

FOOD SECURITY AND SOVEREIGNTY

(BASE DOCUMENT FOR DISCUSSION)

Gustavo Gordillo



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¹ With the support of Mr. Obed Méndez

EXECUTIVE SUMMARY

PRESENTATION

During the XXXII Regional FAO Conference for Latin America and the Caribbean, held in Buenos Aires in March 2012, one of the issues proposed for the agenda and agreed by the participants was that *"FAO will organize a broad and dynamic debate with the participation of the civil society and academia to discuss the concept of food sovereignty, the meaning of which has been not been agreed upon by FAO Member States and the United Nations System"* (paragraph 25, Report of the 32nd FAO Regional Conference for Latin America and the Caribbean²).

To this end, an *ad hoc* document, prepared by the consultant Gustavo Gordillo, contains information and analysis on: a) evolution in the use of the concepts of food and nutrition security and food sovereignty, b) food and nutrition security and food sovereignty: antagonistic or complementary concepts?, c) conclusions and topics for discussion at a regional level. In this present document, these three points are summarized and analyzed in relation to one another.

THE CONCEPTS OF FOOD SECURITY, FOOD SOVEREIGNTY AND THE RIGHT TO FOOD

Food security

"Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences in order to lead a healthy and active life". This definition gives greater emphasis to the multidimensional nature of food security and includes: "the availability of food, access to food, biological utilization of food, and stability [of the other three dimensions over time]".

(FAO, Food Security, Policy Report 2006. Available at: ftp://ftp.fao.org/es/esa/policybriefs/pb_02_es.pdf).

FAO subsequently reaffirmed that *"a peaceful, stable and favorable political, social and economic environment is the essential foundation which will enable states to give adequate priority to food security and poverty eradication. Democracy, promotion and protection of all human rights and fundamental freedoms, including the right to development and the full and equal participation of men and women, are needed in order to achieve sustainable food security for all."* (Rome Declaration on World Food Security and Plan of Action of the World Food Summit, 1998. Available at: <http://www.fao.org/docrep/003/w3613s/w3613s00.htm>).

² <http://www.fao.org/docrep/meeting/025/md612s.pdf>

Food sovereignty

Other actors, such as NGOs and Civil Society Organizations (CSOs) expanded the concept and coined the term food sovereignty.

According to *The Six Pillars of Food Sovereignty, Developed at Nyeleni 2007*, food sovereignty rests on six pillars:

1. **It focuses on food for the people:** a) It places people's dietary needs at the center of policies. b) It insists that food is more than a mere commodity.
2. **The values of food suppliers:** a) Supports sustainable livelihoods.
b) Respects the work of all food suppliers.
3. **Promotes local food systems:** a) Reduces the distance between suppliers and consumers. b) Rejects dumping and improper food assistance. c) Resists dependence on remote and irresponsible corporations.
4. **Places control at a local level:** a) Control instances in the hands of local food suppliers. b) Recognizes the need to inhabit and share territories. c) Rejects the privatization of natural resources.
5. **It promotes knowledge and skills:** a) It is based on traditional knowledge.
b) Uses research to support and pass on this knowledge to future generations. c) Rejects technologies that undermine local food systems.
6. **Is compatible with Nature:** a) Maximizes the contributions of ecosystems.
b) Improves resilience. c) Rejects the intensive use of energy, of monoculture and industrialized production as well as other destructive methods.

Right to food

Without the right to food one cannot guarantee life, dignity or the enjoyment of other human rights. Achieving a better definition of the right to food will foster the creation of concrete tools to improve its implementation; hence, the [Committee on Economic, Social and Cultural Rights](#) adopted in 1999 the General Comment no. 12³. This document states that the right to adequate food must be interpreted as a right in order to deal with both the availability of food, in quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances and acceptable within a given culture, as well as a sustainable access to it. The Committee also established that the ESCR Covenant is violated when a state does not guarantee the satisfaction of the minimum necessary level for its citizens to be free from hunger; in this sense, it defined

³ Despite the importance of General Comment 12, it is not mandatory and has not been endorsed by all governments.

the nature of their obligations on three levels: respect, protect and satisfy. "While only States are parties of the Covenant and are thus ultimately accountable for compliance with it, all members of society are responsible for the realization of the right to adequate food"

FOOD AND NUTRITION SECURITY AND FOOD SOVEREIGNTY: ANTAGONISTIC OR COMPLEMENTARY CONCEPTS?

As a result of the 2008 food crisis, governments have turned their attention to food policy and support for the rural sector.

Both food security and sovereignty emphasize the need to increase food production and productivity to meet future demand. Both concepts stress that the central problem today is access to food, and thus involves redistributive public policies in terms of income and employment. They also consider the necessary link between food and nutrition. From both concepts there can also be derived social protection proposals for facing temporary crisis or the creation of conditioned cash-transfer programs as part of larger poverty eradication programs.

There are two main differences:

i) The concept of food security – adopted by FAO member states – is somehow a neutral concept in terms of the correlation of forces. It does not prejudge the concentration of economic power in the different links of the food chain and in the international food trade or the ownership of key means of production such as land, or more contemporarily, the access to information. On the other hand, the concept of food sovereignty precisely starts from noting the asymmetry of power in the various markets involved and the various spheres of power involved in food, as well as in the areas of multilateral trade negotiations. It calls for democratic states to balance these inequalities and it considers food to be more than a mere commodity.

ii) The second substantial difference has to do with how food is produced. Although FAO has been a pioneer regarding issues of good agricultural practices (GAP), sustainable management of natural resources, the precautionary principle in relation to GMOs, and green agriculture, among other, it cannot adopt a single or emphatic position about the different modes of food production precisely because of the nature of an inter-governmental and multilateral organization. Three major technological standards are recognized in the specialized literature: so-called industrial agriculture, based on the intensive use of fossil fuels; biological agriculture, that uses biomass and biotechnologies, of which GMOs are only a part ; and organic agriculture, which involves processes that require various forms of certification. The European Union has been proposing for several years the idea of the coexistence of the three systems: although recently in the design of communal agricultural policies they are insisting on a subsidy system not coupled to a specific product, that would reward the sustainable use of natural resources in food production.

In contrast, the concept of food sovereignty is clearly focused primarily to small-scale agriculture (including livestock, forestry and fisheries) of a non-industrial nature, preferably organic, but mainly through the concept of agroecology.

CONCLUSIONS

Linking development to security and human rights is a strong argument to promote that food security as defined by FAO –using a terminology that implies continuity with the purposes that the Organization has upheld since its beginning– can only be achieved assuming the autonomy of governments to define their own food policies. The priority care given to family farming is derived from environmental requirements, economic constraints and new realities as well as changes in food and agriculture.

To grant both concepts with an adequate *discursive common ground* requires the following:

- 1) To reaffirm that **FAO's core mandate, which has been consistently confirmed by its government authorities**, is condensed on the concept of food security;
- 2) To explain that **food security in its most recent definition** – from its four pillars – prioritizes the dimension of food access and therefore the policies derived therefrom;
- 3) Emphasizing that **the concept of food sovereignty is not antagonistic or alternative to the concept of food security**. Its two components are placed **farther away** from the concept of food security in the context of the modern state inalienable definitions: its sovereignty in general and specifically to define food policies. While its other concept on ways to produce, prioritizing family farming is placed **closer** to the concept of food security, in the context of specific public policies;
- 4) Suggesting that since FAO and especially the OAS member countries are also members of the United Nations and that its Secretary General presented the speech of "a larger freedom" at the General Assembly, framing both concepts articulated by the right to food in the aforementioned speech.

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PRESENTATION

During the XXXII FAO Regional Conference for Latin America and the Caribbean, held in Buenos Aires in March 2012, one of the issues proposed for the agenda and agreed by the participants was that *"FAO will organize a broad and dynamic debate with the participation of civil society and academia to discuss the concept of food sovereignty, the meaning of which has not been agreed upon by FAO's Member States of and the United Nations System"* (paragraph 25, Report on the 32nd FAO Regional Conference for Latin America and the Caribbean⁴).

In this regard, in July 2012 the FAO Regional Office has identified a specialized, highly experienced and internationally recognized professional for developing a document with information and analysis that will allow a better understanding of the scope and potential impact of the concept of food sovereignty on public policies. It was requested that it included: a) evolution in the use of the concepts of food and nutrition security and food sovereignty, b) the concept and implications of food sovereignty: globalization, the role of state and citizens in building public policies, c) food and nutrition security and food sovereignty: antagonistic or complementary concepts? d) conclusions and items for discussion at regional level.

¡The present document does not intend to be a definitive statement on the validity and scope of the two concepts, but seeks to open and inform the discussion about them, providing rich empirical evidence which will allow a first look at the various approaches used in the Region, thus contributing to the debate on these matters in diverse forums , especially those involving governments and civil society. Finally, it is important to emphasize that this study does not necessarily reflect FAO's views, nor its approval and/or recommendation for implementation by countries or institutions.

Raúl Benitez – Regional Director Latin America and the Caribbean.

⁴ <http://www.fao.org/docrep/meeting/025/md612s.pdf>

1. Food security, food sovereignty, right to food: specifying concepts.

FOOD SECURITY

The essence of the activities of the United Nations Organization for Food and Agriculture (FAO) is *"achieving food security for all, and making sure people have regular access to good quality food to enable them to lead a healthy and active life"*, achieved by *"improving nutrition, agricultural productivity, raising the living standard of the rural population, and contributing to global economic growth."* (FAO Official Website: <http://www.fao.org/about/es/>).

In this regard, during the World Food Conference in 1974 it was proclaimed that, *"every man, woman and child has the inalienable right to be free from hunger and malnutrition in order to fully develop and maintain their physical and mental faculties"* and also set the goal of eradicating hunger, food insecurity and malnutrition within a decade, however, this was not met mainly due to failures in policy and funding. (World Food Summit, 1996. Available at: http://www.fao.org/wfs/index_es.htm).

