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United Nations

FOOD SECURITY AND SOVEREIGNTY

(BASE DOCUMENT FOR DISCUSSION)

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(BASE DOCUMENT FOR DISCUSSION)

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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 upon 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.” (FAO, 2012, paragraph 25)

To this end, this 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 the present document, these three points are summarized and analysed 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, 2006)

FAO had reaffirmed also that “a peaceful, stable and enabling political, social and economic environment is the essential foundation that will enable states to give adequate priority to food security and the eradication of poverty. 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.” (FAO, 1996)

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 Nyéléni, 2007* (Food Secure Canada, 2012), food sovereignty:

1. Focuses on food for the people by: a) placing people's need for food at the centre of policies; and b) insisting that food is more than just a commodity.
2. Values food providers by: a) supporting sustainable livelihoods; and b) respecting the work of all food providers.
3. Localizes food systems by: a) reducing the distance between suppliers and consumers; b) rejecting dumping and inappropriate food aid; and c) resisting dependence on remote and unaccountable corporations.
4. Places control at a local level by: a) placing control in the hands of local food suppliers; b) recognizing the need to inhabit and share territories; and c) rejecting the privatization of natural resources.
5. Promotes knowledge and skills by: a) building on traditional knowledge; b) using research to support and pass on this knowledge to future generations; and c) rejecting technologies that undermine local food systems.
6. Works with nature by: a) maximizing the contributions of ecosystems; b) improving resilience; and c) rejecting energy intensive, monocultural, industrialized and destructive production 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 concept 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 the General Comment no. 12² in 1999. This document states that the right to adequate food implies the right to food in quantity and quality sufficient to satisfy the dietary needs of individuals, the right to food that is free from adverse substances and acceptable within a given culture, as well as sustainable access to this food. The Committee also established that the ESCR Covenant is violated when a state does not ensure the satisfaction of, at the very least, the minimum essential level required for its citizens to be free from hunger; in this sense, it defined the nature of their obligations on three levels: to *respect*, to *protect* and to *fulfil*. "While only states are parties to the Covenant and are thus ultimately accountable for compliance with it, all members of society... have responsibilities in 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.

² Despite the importance of General Comment 12, it is not mandatory and has not been endorsed by all governments.

Both food security and food 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. Both concepts also entail proposals for social protection in facing temporary crises, 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 power relations. 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, access to information. On the other hand, the concept of food sovereignty begins precisely with 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. FAO has been a pioneer regarding issues of Good Agricultural Practices (GAP), sustainable management of natural resources, precautionary principles in relation to GMOs, and green agriculture, among other issues; however, it cannot adopt a single or emphatic position regarding the different modes of food production, precisely because of its nature as an intergovernmental and multilateral organization. Three major technological patterns are recognized in the specialized literature: so-called industrial agriculture, based on the intensive use of fossil fuels; biological agriculture, which uses biomass and biotechnologies, of which GMOs are only a part; and organic agriculture, which involves processes that require various forms of certification. For several years the European Union has been putting forth the idea of the coexistence of the three systems, although recently in designing Common Agricultural Policy they are insisting on a subsidy system uncoupled from specific crops, which rewards the sustainable use of natural resources in food production.

In contrast, the concept of food sovereignty is clearly focused primarily on small-scale agriculture (including livestock, forestry and fisheries) of a non-industrial nature, preferably organic, mainly using the concept of agro-ecology.

CONCLUSIONS

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

Granting both concepts an adequate *discursive common ground* requires the following:

- 1) The reaffirmation that FAO's core mandate, which has been consistently confirmed by its government authorities, is manifest in the concept of food security;
- 2) Explaining that food security in its most recent definition — based on its four pillars — prioritizes the dimension of access to food and the policies derived therefrom;
- 3) Emphasizing that the concept of food sovereignty is not antagonistic or conflictive to the concept of food security. Of the two characteristics of food sovereignty, one goes beyond the concept of food security and falls within the field of the very definition — inalienable — of a modern state, which includes its sovereignty in general and specifically in defining its own food policies. The other major concept of food sovereignty, regarding the ways in which food is produced and the prioritizing of small farming, falls short of the concept of food security and within the realm of specific public policies.
- 4) Suggesting that, given that FAO and especially the OAS member countries are also members of the United Nations, and that the then-Secretary General of that body presented his speech on "a broader freedom" at the General Assembly, it seems proper to frame both concepts together, linked by the concept of the right to food.

