergic, intolerant to some foods)
Is there a different way of preparing food [e.g. pasty food] for people with difficulty chewing, such as elderly people?
Are there different foods offered on commemorative dates? (Ex: chocolate at Easter)
- Describe.
Is there an incentive to provide local culture food? (E.g. acai, couscous, etc.) Describe.
- Is there any external agency inspection about the quality of the feeding? How is it done?
Is there quality control as to: quantity according to contract, distribution of food groups according to menu, conservation, quality?
- Is there an appropriate place for storage of the products used in food preparation within the unit itself?
- Is there any form of food cultivation in the unit? (ex: vegetable garden)

- If not: Is there a place available in the unit for planting and growing food?
Is there an interest in the unit in receiving a program of planting and cultivation of food and
- consequent generation of jobs for people deprived of liberty?
How is food supplied to the servants?

Section 2 - Feeding Data

Female unit

How does the supply of food for children who remain with their mothers take place? Is formula delivery for babies who are not breastfed?

- Considering the food provided to people deprived of liberty, how do you evaluate the quality/taste/variety conditions of the menu? (In the scale from 1 to 5, being: 1. Awful 2. Bad 3. Reasonable 4. Good 5. Excellent) What are the biggest problems perceived regarding
- feeding?
What suggestions would you give for improving the food of people deprived of liberty?

Section 3 - Access to water

- Is access to drinking water for consumption unrestricted? (for example: is there a drinking fountain/filter/other alternative in the cell or is it only distributed by the prison agents as it is requested?)
Is access to water for hygiene unrestricted or rationed? (is water released all day or only at
- specific times?)
Are there any comments regarding access to water or food relevant to research?

-
-



The *Google Forms* form was sent to the Secretariats of Penitentiary Administration (or counterpart), through a circular letter, on May 19th, 2023, aiming at the universality of prison units of the States and the Federal District. This approach aimed to cover all institutions responsible for the custody of persons deprived of liberty and therefore in charge of the supply of food. Responses were collected until August 10th, 2023, when the form was closed.

The collected responses were organized in a database, systematized from the *survey questions*. The data were processed and analyzed, initially, using *Excel software*, *R Programming language* and after, using *Business Intelligence tool (PowerBI)*. To legitimize the regional and local results, 74 repeated identified responses were excluded, and, checked the nomenclatures of the prison units indicated by the respondents, with data from records of the prison units in Sisdepen (Brasil, 2023). The sample validation was carried out through the official registration of prison units of the Penitentiary Information System of the National Secretariat of Criminal Policies (Brazil, 2023), with further location and mapping of the geographic coordinates of all units.

Finally, with the use of descriptive statistics techniques, the data were analyzed and describe the empirical investigations that characterized the evaluated points.

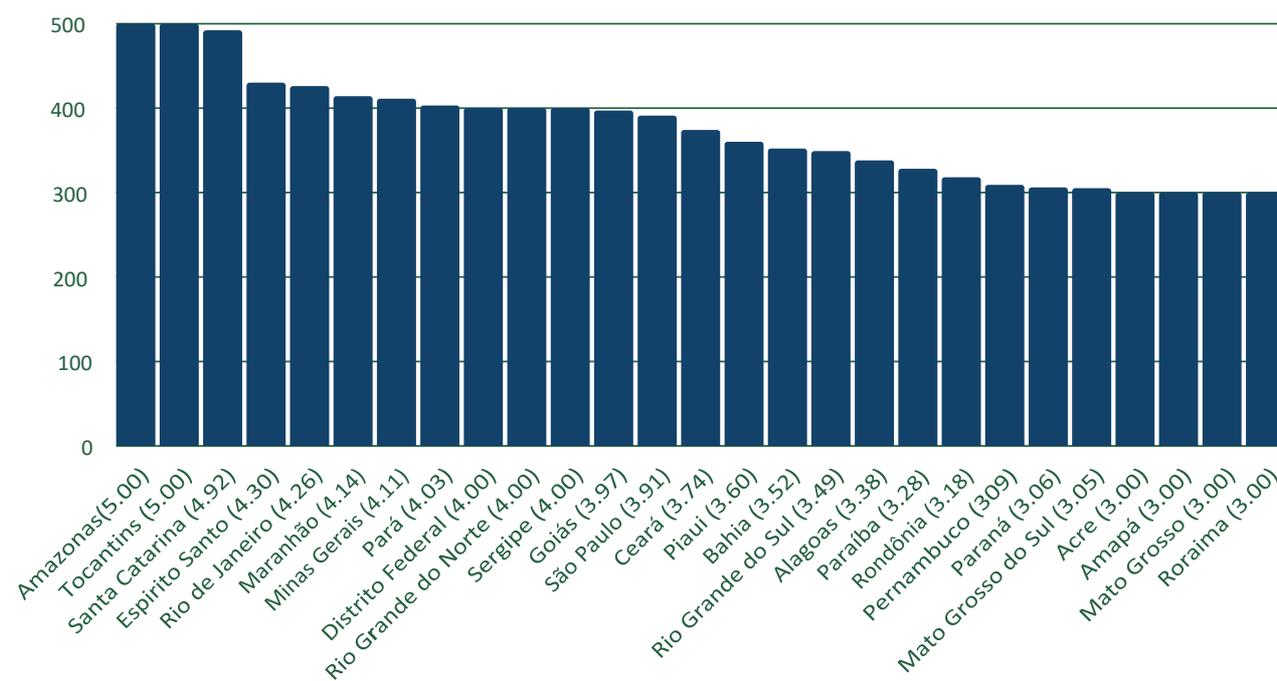
To assist in the understanding of food security in prison and indicate possibilities of promotion, the quantitative analysis was complemented, with the use of qualitative tools, through documentary and bibliographic survey. The method is indicated for the investigations of interpretative and critical perspective, bringing diverse possibilities of study of social and human phenomena, established in the spaces (Merriam *apud* Teixeira, 2003).

4. FEEDING ACCESS AND AVAILABILITY

To begin the evaluation of the access of the private population of freedom to food, the first question questioned the amount of meals served per day. In 54.09% of prison units, the respondents report that 4 meals are served daily. The average and the national median point to 3.8 and 4.0 meals daily, respectively. 33.42% of the units responded to offer 3 meals, while only 10.15% and 0.72% of the units offer, respectively, 5 and 6 meals a day. In the units that indicate the highest number of meals, attention is observed to pregnant people and people with a special diet.

Figure 1 shows the average meal per federation unit (FU).

Figure 1: Average daily meals



Source: Prepared by the authors.

In the analysis of the average among states, it is observed that, part of the prison units offer less than 4 meals, which indicates that the amount of food is insufficient, especially if we consider the time lapse of feeding between one meal and the other. It is ideal to add a meal, at least between meals that are more spaced from each other. As an example, we present the inclusion of the supper between dinner and breakfast. Regarding this point, it is essential to emphasize that Resolution No. 3, of October 05th, 2017 of the National Council of Criminal and Penitentiary Policy determines the minimum offer of five daily meals: breakfast, lunch, snack, dinner and supper.



The result is consistent with the question that evaluated the time of the return and the form of delivery. The data indicate a significant time lapse between the delivery time of one meal and another, especially between meals served at dinner, supper and breakfast. There are situations where the time between two meals is more than 15 hours. This indicates the occurrence of a period of hunger in people deprived of liberty.

Hunger is a broad concept, not just the absolute lack of food, but also the restrictions, especially qualitative (Fernandes, 2020). Although paradoxically, obesity is also a face of hunger and malnutrition, as there is, in addition to excess calories, strong nutritional imbalances and the absence of protective foods in the diet (Fernandes, 2020). To illustrate the most repetitive forms of delivery, the question was opened to obtain descriptive answers. There are answers that inform:

“Breakfast - 06h00 am, Lunch - 11h00 am, Dinner - 05h00 pm, Supper / Night snack - 05h00 pm (delivery together with dinner)”; **“7h am coffee, 11h am lunch, 04h pm dinner and breakfast”**
06h am - breakfast/09h am snack / 11h30 - lunch / 05h pm - dinner / 06h30 pm - supper (are provided within established times and “ consumed inside the cafeteria)” **“at 07:30h am breakfast, 11:30 is held lunch and snack delivery and 03:30h pm Dinner and supper” (sic).**

Questions were asked to evaluate the qualitative dimension of food served in prison units. To check what meals consist of, in particular, breakfast, lunch, dinner and supper, an open question was elaborated, aiming to check the majority description of the results. The answers show that breakfast consists of bread and coffee, lunch by rice, beans and protein, menu replicated at dinner. Because it is a descriptive question, some menu responses are presented, representing units serving 3, 4 and 5 meals:

Units with 3 meals

Paraíba (PB)

Breakfast: Couscous with mortadella and coffee - Biscuit with coffee

Lunch: Beans, rice, pasta, always accompanied with a protein, either beef, chicken, sausage, liver or sausage.

Dinner: soup - pasta with protein - broth - rice with protein.

Amapá (AP)

Breakfast - bread with coffee

Lunch and Dinner - beans, rice, pasta, salad, farofa and protein

Paraná (PR)

Breakfast - bread with coffee

Lunch - rice beans meat and salad Dinner - rice beans meat and salad

Units with 4 meals

Rio de Janeiro (RJ)

Breakfast: bread with butter, coffee and milk. Lunch and dinner: rice or pasta, protein and vegetables.

Supper: bread with butter and milk.

Unit with 5 meals Santa Catarina

(SC)

Breakfast - coffee with milk, French bread, margarine and fruit jam

Lunch - rice, beans, side dish, meat and salad

snack - fruit and 02 units of sweet weekly, per person

dinner - rice, beans, side dish, meat and salad

supper - french bread, margarine and fruit jam

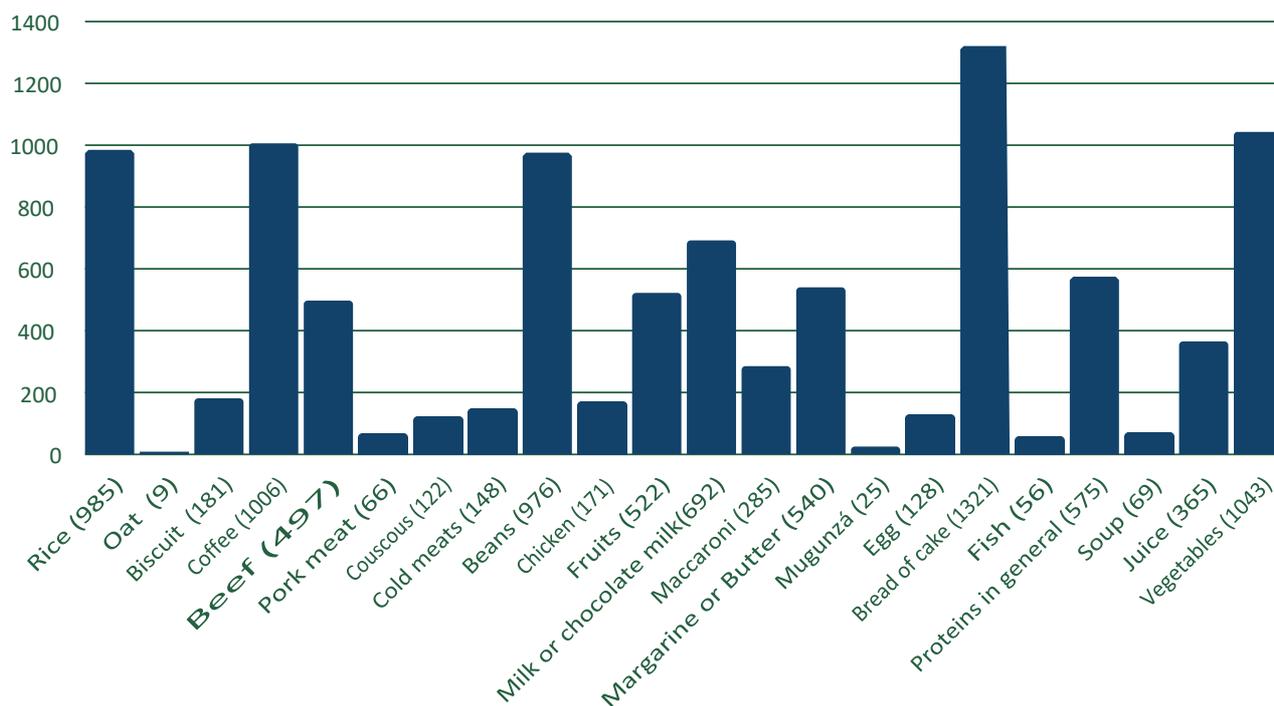


In addition to the questions, the federal units were asked to send photos of the feeds, aiming to collate the answers with the photographic files. 1893 images were received concerning the feeding. The photographic images of the meals, used in this technical report, are part of the survey carried out.

