



A Rights Revolution

Implementing the right to food in Latin America and the Caribbean

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Introduction

The present document reviews recent developments, experiences, lessons learned, and challenges faced in the implementation of the right to food at the national level in Latin American and the Caribbean. It builds upon discussions held at a regional expert consultation convened by the Special Rapporteur on the right to food in Bogotá in 2011,¹ as well as information gathered during the Special Rapporteur's official country visits to the region.² More specifically, the document focuses on how countries in the Latin American and Caribbean region have sought to give effect to their international human rights obligations to progressively realize the right to adequate food for all within their jurisdictions, as well as to the political commitment expressed in the 1996 Rome Declaration on World Food Security to give particular attention to realizing the right to adequate food as a means of achieving sustainable food security for all.³

Countries in Latin America and the Caribbean have in many respects been at the forefront in integrating the right to food legal and normative framework into policies and programmes to address hunger and food insecurity. The heads of State and Government in Latin America and the Caribbean have on several occasions reaffirmed their commitment to give the highest priority to combatting food and nutrition insecurity and to base such efforts in the right to food.⁴

National parliaments and parliamentarians have also played an active role in placing the right to food on top of political agendas in the region. In September 2009 a regional Parliamentary Front against Hunger in Latin America and the Caribbean (PFH), *Frente Parlamentario contra el Hambre*, was established. The PFH is organized at national, regional and interamerican levels, and has as a main objective the promotion of laws and legal frameworks that recognize and guarantee the right to food.⁵ Also in 2009, the Latin American Parliament adopted the Latin American Declaration on Human Rights (*Declaración Latinoamericana de Derechos Humanos*), which includes the right to food in its article 11.⁶

Yet, despite progress made, the right to adequate food remains non-realized for a large proportion of people living in Latin America and the Caribbean. Like in other parts of the world, the combined effects of food price and economic crises in 2007-2009 seriously affected people's access to adequate food, and cancelled out much of the made over the preceding 15 years in reducing hunger, and food and nutrition insecurity.

While the overall poverty rate in the region started to decline again in 2010, an estimated 12 per cent of persons in the region, or 70 million persons, still live in extreme poverty without access to a minimum food basket. Moreover, the situation of this poorest and most food insecure population group is not expected to have improved in 2011, and may have worsened, as gains in income have been cancelled out by increasing food prices.⁷

As in other parts of the world, most of the Latin American food insecure live in rural areas where food is produced, and yet they are net food buyers rather than sellers.⁸ This is despite the boom in agricultural production experienced in the Latin American and the Caribbean in recent years. As recent studies show, the main reason why increasing agricultural production has not led to a reduction in rural poverty and food insecurity, is that the boom has been concentrated in only a few regions within each country, limited to very specific products, and tied to large and medium-scale producers with access to external markets.⁹ The boom in agricultural production underlines that it is not a lack of food availability which hinders the effective realization of the right to food for all in the region. Rather, the main challenge is to ensure that modes of food production and food systems enable people in both urban and rural areas to have access to adequate food.

1. The significance of the right to adequate food

The right to food can be summarized as the fundamental human right to be able to feed oneself in dignity, either by producing food or buying it on the market. As the Committee on Economic, Social and Cultural Rights puts it, the right "is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement".¹⁰

The right to food normative and analytical framework underlines the importance of political will, empowerment and participation of civil society, accountability and the monitoring of progress in the implementation of multi-year strategies. As Amartya Sen once remarked, "the law stands between food availability and food entitlement."¹¹ What he meant is that unless we take seriously our duties towards the most vulnerable, and the essential role of legal entitlements in ensuring that the poor have either the resources required to produce enough food for themselves or a purchasing power

sufficient to procure food from the market, efforts to increase food production shall change little to their situation. For they are hungry not because there is too little food: they are hungry because they are marginalized economically and powerless politically. Protecting the right to food through adequate institutions and monitoring mechanisms should therefore be a key part of any strategy against hunger.

The increasing recognition of the importance and usefulness of the right to food legal and normative framework reflects a growing understanding that hunger is not simply a problem of supply and demand, but primarily a problem of a lack of access to productive

resources such as land and water, of an increasingly concentrated input providers sector, and of insufficient safety nets to support the poor. As is increasingly recognized by Governments, civil society and social movements, the right to food constitutes a tool to improve the effectiveness of policies that seek to combat hunger and malnutrition. They understand the importance of more equity in the food chains, of empowerment and accountability, and the need to pay greater attention both to the imbalances of power in the food systems and to the failure to support the ability of small-scale farmers to feed themselves, their families, and their communities.