Contents

FOOD SECURITY AND SOVEREIGNTY	iii
Executive summary	iv
Index	Error! Bookmark not defined.
Presentation	1
Food security, food sovereignty, right to food: defining concepts	2
Food and nutrition security and food sovereignty: antagonistic or complementary concepts?	6
Discursive convergence: food security, food sovereignty and the right to food	8
Bibliography	13
Annex 1: National legislation on food security, food sovereignty and the right to food.....	15
About the authors	33

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 on 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 or the United Nations System.” (FAO, 2012, paragraph 25)

In this regard, in July 2012 the FAO Regional Office identified a specialized, highly experienced and internationally recognized professional to develop a document with information and analysis that would allow for a better understanding of the scope and potential impact of the concept of food sovereignty on public policy. It was requested that the document include information regarding: 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 creating public policy; c) food and nutrition security and food sovereignty: antagonistic or complementary concepts? and d) conclusions and items for discussion at a regional level.

The present document is not intended as 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 that 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 of the report’s implementation by countries or institutions.

Raúl Benítez – Regional Director, Latin America and the Caribbean.

Food security, food sovereignty, right to food: defining concepts

Food security

The essence of the activities of the Food and Agriculture Organization of the United Nations (FAO) is "achieving food security for all, and making sure people have regular access to enough high quality food to lead active, healthy lives," achieved by "improving nutrition and agricultural productivity, raising the standard of living in rural populations and contributing to global economic growth."

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 develop and maintain their physical and mental faculties"; likewise the goal was set of eradicating hunger, food insecurity and malnutrition within a decade. However, this goal was not met, mainly because of failures in policy and lack of funding. (FAO, 1996)

In 1996 the World Food Summit took place in response to the persistence of widespread malnutrition and a growing concern regarding the ability of agriculture to meet future food needs; at this event the concept of food security was defined thus: "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 for an active and healthy 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, 2006)

FAO then reaffirmed that "a peaceful, stable and enabling political, social and economic environment is the essential foundation that 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 essential in achieving sustainable food security for all." (FAO, 1996) It is appropriate at this point to add the concept of vulnerability, which is necessary to understand the implications of the concept of food security on public policy. Vulnerability is referred to in three dimensions: as a product of a particular event; 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 currently, it could become a problem in the future. Thus, the term itself implies two kinds 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 as well as 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 into the International Covenant on Economic, Social and Cultural Rights (ICESCR); the formal inclusion of the right to adequate food paved the way toward a possible approach to rights-based food security. (Gordillo and Gómez, 2005)

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

Food sovereignty

At the end of the World Food Summit (WFS) in 1996, the NGOs and Civil Society Organizations (CSOs) that were 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 improving implementation of the action plan: 1) lack of political will; and 2) lack of sufficient financial means. The statement of the NGOs and CSOs agreed that both observations were correct, but also stated that they did not believe that additional resources invested in the same agricultural development model, within the current context of world trade, would meet the WFS’s objective. Rather, a slight increase in resources invested wisely would 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, 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 issues. The aim should be to place the right to adequate food at the centre of any activity for the implementation of the WFS objectives by holding states accountable and by addressing the responsibilities of non-state actors. (2) Subsidized exports, artificially low prices, and WTO-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 animal husbandry methods and overfishing are destroying traditional farming and fishing patterns, and the variety of ecosystems that sustain the planet’s production. Agro-ecological models should become the dominant production model to help sustain the cultural and biological diversity of the planet, as well as create a sustainable use of terrestrial and marine ecosystems.” (NGOs and CSOs, 1996)