In general, there is a repetition of the menu, especially with regard to breakfast, which in most units consists of bread and coffee. Some units declare the offer of *cream cracker biscuits*. In the photographic archives, the recurrent use of proteins such as sausage and steak of industrialized chicken is noticed, besides, visibly, being offered little amount of food in some units.

Figure 2 quantitatively consolidates the variety and the most recurrent types of food offered by the administration, considering the universe of meals described by the respondents.

Figure 2 - Types of food by administration

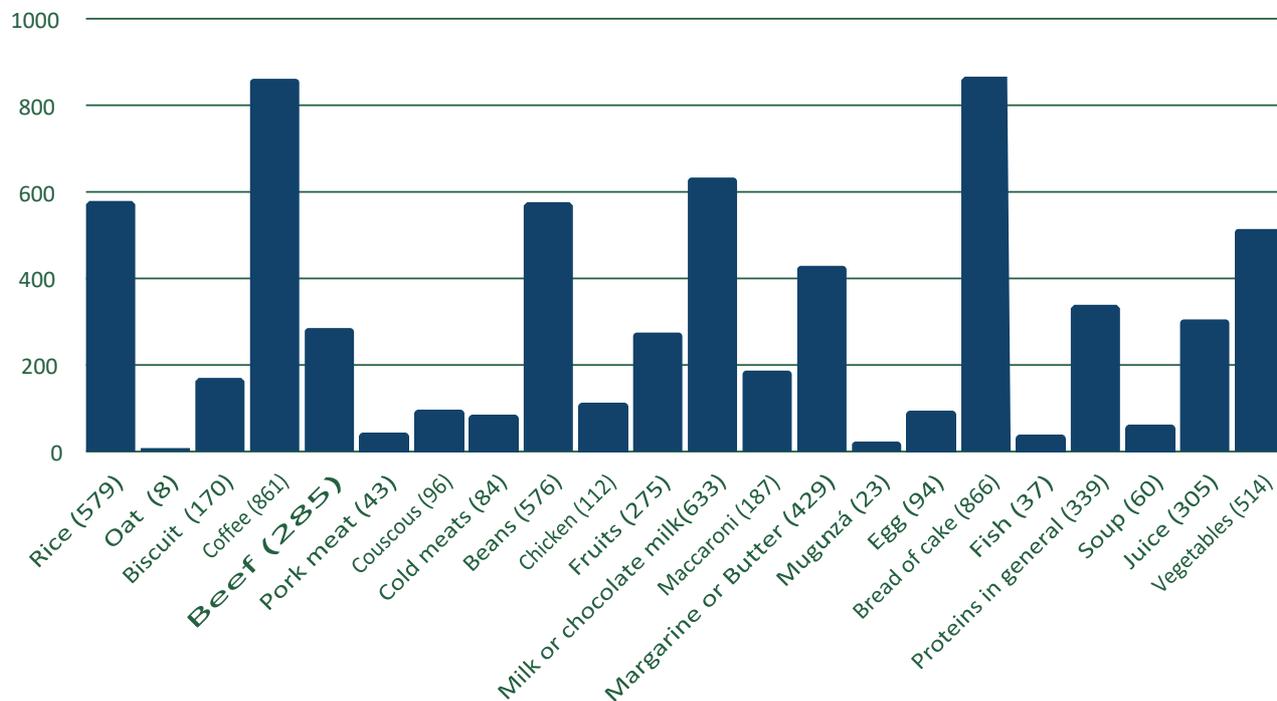


Source: Prepared by the authors.

The archive of descriptive answers show a high incidence of supply bread, cake, coffee, rice, vegetables, beans, milk and chocolate. When we evaluate the main products offered, the supply of bread, coffee, milk and cocoa powder is confirmed in most of the federal units.

Figure 3 shows the quantity of units that offer the products.

Figure 3 Quantity of units that offer the product



Source: Prepared by the authors.

The data confirm that bread, cake, coffee and rice are the foods offered in most units. There is also a need for higher incidence of vegetables and animal protein in food supply. It is important to emphasize that the World Health Organization (WHO) recommends five daily servings, at least five days a week, of fruits and vegetables, and that food safety is a field of collective health, which aims to promote health and prevent risks associated with food (Martins; Tancredi; Gemal, 2014).

Regarding the topic, it is oriented to the states of the federation to observe the Brazilian guide of food, official document of the Ministry of Health. According to the World Health Organization and the Food and Agriculture Organization, food guides are an essential health technology for improving food and nutrition standards and promoting people's health. These guides advise and encourage the adoption of healthier lifestyles and more appropriate food choices.

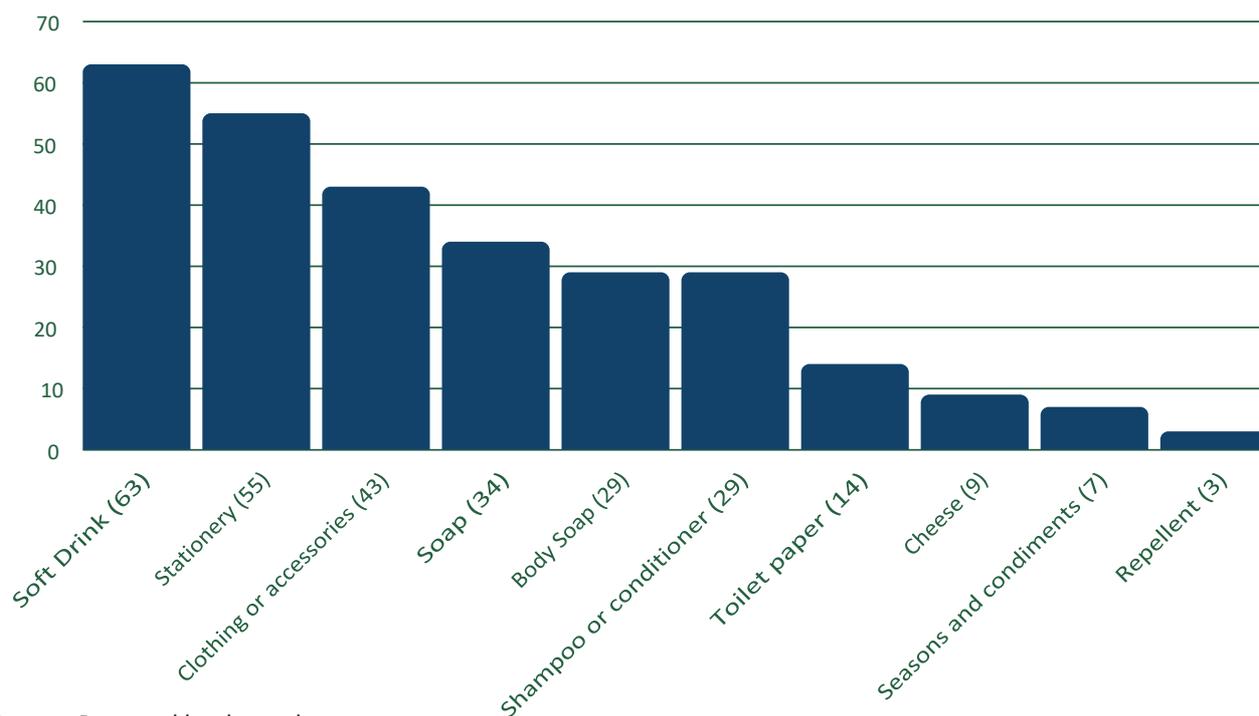
The Brazilian document brings important guidelines on food, a human need that goes beyond the intake of nutrients, brings guidelines for food composition, food classification, subsidizing understandings about in natura foods, minimally processed, processed and ultra-processed, their distinctions and consumption orientation.

In the prison system, in addition to the supply of food by administration, directly or by contracts for outsourcing services, persons deprived of liberty have access to food through the sale of products and objects allowed and not provided by the administration. Article 13 of the Criminal Enforcement Act (Brasil, 1984) provides that prison establishments must have facilities and services that meet the personal needs of persons deprived of liberty, allowing the commercialization of products, in a complementary way.

Thus, in order to map access to complementary foods, they were included in the survey regarding the permission of sale and type of food marketed. According to the survey, 74.48% (829) of the prison units do not have complementary marketing of food and 25.52% (284) allow marketing. Among the units that allow, the commercialization is very diverse. Among the foods marketed are sweets (34.24%), basic food items (23, 38%), personal hygiene items (19.47%).

Considering the situation of deprivation of liberty of persons custodian in the prison system, it is pointed out that canteens are a place of access to additional food items, although it is possible to identify items that should be provided by the public administration, such as water, medication, toilet paper, cleaning items, general and oral hygiene items. In spite of not being food items, it is important to bring to light the fact that material assistance items, linked to basic survival conditions, are marketed, in addition to diversified food items. Only 21 prison units reported the sale of fruits and vegetables in canteens, which represents 1, 39% of the respondent units. The datum indicates that both the availability and access to such items are restricted in the prison system, even if this is not the situation identified outside the prison.

Figure 4 - Food marketed



Source: Prepared by the authors.



Figure 4 shows the 10 most traded items in prison units, in which soft drinks and hygiene items stand out.

In the prison system, access to food, even for those who have resources for purchase (minority of people arrested), is controlled and restricted. Another factor of vulnerability is that most people deprived of liberty do not have access to income, a condition that must be considered by the prison administration bodies. According to SisDepen data, 23.98% of people deprived of liberty have access to work activities, and in only 50% of cases work is paid (Sisdepen, 2023).

In the descriptive answers of the open questions, reports of differentiation of the amount of meals among prisoners who work and do not work were collected, which is why it is pointed out that the right to food should be treated based on the rule of isonomy, avoiding privileged or discriminatory treatment to groups of people. Still on the marketing of food, it is verified that 19 states authorize the sale of products, but not in the whole prison system, because according to the data, in the same state there is permissive variation. Some states have a minimum number of establishments that authorize the sale of products, such as: Acre, Ceará, Espírito Santo, Pará, Paraná, Rio Grande do Norte, Rondônia, Roraima, Sergipe and Tocantins. In contrast, it was found that in 8 states - Alagoas, Amapá, Amazonas, Bahia, Federal District, there is no sale of products in any of the establishments that participated in the research.

It is estimated that the context of the Covid-19 pandemic, declared in March 2020, has caused the permanent closure of canteens. The social isolation measures declared in Brazil led to the closure of prison units for visitors and other players outside the prison community.

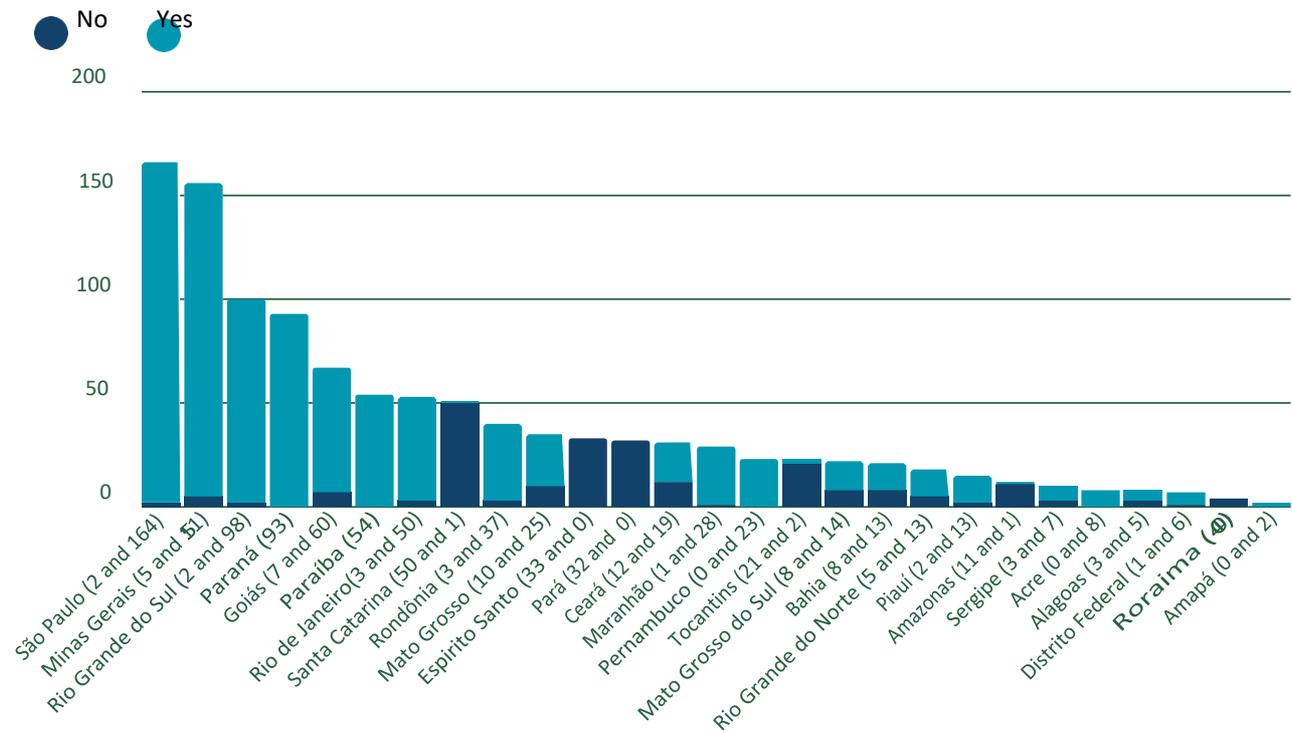
It is necessary to reinforce that, despite the legal provision for the commercial activity of products and objects intended for the material assistance of prisoners, the forecast should be interpreted in a restricted way, because the basic items of survival should be fully offered by the administration, since they constitute fundamental rights of these people. Marketing should be oriented to the access of people deprived of liberty to diversified items, not offered by the administration.

