



**PASTORAL CARCERÁRIA NACIONAL - CNBB**

Praça Clóvis Bevilácqua, 351 – Conj. 501.

Centro - 01018-001 - São Paulo - SP

Tel./fax (11) 3101-9419 – [juridico@carceraria.org.br](mailto:juridico@carceraria.org.br) / [www.carceraria.org.br](http://www.carceraria.org.br)

## **Contribution to the CAT on Hunger Punishment in the Brazilian Prison System**

**Title:** Brazil - LOIPR: Insecurity and Food Deprivation in Brazilian Prisons

**Submission:** National Prison Pastoral - CNBB

**Date:** 16 January 2026

### **1. Organization Presentation**

The **Pastoral Carcerária Nacional (National Prison Pastoral)**, linked to the **Conferência Nacional dos Bispos do Brasil (National Conference of Bishops of Brazil - CNBB)**, works to defend the human rights of persons deprived of liberty, promoting human dignity, protecting vulnerable groups (incarcerated women, LGBTQIA+ people, Indigenous and Quilombola communities), and coordinating with national and international human rights institutions.

Ours organizational data shows that **over 50% of torture and ill-treatment complaints involve inadequate or insufficient food**, including spoiled meals, poor nutritional quality, and an insufficient number of daily meals. The Pastoral monitors conditions in various states, documenting systematic patterns of violation.

### **2. Context and Justification**

The Brazilian prison system faces:

- **Overcrowding and structural deficits:** More than **850,000 people deprived of liberty**, a deficit of approximately **200,000 places**, and about **one-third of facilities in “poor or terrible” conditions**.
- **Insufficient and irregular food:** Inadequate quantity and quality directly impact physical and psychological health and human dignity.
- **Institutional violence:** Food is used as a tool of disciplinary control or collective punishment.

The **Brazilian Dietary Guidelines** (Ministry of Health, 2nd edition, 2014) establish that:

*"Based on the rights to health and adequate and healthy food, the guide is an official document addressing principles and recommendations for adequate and healthy nutrition for the Brazilian population."*

However, while the State officially recognizes the importance of adequate and healthy food, it neglects people deprived of liberty, violating basic rights to health and survival.

#### **Role of family-sent items (JUMBO, SACOLA, COBAL, etc.)**

- Each state uses different names for these packages or kits sent by family members, containing food and hygiene products.



## **PASTORAL CARCERÁRIA NACIONAL - CNBB**

Praça Clóvis Bevilácqua, 351 – Conj. 501.

Centro - 01018-001 - São Paulo - SP

Tel./fax (11) 3101-9419 – [juridico@carceraria.org.br](mailto:juridico@carceraria.org.br) / [www.carceraria.org.br](http://www.carceraria.org.br)

- Observations during facility visits indicate increasing restrictions on items that can be sent, reflecting control over access to essential resources.
- These items are not merely food aid but essential survival tools in prison, directly reflecting the practice of hunger punishment.
- Sending homemade food and everyday products strengthens emotional bonds between inmates and their families, especially where incarceration separates women and men from care networks.
- Dependence on these deliveries highlights unequal distribution of care work, primarily falling on poor and racialized women who bear responsibility for the sustenance and emotional support of incarcerated family members.

### **3. Relation to the Convention Against Torture**

Hunger punishment and food insecurity in Brazilian prisons constitute a direct violation of the **Convention Against Torture (CAT)**:

- **Art. 1:** Negligent or deliberate restriction of food causes extreme physical and psychological suffering, constituting torture and ill-treatment.
- **Arts. 10 and 11:** Violates the right to physical and mental integrity and the State's obligation to provide humane detention conditions.
- **Art. 16:** Systematic food deprivation constitutes degrading treatment, demonstrating State protection failure.

**Supplementary evidence:** Reports from IDDD (Institute for the Defense of the Right to Defense)/APT (Association for the Prevention of Torture) on custody hearings indicate that complaints are often not recorded or properly investigated, reinforcing structural impunity and systemic violence.

#### **4. Evidence and Concrete Examples**

##### **a) Insufficient and low-quality food**

- Average expenditure of **R\$11.00 per person/day**, insufficient for a minimally dignified diet.
- Recurring issues with outsourced contracts (Ceará, Goiás, Amapá) include irregular supply and spoiled food.

##### **b) Unsanitary conditions and lack of water**

- Spoiled food, lack of potable water, and poor hygiene directly impact health.
- Irregular deliveries and inadequate storage increase risk of food poisoning.