Food sovereignty thus rests on six pillars; namely, it: "1. Focuses on food for the people by: a) placing people’s need for food at the centre of policy; and b) insisting that food is more than just a commodity. 2. Values food suppliers by: a) supporting sustainable livelihoods; and b) respecting the work of all food providers. 3. Localizes food systems by: a) reducing the distance between suppliers and consumers; b) rejecting dumping and inappropriate food aid; and c) resisting dependence on remote and unaccountable corporations. 4. Places control at a local level by: a) placing control in the hands of local food suppliers;

b) recognizing the need to inhabit and share territories; and c) rejecting the privatization of natural resources. 5. Promotes knowledge and skills by: a) building on traditional knowledge; b) using research to support and pass on this knowledge to future generations; and c) rejecting technologies that undermine local food systems. 6. Works with nature by: a) maximizing the contributions of ecosystems; b) improving resilience; and c) rejecting energy-intensive, monocultural, industrialized and destructive production methods.” (Food Secure Canada, 2012)

Additionally, the concept of food sovereignty is being adopted by supranational parliamentary forums, such as the Latin American Parliament (PARLATINO), the Andean Parliament (PARLANDINO), the Central American Parliament (PARLACEN) and the Forum of Presiding Officers of National Parliaments of Central America and the Caribbean Basin (FOPREL), through the Parliamentary Front Against Hunger (PFH) in Latin America and the Caribbean (which aims to promote food security and nutrition laws). This body, 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 encompasses the importance of modes of food production and where foods come from. It highlights the relationship between the importation of cheap food and the weakening of local agricultural production and populations.” (FPH, 2011) In this sense, all actions by the PFH are aimed at guaranteeing food sovereignty.

Right to food

The right to food was first established in the Universal Declaration of Human Rights (UDHR), and was incorporated into the International Covenant on Economic, Social and Cultural Rights (ICESCR). The interest in integrating a human rights approach into policies to combat hunger only truly began to come to fruition at the beginning of the 1990s, as part of so-called third generation rights. Building development policy based on the realization of human rights is at the core of the United Nations. The UDHR 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 platform of human rights to connect them, mutually reinforcing them. To clarify its content, article 25 stated: "Everyone has the right to a standard of living adequate for their own health and wellbeing and that of their 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 their control." (Gordillo and Gómez, 2005)

One of the main tasks of the High Commissioner for Human Rights of the United Nations (a post created in 1993) has been to integrate human rights across the framework of the Millennium Development Goals, through such figures as Special Rapporteurs, Independent Experts or Representative of the Secretary-General. The Human Rights Commission — with technical support from the United Nations High Commissioner for Human Rights — analyses specific situations, through missions, in terms of extreme poverty, the right to development, the right to education, immigration rights, rights to adequate housing, as well as structural adjustment and foreign debt. (Gordillo and 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 concept of the right to food will help create concrete tools to improve its implementation; hence, in 1999 the ESCR Committee adopted General Comment no. 12. This document states that the right to adequate food implies the right to food in quantity and quality sufficient to satisfy the dietary needs of individuals, the right to food that is free from adverse substances and acceptable within a given culture, as well as sustainable access to this food. The Committee also established that the ESCR Covenant is violated when a state does not ensure the satisfaction of, at the very least, the minimum essential level required for its citizens to be free from hunger; in this sense, it defined the nature of their obligations on three levels: to *respect*, to *protect* and to *fulfil*. “While only states are parties to the Covenant and are thus ultimately accountable for compliance with it, all members of society ... have responsibilities in the realization of the right to adequate food.” (Quoted in Gordillo and Gómez, 2005) In order to truly advance in implementing human rights, they must be incorporated into all aspects of community life.

Food and nutrition security and food sovereignty: antagonistic or complementary concepts?³

- a. *What are the implications of the fact that both concepts are being incorporated into laws, some even at a constitutional level?*

Although the concepts of food security and food sovereignty are often used interchangeably, especially in new legislation, the concept of food sovereignty seems to be employed when referring to the central power of a state (understood as the representative of the people) to be able to define its food policy without external interference. On the other hand, the concept of food security is used, following the FAO definition, as a multidimensional concept to support the fight against hunger and the enjoyment of balanced nutrition. Almost all legislative reforms emphasize the four dimensions of availability, access to food, food utilization and the stability of these dimensions.⁴

But the main reason for transforming the concept of food sovereignty into law, and for calling greater general attention to issues of food policy, is that because of the 2008 food crisis and the volatility of 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 favour of family farming. 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.