It is not possible to link the dignified and full assistance to those who are custodian in prison to the operation of a canteen, or the receipt of items delivered by visitor. The State must fulfill its mission, as a custodian authority, which reinforces its primary responsibility for meeting all the basic needs of persons deprived of liberty, in an exclusive and uninterrupted manner (TCDF, Process No. 0004039-33.2017.8.07.0015:).



Adequate food, in sufficient quantity and distribution to meet the nutritional needs of the subjects custodian in criminal establishments, is the responsibility of the State and, in no event, should be restricted with the justification of insufficient recourse, nor with the intention of penalizing the arrested person, this practice, including, it can be characterized as torture and violence. Another form of access to food in the prison system is through the means of social visits and sent by registered friends and family. According to the data collected, in 79.69% of the units reached in the survey, the entry of food by the family members is allowed, while in the remaining 20.31% is not allowed.

Figure 5 - Food entry permission



Source: Prepared by the authors.

Figure 5 brings the data, by federation unit, of permission to enter food by visitors. In 5 states - Acre, Amapá, Paraíba, Paraná and Pernambuco, all the units surveyed reported that food entry is allowed through family members and other people. In 3 states, Espírito Santo, Pará and Roraima, the prohibition is identified in all establishments.

4.1 Feeding for more vulnerable groups in the prison system

In two issues it was questioned, through an open question, "How does the supply of food for children who remain with their mothers happen?" and "is there delivery of formula for babies who are not breastfed?"

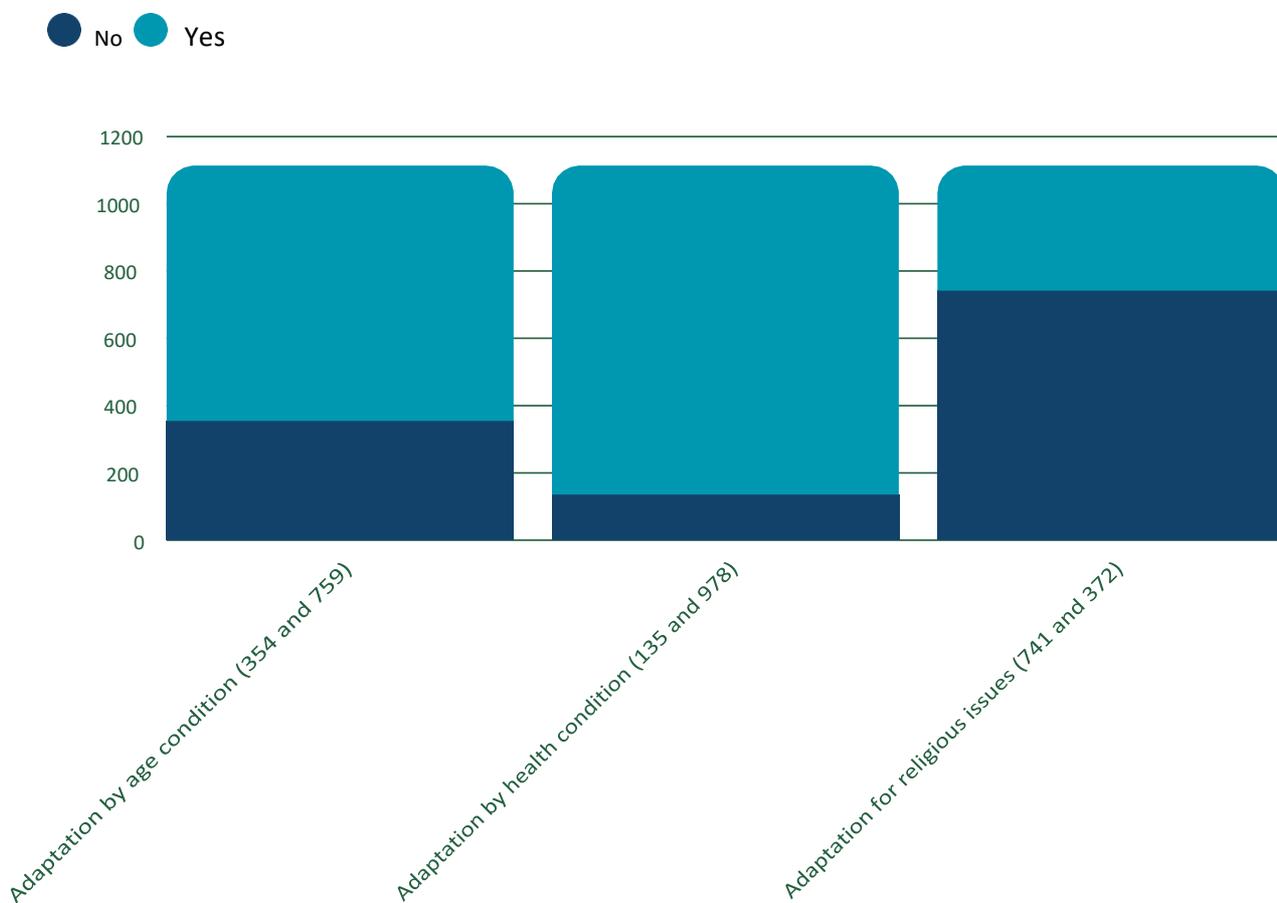
The answers show the diversified pattern in feeding supply in units that have maternal and child ward. While in some units there is direct purchase and supply, in others there is clause in the contract for supply by third party company, such as specific feeding. It was also verified in some responses, units in which the child's feeding is provided by the family members. According to reports,

"Children stay up to 6 months and feed on their mother's own milk, or the family is allowed to bring milk, vegetables, fruits. There is formula delivery for babies who are not breastfed through the family themselves". "When necessary, the Unit provides the necessary milk formula."

"It is allowed the entry of special formulas for children, as well as the inmates can prepare in the kitchen the specific feeding, in addition to providing the breastfeeding in a suitable place." (sic)

Figure 6 shows the representation of the responses collected in prison units regarding the adaptation of food, due to health, age and religion.

Figure 6 - Feeding adaption



Source: Prepared by the authors.

In 87.87% (978) of the responses, special feeding due to health is verified, reported due to dietary restrictions, such as diabetes, allergies, food intolerance. 68, 19% (759) of the units indicated that there is differentiated preparation of feeding for elderly people, with difficulty chewing, such as the preparation of pasty food. For religious reasons, only 33.42% of the units reported that food is adapted. Most units (741) record that they do not offer differentiated food because of the religion of people deprived of liberty. In addition, 102 units reported not to adopt any type of adaptation of food to the requirements requested, that is, 9.16% of establishments do not take into account the conditions of triad- health, age and religion - for the elaboration of the respective menus.

Although the research indicates that the federal units have made efforts to meet differentiating aspects in the feeding of some more vulnerable groups in prison, it is necessary to reinforce the need to ensure the observance of fundamental rights in the food offered in prison establishments.

The UN minimum rules for the treatment of prisoners (20.1 and 20.2) determine that, in addition to being served at usual time, meals must be of good quality, with sufficient nutritional value for the maintenance of health, ensuring access to drinking water, respect for religious diversity and individual special needs (Belik, 2003). In this same line, it is important to mention the specificities of food for certain groups, especially indigenous people, whose culture and customs should be considered in the formulation of public policies. This is what Resolution No. 287 of 06/25/2019 of the National Council of Justice (CNJ) says when dealing with access to food. With this, the prison administration should be concerned to ensure that indigenous people deprived of liberty have access to food compatible with their customs and beliefs, under penalty of violation of their rights.

It is necessary to understand the multidimensionality of the causes that lead to all forms of malnutrition and its associated factors, such as poverty situations and lack of access to a quality and diversified diet, respect the eating habits and cultures of different peoples and countries and that it is composed of healthy foods produced in a sustainable manner (Bocchi at al, 2019).

Malnutrition manifests itself in various ways, ranging from malnutrition and micronutrient deficiency until overweight and obesity, bringing profound impacts on people's health, irreparable social and economic consequences to states, individuals, families and the community, which makes the challenge of promoting food security much greater than in recent decades (Bocchi *at al* , 2019). In addition to the need to ensure availability and access to food, equally important is the challenge of quality of what is available for consumption (Bocchi at al, 2019).

Regarding the existence of incentive for the supply of cultural foods, most of the answers indicate that there is no observation of this strategy in food. Less than 10% of the units responded that there are incentives, the vast majority being located in the Northeast, with supply of fish, couscous, mungunzá porridge, feijoada. According to some answers,

“yes, traditional food from the northeastern cuisine is prioritized such as couscous, yams, macaxeira, sweet potato, etc.” “bahian food, couscous, roots in breakfast”

- "There is also partnership with other public agencies that provide this type of food, such as the Agronomic Institute of Pernambuco (IPA)"



On the supply of differentiated foods, on commemorative dates, 50 units replied that yes, they observe specific foods on commemorative dates. We see that the number of units it informs is small, and that among the answers prevails the entry of food in Easter and Christmas. According to the reports,



*“ It is offered fish during Holy Week, and released the delivery of [SIC] by the family of panettone at Christmas, corn-based foods in São João”
“In the main course - fish on Easter. Chester and Brazilian French toast at Christmas and New Year.”(sic)*



In the open responses, it was also verified that the Council of the Community and other institutions are partners in the organization of events and commemorative moments that offer food, in addition to the delivery by the family. As for nutritional and food aspects, the food guide for the Brazilian population guides the preferential consumption of locally produced vegetables, vegetables and fruits, and in the period of the harvest, since they are available, cheaper and have good quality, besides subsidizing cultural and affective connection of the place. Losan guides health-promoting food practices that respect cultural diversity and are environmental, cultural, economic and socially sustainable.

In this same sense, Resolution No. 3, of October 05th, 2017, of the National Council of Criminal and Penitentiary Policy, provides that the diet and nutrition of people deprived of liberty are governed by the guidelines of the National Policy of Food and Nutrition (PNAN) and the National Policy of Food and Nutrition Security (PNSAN) and must ensure:

The National Food and Nutritional Security Policy (PNSAN) must assure:

I - the promotion of adequate and healthy eating, including the use of varied, safe foods that respect healthy culture, traditions and eating habits, contributing to the maintenance of health, in accordance with the age group, including those who need specific nutritional attention.

II - the creation of conditions and environments that allow exclusive breastfeeding until the sixth month and continued breastfeeding until the two years of the child or more, who is in the company of the mother who fulfills a private sentence of freedom, in a transitional nature.

III - the supply of an adequate and healthy diet for the lactating, so that her nutritional needs are met for the production of breast milk.