In 1996, in response to the persistence of widespread malnutrition and a growing concern about the ability of agriculture to meet future food needs, the World Food Summit took place, an event in which the concept of food security was defined: *"Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences, in order to lead a healthy and active life"*. This definition gives greater strength to the multidimensional nature of food security and includes: *"the availability of food, access to food, the biological use of food, and stability [of the other three elements over time]"*. (FAO, Food Security, 2006 Policy Report. Available at: ftp://ftp.fao.org/es/esa/policybriefs/pb_02_es.pdf).

FAO then reaffirmed that *"a stable, peaceful and favorable political, social and economic environment is the essential foundation which will enable states to give adequate priority to food security and poverty eradication. Democracy, promotion and protection of all human rights and fundamental freedoms, including the right to development and full and equal participation of men and women, are needed in order to achieve sustainable food security for all."* (Rome Declaration on World Food Security and Plan of Action of the World Food Summit, 1998. Available at: <http://www.fao.org/docrep/003/w3613s/w3613s00.htm>). It is appropriate at this point to add the concept of vulnerability, necessary to understand the implications of the concept of food security in terms of public policy. Vulnerability is referred to in three dimensions: as a product of a particular outcome, as a result of risk factors and as a result of the inability to manage these risk factors. Vulnerability to hunger implies that although hunger may not be suffered at the present time, it maybe a problem in the future. Thus, the term itself implies two types of intervention: to reduce risks and to increase the capacity to address them.

We must also remember that the fight against hunger is the result of a historical process of intense social mobilization and repeated and increasingly well-outlined intergovernmental agreements. The right to food, in effect, was first established in the Universal Declaration of Human Rights (1948) and incorporated in the International Covenant on Economic, Social and Cultural Rights (ICESCR); the formal inclusion of the right to adequate food paved the way towards a possible approach to rights-based food security. (Gordillo G, and H. Gómez, 2005).

This is particularly relevant because the United Nations Development Group (UNDG), which comprises 32 funds, programs, departments and agencies involved in development, established in 2011 five principles that should guide the programming country level activities, supported by the United Nations. These five principles include gender equity, environmental sustainability, capacity development, results-based management and above all -and relevant to this paper- a human-rights development approach. We will return to the synergies between the concepts of food security and food sovereignty with the right to food.

FOOD SOVEREIGNTY

At the end of the World Food Summit (WFS) in 1996, the NGOs and Civil Society Organizations (CSOs) present adopted a statement: "Benefits for some or Food for all". It states that the measures and activities under the "Plan of Action" would not be sufficient to make significant progress in reducing the number of hungry people in the world. In an analysis presented to the Committee on Food Security, FAO has identified two main obstacles to improve its implementation: 1) lack of political will and 2) lack of sufficient financial means. The statement of the NGOs and the CSOs agreed that, while both observations are correct, they did not believe that more resources invested in the same agricultural development model, within the current context of world trade, will meet the objective of the WFS; just a few more resources will be sufficient to accelerate the process. *"We propose a new model for achieving food security that calls into question many of the current assumptions, policies and practices. The model we propose is based on decentralization, answering to the challenges of the current model, based on the concentration of wealth and power that now threatens global food security, cultural diversity and the very ecosystems that sustain life on the planet"*(NGOs and CSOs statement "Benefits for some or Food for all", 1996).

Three topics were identified by NGOs and CSOs in the preparation of the World Food Summit: five years later: *"(1) We need a rights-based approach to hunger and malnutrition problems. The aim must be to place the right to adequate food in the center of any activity for the implementation of the objectives of the WFS through state accountability and addressing the responsibilities of non-state actors. (2) Subsidized exports, artificially low prices of the WTO and legalized dumping of food are characteristics of the current agricultural trade model. This has a negative impact on traditional family farming and indigenous communities. (3) The current model of industrial agriculture, intensive farming and overfishing is destroying traditional farming and fishing patterns, and the variety of ecosystems that sustain the planet's production.*

Agroecological models should become the dominant production model to help sustain cultural and biological diversity on the planet and create a sustainable use of terrestrial and marine ecosystems." (NGOs and CSOs statement "Benefits for some or Food for all", 1996).

Food sovereignty thus rests on six pillars, namely: **1. It focuses on food for the people:** a) Puts the dietary needs of people at the center of policies. b) Insists that food is more than a mere commodity. **2. The values of food suppliers:** a) Supports sustainable livelihoods. b) Respects the work of all food suppliers. **3. Promotes localized food systems:** a) Reduces the distance between suppliers and consumers. b) Rejects dumping and improper supports for food production c) Resists dependence on foreign and irresponsible corporations. **4. Places control at a local level:** a) Control instances in the hands of local food suppliers. b) Recognizes the need to inhabit and share territories. c) Rejects the privatization of natural resources. **5. It promotes knowledge and skills:** a) It is based on traditional knowledge. b) Uses research to support and pass on this knowledge to future generations. c) Rejects technologies that undermine local food systems. **6. Is compatible with Nature:** a) Maximizes the contributions of ecosystems. b) Improves resilience. c) Rejects the intensive use of energy, of monoculture and industrialized production as well as other destructive methods. (The Six Pillars of Food Sovereignty, Developed at Nyéléni 2007).

Additionally, the concept of food sovereignty is also being adopted by supranational parliamentary forums like PARLATINO, PARLANDINO, PARLACEN and FOPREL, through the Parliamentary Front Against Hunger (PFH) in Latin America and the Caribbean (which aims to promote food security and nutrition laws) member of which, during its II Forum (June 2011) stated that: *"This new concept (food sovereignty), in contrast to food security which focuses mainly on food availability, also relates to the importance of the modes of food production and where these foods come from. It highlights the relationship between the import of cheap food and the weakening of local agricultural production and populations."* In this sense, all actions by the PFH are aimed at guaranteeing food sovereignty. (II Forum of the Parliamentary Front Against Hunger, June 2011).

RIGHT TO FOOD

The right to food was first established in the Universal Declaration of Human Rights (UDHR) and incorporated in the International Covenant on Economic, Social and Cultural Rights (ICESCR). The interest in establishing a human rights approach into hunger fighting policies only really began to become a reality at the beginning of decade of 1990, as part of so-called third generation rights. Building a development policy sustained on the realization of human rights is at the heart of the United Nations. The declaration set the principles by which to end various forms of injustice and oppression; its relevance stems from the fact that it was almost unanimously supported by a large number of very diverse nations. The UDHR represents a basic level of understanding among different civilizations. The great contribution of the Universal Declaration was to expand the human rights platform and interconnect them, mutually

reinforcing them. To clarify its content, article 25 stated: "*Everyone has the right to a living standard adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*" (Gordillo, G. and H. Gómez, 2005).

One of the main tasks of the Office of the High Commissioner for Human Rights of the United Nations (created in 1993) has been integrating human rights across the framework of the Millennium Development Goals, through figures like "special rapporteur, independent expert or representative of the secretary-general". The Human Rights Commission -with technical support from the United Nations High Commissioner for Human Rights- analyzes specific situations, through the implementation of missions, in matters of extreme poverty, right to development, right to education, immigration rights, right to adequate housing, as well as structural adjustment and foreign debt. (Gordillo, G. and H. Gómez, 2005).

Without the right to food one cannot guarantee life, dignity or the enjoyment of other human rights. Achieving a better definition of the right to food will create concrete tools to improve its implementation; hence, the ESCR Committee adopted in 1999 General Comment no. 12⁵. This document states that the right to adequate food must be interpreted as a right that satisfies both the availability and sustainable access to food, in sufficient quantity and quality to fulfill the dietary needs of individuals, and these foods must be free from adverse substances and acceptable within a given culture.. The Committee also established that the ESCR Covenant is violated when a state does not guarantee the satisfaction of the minimum necessary levels for their citizens to be free from hunger; in this sense, it defined the nature of their obligations on three levels: respect, protect and satisfy. "*While only states are parties to the Covenant and, are thus ultimately accountable for compliance with it, all members of society are responsible for the realization of the right to adequate food.*" (Quoted in Gordillo, G. and H. Gómez, 2005). In order to genuinely advance in terms of human rights, they must be incorporated into all aspects of community life.

⁵ Despite the importance of General Comment 12, it is not mandatory and has not been endorsed by all governments.

2. Food and nutrition security and food sovereignty: antagonistic or complementary concepts?⁶

a) What are the implications of the fact that both concepts are being turned into laws, some even at a constitutional level?

Although the concepts of food security and food sovereignty are often used interchangeably, especially in the new legislation, the concept of food sovereignty seems to be employed when referring to the central faculty of a State (understood as the representative of the people) to be able to define, without external interference, its food policies. On the other hand, the concept of food security is used, following the FAO definition, as a multidimensional concept to ensure fight against hunger and the enjoyment of a balanced nutrition. Almost all legislative reforms emphasize the four dimensions of availability and access to food, biological use and stability.⁷

But the main reason for transforming the concept of food sovereignty into laws, as well as greater general attention being granted to issues related to food policy, is a result of the 2008 food crisis and the volatility in the international prices of some food products. Governments have been forced to refocus their attention on food policy as well as their support to the rural sector. Opting for the use of "food sovereignty" is clearly an option in favor of family farming. The events in the Middle East further underscored a fact that has been extremely well-known but often neglected by governments, even the most democratic ones: nothing encourages street demonstrations and social mobilization more than the lack of an adequate food supply affecting the majority of the population.

b) What are the principal differences in the two concepts and their implications for public policy in countries? What are the implications of using one concept or another within the economic and/or political integration bodies of the region?

⁶ Since the decade of 1980, Brazil has developed a social movement around food security, employing it as concept closer to food sovereignty than to FAO's food security. As Renato Maluf, a Brazilian expert on these issues, said in a private conversation on September 2012: "Brazil is closer to the vision of "the right to decide" (production, marketing, consumption) of both its states and their people and communities." For more information on this interesting way to address issues of food security and sovereignty see the 2012-2015 National Food and Nutrition Security Plan.