³ Since the 1980s, Brazil has developed a social movement around food security, employing it as concept closer to food sovereignty than to FAO's concept of 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.

⁴ As a senior Latin American diplomat said to a colleague, Fernando Soto, in a private interview conducted in September 2012: "The concept of food sovereignty is not defined. There are multiple interpretations, with strong ideological tendencies that respond to specific situations in various countries... There isn't a single concept that can be discussed, and therefore there is no consensus. Thus, it is not a concept recognized by the CELAC (Community of Latin American and Caribbean States). 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."

- b. *What are the principal differences in the two concepts and their implications for national public policies? What are the implications of using one concept or another within the region's integrated economic and/or political bodies?*

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 involves redistributive public policies regarding income as well as employment. Both concepts also take into consideration the necessary linkage of food and nutrition. Both concepts can also give rise to social protection proposals for facing temporary crises or conditional cash transfer programs as part of overarching programs to fight poverty.

There are two main differences. First, the concept of food security — adopted by FAO member states — is neutral in terms of the power relationships involved. It does not prejudge the concentration of economic power in the various links of the food chain and in international food trade, or the ownership of key means of production such as land or access to information. On the other hand, the concept of food sovereignty starts precisely by noting the asymmetry of power in the various markets involved and the various areas of power, such as in multilateral trade negotiations. It thus appeals to the stabilizing role that 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 strategies of defensive protectionism, such as those that have recently been employed in several European countries, including Russia and the Ukraine, as well as Asian nations like Vietnam or India.

The second substantial difference has to do with *how* food is produced. FAO has been a pioneer regarding issues of good agricultural practices (GAP), sustainable management of natural resources, precautionary principles in relation to GMOs, and green agriculture, amongst others; however, it cannot adopt a single or emphatic position regarding the different modes of food production precisely because of its nature as an intergovernmental 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, which uses biomass and biotechnologies, of which GMOs are only a part; and organic agriculture, which involves processes that require various forms of certification. For several years the European Union has been proposing the idea of the coexistence of the three systems, although recently in designing Common Agricultural Policy they are insisting on a subsidy system uncoupled from specific crops, which rewards 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 animal husbandry, forestry and fishing — preferably of an organic nature, and mainly relating to agro-ecology.⁵

⁵ Agro-ecology entails an approach to agriculture more closely tied to the environment and more socially sensitive, focused on the ecological sustainability of the production system. Compared with classical agronomy, agro-ecology introduces three key elements: environmental concerns, an ecological approach and social concerns. One of its main exponents is Miguel Altieri, a

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

What are the implications for the role assigned to the state and public policy? Could these two concepts, with their complementarities and differences, support shared regional positions to reduce 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 an intergovernmental level, what is the goal of those who are proposing a new concept of food sovereignty? In practical terms, what is gained 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 debate or adoption of the concept.”

The OAS working group that discussed the draft of the Cochabamba declaration, presented in June 2012 in 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], the prevailing conditions of inequality [social, economic, cultural, etc.] that particularly affect the most vulnerable people in the region, and correlate with multiple crises (energy, financial, climate and food) that are the major problems for developing countries, aggravate the food crisis, manifested in increased demand and price volatility as well as growing conflicts over access to land and water. Thus the progress of many countries is at risk, problems of hunger and malnutrition are increasing, and major challenges are created for net food importers. The potential for mass production in the region can benefit exporters and those in need of food supplies, always in the context of fair, complementary and supportive trade. However, the significant number of small producers and communities dedicated to food provision has been threatened by: low public investment, the favouring of modern agriculture and livestock industries, inadequate trade policies, transfers and donations that de-incentivize production, and the absence of the minimum required for people to live on what they produce.” (Delegation of the Plurinational State of Bolivia, 2012)

Upon entering the discussion of the concepts of food security and food sovereignty, the OAS working group stated that: food security exists when all people at all times have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life. The debate did not meet obstacles, and in the working group’s 4 May 2012 deliberations, it

professor at the University of Berkeley. His classic text is *Agroecología. Bases científicas para una agricultura sustentable* (*Agroecology: The Scientific Basis of Sustainable Agriculture*).

agreed to adopt the text of paragraph 1 of the Action Plan of the Rome Declaration on World Food Security, November 1996.