Figure 1: A few highlights in implementing the right to food in Latin America and the Caribbean

MEXICO: The constitution as amended in 2011 provides that "Every person has the right to adequate food to maintain his or her wellbeing"

GUATEMALA: 2005 law ring-fences minimum level of resources for Food and Nutrition Security programmes

HONDURAS: Right to food referenced in 2007 court ruling to uphold constitutional rights of farmers facing eviction

ECUADOR, NICARAGUA: 2009 food and nutrition laws refer to the justiciability of the right to food

COLOMBIA: Office of the Public Defender issues a report on the right to food in 2012, following the example of human rights institutions in El Salvador and Guatemala

BRAZIL: in 2011 adopted a Food and Nutritional Security Plan for 2012–2015 involving nineteen ministries

ARGENTINA: Supreme Court orders that food and drinking water be provided to indigenous communities in Chaco province following rights-based concerns raised by Ombudsman in 2007



2. Constitutional protection of the right to food

A clear manifestation of the political commitment to the right to food in Latin America and the Caribbean is the explicit recognition of this right in the national constitutions and legal order of most countries in the region. In this regard, Latin America and the Caribbean are at the forefront of a global trend.¹² Worldwide, a growing number of States, 24 in all according to a recent survey, now explicitly protect the right to food in their constitutions; and 15 of these States are found within the 33 States of Latin America and the Caribbean.¹³

Most recently, in October 2011, a constitutional reform process was completed in Mexico, inserting the right to food in the Constitution by amending articles 4 and 27, which now provide that “Every person has the right to adequate food to maintain his or her wellbeing and physical, emotional and intellectual development. The State must guarantee this right” (Art. 4) and “Sustainable and integral rural development (...) will also have among its objectives that the State guarantees sufficient and timely supply of basic foods as established by the law” (Art. 27, Clause XX).¹⁴

In El Salvador, in April 2012, the Legislative Assembly approved a constitutional reform to include the right to food. The amended text of article 69 of the Constitution establishes that “All persons have the right to adequate food. It is the obligation of the State to establish a food and nutrition security policy for all its population. A law will regulate this area” (...) “the States will control the quality of food products and environmental conditions which may affect human health and wellbeing.”¹⁵

Similar, explicit constitutional guarantees of the right to food as a general right for all are found in the Constitutions of Bolivia, Brazil, Ecuador, Guatemala, Guyana, Haiti and Nicaragua.¹⁶ In four other countries in the region, national Constitutions guarantee the right to food for specific groups, either “the right to food of children” as in the Constitutions of Colombia (art. 44), Cuba (art. 9), Honduras (arts. 142-146), or the right to food is mentioned in the context of the right to work, in the Constitution of Suriname (art. 24). Finally, three Constitutions implicitly guarantee the right to food by granting a constitutional or supra-constitutional status to the International Covenant on Economic and Social Rights and other international human rights treaties ratified by the State (Argentina, El Salvador and Costa Rica).

The constitutional amendments made, or currently under consideration, in the region are in line with the recommendation made in the FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (hereinafter “FAO Right to Food Guidelines”).¹⁷ Thus, Guideline 7 encourages States “to include provisions in their domestic law, which may include their constitutions, bills of rights or legislation, to directly implement the progressive realization of the right to adequate food.”

Civil society and social movements have been instrumental in promoting the inclusion of the right to food into national constitutions. In the case of Mexico, the constitutional reform which came to fruition in October 2011 followed twenty years of advocacy and lobbying efforts of civil society groups. These efforts were initiated in 1992 when 130 civil society organizations came together as the “*Frente por el Derecho a la Alimentación*” and presented to the national Chamber of Deputies a petition for the constitutional recognition of the right to food.

In the case of Brazil, the proposal which led to the 2010 constitutional amendment recognizing the right to food was initially presented by a member of parliament in 2003, and subsequently promoted by the President of the national Parliamentarian Front on Food and Nutrition Security, Mr. *Nazareno Fonteles*, with the support of various civil society organizations, including FIAN Brazil, which collected more than 50,000 signatures in support of the constitutional amendment.

National human rights institutions have also played a very active role in some countries. For example, it was the Human Rights Procurator (*Procurador para la Defensa de los Derechos Humanos*) of El Salvador who in 2009 presented a proposal for a constitutional amendment to include the right to food amongst the fundamental rights which should be guaranteed to all persons.

3. Framework laws

While the advances made in explicitly recognizing the right to food in national constitutions are very important, general constitutional provisions do not alone suffice. Constitutional provisions generally need to be further elaborated in specific implementing legislation and regulations which set out in more detail the mechanisms for the implementation of the right in practice, assign specific responsibilities, and provide

for redress mechanisms in case of violations. Also on this front, important progress has been made in Latin America and the Caribbean.