⁷ As a senior Latin American diplomat said to colleague Fernando Soto in a private interview conducted in September 2012: "The concept of food sovereignty (SA) is not defined. There are multiple interpretations, with strong ideological tendencies that respond to specific situations in various countries... There isn't a unique concept that can be discussed and therefore there is no consensus. Thus, it is not a concept recognized by the CELAC. In fact, although presented, it was not included in the statements of the last CELAC Summit of Presidents and Heads of State, or in the reports of the last meeting of CELAC National Coordinators held in Chile from July 5 to 7. Neither was it included in the final declaration of the OAS General Assembly held in Cochabamba, which refers to sovereignty in general, but not food."

Both concepts emphasize the need to increase food production and productivity to meet future demand. Both concepts stress that the central problem today is access to food and thus involve redistributive public policies at income and employment level, also considering the necessary link between food and nutrition. From both concepts there can also be derived social protection proposals for facing temporary crisis or conditioned cash-transfer programs as part of overarching poverty fighting programs.

There are two main differences. First, the concept of food security –adopted by FAO member states– is somehow neutral in terms of the correlation of forces involved. It does not prejudice the concentration of economic power in the different links of the food chain and in the international food trade, or the ownership of key means of production such as land or the access to information. On the other hand, the concept of food sovereignty precisely starts from noting the asymmetry of power in the various markets involved and the various areas of power, and in multilateral trade negotiations. Thus, it appeals to the balancing role a democratic state can play, if it considers food to be more than a mere commodity. Essentially, in the current context of high volatility and potential deficiencies in the food supply, this concept can be clearly incorporated into defensive protectionism strategies, such as those that have recently been in use in several European countries such as Russia and Ukraine, as well as Vietnam or India in Asia.

The second substantial difference have to do with *how* food is produced. Although FAO has been a pioneer regarding issues of good agricultural practices (GAP), sustainable management of natural resources, the precautionary principle in relation to GMOs, and green agriculture, amongst others, precisely because of its nature as an inter-governmental and multilateral organization it cannot adopt a single or emphatic position about the different modes of food production. Three major technological standards are recognized in the specialized literature: so-called industrial agriculture – based on the intensive use of fossil fuels–, biological agriculture – using biomass and biotechnologies, of which GMOs are only a part– and organic agriculture, which involves processes that require various forms of certification. The EU has been proposing for several years the idea of the coexistence of these three systems: although recently in the design of communal agricultural policies they are insisting on a subsidy system not bound to a particular product, which rewards the sustainable use of natural resources in food production.

In contrast, the concept of food sovereignty is clearly and primarily focused on non-industrial, small-scale agriculture and family farming– including livestock, forestry and fisheries–, preferably of an organic type, and mainly relating to agroecology.⁸

⁸ Agroecology incorporates an approach to agriculture closer to the environment and more socially sensitive, focused on ecological sustainability of the production system. Regarding classical agronomy, agroecology introduces three key elements: environmental concerns, the ecological approach and social concern. One of its main exponents is Miguel Altieri, a professor at the University of Berkeley. His classic text is *Agroecology, The scientific basis for sustainable agriculture*, 1997, Nordan community.

3. Discursive convergence: food security, food sovereignty and the right to food

What are the implications in terms of the role assigned to the state and to public policies? Could these two concepts, with their complementarities and differences, support common regional positions for the reduction of malnutrition?

For several countries in the region, the concept of food sovereignty presents semantic and political difficulties. As recently noted by a senior Latin American official: "If we already have a broad consensus on the concept of food security at intergovernmental level, what is the purpose of those proposing a new concept of food sovereignty? In practical terms, what is derived from this? There is a suspicion that behind it there could be policies restricting international trade, investment flows or patent recognition. We should consider that these questions must have clear answers before any discussion or inclusion of the concept."

The OAS work group that discussed the draft of the Cochabamba declaration, presented in June 2012 at that Bolivian city, argued in the original document, presented by the Bolivian delegation at the special meeting of the OAS Permanent Council (CP/doc.4691/12), that: "Recognizing [the hard facts of hunger], conditions of inequality [social, economic, cultural, etc.], which particularly affect the most vulnerable people in the region; and the correlation with the multiple crises: energy, financial, climate and food, which are the major problems for developing countries; it aggravates the food crisis, manifested in increased demand and price volatility as well as growing conflicts over access to land and water. In such a way, that the progress of many countries is at risk, problems of hunger and malnutrition increase, and major challenges are created for net food importers. The potential for mass production in the region can benefit exporters and those who require food supplies, particularly in the context of fair, complementary and supportive trade. However, the significant amount of small producers and communities dedicated to the provision of food has been discouraged by: low public investment, favoring the modern agriculture and livestock industry, inadequate trade policies, transfers and donations that discourage production, and the absence of minimum conditions for people to live on what they produce."

Upon entering the discussion of the concepts of food security and food sovereignty, the OAS work group stated that: food security exists when all people at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences to lead an active and healthy life. The debate did not meet obstacles, and in the Work Group's May 4th 2012 deliberations it was agreed to adopt the text of paragraph 1 of the Plan of Action of the Rome Declaration on World Food Security, November 1996.

Regarding the concept of food sovereignty, it was concluded that it is being discussed in specialized international forums, that some countries have incorporated it into their national legislation, and that it is related to food security and the realization of the right to food. However the importance of countries to decide their own food security strategies was considered, and that these should be based on consultations with all major stakeholders nationwide. As an example of

this issue, it is important to remember the definition of food sovereignty in document CP/doc.4691/12 by the Bolivian Delegation: "*[it is] the ability of states and peoples to exercise the right to define and implement policies and strategies on food and nutrition with sovereignty and aimed at achieving food and nutrition security, organizing production, access and food consumption according to the needs of their populations, giving priority to food production by small producers, community and family-based, as well as local food consumption*" and **intelligently modified by the Presidency of the General Assembly and the Uruguayan delegation:** "*[State Sovereignty, also includes] the right of the people to define their own policies and strategies for sustainable production, distribution and consumption ... based on small and medium production, respecting their own cultures and the diversity of peasant, fishing and indigenous agricultural production, marketing and management of rural areas, in which women play a key role [...noting that this concept is under construction at multilateral level]*". The AG/DEC.69/12 document of June 5th 2012, also includes the various positions of the OAS member countries on the concept of food sovereignty, from which three groups of countries can be inferred: one that promotes the concept led by Bolivia with the participation of Venezuela, Nicaragua and Ecuador. Another, who believes that this concept should be discussed in another forum and would only accept it if FAO member countries approved it, led by Chile with the participation of Colombia and Mexico. And a third group that tries to find common ground between the two positions, clearly led by Uruguay, and to a lesser extent Brazil.

In order to find the desired convergence it is necessary to assume and recognize several features of the current world situation:

- a) The world is simultaneously experiencing different types of crises: financial and economic crisis, public safety and national security crisis, climate change impacts on sustainable development and global governance crisis.
- b) In terms of global governance there is an ominous trend toward a kind of "elite multilateralism" in which the G-20 discusses and defines the right paths in relation to economic issues, while the Security Council focuses on political issues.
- c) In terms of the governance of national democracies –be them fragile, consolidated or in development– they face new requirements and needs of the people as a result of the various crises, as well as the necessity to create institutional mechanisms that can ensure real participation from citizens in the decision-making process.
- d) Although food issues are an important part of the international agenda, that does not necessarily mean that there is room for multilateralism in these areas through FAO and the United Nations in general.

Food policy is a multifactorial and crosscutting issue that requires a newborn conception of food security as a human right. This requirement is derived, as raised by De Janvry, Gordillo and Sadoulet, from the current context:

“Unlike the 1973 price spike, which quickly led to a return to the downward trend in global food prices, the rise in prices in 2008 was followed by further price increases, and an general upward trend, which constitutes a turning point in the global food situation. Global food stocks are at their lowest point, thus contributing to food price volatility. Demand for biofuels competes with food demand adding an upward pressure on grain prices. In the short term, countries responded to rising prices with export barriers and emergency purchases to protect consumers. After 25 years of relative stagnation, countries have also begun to invest heavily in food production in order to raise their levels of self-sufficiency, also including land grabs in some countries.” (De Janvry et al, 2012).

This level of price volatility, protectionist measures, hunger and poverty issues, social unrest and general economic, social and political instability can be explained only if we critically review the consequences of the rural structural reforms of the decade of 1990. The 2008 World Bank report (World Development Report (WDR)) presents a balanced of the context and expectations that were placed on structural adjustment policies and their outcomes in rural areas:

“Structural adjustment in the decade of 1980 dismantled the elaborate system of public agencies that provided rural producers with access to land, credit, insurance, supplies and cooperative forms of organization. The expectation was that by removing these [state interventions] markets would free themselves and private actors would assume those functions while reducing costs, improving quality and eliminating regressive biases. This did not happen often. In some places the retraction of the state was at best tentative, limited to the entry of private actors. Elsewhere, the emergence of the private sector was slow and partial, especially focused on segments of commercial farmers but leaving small producers exposed to widespread market failures, high transaction costs and gaps in the field of agricultural services. Incomplete markets and institutional gaps imposed high costs, expressed in growth that eluded small producers and welfare losses that threatened their competitiveness if not, as in many cases, their very survival.” (WDR, 2008: 138)

The impacts of structural adjustments in rural areas, as well as large macro-trends associated with the various expressions of globalization, have shaped a "new agriculture"⁹ which can be summarized in six major trends:

i) The more profound trend towards *an extended agriculture* that transcends simple primary production linked to other economic bodies and one that is integrated horizontally and vertically. Agriculture therefore tends to be very dependent on services, such as marketing, rural finance, technical support, quality control and so on.

ii) In response to income increases of the wealthiest segments in both developing countries and developed countries, plus a marked urbanization, *diets have become more diversified* and targeted to quality control. This generates a trend towards contract farming which by establishing more transparent rules in private contracts could generate a more flexible agriculture in face of the changes in interrelated markets such as land-labor or land-credit.