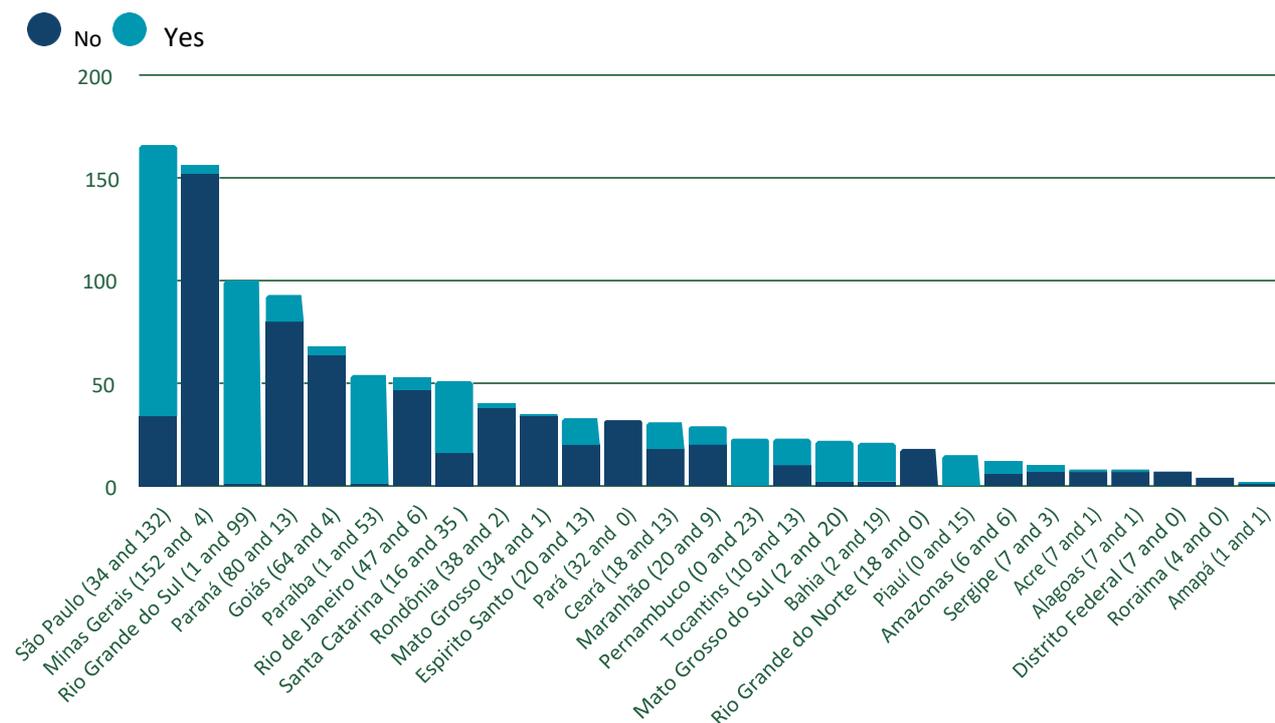
IV- The supply of adequate and healthy food for children who are in company with mothers who comply with the deprivation of liberty, respecting the quantities, quality and consistency according to the guidelines and principles established in the Food Guide for children under 2 years.



4.2 Spaces and possibilities for food production

To identify the physical and logistical characteristics related to food produced and offered to people deprived of liberty, questions were elaborated regarding the existence of kitchens, spaces for food storage and outsourced offer. 56.33% (627) of the respondents report that there is no kitchen in the unit, while 43.67% (486) report that there is. Analyzing the photographic archives and qualitative responses, it is verified that in the units in which there is kitchen the food and the aesthetics of the food present greater diversity, with the offer of vegetables and fruits.

Figure 7 - Kitchens in the unit



Source: Prepared by the authors.

In establishments that reported that there is no kitchen (627), food comes from outsourced companies in 91.22% of the cases, and in 7.2% food comes from another unit, which produces and supplies prepared food to prison units of the same state. In 1.6% of the cases, they did not return information for this question. In the universe of units that do not have a kitchen, 46.92% (289) indicated that there is space available for installation.

Regarding the existence of an appropriate place for storage of products, it was verified that most units in which the feeding is effected by a third party company, there is no storage space. Among the units that inform have space, the respondents point to have freezer and pantry for exclusive storage of food, pantry, dry deposit, freezer and refrigerator, cold chamber, etc. Among the answers, some units indicated the need to install a cold room, increase and adequacy of spaces.

Aiming to identify in the diagnosis the possibilities of state intervention in the promotion of food and nutritional security in the prison system, the survey included questions aimed to identify: the existence of forms of food cultivation in prison establishments; the existence of a place available for the implementation of planting and cultivation of food and the interest of the unit in receiving a program of planting and cultivation of food and the consequent generation of jobs for people deprived of liberty.

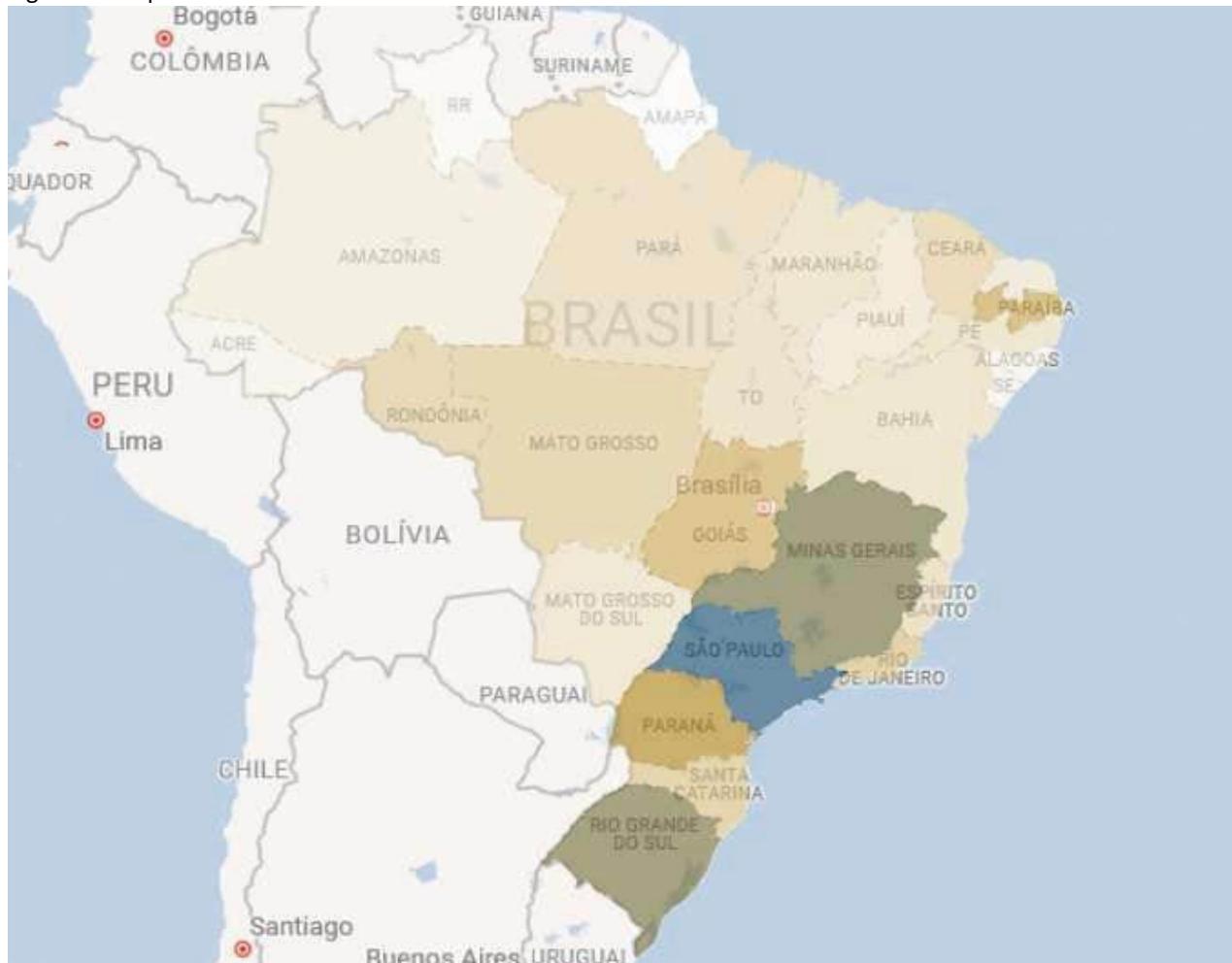
Regarding the existence of cultivation, it is verified that 576 units have cultivation initiatives, while 537 report not having any form of cultivation. Among the units that responded not to have forms of cultivation, the majority (317) expressed interest in the cultivation of food.

The data indicate a demand for food cultivation in prison systems in the country, whether in the systems where there is production, or in those who do not yet have cultivation, but manifest interest. All this demand can be subsidized by forms of organic and agroecological agriculture, contributing to food security and the environment.



Figure 8 shows that in all federal units there are units (862) that show interest in food production. The darker colors indicate the concentration of prison units of federal units interested in agricultural cultivation.

Figure 8 - Map of interest in food cultivation



Source: Elaborated by Lucas Eneas de Rezende, from the data collected by the authors.

The interest manifested by the respondents, incident in all states and in the Federal District, indicates potential for the institutionalization of a national program, which includes strategies for food security, with practices of cultivation, labor generation and income and food production by the unit itself. Focusing on local diversity and the uniqueness of prison systems, productive strategies can be instituted and implemented, regardless of the form of food availability applied in the prison unit, considering the existence of direct supply by the administration and indirect by outsourced companies.

Food production can complement the menus applied by outsourced companies, including the acquisition of food produced by people deprived of liberty by the companies themselves, establishing a culture of continuous improvement in the provision of food and remuneration parameters for the productive work of persons deprived of liberty involved in the process, in a manner articulated with the national labor policy in the criminal system.

Following the structural conditions, 178 units report that they have a suitable place for food cultivation, while 515 units indicate that they have no place. As for the availability of place for food storage, 40.78% (219) of the units they indicate own space for storage, while: 46.37% (249) indicate no space; 7.45% (40) did not inform and 5.4% (29) reported that the question does not apply. Figure 9 shows incidence in most of the federal units of the southern, southeast and center-west regions, with representation of units in the north and northeast.

Figure 9 - Concentration of units with interest and space for production



Source: Elaborated by Lucas Eneas de Rezende, from the data collected by the authors.

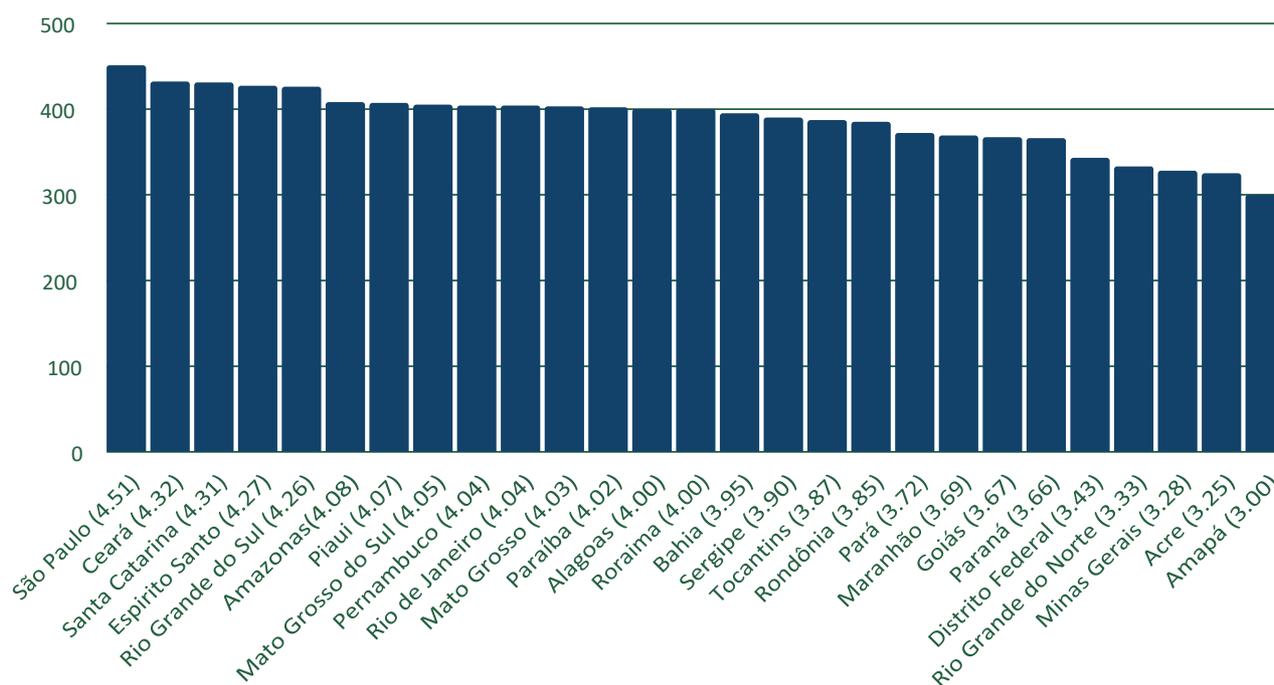
It is verified that the proportional interest identified reflects the distribution of prison units in the regions of the country.

5. FEEDING EVALUATION

To map the evaluation of the servers indicated to answer the research, regarding the conditions of access of people deprived of freedom to food and water, three questions were applied.

According to the perception of the respondents, on a scale from 1 to 5, being: 1. Awful 2. Bad 3. Reasonable 4. Good 5. Excellent, the food provided to people deprived of liberty is evaluated as good, considering the conditions of quality/taste/variety conditions of the menu. The average evaluation between the units was 3.95.

Figure 10 - Evaluation average



Source: Prepared by the authors.