Regarding the concept of **food sovereignty** that it is being discussed in specialized international forums, some countries have incorporated it into their national legislation, and related it to food security and the realization of the right to food. However, it was considered important that nations set their own food security strategies, and that these should be based on consultations with 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 freely implement policies and strategies regarding food and nutrition with sovereignty, with the aim of 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 producers, as well as local food consumption.” (Delegation of the Plurinational State of Bolivia, 2012) This statement was intelligently modified by the President 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-scale production, respecting their own cultures and the diversity of traditional peasant and indigenous methods of agricultural production and fishing, and marketing and management of rural areas, in which women play a key role [...noting that this concept is under construction at a multilateral level].” The Declaration of Cochabamba (AG/DEC.69/12 document of 5 June 2012) also includes the various positions of the OAS member countries regarding the concept of food sovereignty, from which three groups of countries can be inferred: one group that promotes the concept, led by Bolivia and with the participation of Venezuela, Nicaragua and Ecuador. Another group that believes that the 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 wants to find common ground between the two positions, clearly led by Uruguay, and to a lesser extent Brazil. (OAS, 2012)

In order to find that convergence, it is necessary to assume and recognize several features of the current global situation:

- a) The world is simultaneously experiencing different types of crises: financial and economic crises, public safety and national security crises, crises of climate change that impact sustainable development and global governance.
- 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 correct paths in relation to economic issues, while the Security Council focuses on political issues.
- c) In terms of the governability of national democracies — whether fragile, consolidated or in development — nations are facing new requirements and needs of the people as a result of the various crises, as well as the necessity of creating 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, this 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 transverse issue that requires an updated concept 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 returned to the downward trend in global food prices, the rise in prices in 2008 was followed by subsequent price increases and a general upward trend, which constitutes a turning point in the global food situation. Global food inventories are at their lowest point, 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 environment of price volatility, protectionist measures, hunger and poverty problems, 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 weighing of the context and the expectations that were placed on structural adjustment policies and their outcomes in rural areas:

“Structural adjustment in the 1980s 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 often did not happen. In some places, the state’s withdrawal was at best tentative, limited to the entry of private actors. Elsewhere, the emergence of the private sector was slow and partial, focused especially 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, which manifested in elusive growth for small producers and decreases in wellbeing that threatened their competitiveness if not, as in many cases, their very survival.” (World Bank, 2008)

The impacts of structural adjustments in rural areas, as well as broad macrorends associated with the various expressions of globalization, have shaped a "new agriculture"⁶ which can be summarized in six major trends:

- i) A deeper trend toward *an extended agriculture* that transcends simple primary production linked to other economic agents, and 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 in the wealthiest segments in both developing and developed countries, as well as a marked urbanization, *diets have become more diversified* and oriented toward quality control. This leads to a trend toward contract farming that, by establishing more transparent rules

⁶ This term was used by Gordillo and Jiménez, 2006. Also used by World Bank, 2008.

in private contracts, could generate a more flexible agriculture in the face of changes in interrelated markets such as land and labor or land and credit.

iii) This means that *knowledge and human capital* will become strategic variables for agriculture and rural development. This entails 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 larger link between agriculture and external funding, the demands of international competitiveness and the importance of technology based on information management for effective public policy development.

iv) Diversification regarding demand allows for the appreciation of both the role of indigenous cultures and the increasingly important role of women in production activities in rural areas. Hence this new agriculture must 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 agricultural 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 such as validated technological matrices, and an incentive structure that recognizes the *productive and social heterogeneity* 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 necessity of promoting sustainable agriculture is further subjected to three types of constraints regarding *the use of water, energy and land management*. This leads to a shift away from strictly sectorial policies to ones increasingly grounded in territories, with a vision that promotes the revaluing of regional development and exponentially increasing results as a fundamental component of the national economy and of society. (Gordillo, 2008)

Three sets of conclusions are derived from the above remarks:

- 1) In the area of 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 thus, given the historical relationship of these government agencies with FAO, dispute FAO's role as well;
- 2) The convergence of volatile prices of some agricultural products, the impact of climate change on the stability of production, the effects of the energy crisis on agricultural production methods and stress on key natural resources like water or soil, definitely push toward flexible and resilient production models to confront 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 on designing comprehensive territory-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

favour 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 or holdfast.⁷

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 a “broader freedom” it proposes. The purpose is to link security with development and human rights. During his term as Secretary-General, Kofi Annan promoted 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 that food security as defined by FAO — with a terminology that implies continuity with the purposes that have animated its existence from its founding — can only be achieved by 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 area.