⁹ This term is used by Gordillo and Jiménez, 2006. Also used by WDR 2008.

iii) This means that *knowledge and human capital* will become strategic variables for agriculture and rural development. It is an agriculture that recognizes globalization and its increasing influence, both positive and negative, in national agricultural systems. This recognition is essential when it comes to the greatest link between agriculture and external funding, the demands of international competitiveness and the importance of a technology based on information management for effective public policy development.

iv) Diversification regarding demand allows appreciation of both the role of indigenous cultures and the increasingly important role of women in productive activities in rural areas. Hence this new agriculture needs to be accompanied by the state through differentiated *policies* that attempt to respond to the needs and possibilities of the various types of producers, regions and products. Supplementing this is the central role of agriculture associations, not only in rebuilding social cohesion but also in reducing transaction costs.

v) The very sustainability of these trends requires proper management of natural resources, expressed both as policy instruments as in validated technological matrices, and an incentive structure that recognizes the *production and social diversity* of the rural sector and, consequently, the diversification of income sources of the family unit (extended family) and the strengthening of rural-urban linkages.

vi) The requirement to promote sustainable agriculture further subjected to three types of constraints: those that come from *the use of water, energy and land management*; forces a move between strictly sectorial policies to policies increasingly grounded in territories, in a vision that promotes the appreciation of regional development as a key component of the national economy and society for its many multiplier effects. (Gordillo, 2008).

Three sets of conclusions are derived from the above remarks:

1) In the food, a set of social actors have emerged who, due to their role in the food chain, in the setting of the public agenda or in policy design, dispute the leading role of the Ministries of Agriculture in these areas, and given the historical relationship of these government agencies with FAO, they also affect FAO's own role;

2) The convergence of price volatility of some agricultural products, climate change impacts on the stability of production, energy crisis in agricultural production methods and stress on key natural resources like water or soils, definitely push towards flexible and resilient production models to meet risks and external shocks more adequately.

3) All recognizable trends of the so called "new agriculture" point in the direction of new institutions –new game rules– predicated on the knowledge economy, decentralization of operational decisions and emphasis in the design of comprehensive territorial-based policies with broad social consensus.

These conclusions lead to a proposal that would integrate food sovereignty in its double meaning –as the capacity of states to define their own food policies autonomously and as a policy option

biased in favor of small-scale agriculture–, with the right to food and the human rights discourse, with FAO’s concept/mandate of food security playing the role of a discursive anchor-holdfast.¹⁰

Consequently, we suggest implementing a dual discursive adaptation: one based on continuity and the other based on a slight modification. We must adapt the key concept of food sovereignty, but based on the rich semantic discourse of the “**larger freedom**” it proposes. The purpose is to link security with development and human rights. During his term as Secretary-General, Kofi Annan issued this concept: *"The notion of a larger freedom... encapsulates the idea that development, security and human rights go hand in hand. A larger freedom implies that men and women everywhere have the right to be governed by their consent, under the law, in a society where all individuals can, without discrimination or retaliation believe, worship (freedom of religion) and associate freely. They should also be free of misery –so that the deadly ailments of extreme poverty and infectious diseases may disappear from their lives– and free from fear– so that their lives and livelihoods are not ruined by violence and war. Indeed, all peoples have the right to security and development."*

Linking development to security and human rights is a strong argument to promote that food safety as defined by FAO –with a terminology that implies continuity with the purposes animating its existence from its initial years– can only be achieved assuming the autonomy of governments to define their own food policies. Priority given to family farming is derived from environmental requirements, economic constraints and new realities and changes in the food and agriculture context.

Giving an adequate discursive ground for both concepts stems from: 1) reaffirming that **FAO’s core mandate, which has been consistently confirmed by its government authorities**, is condensed on the concept of food security; 2) explaining that **food security in its most recent definition** –from its four pillars– prioritizes food access and therefore the policies derived therefrom; 3) emphasizing that **the concept of food sovereignty is not antagonistic or alternative to the concept of food security**. One of its components **goes beyond** the concept of food security, since it affects modern states inalienable decision making capabilities and their sovereignty in general, specifically to define food policies. Its other mayor concetp on the ways in which food is produced, prioritizing family farming, falls short of the concept of food security, and into the realm of specific public policies; 4) suggest that, since FAO and especially the OAS member countries are also members of the United Nations, and that its Secretary General at the time presented the speech on “a larger freedom” at the General Assembly, it seems proper to enclose both concepts together, articulated by the right to food.

¹⁰ This approach is closer to the idea of Brazilian colleagues like Renato Maluf, who underline, regarding his country's experience of joint food security and food sovereignty, the right to food by way of the general "right to decide" for countries, which is based on the broader concept of national sovereignty.

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ANNEX 1: National legislation on food security, food sovereignty and the right to food.

| Country | Legislation | Name | Purpose |
|-----------|-------------------|---|--|
| Argentina | Law N° 26.631 | Cooperation Agreement on Food Sovereignty and Security between the Republic of Argentina and the Bolivarian Republic of Venezuela | To establish the institutional framework for cooperation with respect to ensuring food security and sovereignty of the Parties. |
| Bolivia | Law N° 144 | Agricultural Productive Communitarian Revolution Law | Regulate the process of Agricultural Productive Communitarian Revolution Law for food sovereignty, establishing institutional and political foundations, and technical, technological and financial mechanisms. |
| Brazil | Law N° 11.346 | SISAN | Article 5, achieving the human right to adequate food and nutrition and food security requires respect for sovereignty, which gives countries the primacy of their decisions on food production and consumption. |
| Ecuador | Law N° unnumbered | Organic Law on Food Sovereignty | Establish the mechanisms by which the State fulfills its obligation and strategic objective of ensuring to persons, communities and peoples self-sufficiency of healthy, nutritious and culturally appropriate food in a permanent way. |
| | Constitution | Constitution of the Republic | Article 281, states that food sovereignty is a strategic goal and obligation of the State in order to guarantee the permanent self-sufficiency of healthy and culturally appropriate food for persons, communities, peoples and nationalities. |
| Nicaragua | Law N° 693 | Law on Food and Nutrition Sovereignty and Security | Guarantees the right to have sufficient, safe and nutritious food according to their needs, that these are physically, economically, socially and culturally accessible in a timely and permanent way. |
| Uruguay | Law N° | Montevideo Food Unit | Article 2 lists its functions, c) Consider social objectives under the principles of public service, quality assurance and food safety, as |

| | | | |
|------------------|--------------------|---|--|
| | 18.832 | | well as contributing to the consolidation of food sovereignty. |
| Venezuela | Decree N° 6.07 | Organic Law on Agricultural and Food Security and Sovereignty | Ensuring food security and sovereignty, in accordance with constitutional and legal guidelines, principles and purposes. |
| México | Unnumbered | Strategic Project for Food Security | Contribute to the development of the abilities of individuals and families in highly marginalized communities, so they may be the main actors in the appropriation of the problem, identifying opportunities and finding solutions to achieve food safety and an increased income. |
| Colombia | Bill 203/09 Senate | National Food Security Act | Generating a SAN legal framework that establishes the basis for developing a SAN policy. It incorporates as a principle of law that the State will effectively deliver, respect and protect the right to food. |
| Honduras | D. N° 25-2011 | Law on Food and Nutrition Security | Establish the regulatory framework to structure, harmonize and coordinate SAN actions that contribute to improving the quality of life of the population, prioritizing vulnerable groups. |
| Guatemala | Decree 32-2005 | Food and Nutrition Security National System Law | Considers the right of all Guatemalans to have access to food that meets their nutritional and social needs, thus it is necessary to improve the conditions to overcome food and nutrition insecurity. |

In recent years there has been a remarkable development of the legal and institutional framework that aims to ensure adequate food for all citizens of the region. This political effort at national, subregional and regional levels is reflected in the following laws and bills:

ARGENTINA, Law 26631. Agreements. Republic of Argentina and the Bolivarian Republic of Venezuela. Cooperation Agreement on Food Security and Sovereignty. Approval.

On September 6th, 2010, the Argentinean state legislature enacted Law 26631 called: "Agreements. Republic of Argentina and the Bolivarian Republic of Venezuela. Cooperation Agreement on Food Security and Sovereignty. Approval". It consists of 8 items, and was signed on March 6th, 2008 in Caracas, Bolivarian Republic of Venezuela, and ratified in the Official Bulletin (13/09/2010).

The agreement's common goal is the achievement of food security, understood as sufficient and stable food with timely and uninterrupted access by the people. Also a special emphasis on strengthening the cooperation ties and establishing the institutional framework to ensure food security and sovereignty, through the design and development of scientific, technical and financial cooperation programs, based on principles of equality, respect for sovereignty and reciprocity benefits under domestic legislation and the provisions of the agreement (Article 1). In addition to establishing a Permanent Consultation Committee to assess the balance between food production and consumption of the parties, and the establishment of marketing channels for food supplies (Art. 2) and in order to ensure the population's access to food, there will be a fluid communication and data exchange on provisioning and supply requirements (Art. 3). The partnership shall develop through the following: 1. The design of policies for the exchange and trade of national foodstuffs and agricultural goods; 2. Investments in the development of joint projects for food production as well as [their] logistics and marketing; 3. The development of plans, projects and/or programs [considering the] requirements, nutritional needs and food culture of each people; 4. The design of Cooperation Projects related to the transfer of technology in the agricultural sector... as well as for the transformation of relevant foodstuffs...; and 5. Subscription of specific instruments, in accordance with domestic laws, to provide food for medium and long term, in order to establish a foreseeable horizon for producers and consumers (Art. 4). It proposes an ongoing dialogue with representatives of the food industry and producers, [so as to] know the export potential and related issues, with logistics... in order to promote a fair participation of industry in operations related to the food sector (Art. 5).