For most respondents, food is good (52.47%) or excellent (22.91%). 20.93% rated the diet as reasonable, 3.14% as bad and 0.54% rated as awful. These data indicate the need to identify, with priority, the critical issues in the units in which the evaluation was considered bad, bad and reasonable, as well as compare the mechanisms adopted by the managers where food was considered adequate by the servers to identify good practices.

In the perspective of deepening the description of the evaluation of feeding, it was questioned what the biggest problems perceived in relation to feeding were.

Among the most reported answers, we have: quality, insufficient quantity, lack of fruits, vegetables and legumes, delay and advance delivery, problems in preparation (low-cooked protein), non-existent variety, low protein, indication of sour food, lack of hygiene (report of insects, hair, plastic) and training of the people who cook, the unhealthy kitchen, the temperature (the food is served cold), the poor quality of the inputs, the non-compliance of the menu (replacement of items by others of lower quality), the location of the company that provides in another city, the long time between meals, causing periods of hunger, and the model of packed lunch used to serve.

The most relevant examples of answers describe the main problems reported, among which are structural problems (69), in the variety of feeding (34), in delivery (21) and in the supply of protein (16).

Structure (69)

Lack of structure and equipment;

Some divergences in relation to personal taste of the effective prison;

Exchange of menu;

The quantity offered;

Logistics, training and equipment;

Some items have insufficient quantity;

Menu non-compliance;

Sometimes the low quality of the food supplied;

Lack of input and quality of food;

Weight less than the contracted and modification of the previously authorized menu;

The quantity provided by PPL;

Quality of mixtures;

Repetition of the menu;

The quantity;

The absence of a Cold Chamber in PU, which would better preserve food;

Related to the containers where food is served;

Sometimes poorly prepared, cooked;

Poor quality of the products used in the production of food;

Differentiated diets for diseases;

The biggest problems are related to the precarious structure of the kitchen, in which it is small, unhealthy and does not meet the good practices of food handling;

Weighing is done prior to preparation, based on an old contract that serves as a reference for payment for compensation;

Lack of seasoning;

Modes of preparation that sometimes provides the appearance or smell of spoiled food. When there is no item due to bidding problems;

Repetition of the menu, lack of variety;

One of the biggest problems is related to the diversification of the menu, often there is a recurrence of a certain protein;

Insufficient equipment for the preparation of meals;

Complaint of the quantity;

Little seasoned food;

The amount, the salt, not providing breakfast for those who are coming to work;

Use of industrialized seasoning;

Quality of ingredients and preparation, besides being frequent the complaint when finding various types of objects in the food;

Instability in the quality of the supplied food;

Sugar-free coffee and cleaning of the containers;

To reach the weight that satisfies the hunger of the internal ones because the same amount that goes to those who do not work goes to those who work, with this there is a complaint that the quantity available is insufficient;

To account for an increasing demand than our capacity;
With the third-party company currently, not registration of complaint by the parties of the prisoners;
Form of storage;
In the last days a few complaints, but when it always happens it is highlighted the amount of food;
There are very rare problems with food in this sector, but when complaints arise they are about seasoning;
Lack of professional qualification;
The quality of products;
Seasoning;
Inconsistency in compliance with the conditions agreed in contract;
The Styrofoam packed lunches do not completely lock the lids, causing openings conducive to the entrance of insects;
The thermal bottles that serve milk, however they are sanitized every day by the contractor, have unpleasant smell inside the containers; complain about the amount of coffee that is supplied for each IPL, only 100 ml";
Preparation of food that needs to be improved and improvement in food quality;
Foods that sour easily;
Food quality;
I believe that the quality of the raw material that carry out the feeding due to the low cost;
Quantity;
They complain of quantity;
To improve the kitchen structure;
The quality of food and taste/seasoning;
the time between the last and the first meal served;
Lack of nutritionist follow-up, little physical structure;
Could come in greater quantity / weight;
Seasonality and price variation of products;
"Given that we currently follow the standard menu established by the Secretariat, the problems related to food decreased greatly, because the biggest complaint on the part of the prison population and also notorious for us who performed, was the lack of variety. However, with the implementation of the standard menu, this problem was solved, since the nutritional composition improved and also the variety of foods;
Low unit value of each meal provided for in contract, with this the company that wins bidding does not produce quality food, considering the low value offered by the State;
What makes it difficult is to cook for a large number of people, it is really different from the preparation in small quantity;
Compliance with programming and logistics by the suppliers (delay);

Delay in the delivery of foodstuffs, which results in the need to adapt the meals according to the available items in order to satisfactorily meet the required standard menu;
Seasoning and menu;
In some situations the preparation (seasoning);
Raw material of poor quality, the contractor changes the menu without observing the contractual compliance, which generates repetitions of menu items. Sometimes the meal is savorless. (SIC);
The difficulty is to acquire skilled labor in preparation;
Regarding the amount of meals provided daily, being 3 (breakfast, lunch and dinner), frequent object of complaint by prisoners. (SIC).

Variety of food (34)

Standard menu of the state undiversified;
Repetition of menu;
Increase in variety of inputs;
Variety;
Little variation;
Basic menu;
Very little variety;
Variety;
Weekly fixed menu;
Food throughout the week is very varied and prepared with good quality food, but as a weekly menu the same is repeated frequently;
The variety of the menu, lack of condiments;
Variation in the menu;
Considering the contracted value and the current value of proteins, there is little variation in how these products are prepared;
Varieties of the side dishes;
Complaints regarding the repeatability of menu, seasoning and quality of raw material;
Lack of variety in the menu;
Variety of menu;
The lack of variation of menu;
Varieties;
Taste and repetition of the menu for a long time;
Variation in the weight of the packed lunches, coming below that specified in the contract in a few days and variation in the quality of the animal protein, coming with more fat in a few days;
Prisoners complain about the variation of the menu (they want different foods). However, the company regularly complies with the menu stipulated by nutritionists;
Variation of menu;

The total non-use of local cuisine (goat, fruit of the region, fish of the São Francisco River);
Diversification of the menu;
Lack of seasoning and variety of foods;
Little inventive preparation;
Repetition of the menu, low quality foods, juice without sugar, watery coffee, sweet bread badly baked, delay in the arrival of the food, change of the menu, fatty and nerve meat;
Varieties;
The scarcity of variation;
variation in the use of condiments, cooking of products; few food options;
Variety of the menu, lack of spices, excess carbohydrates, few fibers and vitamins (sic).

Delivery (21)

Delivery time;
Sometimes delivery delays;
Distance from the company to the unit;
The transport of the Company to the Complex;
Punctual delays;
Delays in delivery that occur in view of the fact that the kitchen and distribution unit are distant from this prison unit. We inform that when the delay occurs, it is duly communicated;
Schedule;
Possibility of delay, depending on traffic, since the feed is produced outside the complex;
Delay in delivery and constant change in the menu;
The biggest problem, perhaps, is the distance from the food company to the Prison Unit. Approximately 120km. It has not yet caused losses, but it can happen;
Transport, because it may have some mechanical problem and with this cause a delay;
Displacement of meals, because they are not produced in this prison unit; sometimes the delay of delivery, due to external factors;
The logistics of transport;
Transport (takes between production, storage and delivery, because it comes from the prison unit);
Delay in delivery of products by suppliers;
Low quality, items not recommended and storage during transportation;
Delays in delivery, change in weight, divergences in menu, low quality of food;
Due to transport, sometimes it comes sour, existing need for replacements;

Distance from where the food is prepared;

Distance from the feeding and nutrition unit to the prison unit (far away), delivery delays and products with poor appearance. The central administration maintains control of the quality of the food supplied through the food management system, which among other aspects has a daily questionnaire where possible incidents are reported, about which the supplier is notified and eventually penalized;

Transported food that generates great disorder in general to the Unit, by the way it is offered. (SIC);

Protein (16)

The weight of the protein;

Temperature, amount of meat; repeatedly the menu is chicken;

It could improve the amount of meat;

In the preparation and handling of animal protein;

Temperature, amount of protein;

Variety of meat (mixture);

Problems related to the type of container used to accommodate the meal. Styrofoam packed lunches are used, which cause accumulation of garbage, loss of temperature and leakage in transport;

In the case of this unit, the distance of the transfer between the kitchen and the PU, since we are located in rural area 17 km from the urban center;

Most complaints are around meat; weight, low protein;

Often the protein is replaced by sausages (sausage, chicken steak, burger), fatty meats, boiled chicken with excess skin "swimming" in fat;

"Cold meats that are not healthy, such as sausages, steaks and burgers are provided as the main course;

When protein is eggs, there is no good acceptance by the servants and IPLs;

Food quality, mainly side dishes, sometimes sausage is served as side dish, fried egg, Calabrian sausage, meats with bad taste, quantity, some IPLs complain that it could be greater the amount; Foods served is foreseen many sausages as protein, for example: sausage, hamburger, breaded, sausage calabresa and egg etc. (SIC);

Vegetables (14)

The lack of vegetables, what we receive are donations from a supermarket. But still in minimum quantities;

Lack of vegetables to season;

Vegetables;

Some vegetables when muffled (warm) are rejected by the deprived of freedom. Ex.: Sweet potato;

The lack of vegetables and vegetables not products that are available; some types of proteins;

It would be the lack of vegetables, and some spices, repeatedly the menu is chicken Lack of vegetables;

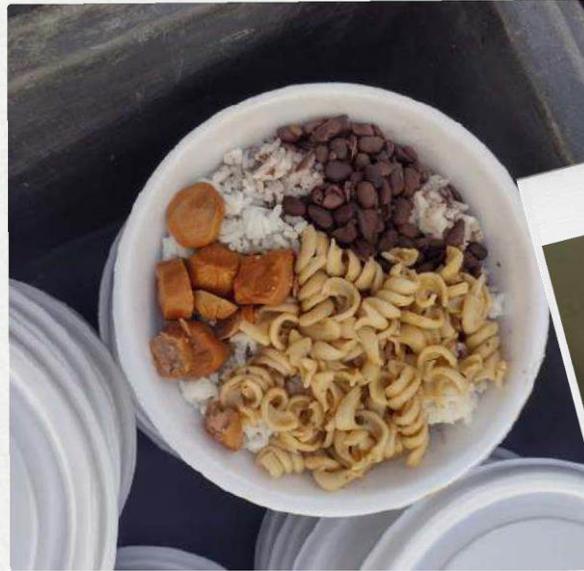
Lack of items such as onions, peppers, coriander;

Lack of vegetables;

Lack of genera of fruit and vegetables;

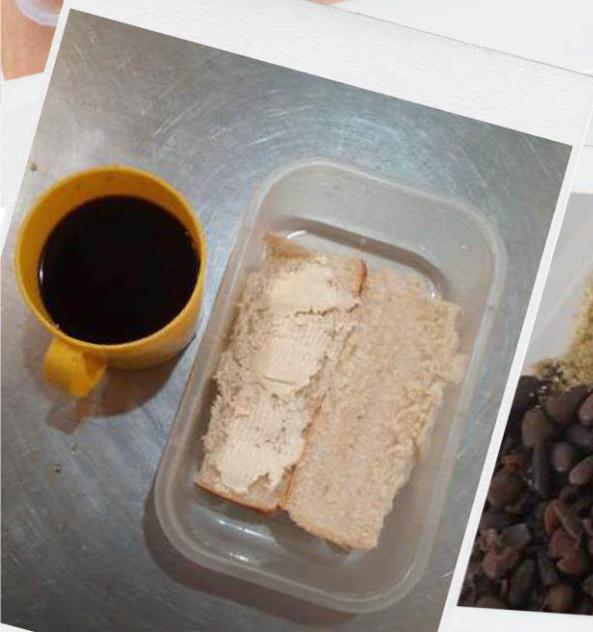
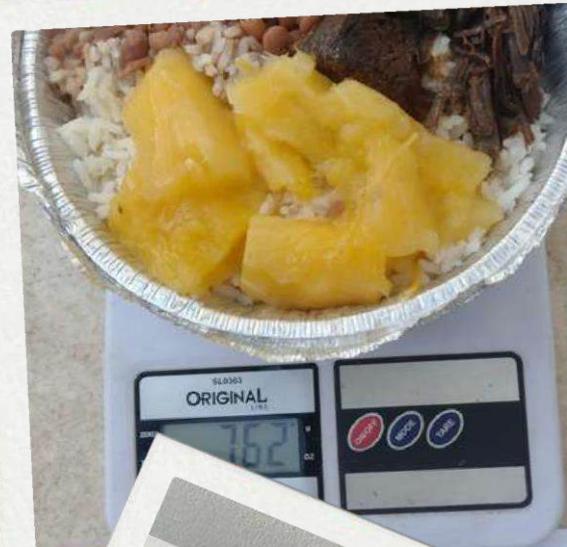
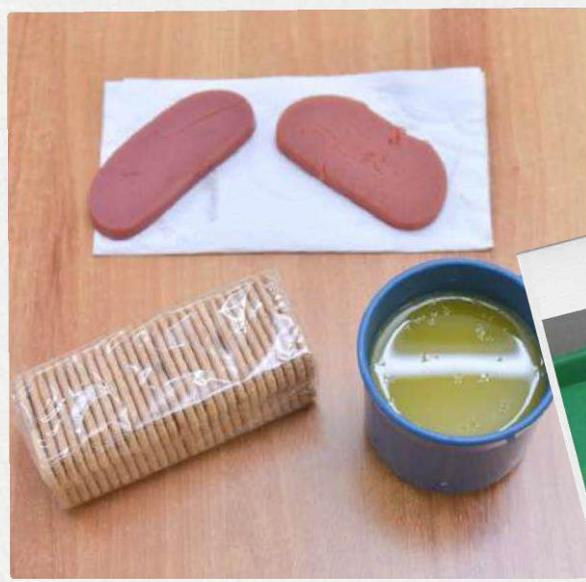
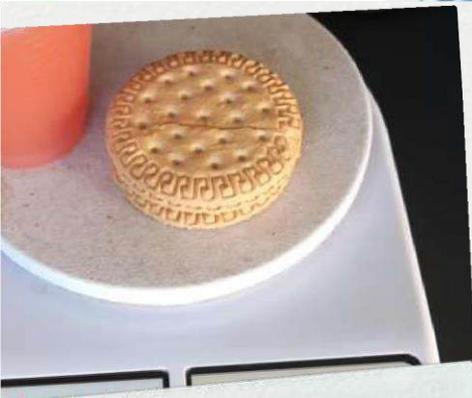
Lack of vegetables; Lack of fruits, Vegetables;

In the variety, in the taste, in the lack of vegetables, in the presence of stones, hair and even plastic (SIC).