Over the past decade, Food and Nutrition Security (FNS) laws grounded in the right to food have been adopted in rapid succession in Argentina in 2003 (*Ley Programa Nacional de Nutrición*), in Guatemala in 2005 (*Ley Sistema de Seguridad Alimentaria y Nutricional*), in Ecuador in 2006 (*Ley de Seguridad Alimentaria y Nutricional*), replaced in 2009 by the *Ley de Soberanía y Seguridad Alimentaria*, in Brazil in 2006 (*Ley orgánica de seguridad alimentaria y nutricional*), in Venezuela in 2008 (*Ley Orgánica de Seguridad y Soberanía Agroalimentaria*), in Nicaragua in 2009 (*Ley de Soberanía y Seguridad Alimentaria y Nutricional*), and in Honduras in 2011 (*Ley de Seguridad Alimentaria y Nutricional*). In ten other countries in the region, similar laws are currently proposed for adoption by the respective parliaments.¹⁸ Moreover, while a national FNS law is still under consideration in Mexico, in 2009 the Legislative Assembly of the Federal District of Mexico proceeded to approve a law to this effect, the first of its kind in the country.

The national (and Federal State level) FNS laws which are currently in force, as well as most of the ten draft laws which are currently under consideration, explicitly recognize the right to food as a central component of and guidance for national policies and programmes. By way of example, the FNS law of Honduras specifies in its article 3 that the respect of human rights is a central pillar FNS policies and that under the law no one can be discriminated against in the enjoyment of human rights, in particular “the right to produce, obtain, dispose of and access sufficient and nutritious food.”

Similar to the movement promoting constitutional recognition of the right to food, the development of FNS laws has been driven by the combined efforts of civil society, social movements, parliamentarians, and national human rights institutions. In the elaboration of these laws, support and technical advice has also been provided by the United Nations system, notably FAO through its support to the *Iniciativa América Latina y Caribe Sin Hambre*¹⁹ and the FAO Right to Food Team in Rome and the Office of the United Nations High Commissioner for Human Rights (OHCHR), including through its country and sub-regional offices in the region. In particular, the remarkable growth of FNS laws based on the right to food has been favoured by the dedication and commitment of parliamentarians, many of whom are connected through the *Frente Parlamentario contra el Hambre*,²⁰ which serves as a network for sharing best

practices between national parliaments to encourage the drafting and adoption of legislation that improves the protection of the right to food.

4. National strategies for the realization of the right to food

Another important element of the national institutional frameworks for the protection of the right to food, apart from constitutional protection and FNS laws, is national FNS strategies and plans of action, which identify in more concrete terms specific priority actions and time-bound and measurable targets for the progressive realization of the right to food.

In parallel with the developments in the area of constitutional reform and FNS legislation, a range of national FNS strategies and action plans have been developed in Latin America and the Caribbean in recent years, including the *Plan Nacional de Seguridad Alimentaria 2009–2015* of Paraguay, the *Política Nacional de Seguridad Alimentaria y Nutricional* of Nicaragua, the *Política de Seguridad Alimentaria y Nutricional 2006–2015* of Honduras, the *Política Nacional de Seguridad Alimentaria y Nutricional 2008* in Colombia, the *Estrategia Nacional de Reducción de la Desnutrición Crónica 2006–2016* of Guatemala, the *Política Nacional de Seguridad Alimentaria y Nutricional (2003 and 2011)* of El Salvador, and the *Plan Nacional de Seguridad Alimentaria y Nutricional 2009-2015* of Panama. Equally, Brazil in 2011 adopted a rights-based Food and nutritional Security Plan for the period 2012–2015 involving nineteen ministries within the interministerial Food and Nutritional Security Chamber (CAISAN). This plan establishes systems of continuous monitoring and evaluation of the progressive realization of the right to adequate food based on indicators and information generated by the different Government institutions and overseen by a technical committee composed of different actors, including civil society representatives of CONSEA.²¹

Furthermore, a series of national social programmes also explicitly aim at combating hunger and food and nutrition insecurity, such as the “*Fome Zero*” in Brazil, the “*Vivir mejor*” in Mexico, “*Bogotá sin Hambre*” in Colombia, “*Desnutrición Cero*” in Bolivia, or “*Hambre más urgente*” in Argentina.

The Committee on Economic, Social and Cultural Rights has underlined the obligation of States under the ICESCR to work towards “the adoption of a national strategy to ensure food and nutrition security

for all, based on human rights principles that define the objectives, and the formulation of policies and corresponding benchmarks.”²² Guideline 3 of the FAO Right to Food Guidelines, equally encourages the adoption of “a national human-rights based strategy for the progressive realization of the right to adequate food ... [which] include objectives, targets, benchmarks and time frames; and actions to formulate policies, identify and mobilize resources, define institutional mechanisms, allocate responsibilities, coordinate the activities of different actors, and provide for monitoring mechanisms”.

5. Central components of FNS laws, policies and strategies based on the right to food

While most FNS laws and strategies refer to the realization of the right to adequate food as a central objective, the extent to which FNS laws and strategies are in fact grounded in the human right to adequate food varies across countries.