ECUADOR, the Constitution of the Republic

Ecuador, as part of a new form of civic coexistence in harmony with nature and its diversity, with respect for the dignity of individuals and communities for good living and in exercise of its sovereignty, presents: The Constitution of the Republic. It embodies the Rights for good living: "The human right to water" (Art. 12) and Food (promoting food sovereignty): Individuals and communities have the right to safe and permanent access to healthy, sufficient and nutritious food, produced locally and in accordance with their diverse cultural identities and traditions [...] The Ecuadorian state [will] promote it (Art. 13), and specifically in Chapter III, called *Food Sovereignty* it states that: **Food sovereignty is a strategic objective and the State's obligation** to ensure that individuals, communities, peoples and nations permanently achieve self-

sufficiency of culturally appropriate and healthy food. For this, the State is responsible for: 1) fostering small and medium production units; 2) adopting fiscal, tax and tariff policies to avoid food dependence; 3) organic and ecological technologies for production, 4) access to land, water and other productive resources, 5) funding for small and medium producers, 6) preserving and recovering agrobiodiversity, ancestral knowledge and the use, conservation and free exchange of seeds, 7) forewarning that animals intended for human consumption are healthy and raised in a healthy environment; 8) scientific research and the technological innovation necessary to guarantee food sovereignty; 9) regulating the use and development of biotechnology, 10) promoting equity between rural and urban spaces, 11) generating fair and supportive systems of food distribution and marketing, 12) providing food to the victims of natural disasters that jeopardize access to food; 13) preventing and protecting people from eating foods that endanger their health, and 14) buying food and raw materials for social programs and feeding programs, primarily through associations and networks of small producers (Art. 281). The state will govern the (fair) use and access to the land, which must meet its social and environmental function. [...] The State shall regulate the use and management of irrigation and water for food production, under the principles of equity, efficiency and environmental sustainability (Art. 282).

ECUADOR, Organic Law on Food Sovereignty.

By unnumbered Law, it is published in the Official Bulletin, Supplement 583 on May 5th, 2009. It is intended to permanently ensure citizens, communities and peoples self-sufficiency of healthy, nutritious and culturally appropriate food. The food sovereignty regime is established by a set of related standards, designed to establish food policies that encourage sufficient production and adequate conservation, exchange, processing, marketing and consumption of healthy, nutritious food, preferably from small farmers and peasant organizations, respecting and protecting agrobiodiversity, knowledge and traditional production methods, under the principles of equity, solidarity, inclusion and social and environmental sustainability (Art. 1). Its scope includes the factors of food production; agrobiodiversity and seeds; research and the sharing of knowledge; production, processing, preservation, storage, exchange, trade and consumption; health, quality, safety and nutrition¹¹; social participation; territorial distribution; the agricultural frontier; water resources; rural and agricultural development; agribusiness, agricultural and rural employment; associative and communitarian forms of small businesses, micro, small and medium producers, forms of funding; and, those defined by the food sovereignty regime (Art. 2).

To exercise *food sovereignty*, the State must: promote sustainable food production, reorienting the agricultural development model; establish incentives for productive use of the land; boost, in the framework of the social economy, the association of micro, small and medium producers to participate in better conditions in the process of food production, storage, transformation,

¹¹ Several articles refer to this: The State will prevent and control the introduction and occurrence of animal and plant diseases...(Art. 25); Ecuador is declared free of transgenic crops and seeds...(Art. 26); The state will encourage the consumption of nutritious food, preferably organic or agroecological...(Art. 27) The sale of low nutritional value food in educational institutions is prohibited...(Art. 28).

preservation and marketing; encourage the consumption of healthy and nutritious food of agroecological and organic origin; adopt fiscal policies, tax, duty and other to protect the national food industry; and promote social participation (Art. 3). Use and access: water will be allocated according to priority, and land, must meet its social function (employment generation, equitable distribution of income, productive and sustainable use of the land) and the environmental function (conservation of biodiversity, maintenance of ecological functions, conservation and integrated management of watersheds, forest areas, fragile ecosystems, respecting the rights of nature and the rights for good living) (Art. 6). The protection of agricultural biodiversity, the development of ancestral knowledge, the promotion, use, protection, conservation, classification and free exchange of native seeds will be the responsibility of the State, the people and their communities. In accordance with Art. 402 of the Constitution of the Republic, germplasm, seeds, native plants and ancestral knowledge cannot be appropriated in the form of patents or other forms of intellectual property (Art. 7 and 8).

The State shall guarantee and develop scientific research, technical assistance and ensure respect for the rights of communities, peoples and nations to preserve and promote their management practices of biodiversity and the natural environment, in order to improve the nutritional quality of food, productivity, food safety, protection and enhancement of agrobiodiversity (Art. 9-11). It shall mainly encourage micro, small and medium production: granting preferential public credit; totally or partially subsidizing crop and livestock insurance; regulating, supporting and promoting the association of micro, small and medium producers for production, collection, storage, conservation, exchange, processing, marketing and consumption of its products; promoting the sustainable reconversion of conventional production processes to diversified and agro-ecological models; encouraging traditional activities; establishing specific mechanisms to support the development of small and medium rural agro-industries; implementing a special program of reactivation of agriculture in territories with lower human development; progressively encouraging investment in productive infrastructure; and facilitating the production and distribution of organic supplies and agrochemicals of lesser environmental impact (Art. 12-17). The President shall determine the tariff policy that will focus on the protection of the domestic market, aiming to eliminate the import of foods that are domestically produced and banning the entry of food that does not meet the quality, production and processing standards stated in the national legislation (Art. 23). The formulation and development of laws and the implementation of public policies for food sovereignty with the broadest social participation (Art. 31).

URUGUAY, Law 18832 "Montevideo Food Unit".

In November 2011, the Senate and House of Representatives of the Oriental Republic of Uruguay, gathered in assembly, decreed the creation of a public entity separate from the state

named "Montevideo Food Unit"¹², institutionally connected with the executive through the Ministry of Livestock, Agriculture and Fisheries (Art. 1).

Its role is to: A) create and maintain the legal and physical infrastructure, equipment and services to facilitate and develop trade and food distribution, B) promote the efficiency of the collection, distribution and logistics chain for these products, C) social objectives under the principles of public service, quality assurance and food safety, as well as contributing to the consolidation of food sovereignty, D) control the food safety, hygiene and quality of food, E) promote activities linked to food production that generate positive synergies, surplus value, scale economies, lower transaction costs and logistical economies, F) development of complementary activities to marketing: logistics, cold storage services, storage and distribution, food packaging, fourth range processing plants, among others, G) report on price and volume of items to be marketed, H) promote training in agribusiness marketing and sanitary control, I) promote democratization of access to information, tending to improve competitiveness and productivity through the introduction of new information and communication technologies (ICT), J) report on flows of supply, demand and prices, and to promote foreign trade to balance these flows, K) develop training plans and research related to the Food Unit, L) promote the training and development of the agents involved in the sector, M) promotion and dissemination of healthy food (Art. 2). To meet these goals it has the power to: A) manage land assigned by the government, with the legal system defined by it, B) dictate its rules of operation, C) establish the classification and conditions to be satisfied by the marketed goods, D) keep a register of operators, E) form users registration for supplementary activities of wholesale marketing, F) provide refurbishing services, post harvest treatment, grading and packaging for marketed products, G) provide management services, facilities maintenance, health and safety, H) price leases, rents and, in general, the cost of services rendered in the performance of their tasks, I) define activity areas and the internal organizational structure, J) establish mutual partnerships and agreements with public and private institutions, domestic or foreign or international or regional organizations, K) identify and apply appropriate sanctions for violations of regulatory standards, L) run fines, M) hire staff, N) formulate regulations for work relations, O) create payment agreements for the collection of applied sanctions, when considered relevant, P) acquire, encumber and dispose of all types of goods (Art. 3). Also, Montevideo Food Unit may issue negotiable bonds for the financing of investment projects and is empowered to create the relevant trusts (Art. 11); Additionally, credits from the Montevideo Food Unit will not be seizable (Art. 15).

¹² It is a logistics platform specializing in food products, in which the wholesale marketing of fruits and vegetables forms the main concern; it includes other activities and various production processes and processed foods. It is aimed at building and strengthening a common area in which the activities are mutually benefited from advantages, opportunities and synergies offered by a shared space; and an environmentally, socially and economically sustainable production unit,

BOLIVIA, Law 144. Agricultural Productive Communitarian Revolution Law.¹³

Issued on June 26, 2011 by The Plurinational Legislative Assembly. It aims to regulate the process of the Agricultural Productive Communitarian Revolution for food sovereignty by establishing institutional and political foundations, and technical, technological and financial mechanisms for production, processing and marketing of agricultural and forestry products, of the different actors in the economy; prioritizing organic production in harmony and balance with the bounties of Mother Earth (Art. 2). Its purpose is to achieve food sovereignty in conditions of safety and quality for good living (Art. 3). It applies to entities that are directly or indirectly involved or associated with production development, food security and sovereignty (Art. 4).

This law is governed by the following principles: *Harmony and Balance with Mother Earth*. *Complementarity*: food sovereignty is based on the concurrence of all efforts to satisfy food needs. *Joint Responsibility*: food sovereignty is the duty and responsibility of the State and of all Bolivians. *Transparency*: honest and proper management of public resources and access to public and private information is accurate, timely, comprehensive and reliable for the entire population. *Good Living*: access to and enjoyment of property and effective subjective, intellectual and spiritual development of the population. *Reciprocity and Solidarity*: exploits the ancestral values and practices of the people to meet the food needs of the entire population. *Adequate Nutrition*: access to healthy and sufficient food for the population without discrimination. *Food Sovereignty*: the Bolivian people through the Plurinational State, define and implement their policies and strategies for production, gathering, processing, preservation, storage, transport, distribution, marketing, consumption and trade of food (Art 6).