Granting 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 manifest in the concept of food security; 2) explaining that food security in its most recent definition — based on its four pillars — prioritizes the dimension of access to food and the policies derived therefrom; 3) emphasizing that the concept of food sovereignty is not antagonistic or opposing to the concept of food security. Of the two characteristics of food sovereignty, one goes beyond the concept of food security and falls within the field of the very definition — inalienable — of a modern state, which includes its sovereignty in general and specifically in defining its own food policies. The other major concept of food sovereignty, regarding the ways in which food is produced and prioritizing small farming, falls short of the concept of food security and within the realm of specific public policies. 4) suggesting that, given that FAO and especially the OAS member countries are also members of the United Nations, and that the then-Secretary General presented the aforementioned speech on “a broader freedom” at the General Assembly, it seems proper to frame both concepts together, linked by the idea of the right to food.

⁷ This approach is closer to the idea of Brazilian colleagues like Renato Maluf, who underlines, 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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Mexico, Strategic Project for Food Security.

Colombia, Bill 203 "National Food Security Act”.

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	To 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	LOSAN	Article 5, achieving the human right to adequate food and nutrition and food security requires respect for sovereignty, which gives countries the primacy in 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 individuals, communities and peoples a self-sufficient and permanent supply of healthy, nutritious and culturally appropriate food.
	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 needs, that this food is physically, economically, socially and culturally accessible in a timely and permanent way.
Uruguay	Law N° 18.832	Montevideo Food Unit	Article 2 lists its functions, c) Consider social objectives under the principles of public service, quality assurance and food safety, as 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 increased income.
Colombia	Bill 203/09 Senate	National Food Security Act	Generating an NFS legal framework that establishes the basis for developing NFS 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	National Food Security Act	Establish the regulatory framework to structure, harmonize and coordinate NFS 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, making it necessary to improve conditions and overcome food and nutrition insecurity.

In recent years there has been 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. Approved

On 6 September 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. Approved". It consists of 8 items, and was signed on 6 March 2008 in Caracas, Bolivarian Republic of Venezuela, and ratified in the Official Bulletin (13 September 2010).

The agreement's common goal is achieving food security, understood as sufficient and stable food with timely and uninterrupted access for the people. It also places a special emphasis on strengthening the cooperative 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 reciprocal benefits under domestic legislation and the provisions of the agreement (Art. 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 fluid communication and data exchange on provisioning and supply needs (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 sharing of technology in the agricultural sector... as well as for the transformation of relevant foodstuffs... and 5. Signing of specific instruments, in accordance with domestic laws, to provide food in the 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] understand export potential and related issues regarding 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 this (Art. 13), and specifically in Chapter III, called *Food Sovereignty*, it states that: Food sovereignty constitutes a strategic objective and an obligation of the State to guarantee 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 production technologies; 4) access to land, water and other productive resources; 5) funding small and medium producers; 6) preserving and recovering agro-biodiversity, ancestral knowledge and the use, conservation and free exchange of seeds; 7) oversight 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 jeopardise 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 food 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 equality, efficiency and environmental sustainability (Art. 282).

ECUADOR, Organic Law on Food Sovereignty

By unnumbered Law, published in the Official Bulletin, Supplement 583 on 5 May 2009. The law is intended to permanently ensure citizens', communities' and peoples' self-sufficient access to 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 agro-biodiversity, traditional knowledge and production methods, under the principles of equality, solidarity, inclusion and social and environmental sustainability (Art. 1). Its scope includes the factors of food production; agro-biodiversity and seeds; research and the sharing of knowledge; production, processing, preservation, storage, exchange, trade and consumption; health, quality, safety and nutrition⁸; 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, preservation and marketing; encourage the consumption of healthy and nutritious food of agro-ecological and organic origin; adopt fiscal policies, tax, duty, etc. to protect the national food industry; and promote social participation (Art.