##### **c) Health impacts**

- Poor diets increase the risk of comorbidities and metabolic changes.



## PASTORAL CARCERÁRIA NACIONAL - CNBB

Praça Clóvis Bevilácqua, 351 – Conj. 501.

Centro - 01018-001 - São Paulo - SP

Tel./fax (11) 3101-9419 – [juridico@carceraria.org.br](mailto:juridico@carceraria.org.br) / [www.carceraria.org.br](http://www.carceraria.org.br)

- Contribute to physical and psychological suffering, constituting **cruel, inhuman, and degrading treatment**.

### d) Recent evidence in São Paulo (July 2025–Jan 2026)

- **35 complaints:**
  - 28 spoiled food
  - 4 foreign objects in food
  - 4 insufficient quantity
  - 3 total absence
  - 20 irregular meal schedules
  - 9 restrictions on food brought by family

### e) Evidence in Bahia

- **65 facilities inspected**, 15,500 incarcerated people (6,608 pre-trial): material neglect, deliberate food deprivation, use as collective punishment.
- Repeated reports highlight failures of Public Defender's Office, MP, and Judiciary.

### f) Evidence in Amapá - IAPEN

- Systematic delays and spoiled food (e.g., boiled eggs).
- Protests by families and staff indicate severe failures.
- Multimillion fines applied to contractor Nutrimax, contract terminated, but incarcerated individuals went **more than three days without adequate food**.

### g) Evidence in Santa Catarina

- **Ordinance No. 1850/GABS/SAP/2024** mandated that all food supply for prisoners be provided exclusively by the State.
- The ordinance prevented family-provided food but did not adequately supply prisoners. **7 complaints of food deprivation** have been reported since July 3, 2024.



## PASTORAL CARCERÁRIA NACIONAL - CNBB

Praça Clóvis Bevilácqua, 351 – Conj. 501.

Centro - 01018-001 - São Paulo - SP

Tel./fax (11) 3101-9419 – [juridico@carceraria.org.br](mailto:juridico@carceraria.org.br) / [www.carceraria.org.br](http://www.carceraria.org.br)

- Complaints involve spoiled food, fewer meals than the 5 daily meals recommended, and insufficient quantities (~300g per person), demonstrating the ordinance contradicts its intended alignment with the Brazilian Dietary Guidelines.

### 5. Suggested Questions to the Brazilian State

#### 5. Suggested Questions to the Brazilian State

1. What immediate measures will be taken to ensure **sufficient, nutritious, regular, and safe food**?
2. How does Brazil plan to strengthen the **MNPCT** for effective monitoring, with unrestricted access and accountability for agents?
3. What strategies are being implemented for **transparency in food service contracts**, civil oversight, and civil society participation?
4. Which public policies address the **structural determinants of food insecurity**, including budget and infrastructure?
5. Is there a **specific medical and nutritional assistance plan** for people with vulnerabilities aggravated by poor food quality?
6. How will the State ensure the **right to adequate and healthy food** in accordance with the Brazilian Dietary Guidelines for people deprived of liberty?
7. What measures will be taken to **guarantee the sending of family-provided items**, considering their importance for survival, emotional bonds, and unpaid care work?

### 6. Final Observations

The National Prison Pastoral emphasizes that **food deprivation is a structural human rights violation**, disproportionately affecting poor and racialized women responsible for sending food and care. We therefore request that the CAT:

- Ask **detailed questions** to the Brazilian State about concrete measures to eradicate food deprivation;
- Strengthen the role of the **MNPCT** and conduct continuous monitoring;
- Ensure **permanent State accountability** for violations related to food;
- Recognize the **importance of family-provided food** as both a right and a strategy to uphold dignity.



## PASTORAL CARCERÁRIA NACIONAL - CNBB

Praça Clóvis Beviláacqua, 351 – Conj. 501.