It recognizes territorial management capacity of the native indigenous peasant communities¹⁴, intercultural and Afro-Bolivian communities and their organic territorial structures with responsibility, commitment and mutual respect to implement the phases of production, processing, marketing and financing of agricultural and forestry activity in order to achieve food sovereignty and economic surplus generation (Art. 9); it guarantees participation in all levels of

¹³ Law 144 seeks to increase food production from communitarian economy and small family farms, to diversify the diet and fight extreme poverty. It prioritizes domestic food production; transfers public resources to small rural producers; abandons the idea of the state as a direct food producer; articulates the different levels of government (national, provincial and local); promotes the strengthening of ancestral practices in the management of lands, natural resources, economic activities and productive and sustainable use of biodiversity; incorporates universal agricultural insurance; provides technical support to organizations; creates two new sources of funds transfers (Concurrent Departmental Funds and Community Fund Credit); and uses the already existing rural financial infrastructure. However, it does not incorporate productive efficiency criteria, creates new bureaucracy, does not transfer resources directly to rural producers and, above all, gives way (legalization) to transgenic crops and genetically modified seeds (Articles 15 and 19). The Agricultural Productive Communitarian Revolution, although guarantees by the state the recovery, conservation, improvement, production and distribution of native seeds from native indigenous peoples, intercultural communities, smallholders and Afrobolivians, it also facilitates access to genetic resources with *productive and research purposes* to strengthen the country's food security and sovereignty, provided they do not involve genetically-modified seeds of species in which Bolivia is the center of origin or diversity, or those that threaten the genetic heritage, biodiversity, the health of life systems and human health.

¹⁴ Native Indigenous Peasant Land Management is the process by which peasant indigenous peoples, intercultural and Afro-Bolivian communities shall exercise the ownership of their territory, managed in a participatory way and with consensus among the various communities that make up the territory, executing their decisions in order to improve their quality of life and contribute to food security and sovereignty according to their knowledge, technologies and cultural values.

government in the field of agriculture in an organized, lawful, concerted and consensual way for the communities¹⁵ through its own policies, procedures and organic structures; sustainable water management, forest harvesting, the consolidation of peasant indigenous original territory and planning in the context of the significance and respect of their worldview and their rights (Art. 10) and recognizes communities the right to participate in public policy design and apply social control of public management in the agricultural sector, the destination of fiscal resources, the quality of public services, the transparent management of information at all levels of state and the social control of companies and public institutions and joint ventures at all levels of government and autonomous territorial entities (Art. 11).

It sets the following State policies:

- Strengthening of the Productive Base policy. Emphasis on local and ancestral practices of the communities (Art. 13).

- Conservation of Production Areas Policy. (Art. 14).

- Protection of Natural Genetic Resources Policy. The country will not admit agricultural technology packages involving genetically modified seeds of species of which Bolivia is the center of origin and diversity, or those that threaten the genetic heritage, biodiversity and health of living systems and humans. Any product intended for human consumption (direct or indirect), which contains, is or is derived from GMOs must be properly identified indicating this condition (Art. 15).

- Production Development Policy. Traditional organic, ecological, agricultural and forestry production that may allow food sovereignty as well as generating surpluses (Art. 16).

- Collection and Reserve Policy. (Art. 17).

- Transformation and Industrialization Development Policy. (Art. 18).

- Exchange and Marketing Policy. In order to achieve food sovereignty, domestic agricultural food production will be protected, special provisions will be taken for agricultural products to directly reach consumers at affordable prices, buying local produce at a fair price; arrangements will be established for monitoring production, import and marketing of genetically modified products; strengthening of the accreditation system for health, quality and food safety status, and the organic nature of food products and of plant and animal origin products (Art. 19).

- National Consumer Promotion Policy. The Bolivian people will define their own food systems from production, processing, marketing and responsible consumption. The State and the autonomous territorial entities shall: include food and nutrition education in school curriculums; expand the coverage of the School Supplementary Feeding Program; incorporate native indigenous communities, intercultural and Afro-Bolivian communities as food providers;

¹⁵ Native indigenous peasant communities, intercultural and Afro-Bolivian communities.

implement the Social Seal; promote and spread the "I Buy and Eat Bolivian Food" initiative (Art. 20).

- Agricultural and Forestry Innovation Policy (Art. 21).

- National Policy on Agricultural Mechanization and Modernization. Appropriate and adapted to the different ecological soils, productive and land use vocations, that may be affordable and sustainable, respecting the rights of Mother Earth (Art. 22).

- Agricultural Health Services and Food Safety Policy (art. 23).

- Prevention and Risk Management Policy (Art. 24).

- Food Emergency Attention Policy (Art. 25).

- Food provision guarantee (Art. 26).

- Food and Nutrition Policy. Ensure that the Bolivian population has an adequate nutritional status (Art. 27).

- Policy on territorial management support for native indigenous peasant communities, intercultural and Afro-Bolivian communities. In order to promote and stimulate organizational, social, cultural, economic and production development of indigenous peoples in their territories, destined to improve their quality of life and contribute to security with food sovereignty according to their knowledge, technologies and cultural values (Art. 28).

It proposes the creation of Agricultural Technical Institutes for higher technical education and training in rural areas, with a Theoretical and Practical curriculum based on the Respect for "Mother Earth", agroecological production, recovery of ancestral practices and communitarian social and political organization (Art. 29). To ensure agricultural production affected by damage caused by climatic and adverse natural disasters, create Universal Agricultural Insurance "Pachamama" (Art. 30). Councils for Economic Productivity are created as a coordination and participation instance for public policy development, planning, monitoring and evaluation (Art. 37). The establishment and strengthening of public institutions are created to implement Regulations for Prevention and Environmental Control (Art. 38). The following organisms are also created: the Strategic Support for Seed Production Company(Art. 39): the Company for Production of Fertilizers (EPAF, in Spanish), which prioritizes organic fertilizers, the development and strengthening of community initiatives, small and medium farmers and the use of inputs derived from national mining and the hydrocarbon sector (Art. 40). It will support productive sectors of the food chain, agricultural production and agribusiness, in products that are deficient in Bolivia (Art. 41). The Agro-environmental Productive Observatory will be implemented (PMO, in Spanish) as a technical body to monitor and manage agricultural information and to ensure food sovereignty (Art. 43). A Technical Support System for Organizations will be implemented to develop organizational, technical and communitarian capacities (Art. 45). State Planning with Social Participation will be promoted (Art. 46). It creates the Community Loan Fund (FCC), in order to provide credit for agricultural production at the lowest possible financial cost (Art. 51).

VENEZUELA, Organic Law on Agricultural and Food Security and Sovereignty.¹⁶

Constitutional Article 305 guarantees food safety, understood as “sufficient and stable availability of food at national level as well as timely and uninterrupted access to them by the consuming public”, based on food sovereignty, embodied in the preferential development of domestic agricultural production, being of “national interest and fundamental to the economic and social development of the nation.”

The decree with Rank, Value and Strength of Organic Law on Agricultural and Food Security and Sovereignty is the appropriate legal instrument to build –in terms of food security and sovereignty– constitutional principles, rearrange the current legal setup, determining future regulatory instruments and ensuring popular participation; it is also the ideal way to socially include Venezuelan peasants, whose development is linked to the nation’s agricultural security and food production.

To ensure Food Sovereignty¹⁷ domestic (and sustainable) agricultural production should be privileged; exchange and distribution relations should be transformed (democratization); the social relations of production and consumption should be identified and recognized; measures to ensure the protection, monitoring, prosperity and welfare of domestic producers should be established and enforced; operations in all phases of the production cycle should be monitored, supervised and controled (especially stimulating social or collective production); other provisions in the law governing land and agrarian development should also be taken into account(Art . 4).

The State recognizes, guarantees and protects the rights of producers as protagonists who produce food to satisfy the country's agrifood needs and the right of all citizens to feed preferably on domestic products, as the full enjoyment of food sovereignty (Art. 9); it further recognizes the right of citizens to sustainable production, focused on environmental, economic and social sustainability of agricultural activities and of agricultural labor, guaranteeing the development of communal production in conditions of equality and justice (Art. 10).

Guarantee for future generations: through Agrarian Policies that promote traditional practices and technologies that ensure the conservation of biodiversity, access to water, land and genetic resources (Art. 12); the territorially based establishment of the agricultural structure (Art. 13); and the predominantly social character of agricultural and food policies (Art. 14), contributing

¹⁶ The Law ensures food security and sovereignty, establishes the activities and assets used in food production as of public and social interest, includes popular power, ensures efficient distribution, validates barter as a form of exchange, guarantees the safety and quality food, supports and encourages research and education in the agricultural sector and develops a system of penalties to ensure the welfare of the majority of the population.

¹⁷ **Food Sovereignty**: is the inalienable right of a nation to define and develop agricultural and food policies appropriate to their specific circumstances, from local and national production, respecting the preservation of cultural and production biodiversity, and prioritized self-supply capacity, ensuring timely and adequate food access for the entire population (Art. 4). **Food security** is the effective capacity of the State, in co-responsibility with the food industry...to ensure the population a stable availability, access, exchange and distribution of food, to ensure physical and emotional conditions suitable for integral and sustainable human development, considering the exchange, complementarily and economic integration between peoples and nations as an essential guarantee for the **right to food** (Art. 5).

significantly to the understanding of the new arrangements for the management and regulation of the different forms of production, exchange and distribution (Art. 16).

Timely availability of food: implementation of public policies aimed at the normalization of the market, in order to avoid the perversions that may arise in it (Art. 22), and the protection of communities located in remote areas, away from major population centers (Art . 23). The creation of Strategic Market Reserves¹⁸ consisting of a set of goods and financial resources in sufficient quantities, with stable availability and full national coverage, accumulated and controlled by the State (Art. 24 and 25).

This Law seeks to ensure that food reaches families in a timely manner and with fair and affordable prices. To do this, it contemplates alternative economies and barter as a mechanism for ensuring food sovereignty (Art. 39).