19-07-23
17:20 hrs

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It is identified among the main problems diversified precariousness in the structural conditions, especially related to the low quality and quantity of food, structural precariousness regarding the structures of preparation (kitchens) and serving food. A reported factor, which also relates to structural capacity, is the precariousness of the qualification of people involved in food preparation, in the attendance of good practices of food manipulation. They report that this technical precariousness of people reaches both those deprived of liberty who work in the kitchens of the administration and employees of the hired companies.

It is necessary to point out that quality management is basic foundations for food production to avoid the emergence of food-borne diseases (Pereira; Zanardo, 2020). In addition to biological agents that can cause food safety damage, there are physical and chemical risks involved in the entire process of manufacturing, handling, storage and food supply (Sebrae, 2018). A healthy dish should also be a dish free from the presence of any contaminants or agents (physical or chemical) that have a negative influence on consumer health (Jorge, 2018). According to Pandolfi; Moreira; Teixeira (2020), food handlers usually have low socioeconomic level and incomplete schooling, these factors that directly affect the implementation and adoption of good hygiene practices in food handling.

Thus, people who work throughout the food supply chain should have technical capacity compatible with the function. The knowledge of food handlers is an indicated condition for food safety (Jorge, 2018). Therefore, the attention of managers to this sector should be reinforced, always observing the need for training and recycling courses offered to workers (Andrade; Sturion, 2015). Food services must increasingly be in accordance with current regulations to ensure the quality of the food provided, minimizing the chances of any contamination (Ferreira et al., 2011). The inability to ensure access to satisfy the minimum necessary for people determines the State to find ways to achieve this right (Fernandes, 2020).

We can verify that this need is affecting the prison system. There is a description in the reports that indicate various types of objects in the midst of feeding, situations in which hair and insects are found in the packed lunches, presence of stones and plastics, besides the issues related to the quantity and quality of the food served in the meals, and that demand technical capacity of the people involved in the provision of these services. Adopting training measures for workers responsible for food management and production can improve the conditions reported.

6. SUPERVISION OF FOOD IN THE PRISON SYSTEM

When asked about the technical elaboration of menus, 88.41% (984) of the respondent units indicate the elaboration by nutritionist professional, 7.82 (87) that do not have a menu prepared by nutritionist and 3, 77% (42) of the units report not knowing.

It is essential that the universality of the food supply, especially those provided by contracts for outsourcing services, contains the requirement of a menu prepared by a nutritionist professional. It should be required from the outsourced companies, in contract, that the menu be prepared by nutritionist and, in cases of food production by the prison unit itself, the hiring of nutritionist for the management that prepares menu.

To identify monitoring parameters, it was questioned whether the meals served in the form of packed lunch have verified weight. 76.1% of the units answered yes, while 23.9% responded that no. The results show that approximately 1/4 of the prison units do not have this type of supervision. Ideally, the verification occurs in 100% of prison units, so that the supervision of food contracts is more effective, in particular, regarding the quantity and quality of food offered to people deprived of liberty, so as not to incur violations concerning insufficient food and malnutrition.

In order to deepen the mapping of inspection conditions, through an open question, qualitative responses regarding the quality control of contracts were mapped, considering quantity, distribution of food groups, conservation and quality. Most indicated forms of internal control made by the unit itself. There is a higher incidence of surveillance by criminal police and nutritionists. The reports indicate: inspection of Ceasa, control regarding receipt, expiration date, daily check on quantity, quality and menu, status of boxes, quantity, weight and compliance of the menu, control of samples of the food served, weight, temperature, packaging, etc.

Regarding the inspection of external bodies regarding the quality of feeding, about 77.45% of the units responded that there is external inspection, through inspections carried out by different agencies: Public Ministry, Criminal Enforcement Court, Sanitary Surveillance, External Audit, Penitentiary Council, Contract Tax, among others. The minority replied that there is only internal control.

7. ACCESS TO WATER

To obtain a mapping of the conditions of access to water in the prison system, three questions were elaborated related to the theme:

"Is access to drinking water for consumption unrestricted? (for example: is there a drinking fountain/filter/other alternative in the cell or is it only distributed by the prison agents as it is requested?)

Is access to water for hygiene unrestricted or rationed? (is water released all day or only at specific times?)

Are there any comments regarding access to water or food relevant to research?

As for consumption, due to the specificity in each prison unit, there are very peculiar conditions of supply and control of drinking water. There are situations in which access is unrestricted, but in the part of the answers it identifies control in the distribution of drinking water, with distribution of drinking water sometimes a day and storage in gallons, buckets, bottles, etc. In some units, the report of access to drinking water by means of drinking fountains in the courtyards and cells, taps in the cells, etc., situations related to the cases in which the respondents report that access is unrestricted.

In one of the reports it is verified that access to water for human consumption has been subsidized by family members, a context that denotes great concern for the need to observe access to water, in a universal way in the prison system. Some people deprived of liberty do not even receive visits. Most are in conditions of socioeconomic vulnerability. On the other hand, the state cannot give the family the basic material assistance of persons deprived of liberty, under penalty of subverting central aspects of the Criminal Enforcement Law, regarding the role of the State in the execution of penalties and the rights of persons in custody of the state. Clean and safe water and sanitation are fundamental human rights to the full enjoyment of other human rights. And, as is the case with other fundamental rights, the prison system must ensure that everyone has access to drinking water.

Below are the reports that represent the most recurrent responses in this regard:



Unrestricted, all cells have a tap for consumption. Water is distributed twice a day, where the internal stores in gallons of 20 liters.

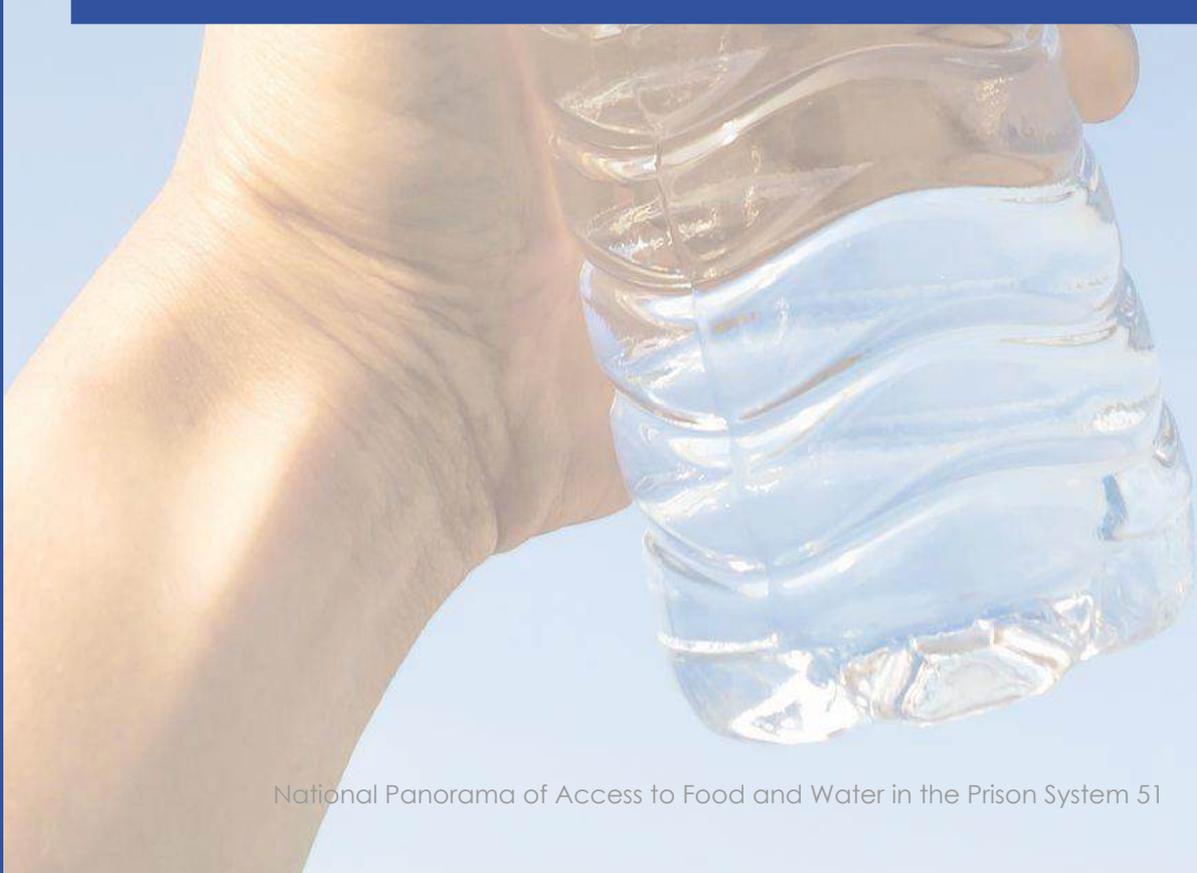
We do not have drinking water. The water provided is own unit artesian well. Family members provide mineral water in two days of the week with gallons of 20 liters.

Drinking water in the external courtyard.

Unrestricted drinking water. Drinking bottle with filter in cells. Cold drinking water (gallon 5 l) is provided regularly for lunch and dinner and on demand.

Access occurs three times a day in an unrestricted manner, for a total of 01 hour and 30 minutes, as well as it is stored in the cell itself. "Access is limited, being released 03 times a day and the inmates have buckets and gallons for storage of water for consumption. There are no filters or drinking fountains in the cells or in places that allow access for prisoners."

There are drinking fountains installed in the corridors of the prison areas, accessible to the "cell-free" IPLs, responsible for the cleaning activities of the corridor, who distribute water to other IPLs. (SIC)



To identify access to water for hygiene, it was asked whether:

Is access to water for hygiene unrestricted or rationed?

Among the reports that stood out the most is the restriction of access in the prison system. Reports record that the release of water flow varies in two, three, four times a day - during intervals that also vary between thirty minutes, one, two, and three hours of availability. Among the questions to identify conditions of access to water that most show the context of precariousness in access to water was what asked if:

Are there any comments regarding access to water or food relevant to research?

Among the answers there is a lack of basic structure for the supply of drinking water for human consumption and also to subsidize minimum hygiene conditions for people deprived of liberty. It is verified in the reports that the structures are precarious so that water is available in prison units. It is identified in the responses a great incidence of reports that indicate the need to implement artesian wells to subsidize access to drinking water, supply by the public water supply service, expansion of water reservoirs, hiring companies specialized in maintenance and cleaning of reservoirs and water boxes, monitoring the quality of the water coming out of the reservoirs, renewal of the hydraulic system, construction of tanks, expansion of the water flow resources of the existing tanks, reforms in the plumbing system, due to the high number of people using the water at the same time, expansion of water points to provide drinking fountains and installation of chilled water fountains.



It is essential to emphasize that part of the answers corroborate that overcrowding is a situation that worsens the conditions of access to water in the prison system. According to reports,

Access to water is limited because the flow of the tanks does not involve the demand for consumption, as well as the structure of depletion does not hold the volume of water and causes the return to the cells through the piping of the toilets. In addition, the cells do not have taps and showers that can control the flow of water. The water reservoirs were built for a certain number of prisoners, but currently there is three times the prison and the structure remains the same.