⁸ 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 agro-ecological... (Art. 27) The sale of food with low nutritional value in educational institutions is prohibited... (Art. 28).

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 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 agro-biodiversity (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 agro-chemicals of lesser environmental impact (Art. 12-17). The President shall determine the tariff policy, which will focus on the protection of the domestic market and aim to eliminate the importation of foods that are produced domestically 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 to be called the "Montevideo Food Unit"⁹, institutionally connected with the executive through the Ministry of Livestock, Agriculture and Fisheries (Art. 1).

The Unit's task 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 chain of collection, distribution and logistics for these products; C) define social objectives under the principles of public

⁹ This is a logistics platform specializing in food products, in which the wholesale marketing of fruits and vegetables constitutes the main concern; it also includes other activities and various production processes, and processed foods. It is aimed at building and strengthening a common area in which various activities benefit mutually from advantages, opportunities and synergies offered by a shared space and an environmentally, socially and economically sustainable production unit,

service, quality assurance and food safety, as well as contribute 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) develop activities complementary 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 supply 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 agents involved in the sector; and M) promote and disseminate healthy food (Art. 2). To meet these goals it has the power to: A) manage land assigned by the government, with the legal system thus entailed; B) dictate its rules of operation; C) establish the classification and conditions to be satisfied by marketed goods; D) keep a registry of operators; E) form a user registry for supplementary activities of wholesale marketing; F) provide refurbishing services, post-harvest treatment, grading and packaging for marketed products; G) provide management services, maintenance of facilities, 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) give 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, the 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 sizeable (Art. 15).

BOLIVIA, Law 144. Agricultural Productive Communitarian Revolution Law¹⁰

Issued on 26 June 2011 by the Plurinational Legislative Assembly. The law 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

¹⁰ Law 144 seeks to increase food production from communitarian economies and small family farms, to diversify diets 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 or create new bureaucracy, it does not transfer resources directly to rural producers and, above all, allows for (legalizes) transgenic crops and genetically modified seeds (Articles 15 and 19). The Agricultural Productive Communitarian Revolution, although guaranteeing the recovery, conservation, improvement, production and distribution of native seeds from native indigenous peoples, intercultural communities, smallholders and Afro-Bolivians, 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 genetic heritage, biodiversity or the health of life systems and human beings.

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*: employs 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 communities¹¹, 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 activities in order to achieve food sovereignty and generate economic surplus (Art. 9); it guarantees participation in all levels of government in the field of agriculture in an organized, lawful, concerted and consensual way for the communities¹² through their own policies, procedures and organic structures; sustainable water management, forest harvesting, the consolidation of indigenous peasant original territory and planning in the context of the significance and respect of their worldview and their rights (Art. 10); and recognizes communities' right to participate in public policy design and apply social control of public management in the agricultural sector, contribute to the destination of fiscal resources, the quality of public services, to the transparent management of information at all levels of the 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).

¹¹ Native Indigenous Peasant Land Management is the process by which indigenous peasant 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.

¹² Native indigenous peasant communities, intercultural and Afro-Bolivian communities.

- 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 to indicate this condition (Art. 15).
- Production Development Policy. Traditional organic, ecological, agricultural and forestry production that may allow food sovereignty as well as generate 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 made for agricultural products to directly reach consumers at affordable prices, buying local produce at a fair price; arrangements will be established for monitoring production, imports 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 products with plant and animal origins(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 Food Program; incorporate native indigenous communities, intercultural and Afro-Bolivian communities as food providers; implement the Social Seal; promote and expand 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, with the goal of improving their

quality of life and contributing 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", agro-ecological 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 lacking in Bolivia (Art. 41). The Agro-environmental Productive Observatory (PMO, in Spanish) will be implemented 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 Spanish), 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 Sovereignty¹³

Constitutional Article 305 guarantees food security, understood as “sufficient and stable availability of food at the national level, as well as timely and uninterrupted access to it 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 — in terms of food security and sovereignty — to build constitutional principles, rearrange the current legal setup, determine future regulatory instruments and ensure 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 Sovereignty¹⁴, domestic (and sustainable) agricultural production should be privileged; exchange and distribution relations should be transformed (democratized); the social relations of

¹³ 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 of 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.