The quality of food intended to meet the needs of Venezuelans is the main object of this Law. The formulation and implementation of policies will suit the communal characteristics of the region and will be aimed at developing and strengthening the agricultural sector (Art. 41). The import of food and supplies for food production may only be authorized when there is no domestic production of these, or insufficient ones; food exports may be authorized when there is a surplus in domestic production (Art. 60). The availability and timely access to safe food of sufficient quantity and quality to the population, must be ensured from agricultural production, livestock, fisheries and aquaculture, and along the stages of harvesting, production or processing, transportation and distribution up to storage and preparation (Art. 64).

It pays special attention to investigation, which the State shall promote and encourage through research, development, extension and transfer of technology in all stages of the food chain to improve food production, conservation, processing, transport, exchange, distribution and analysis (Art. 91). In addition it promotes the research, rescue and dissemination of Venezuelan food culture, promoting the production, processing and consumption of indigenous foods (Art. 98), and promotes food education through competent bodies, to develop a civil culture that allows them to identify their nutritional problems and their root causes, in order to improve their personal, family and communitarian nutritional status (Art. 99), and thus change the habits and feeding patterns of the population, historically derived from foreign cultures with economic, social and geographical conditions dissimilar to those of Venezuela.

BRAZIL, Law 11346 (National Food and Nutrition Security, SISAN).

In September 2006, under Law 11346, the National System of Food and Nutrition Security (SISAN, in Portuguese, from now on) was created in order to guarantee the human right to

¹⁸ Strategic Market Reserves are those authorized by the Ministry with responsibility for food and feeding to dampen erratic market fluctuations, capturing excess and alleviating any deficiencies. Special Strategic Reserves: those authorized by the National Executive that form a group of stored products with sufficient, stable and full national supply to respond to shortages caused by unforeseen difficulties, states of emergency or alarm.

adequate food. This law provides the definitions, principles, guidelines, objectives and composition of the SISAN, by which the government -with the participation of organized civil society- formulates and implements policies, plans, programs and actions in order to ensure the right to food (Art. 1), likewise, the public sector will adopt the necessary policies and actions to promote food and nutrition security¹⁹ for the population, taking into account environmental, cultural, economic, regional and social aspects (Art. 2).

Food and Nutrition Security involves: increasing the access to food through food production (especially traditional and family farming agriculture), processing, industrialization, marketing, supply and distribution, including water, employment generation and income redistribution; biodiversity conservation and sustainable use of resources; promotion of health, nutrition and diet of the population; biological, health, nutrition and technological quality control; production of knowledge and access to information; and implementation of public policies and sustainable and participatory strategies for food production, marketing and consumption, respecting the country's multiculturalism (Art. 4). It also highlights the need for countries to make their own decisions on food production and consumption to ensure the right to adequate food and food and nutrition security (Art. 5). The realization of the human right to adequate food, and the food and nutrition security of the population, will be carried out by SISAN, composed of a set of bodies and entities related to food and nutrition security (Art. 7). SISAN aims to formulate and implement policies and plans [cross-sector] on food and nutrition security, encourage integration of efforts between government and civil society and to promote follow-up, monitoring and evaluation of food and nutrition security in the country (Art. 10).

NICARAGUA, Law 693. Sovereignty Act and Food and Nutrition Security.

Ordained in July 2009 by the President of the Republic, this Law aims to ensure the right of all Nicaraguans to sufficient, safe and nutritious food commensurate with their life necessities; that these foods are available physically, economically, socially and culturally, ensuring permanent availability, stability and sufficiency, through the development of public policies implemented by the State relative to food sovereignty²⁰ and food and nutrition security (Art. 1). Food sovereignty ensures food and nutrition security.²¹

¹⁹ Food and Nutrition Security is the realization of the right of all to sustained and permanent access to quality food in sufficient quantity, without compromising access to other essential needs, based on health promoting food practices, respectful of cultural diversity and that are environmentally, culturally, economically and socially sustainable (Art. 3).

²⁰ According to Nicaragua's Law 693, Food Sovereignty is the right of peoples to define their own policies and strategies for sustainable food production, distribution and consumption, which guarantee the right to food for all people, based on small and medium production, respecting their own cultures and the diversity of peasant, fishing and indigenous agricultural production, marketing and management of rural areas, where women play a key role (Art. 2). It also includes the state's right to define its own policies and strategies for sustainable food production, processing, distribution and consumption to ensure the right to food for the entire population, with preference towards appreciation and consumption of domestic products, without affecting the exercise of the right to free enterprise and trade (Art. 9a).

²¹ Food and Nutrition Security means the availability and stability of culturally acceptable food supply, so that all people may have the same in quantity and quality, free of contaminants, as well as access to other services such as sanitation, health and

The State establishes the guiding principles and general guidelines for the actions of the different institutions, stakeholders, civil society organizations and private enterprises engaged in activities to promote food and nutrition security with an integrated approach, as part of the framework of the poverty reduction strategies that are defined by the country as well as global, sectorial and regional policies, in line with national conditions (Art. 2). Policies should be comprehensive in nature, including aspects such as availability, physical, economic and social access to food, food consumption and the biological use of food (Art. 3).

The objectives of the Law are: to foster conditions that affect the improvement of domestic food production (especially small and medium producers) facilitating the availability of food to the population; alleviate poverty, hunger, marginalization, neglect and the exclusion of the population suffering from food and nutrition insecurity, improving access to employment, productive resources, land, water and credit, among others; facilitate permanent access for people to safe and culturally acceptable food (food of adequate quantity and quality); establish educational practices towards healthy and nutritious food, recreation and environmental care (Art. 4).

To implement the **right to food**²², the National Sovereignty and Food and Nutrition Security System is created, establishing regulations by this Law (Art. 5); which, in addition to integrating policies, strategies, plans, programs and projects formulated and implemented by the State, must include gender equality (Art. 7).

COLOMBIA, 2007 SENATE BILL 203.

It aims to create a legal framework for food and nutrition security to ensure that Colombians of all ages have access and consume food in sufficient quantity, variety, quality and safety and to protect all the population that is in food insecurity and extreme poverty, through the commitment and responsibility of government agencies, international organizations, trade unions, civil society, families and individuals (Art. 1). Food and Nutrition Security Public policy should: promote and encourage domestic food production (sustainable, equitable, competitive); improve the purchasing power of the population; guarantee physical access to food; promote healthy lifestyle habits; improve access and quality of health, sanitation, drinking water and energy services; ensure food quality and safety; and strengthen and develop public and private institutions for food and nutrition security (Art. 2). The State shall effectively respect and protect the right to food of the inhabitants of the territory, through the necessary actions, both short term and long term. Food and nutrition security guarantees the right to food. It will promote equitable growth

education, to ensure the nutritional well-being and enable them to make a good biological use of food to achieve their development, without implying a deterioration of the ecosystem.

²² Right to Food: a fundamental human right, inherent to human dignity, of public order and social interest, aimed at ensuring sovereignty and food and nutrition security with gender equity, which implies the right to go to administrative or judicial mechanisms for the protection of this right and its repair where necessary.

across the country and in every community. Macroeconomic and sectorial policies should take into account its impact on income distribution. Food and nutrition security will be balanced without compromising resources for future generations. It will promote citizen participation in the design, implementation and evaluation of policies, programs and projects. It will promote incentives for associated women's work, as well as their access to food or resources destined for food production, and must ensure their right to inherit and own land and property (Art. 3).

It includes the creation of the National Committee of Food and Nutritional Security, an inter-institutional organization whose mission is to coordinate and manage the various institutions, units, policies and programs related to food security, and the monitoring actions that every actor must perform with regard to food security. It includes mechanisms for financial stimulus related to food and nutrition security, as well as specific functions for regional entities which are linked with the national government in matters of food and nutrition security (Chapters II and IV).

The presentation of the Bill would establish the legal framework of Food and Nutrition Security; however, it has not been approved.

GUATEMALA, Decree 32-2005 “Food and Nutrition National System Law”.

Issued on April 6th, 2005 by the Congress of the Republic of Guatemala²³ and published on May 2nd of that same year in the Official Journal. It considers physical, economic and social access to food as a right of all, being able to opportunely and permanently have access to a diet that meets their nutritional needs and that is culturally adequate, preferably with food of national origin, as well as its proper biological use, to maintain a healthy and active life, for which it is necessary to improve the conditions to overcome food and nutrition insecurity. Noteworthy among the guiding principles are solidarity, transparency, protection, fairness, integrity, sustainability, precaution, decentralization, citizen participation, and food sovereignty. The State has an obligation to respect, promote and fulfill food and nutritional security, so it must also sovereignly define the modality of food production, its type and quality as well as the seasons when food production is undertaken, in a sustained manner and with minimal environmental costs, ensuring the population's food and nutrition security.

Since the adoption of the of the Food and Nutrition Security National System Law, it is the duty of the State to invest resources and efforts in the implementation of the Food and Nutrition Security State Policy (POLSAN, in Spanish), which establishes the guiding principles, themes and general guidelines for the actions of the different institutions that develop activities to promote food and nutrition security, and the Strategic Plan for Food and Nutrition Security (PESAN, in Spanish). This law also allows the Food and Nutrition Security National System (SINASAN, sin Spanish-composed of government and society agencies, with technical and financial support of international cooperation) to allocate specific responsibilities to its members

²³ In exercise of the powers conferred by Article 171 paragraph a) and 176 of the Constitution of the Republic.

and, based in these responsibilities and commitments, asses the achievements and results to meet these objectives.

Mexico, Strategic Project for Food Security (PESA).