It is also directed to the States that: adopt measures to ensure universal access, do not compromise access to water, with justifications related to security contexts, it must identify a balance between the duty to guard and respect for the fundamental rights of people deprived of liberty and promote training campaigns on the need for adequate use and water rationing.

General Comment No. 15 of the United Nations Committee on Economic, Social and Cultural Rights on the Right to Water, consolidated in Resolution A/RES/64/292, states that “The human right to water provides for everyone to have sufficient, safe, acceptable water, physically accessible and reasonably priced for personal and domestic uses” (UN, 2002).

Human life is not possible without access to the indispensable and essential element of water.

8. PUBLIC SERVANTS' FOOD

Although this research is not central, the following question was included in the questions

How is food supplied to the servants?

The records show diverse forms in the responses, such as - the supply of meal allowance in payment check, the hiring of outsourced companies that serve as a buffet, the preparation by people deprived of liberty, in kitchen specific to the servants and cases where the same food is served as people in situations of deprivation of liberty.

9. POSSIBILITIES FOR THE PROMOTION OF FOOD AND NUTRITIONAL SECURITY IN THE PRISON SYSTEM

The identified scenario is the creation of intersectoral mechanisms and instruments to promote food and nutritional security in the prison system, articulating actions and programs of various public policies implemented by governments, especially by the federal government. It is essential to recognize people deprived of liberty as beneficiaries of the Food and Nutrition Security Policy, as well as other social protection policies.

Social protection, inserted in the conception of social security, is characterized by a set of security that society must guarantee to its members, as a universal social right, of humanization of people - concentrated in the scope of social security, social assistance and health. As a universal right, the human right to adequate food and nutrition also reaches prisoners. The measure recognizes the universalization of state action, opening up space for the recognition of rights in prison (Belik, 2003).

Food and nutrition are basic requirements for the promotion and protection of health, enabling the full affirmation of the potential for human growth and development, with quality of life and citizenship. According to Law No. 11.346, of September 15th, 2006,



*Article 2nd
Adequate food is a fundamental right
of the human
being, inherent in the dignity of the human person and indispensable to the realization of
rights
Established in
the Federal Constitution,
the government should adopt the policies and actions that are necessary to promote and ensure
food and nutritional security of the population.*



The problems of food in the prison system, in which it is affected by the environment and conditions of overcrowding, insalubrity and violation of human rights, are due to the social problems that permeate society as a whole and need to be faced with broader policies.

The National Food and Nutrition Security Policy covers the macro-active approach to solving problems such as hunger, poverty and social inequality. Likewise, from intersectoral planning and social participation, public policies to combat hunger, poverty and poverty move toward the universalization of the guarantee of access to food and nutrition.

Food and nutrition are present in the legislation, especially Law No. 8.080, of September 19th, 1990 (Brazil, 1990), a diploma that understands food as a conditioning and determinant factor of health and that guides the transversal performance of other sectors with the health system.

Decree No. 7.272, of August 25th, 2010, points to the formulation and implementation of national, regional, local and integrated strategies for reducing morbidity and mortality related to inadequate feeding (Brasil, 2010). The Decree (Brasil 2010) recommends adaptations to the different realities of the countries and the integration of their policies, providing regulatory, fiscal and legislative actions aimed at making healthy choices feasible to the population.

The National Policy on Food and Nutrition Security is based on guidelines, which guide the promotion:

- I - universal access to adequate and healthy food, with priority for families and people in situations of food and nutrition insecurity;**
- II - the supply and structuring of sustainable and decentralized systems, of agroecological basis, of production, extraction, processing and distribution of food;**
- III - permanent processes of food and nutrition education, research and training in the areas of food and nutrition security and the human right to adequate food;**
- IV - the strengthening of food and nutrition actions at all levels of health care, in an articulated way to other food and nutritional security actions;**
- V - promotion of universal access to quality water in sufficient quantity, with priority for families in situations of water insecurity and for food production from family farming and fisheries and aquaculture;**
- VI - food sovereignty, food and nutrition security and the human right to adequate food internationally and international negotiations based on the principles and guidelines of Law No 11.346 of 2006; and**
- VII - monitoring the realization of the human right to adequate food.**

The policy itself determines that integrality in nutritional care presupposes the articulation between sectors to respond to the problems of food and nutrition experienced by the Brazilian population.

The Food and Nutrition Security Policy has an intersectoral governance model, established with the participation of governmental and civil society actors throughout the cycle, at the local, state and national level. This model is essential to initiate a process of effectuation of intersectorality no. system prison, using co-responsibility and resource sharing, involving various players - public and private, especially those who work in the areas of health, food, agriculture and fighting hunger, work, education, science, technology, social development, etc.

The National System of Food and Nutrition Security is composed of the interministerial chambers (or intersectoral) of Food and Nutrition Security (Caisan) and the Councils of Food and Nutritional Security (CONSEAs), which operate in the federal, state and municipal spheres. To promote the broader dialogue in society and the permeability of actions in all federal units, the National Conferences on Food and Nutrition Security are held every four years and are preceded by state, regional and municipal conferences.

The last conferences have brought discussions on food security in the prison system - a context that deserves prominence and indicates that civil society has guided the issue.

The main results of this diagnosis show that the intervention of the state to confer food and nutritional security in the prison system should be based on structuring actions.

Adequate access to water and food has found barriers in poor conditions of basic sanitation, the provision of essential services in prison units, limited access to work and income opportunities, among other situations of vulnerability, accentuated during the situation of deprivation of liberty.

In prison systems in the country, in addition to access to food, public policies that reach other dimensions are needed. 76% of people arrested have no work, only 68,101 people have access to income and approximately 80% of the arrested population did not complete basic education (Sisdepen, 2023). In addition to these conditions of vulnerability, prisoners lose the right to eat what they want, receiving a unique dish, served to everyone at predetermined times, as well as making use of antidepressant drugs, by living in prison. These situations involve the habit of eating by compulsion, stress and psychological or psychiatric problems that cause increased or loss of appetite (Belik, 2003). As well as outside prison, the challenges and possibilities of promotion, protection and guarantee of the human right to adequate food and nutrition in the prison system demand to act in dimensions such as availability, access, and

production, income, education, health and nutrition (*Guerra et al* , 2018).

Given the conditions that involve criminal policies, especially due to the complexity of criminal enforcement agencies, it is essential to establish a National Food and Nutritional Security Program in the prison system, articulated with the Social Protection and Development Policies, agreed between the departments of justice and public security and the main social protection bodies of the Federal Executive Branch.

The programs cut out the central problems of policies to act in smaller parts, such as the prison system, so that policy is comprehensive and can produce synergistic, integrated and coherent results. The programs are the micro detailing environment, in which one can achieve, with greater refinement, focus on target audience, estimate resources, choose indicators and set targets, with desired deliveries, their deadlines, products (short-term), results (medium-term) and impacts (long-term).

It is essential that the program be agreed with the organs of the criminal justice system. Intervening in the prison system requires the integration and intersectoral and interfederative articulation, with the participation of the Executive, Judiciary and Legislative Powers. The violation of human rights in the prison system, declared by the Supreme Superior Court (Brasil, 2015), involves the mobilization of social protection structures in Brazil to guarantee citizenship in the prison system, aiming at an integrated logic of action.

According to the Court itself (Brasil, 2015), the

"Structural failure" that accompanies the Brazilian prison system is violating, in a generalized way, human rights, with the pointing out that "only structural transformations of the performance of the public power and the performance of a plurality of authorities can modify the unconstitutional situation".

In addition to the SAN policy programs, education and labor and employment policies are also possibilities to promote food and nutrition security.

When asked about "What suggestions would you give for improving the food of people deprived of liberty?" the reports record diversified suggestions.

Among the suggestions of the prison managers participating in the research, the cultivation and production of food were indicated as a proposal that subsidizes the social reintegration of prisoners. The suggestions bring proposals for projects of penalty remission by study and work, actions of training professionalizing no. area from pre-preparation, preparation and food conservation, cultivation and marketing.

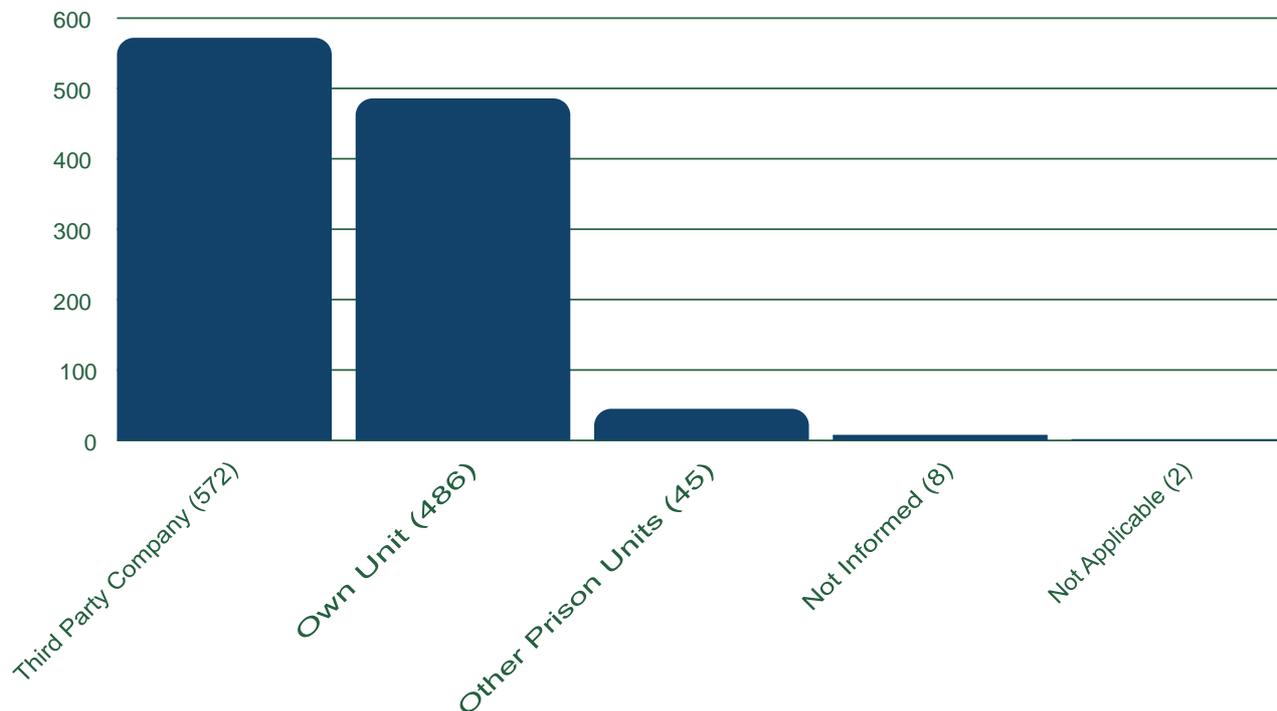
The work is pointed out as an essential condition for the access to the right to food and the reduction of social risks and vulnerabilities, linked to a relationship that deserves prominence and that turns to the ability of professional qualification to focus on this issue (Belik, 2003). Therefore, productive inclusion can be a complementary strategy for autonomy and emancipation of people deprived of liberty, especially if it is shaped from flows and work processes involving families and people who are egress from the prison system. As Belik (2003) teaches, the food security agenda contributes to the overcoming of social inequalities, with the expansion of citizens' freedoms in their capacity as an agent of their trajectory and development.

According to Carvalhosa (2015) the concept of food and nutritional security covers the use of food by the body, production, marketing and consumption. The theme covers the right to access, with emphasis on production, especially by traditional and family farmers (Carvalhosa, 2015). SAN initiatives include the steps of:



In the prison system, most prison units offer food to people in deprivation of liberty through outsourced companies. As shown in figure 11, 572 units register the supply through a third-party company. However, it is verified that many units still choose to adopt kitchens of the administration itself, including distributing food to other units.

Figure 11 - Quantity of unit by origin of food



Source: Prepared by the authors.

Although figure 11 indicates that most of the prison units offer food indirectly, it is verified that most of the prison population has access to food supplied directly by the administration itself. The 486 prison units that registered the supply by the unit have together 295,973 people deprived of liberty, the 45 that register supply by other units register 29,281 people deprived of liberty, while the 572 prison units reporting the outsourced supply of food register 254,224 people deprived of liberty.

The context demonstrates as a possibility the institutionalization of national quality rights and parameters in the provision of food in the prison system, including, in addition to nutritional content, minimum conditions for public procurement, considering that much of the supply of food is made indirectly in prison establishments. Some reports indicate that the low unit value of each meal provided for in a contract is the production of inadequate food, given the low value offered by the State.