Centro - 01018-001 - São Paulo - SP

Tel./fax (11) 3101-9419 – [juridico@carceraria.org.br](mailto:juridico@carceraria.org.br) / [www.carceraria.org.br](http://www.carceraria.org.br)

### References

- CAF AUDI, S.; SANTIAGO, M. G.; ANDRADE, D.; ASSUMPÇÃO, P. M. S. B.; FRANCISCO, A. M.; SEGALL-CORRÊA, R.; PÉREZ-ESCAMILLA, R. *Ultra-processed foods consumption among inmates in a women's prison in São Paulo, Brazil*. Revista Española de Sanidad Penitenciaria, v. 20, n. 3, p. 87–94, 2018. Disponível em: <https://www.ncbi.nlm.nih.gov/pubmed/30908571>. Acesso em: 12 jan. 2026.
- CAMARA DOS DEPUTADOS. *Debatedores expõem tortura, superpopulação e baixo orçamento do sistema prisional*. 2025. Disponível em: <https://www.camara.leg.br/noticias/993323-debatedores-expoem-tortura-superpopulacao-e-baixo-orcamento-do-sistema-prisional/>. Acesso em: 12 jan. 2026.
- CARCERÁRIA. *Combate e prevenção à tortura: o problema da fome nas prisões do Brasil está diretamente ligado à privatização, afirma Pastoral e organizações sociais à ONU*. Disponível em: <https://carceraria.org.br/combate-e-prevencao-a-tortura/o-problema-da-fome-nas-priso-es-do-brasil-esta-diretamente-ligado-a-privatizacao-afirma-pastoral-e-organizacoes-sociais-a-onu>. Acesso em: 12 jan. 2026.
- CARCERÁRIA. *Organizações enviam apelo urgente à ONU com denúncia de fome nas prisões brasileiras*. Disponível em: <https://carceraria.org.br/noticias/organizacoes-enviam-apelo-urgente-a-onu-com-denuncia-de-fome-nas-priso-es-brasileiras>. Acesso em: 12 jan. 2026.
- GAZETA DO AMAPÁ. *Familiares de detentos protestam por falta de alimentação no IAPEN*. Disponível em: <https://gazeta.amapa.com.br>. Acesso em: 13 jan. 2026.
- GOVERNO FEDERAL. *Observatório Nacional dos Direitos Humanos disponibiliza dados sobre o sistema prisional brasileiro*. Ministério da Mulher, da Família e dos Direitos Humanos, 2025. Disponível em: <https://www.gov.br/mdh/pt-br/assuntos/noticias/2025/fevereiro/observatorio-nacional-dos-direitos-humanos-disponibiliza-dados-sobre-o-sistema-prisional-brasileiro>. Acesso em: 12 jan. 2026.
- ISPIA Amapá. *Relatos sobre alimentação no IAPEN*. Perfil no Instagram: @ispia\_amapa\_, Acesso em: 13 jan. 2026.
- JORNAL DO BRASIL com Alma Preta Jornalismo. *Casos de tortura em unidades prisionais aumentam em quase 38%*. Jornal do Brasil, 20 jan. 2023. Disponível em: <https://www.jb.com.br/pais/direitos-humanos/2023/01/1041847-casos-de-tortura-em-unidades-prisionais-aumentam-em-quase-38.html>. Acesso em: 12 jan. 2026.
- NAFES, Seles. *IAPEN aplica multas e inicia rescisão contratual após atrasos na alimentação de detentos*. ConectaMapa, 12 jan. 2026. Disponível em: <https://conectamapa.com/iapen-admite-atrasos-na-alimentacao-e-anuncia-sancoes-milionarias-a-empresa-contratada/>. Acesso em: 13 jan. 2026.



**PASTORAL CARCERÁRIA NACIONAL - CNBB**

Praça Clóvis Bevilácqua, 351 – Conj. 501.

Centro - 01018-001 - São Paulo - SP

Tel./fax (11) 3101-9419 – [juridico@carceraria.org.br](mailto:juridico@carceraria.org.br) / [www.carceraria.org.br](http://www.carceraria.org.br)

- SANTOS, Milena Barbosa dos; AMORIM, Hubcarmo Souza. *The application of dietary guidelines in prison units from the perspective of human dignity*. *Lumen et Virtus*, São José dos Pinhais, v. 16, n. 47, p. 4203–4221, 2025. DOI: 10.56238/levv16n47-091. Acesso em: 12 jan. 2026
- Ministério da Saúde. Guia Alimentar para a População Brasileira, 2ª edição. Brasília: Ministério da Saúde, 2014. Disponível em: [https://bvsmms.saude.gov.br/bvs/publicacoes/guia\\_alimentar\\_populacao\\_brasileira\\_2ed.pdf](https://bvsmms.saude.gov.br/bvs/publicacoes/guia_alimentar_populacao_brasileira_2ed.pdf). Acesso em: 15 jan. 2026.