The Strategic Project for Food Security in Mexico (PESA, in Spanish, from now on) began operations in 2003 as a result of the agreement between the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food (SAGARPA, in Spanish, from now on) and FAO. Unlike other countries, PESA Mexico was not implemented to fight rural hunger, but was adapted to combat poverty, poor nutrition and dietary deficiencies. It refers to food security as: *“The access by marginalized rural families to sufficient, safe and nutritious food to meet their dietary needs in order to lead a healthy and active life, preferably based on the use of local resources and in environmental, social and economic aspects, of a constant nature”*. In this sense, the objective of PESA is to: *“Contribute to the development of the abilities of individuals and families who are in highly marginalized communities, so they may be the main actors in the appropriation of the problem, identifying opportunities and finding solutions to achieve food security and increased income.”* It specifically aims at: increasing agricultural production and productivity; achieving micro-regional food self-sufficiency; promoting balanced food consumption for the nutritional improvement of families; make innovations and technological improvements towards production models that generate income and employment; and the generation of companies that stimulate micro-regional development for the creation of jobs and income. In this sense, the micro-regional development strategies to help achieve food security are: boost society through community organization and the identification and formation of leaders; revive micro-regional economies by developing local markets, appropriately using local resources and creating jobs. The target population is about 109.526 families in 4.392 rural sectors classified with high or very high marginalization, belonging to 648 municipalities in 15 states in Mexico. This attention is divided into two groups. The first is composed of Chiapas, Guerrero, Hidalgo, Mexico, Morelos, Oaxaca, Puebla and Veracruz; they have a specific budget item in the Federation Expenditure Budget (PEF, in Spanish), and with a part of these resources they support the operation of 112 Rural Development Agencies (ADR, in Spanish) to service 84% of the localities according to the PESA’s national coverage. PEF resources attached to these states that are not used for the recruitment of ADRs are invested in projects emanating from PESA’s work in these locations. The second group has a mix of federal PEFs and state resources. The CO-EJERCICIO PESA states are: Durango, Jalisco, Michoacan, Nayarit, San Luis Potosi, Yucatan and Zacatecas. There are 24 ADRs in these states, servicing 16% of all locations supported by PESA.

Added to this program is the recent passing of the constitutional reform that recognizes the right to food in the country. On Friday April 29th, 2011, the House of Representatives approved by 404 votes in favor, none against and 4 abstentions, the reform by which the right to nutritious,

adequate and quality food is incorporated in the Constitution of the United Mexican States. Constitutional Amendments in Article 4 were: "*Everyone has the right to nutritious, adequate and quality food. The State shall guarantee it.*" And at 27, Section XX: "*The integrated and sustainable rural development referred to in the preceding paragraph also has among its purposes that the State shall guarantee the adequate and timely supply of basic foods provided by law.*" (DOF, October 13, 2011).²⁴

Honduras, Decree 25-2011 "Law on Food and Nutrition Security."

Enacted by the Legislative power, and published in the Official Journal of the Republic of Honduras on July 7, 2011, NO. 32, 561. It contains the regulatory framework to structure, harmonize and coordinate food and nutrition security, prioritizing the most vulnerable groups. The implementation of the Food and Nutrition Strategy developed by the Government will be strengthened under the principles of: equity and non-discrimination; respect for the dignity of the human person; focalization; participation and joint responsibility; solidarity; and transparency. It adopts the concept of food sovereignty, stating that the State establishes its own policies and strategies for the production, distribution and consumption of food, with respect for culture, natural resource management and territories according with regional treaties and agreements; and that food and nutrition security is an aspiration by which all people can have a timely and ongoing access to the food they need, in terms of quantity, quality and biologically acceptable for its appropriate consumption and use, guaranteeing people their full human development. On the other hand, the human right to adequate food is the right, of every human being, either alone or jointly with others, to have physical and economic access at all times to adequate food or means for its procurement.

Food and nutrition security is based on a set of factors that may enhance human capacity for development, the use and adoption of improved technologies, economic growth with appropriate productive models for social and cultural well-being, biodiversity and the protection of resources.

Paraguay, Draft Bill on the Framework for Food Sovereignty, Food and Nutrition Security and the Right to Food.²⁵

It was proposed in March of 2012. It aims to establish a State policy: "The National Policy on Food Sovereignty and Food and Nutrition Security (SFNSNP, in Spanish)" to ensure the human

²⁴ DOF, October 13, available at: http://www.scjn.gob.mx/normativa/analisis_reformas/Analisis%20Reformas/00130217.pdf

²⁵ This draft bill comes from the organized civil society, placing sovereignty and food and nutrition security in the public debate. All persons involved in the design process of the draft bill, as the communities of native peoples, the Executive, social organizations, and cooperating entities, are all authors of the draft. Source: President's Office, Ministry of Planning http://www.stp.gov.py/?mid=Noticia&category=887&document_srl=16251

right to adequate food²⁶ for all people to achieve and strengthen food and nutrition security²⁷ and food sovereignty²⁸, progressively and without regressions (Art 1).

To this purpose, objectives and strategies were plotted, such as ensuring the continued availability of safe and nutritious food, the respect and protection of knowledge and traditional ways of life, strengthening family farming and communal modes of production, fostering sustainable food production, the implementation of policies for the protection and socio-economic inclusion of vulnerable populations and the availability of a basic food basket, with assurance of nutritional quality and food safety, providing for the protection and recovery of agricultural biodiversity and the environment, and the organization and operation of indigenous and traditional seed banks in order to promote production and conservation, towards self-sufficiency (Art. 4 and 5).

It will get resources from the General Budget of the Nation, and will have as sources of funding resources from the treasury, funding agencies, royalties and others, which are designed for the purpose and objectives of this Law; and shall be allocated to the national strategic objectives and their competent authorities (Art. 11).

Chile (several).

Decree 17 issued on February 14th, 2007 by which the **Technical Standards of Law 20.089 are made official**, and which created the National Certification System for Organic Agricultural Products. It refers to the increasing levels of degradation of ecosystems making it necessary to find production alternatives that are environmentally friendly. Agricultural and forestry production, no stranger to this global problem, has generated sustainable and ecological alternatives, like the increasingly developed organic agriculture, which is based on: practices that do not degrade productive resources and restore the natural balance; promotion of soil fertility, from a chemical, physical and biological standpoint; enhancement of spatial and temporal biodiversity of farms with intercropping, crop rotation and silvopastoral systems; elimination of the use of synthetic chemical-based products that damage the environment; harmonious balance between crop production and animal production. This prevents the occurrence of pests and diseases (Art. 1). The purpose of this norm is to establish requirements for the production, processing, labeling and marketing of organic, ecologic or biological products in Chile and

²⁶ The human right to adequate food is a fundamental right of the population, which is realized when every person, without discrimination, has physical and economic access at all times to food or means for its procurement, and involves: the existence of safe and nutritious food; respect for food preferences according to culture and tradition of the society; production capacity and sufficient food availability, enhancing diversified domestic food production; environmentally sustainable food production; accessible costs of basic food; and modes of access commensurate with human dignity.

²⁷ Food security: exists when people have, at all times, physical and economic access to sufficient, safe and nutritious foods that meets their daily energy needs and food preferences for an active and healthy life.

²⁸ Food Sovereignty: Right of peoples to define their own policies and strategies for the sustainable production, distribution and consumption of food, guaranteeing the right to food for all people, giving priority to small and medium producers, respecting their own cultures and diversity of peasant, indigenous fisheries and agricultural production, marketing and management of rural areas, where women play a key role.

applies to unprocessed plant, animal, bee and fungal products and to their processed variations as well (Art. 2). For products to be labeled "organic", in addition to the current legal standard, they must be produced exclusively by methods specified in this standard, not using mud or other residues from the domestic wastewater, not including organic and non organic forms of a same ingredient and only using approved products for the purposes here listed (Art 4). It is prohibited, in organic production, to use genetically modified organisms and products thereof (Art. 6); the parallel production of organic and conventional products (Art 7). Transformed lands must not be alternated between organic and conventional production.

Decree 83, promulgated on August 8th, 2005 and last modified on April 5th, 2011 with Decree 162, created the Advisory Commission for the President of the Republic called "**Chilean Food Safety Agency**", relating to all matters of identification, formulation and implementation of policies, plans, programs, measures and other activities related to food safety and quality and the development of a national food safety and quality system, and to serve as a coordinating organism between agencies with responsibilities associated with these matters. To fulfill its role it is responsible for: formulating and proposing a National Policy on Food Safety and Quality; serve as a coordinating body for the implementation of the national policy and programs on food safety, plans and measures implemented in this context; ensure that Chile's foreign policy is in line with the National Policy on Food Safety and Quality; develop and propose a bill to create a National System on Food Safety and Quality; study national legislation applicable to food safety and propose the necessary rules and regulations for its enforcement; serve as coordinator for public agencies that have authority associated with food security; propose a system of nutritional information and alerts that integrate the different sources of information in order to provide the State with tools that allows a quick response to risk situations.

Enacted on May 17th, 2004 (Law 19949) and last modified on May 17th, 2012 (Law 20595) the Draft Bill establishes the "**Chile Solidario**" system (Chile Solidarity). Aimed at families in extreme poverty, it seeks to promote the inclusion and access to better living conditions (Art. 1). It is managed, coordinated, monitored and evaluated by the Ministry of Planning and Cooperation (MIDEPLAN, in Spanish), without prejudice to the powers and functions of other public bodies (Art. 3). To enter and participate in "**Chile Solidario**", families or individuals must sign a document of commitment with terms and conditions set forth in the regulations of the Law (Art. 5).

Decree 2065 published on February 13th, 1998. It is a Multilateral Treaty that enacts the "**United Nations Convention to Fight Desertification in Countries Experiencing Drought and or Desertification**" (in affected countries and particularly in Africa). The aim is to fight desertification and mitigate the effects of drought and desertification, taking effective measures at all levels, supported by partnership agreements and international cooperation, contributing to the achievement of sustainable development in affected areas. Achieving this goal requires the application on the affected areas of long-term integrated strategies that focus on increasing the productivity of land; the rehabilitation, conservation and sustainable use of land resources and water resources, all with the aim of improving living conditions.

Under Law 20,595 published on May 17, 2012, the “**Ethical Family Income**” was created, which establishes bonds and conditional cash transfers to extremely poor families and creates a subsidy for the employment of women. It provides assurances and opportunities, and promotes access to better living conditions. The Axis Program supports the members during their participation in these programs, evaluating their performance and achievements. It also conducts a diagnosis, develops an intervention plan, monitors and evaluates their participation. The intervention plan will propose to each user their participation in the programs contained in the subsystem.

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