Sustainability measures and efficiency gains in the amounts to be invested can be implemented, especially in the purchase of food from family agriculture, by the contractors and the administration itself.

The measure converges with that established in Law No. 14.628, of July 20th, 2023. The Law institutionalizes the food acquisition program in the country and establishes that the federal, state, district and municipal executive power may acquire, without bidding, the food produced by family farmers, artisanal fishermen, aquiculturists, shrimp farmers and fish farmers who fall under Law No. 11.326 of July 24th, 2006, as well as other beneficiary public that produce in rural, urban and peri-urban areas, according to regulation.

Another strategy that converges for food security in the prison system is the amendment of Law No. 11.326, of July 24th, 2006, to the recognition of farmers in deprivation of liberty in the public programs of access to income already existing. This recognition, in addition to subsidizing access to public and private funds that promote food security, gives access to the possibilities of paid work for farmers in condition of deprivation of liberty. When implementing agriculture in the prison system it is important to ensure adequate training, supervision, support and technical assistance to promote a safe and conducive environment for the practice of agriculture within the unit.

The transport and displacement of meals is one of the factors most related to problematic in the supply of food in the prison system. This condition can have considerable improvements with the adoption of the kitchen in the prison establishment, and with the production of food by people deprived of liberty. Even in the units where the service is outsourced, the measure is feasible, considering this condition in the bids and objects of public contracts, already having practical applications in the states of Maranhão and Espírito Santo. Among the reports, one of the units records that "since the deployment of the kitchen, there were no further complaints".

The production of food in the units itself, by people deprived of liberty, trained and hired for work, aims at the sustainability of the public investment cycle. In addition to obtaining the services, the strategy is linked to the processes of social reintegration of people.

The suggestion also has the potential to intervene in the problems related to the transport and delivery of food, issues that have a direct impact on the hygiene of food supplied, and consequently on the health of people deprived of liberty. The time-temperature binomial is one of the main indicators of prompt analysis for the control of the amount of microorganisms in food, in order to make them fit for consumption (Borges, *et al.*, 2016). Other problematic factor, widely described, it is the absence of variety of foods, with reports of precariousness in the supply of vegetables and proteins.

To intervene in the lack of varieties, the respondents propose to diversify the breakfast meal, increase the offer of vegetables and fruits, use of natural spices in the preparation and inclusion of another afternoon meal between lunch and dinner. Structurally, they also reinforce the implementation of kitchens and cafeterias, the renovation and equipping of kitchens, as well as the change of serving utensils, such as implementing the packed lunches with partitions. The reports of the respondents bring as good practice the implementation of the standard menu, with the definition of food groups to be served, facilitating bidding procedures, purchasing programming and food preparation. In addition, suggestions are indicated for the realization of nutritional monitoring and variation of food on the menus.

Regarding the standardization, we emphasize the need to observe the diversity of food and nutrients, according to the guidelines of the Brazilian food guide, as well as privilege food from the local culture in which the prison units are established.

Given the existence of productive initiatives in the prison system and the interest of managers in implementing them, it is identified the possibility of including people deprived of liberty in organic and agroecological production programs, urban and peri-urban agriculture. In addition to encouraging the consumption of fruits and vegetables and other groups of foods considered healthy - investments can provide opportunities for these people to contribute to the food of their peers, local society and even their families.

In the scope of education, it is also directed to the states to articulate with the municipal governments, in particular, to expand the access of students in condition of deprivation of liberty to the National School Feeding Program (PNAE), so that the resources invested, especially in the states and municipalities, consider the youth and adult education network that serves prison units. The foods already provided by the administration do not clash with the food policy in the schools of the public education network, whose actions are directed to the student public, privileging the nutritional needs for the exercise of this condition. Singularly in the prison system, as well as in the education network of young people and adults, the daily education hours accumulate with that of work, giving rise to food reinforcement.

Other essential measures were pointed out, such as greater inspection of the quantity and quality and training of workers (whether in the unit or outsourced company). In the inspection, in addition to information technology tools to consolidate results and allow a holistic view on the diversity of aspects related to food supply, it is recommended the participation of health professionals, considering the skills of these professionals in relation to nutrition problems and diseases. To evaluate the food offered to private people



freedom encompasses values, conceptions, perception and representations of food, nutritional and microbiological quality, as well as eating habits and food culture (Massarollo *et al* , 2012).

The overcrowding condition is a factor that also influences the diet, due to the need to meet an increasing demand than the capacity of people. Among the reports, it is noteworthy the record that, "food is still used as a currency of exchange and often the inmates stop feeding for this reason." (SIC).

It is verified that the structural precariousness of the prison system causes distortions and dynamics of survival within the prison

- among which there is hunger. Uncertainty of access to food is one of the factors associated with the risk of food and nutritional insecurity (Almeida *et al* , 2017).

International studies show that the food insecurity situation has a higher prevalence in population groups of Latin origin, belonging to the black race, composed of people of black or brown skin, with low income and schooling, a profile observed in the Brazilian prison system, in a majority way (Guerra *et al* , 2018 Sisdepen, 2023). The studies indicate, in addition to inadequate feeding, morbidities arising from these situations, such as anemia, overweight and obesity, diarrhea, respiratory infections and parasitosis (Guerra *et al* , 2018). Therefore, the need arises for people deprived of liberty to be placed on the food security agenda and on the government's budget.

It is essential, both the adoption of a SAN program aimed at the prison system, and the inclusion of funding lines for the implementation of the SAN policy, with a beneficiary cut aimed at serving people deprived of liberty. The institutionalization of a program for the prison system field demands the formalization of agreements and instruments, in addition to a coordination strategy, compatible with the players involved in public policies. Although the formal agreements and instruments of collaboration between the

players do not guarantee the implementation of policies, without them the effectiveness and effectiveness of actions become even more challenging and difficult to achieve.

In the field of public policies, it is verified that public problems are complex and multicausal, with causes that need to be treated in parallel and with their own lanes, in an integrated way, by identifying the relationship between the programs with the same central problems (Lassance, 2021). The challenge is the implementation of mechanisms to promote inter-federative coordination and coordination between sectors (Burlandy, 2009). In general, the advance of the human rights agenda and the perspective of intersectoriality in policies are constant challenges for the promotion of citizenship - inside and outside prison bars.

With the scope of decentralized organization and management, social assistance is based on participation and social control, elements indispensable to the perpetuity and improvement of criminal policies and services. The Unified Social Assistance System (SUAS), organized by Law No , 1993, is part of the social security system and aims to offer social protection, to produce social-care surveillance and to effect institutional social defense. It has important instances of integration in the territories, in addition to the capillarity realized from the Reference Center for Social Assistance (CRAS) and the Specialized Reference Center for Social Assistance (CREAS) (Fernandes, 2020).

The *term wicked problem* is used to characterize public problems of great complexity (perverse problems), arising from multiple causes, such as the penitentiary issue, in which economic, social, structural issues are related (Chies, 2013). These public problems require non-routine postures and integrated action of multiple institutional players, because their main challenges are social, ethnic-racial and gender inequalities, access and availability to healthy foods and food consumption of adequate nutritional quality (Guerra et al, 2018).

In this sense, the Reference Centers of SUAS are fundamental equipment for the promotion of rights, as well as the exercise of citizenship, providing the autonomy and protagonism of users served by the Services of Coexistence and Strengthening of Links (Fernandes, 2020). They are spaces of professional action that understand their function from the principles of autonomy and emancipation of the subjects, focusing on providing the existence of each family and individual and their territory with a political dimension, referring to the field of understanding and enforceability of rights. These frameworks of professional orientation are essential for human and social development that the law of criminal execution proclaims (Brasil, 1984) - as a result of social reintegration commitment - a process that needs to bring the person deprived of liberty to the centrality of discussion and protagonism.

With the identification that the feeding of people deprived of

liberty has been guided in the discussions of the National Council of Food and Nutrition Security, dialogue and agreement with the organs and entities of the Federal Government on the management and integration of programs and actions can go further through the Interministerial Chamber of Food and Nutrition Security and the National Council of Social Assistance for the inclusion of people deprived of liberty in the National Plan for Food and Nutrition Security and in the Brazil Without Hunger Program, aimed at combating food insecurity and extreme poverty in the country.

The benefits of integrating social protection, education, work, technology and agriculture policies provide opportunities for learning and developing practical skills, access to work and the source of income, access to fresh and healthy food for people deprived of liberty and the community. In addition to these direct benefits, agriculture in the prison system can create opportunities for interaction and collaboration with the local community through partnerships with local producers, agricultural education programs or volunteer initiatives.

According to the results presented in this National Panorama, Table 12 consolidates possibilities of public administration performance in the organization of projects aimed at the institutionalization of a National Program of Food and Nutritional Security in the prison system:

Figure 12 - Proposals for the institutionalization of the National Program



Source: Prepared by the authors.

The main challenges in this agenda are to organize the physical structures and essential services, in particular access to drinking water, to confer minimum health and dignity conditions, as well as to articulate and integrate social protection policies in criminal execution.

10. FINAL CONSIDERATIONS

This research sheds light on the conditions of access and availability of food and water in the prison system. Even with national and international regulatory frameworks, the construction of rights is not completed, but it is still evolving. In the case of people deprived of liberty, much is necessary to do in the field of public policies to subsidize human development and dignity of the human person during the execution of punishment.

It is essential to signal the condition of the person deprived of liberty as a subject of rights, without creating public policy handles to serve this public. Article 5 of Decree No. 7.272, of August 25th, 2010 establishes the National Policy of Food and Nutrition Security should contemplate all people living in the national territory, still suffering from a program of its own that serves people who are in Brazilian prisons.

This diagnosis is a starting point to understand the stages of food security in the prison system. In this way, it is guided to be deepened with research that evaluates the quality of food, local availability, consumption and nutritional status of prey, anthropometric evaluation for weight and height measurement, according to the techniques recommended by the World Health Organization. It is essential that such studies evaluate socio-demographic variables, especially with age, gender, gender identity, education, skin color and food consumption, before and after imprisonment, as well as indicators of food insecurity and food assessment and access to water by people deprived of liberty. Clean and safe water and sanitation are fundamental human rights.

such to the full enjoyment of other human rights.

Situations of food and nutritional insecurity need to be observed and signified, from the different dimensions of daily life, under penalty of public neglect in fundamental aspects, in the case here - in prison (Gerra *et al* , 2018). In the general population, the main form of access to food is through acquisition in the markets, as it is not possible for people deprived of liberty. This condition reinforces the role of the state in the application of the Law.

The deepening of this diagnosis, the institutionalization of a food security plan suitable for people in deprivation of liberty and the promotion of productive initiatives are in line with PNSAN. Decree No. 7.272, 2010 aims to: a) identify, analyze, disseminate and act on the factors that affect food and nutritional insecurity in Brazil;

- b) To articulate programs and actions of various sectors that respect, protect, promote the human right to adequate food, observing social, cultural, environmental, ethnic-racial diversity, gender equity and sexual orientation, as well as providing tools for their enforceability;
- c) To promote sustainable agroecological-based systems, food production and distribution that respect biodiversity and strengthen family agriculture, indigenous peoples and traditional communities and ensure consumption and access to adequate and healthy food, respecting the diversity of national food culture; and d) incorporate into state policy respect for food sovereignty and the guarantee of the human right to adequate food, including access to water, and promote them in the framework of international negotiations and cooperation.

Measuring the situation of IAN is a challenge, because it involves several factors for its understanding, because of its interdisciplinary nature and the multidimensional character of this phenomenon (Gerra *et al* , 2018) - however, it is an indispensable measure.

In the scope of supervision, this work shows that it is necessary to establish ways for the supervision to identify if the food is diversified and healthy, and if they are contaminated, considering, especially, the process of moving these food to supply in prison units where there is no production.

Above all, it is essential to stress that food cannot be used as a tool of torture and punishment, and that such aspects also need to be present in the expansion of this diagnosis.

Finally, considering moving forward in possibilities for policies aimed at people deprived of liberty, as a social problem, the penitentiary issue requires that we do not limit ourselves to sectorial actions. Access and availability are dimensions of food security and the human right to adequate nutrition and food (DHANA), income security and autonomy influence in other securities for the realization of social protection, a context that makes the government and its institutions the main responsible for guaranteeing such rights to the persons who are in their custody in the condition of deprivation of liberty (Fernandes, 2020). On the path of integration between policies, studies already indicate the mutual strengthening between agroecology, family agriculture and food programs, associated with agriculture policies in cities, allied state actions in the fight against hunger and climate change. As a universal agenda for guaranteeing fundamental rights, we guide the need to include people deprived of liberty in these policies, in recognition of the condition of these people as subjects, who have the right to have rights, and also as holders of the potential to contribute to national development.

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