¹⁴ **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,

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 controlled (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 food and agricultural 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 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 Reserves¹⁵ 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 importing 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 for the population, must be ensured from agricultural production, livestock, fisheries and aquaculture, and in the stages of

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).

¹⁵ 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.

harvesting, production or processing, transportation and distribution through 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 people 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 eating 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) was created in order to guarantee the human right to 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 security¹⁶ 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).

¹⁶ 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 that are respectful of cultural diversity and environmentally, culturally, economically and socially sustainable (Art. 3).

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 sovereignty¹⁷ and food and nutrition security (Art. 1). Food sovereignty ensures food and nutrition security.¹⁸

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 food¹⁹, 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

¹⁷ 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).

¹⁸ 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 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.

¹⁹ 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.

This bill 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 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 6 April 2005 by the Congress of the Republic of Guatemala²⁰ and published on 2 May 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 opportunistically 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.

²⁰ In exercise of the powers conferred by Article 171 paragraph a) and 176 of the Constitution of the Republic.

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 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) began operation in 2003 as a result of the agreement between the Secretariat of Agriculture, Livestock, Rural Development, Fisheries and Food (SAGARPA, in Spanish) 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 in order 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 percent 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, Michoacán, Nayarit, San Luis Potosí, Yucatán and Zacatecas. There are 24 ADRs in these states, servicing 16 percent 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 29 April 2011, the House of Representatives approved, with 404 votes in favour, 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, 13 October 2011).²¹

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 7 July 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: equality and non-discrimination; respect for the dignity of the human being; 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 timely and ongoing access to the food they need, in sufficient quantity and quality and that is 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 Food²²

Proposed in March 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 right to adequate food²³ for

²¹ This document is available at: http://www.scjn.gob.mx/normativa/analisis_reformas/Analisis%20Reformas/00130217.pdf

²² 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. Available at http://www.stp.gov.py/?mid=Noticia&category=887&document_sr=16251

²³ 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

all people to achieve and strengthen food and nutrition security²⁴ and food sovereignty²⁵, progressively and without regressions (Art 1).

To this end, 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 security, 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 and move towards self-sufficiency (Art. 4 and 5).

It will receive resources from the nation's General Budget, 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 14 February 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, such as the increasingly developed organic agriculture, which is based on: practices that do not degrade productive resources and that 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 silvo-pastoral 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 applies to unprocessed plant, animal, bee and fungal products and to their processed variations (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 domestic wastewater, not including organic and non-organic forms of an ingredient and only using approved products for the purposes here listed (Art 4). It is prohibited, in organic production, to use genetically

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.

²⁴ 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.

²⁵ 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 the own cultures and diversity of peasant and indigenous fisheries and agricultural production, marketing and management of rural areas, in which women play a key role.

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 8 August 2005 and last modified on 5 April 2011 with Decree 162, created the Advisory Commission for the President of the Republic called the “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; serving as coordinating body for the implementation of the national policy and programs on food safety, plans and measures implemented in this context; ensuring that Chile’s foreign policy is in line with the National Policy on Food Safety and Quality; developing and proposing a bill to create a National System on Food Safety and Quality; studying national legislation applicable to food safety and proposing the necessary rules and regulations for its enforcement; serving as coordinator for public agencies that have authority associated with food security; proposing a system of nutritional information and warning that integrate the different sources of information in order to provide the State with tools that enable a quick response to risk situations.

Enacted on 17 May 2004 (Law 19949) and last modified on 17 May 2012 (Law 20595), the Draft Bill establishes the “*Chile Solidario*” system (Chile Solidarity). Aimed at families in extreme poverty, it seeks to promote 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 13 February 1998. This 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 and the rehabilitation, conservation and sustainable use of land and water resources, all with the aim of improving living conditions.

Under Law 20,595 published on 17 May 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 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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