From a right to food standpoint, national strategies should be based on the commitment of the State and its different institutions at national, regional and local/municipal level towards the realization of the right to adequate food and should comprise the establishment of appropriate institutional mechanisms, particularly in order to: (i) identify, at the earliest stage possible, emerging threats to the right to adequate food, by adequate monitoring systems; (ii) improve accountability, with a clear allocation of responsibilities, and the setting of precise timeframes for the realization of the dimensions of the right to food which require progressive implementation; (iii) ensure adequate coordination between different ministries and between the national and sub-national levels of government; (iv) ensure adequate participation of civil society actors, particularly of the most food-insecure segments of the population; (v) ensure adequate political commitment and sustainable funding for the implementation laws, policies and strategies. Until these different conditions are met, the various strategies adopted by the Government may remain ineffective, since there will be no sanction associated with a failure to deliver.²³

5.1. Monitoring and accountability

The right to food framework requires that the setting of targets and the identification of the concrete measures to be adopted should be the result of meaningful

public participation; that the authorities responsible for implementation should be held accountable for results; and that the indicators to measure progress should be based on the normative components of the right to food, including non-discrimination.

A basic requirement for formulating laws, policies and strategies for the realization of the right to adequate food is to have in place a system to collect relevant data about food and nutrition insecurity and the status of realization of the right to food. Such data must be collected in a way that it makes it possible to identify population groups who are particularly vulnerable and disadvantaged. In this regard, the FAO Voluntary Guidelines (Guideline 13.2) underline the importance of undertaking “disaggregated analysis on the food insecurity, vulnerability and nutritional status of different groups in society”.

Moreover, there must be a system of periodic monitoring in place to analyse the information collected and its relationship with the implementation of laws, policies and strategies. Such periodic monitoring should serve as a basis for reviewing and, when needed, adjusting policies and strategies in light of their effectiveness in making progress towards ensuring the effective realization of the right to food for all.

While different systems of information gathering are established under the existing FNSN systems in Latin America and the Caribbean, including those established under FNS laws, they often do not provide adequate information to effectively assess the status of implementation of the right to food. This is reflected in the repeated concern expressed by the Committee on Economic, Social and Cultural Rights about the lack of detailed disaggregated data to effectively assess progress made towards the realization of the right to food and other economic, social and cultural rights.²⁴ The lack of adequate information to assess progress and inform policy making is also highlighted in the reports on the right to food of the national human rights institutions of Guatemala and Colombia. Moreover, the information on food and nutrition security is not always publicized and made easily available to the general public, something which is essential in order allow monitoring by civil society organizations and other stakeholders.

Moreover, monitoring mechanisms in place could be strengthened through a more systematic use of human rights-based indicators, targets and benchmarks.²⁵ In this regard, useful guidance is found in the conceptual and methodological framework on indicators for the promotion and implementation of human rights,

developed by OHCHR, which includes a list of illustrative indicators for the right to adequate food.²⁶ Equally, the FAO Voluntary Guidelines provide guidance on the development and use of indicators in monitoring the progressive realization of the right to food (see Guideline 17).

Finally, to ensure accountability, national food and nutrition security systems should include mechanisms that are independent of the Government to monitor the implementation of policies and strategies, a task that could be entrusted to national human rights institutions, to public prosecutors, or to ombudspersons. Parliamentary committees could also play an important role in guaranteeing such independent monitoring. The FNS laws of Nicaragua and Guatemala provide that the national Human Rights Procurator should monitor the implementation of the law and prepare annual status reports. However, there is no specific mechanism to ensure that findings and recommendations are followed up on. The FNS law of Honduras establishes a five-member Commission (*Comision de vigilancia de seguridad alimentaria y nutricional*), including a representative of the National Human Rights Commission (CONADEH) and the president of the FNS Commission of the National Congress. However, its mandate is restricted to overseeing the application of policies for the evaluation and monitoring used by the different FNS bodies.

a. Legal oversight and enforcement

Ensuring accountability is one of the main reasons why the right to food should be enshrined in national legislation. In order to be effective, laws needed to have teeth and be enforceable by independent judicial, quasi-judicial or administrative bodies to ensure accountability. As the FAO Right to Food Guidelines stresses: “States that have established a right to adequate food under their legal system should inform the general public of all available rights and remedies to which they are entitled violations” (Guideline 7).

The extent to which the existing FNS laws and those currently under consideration ensure the justiciability of the right to food and include specific accountability mechanisms varies greatly. While the laws refer to the right to food and the principles of accountability and transparency, they often give little detail as to how such accountability should be upheld in practice. The current laws in Mexico D.F., Ecuador and Nicaragua, as well as the draft law under consideration in Paraguay, specifically refer to the justiciability of the right to food, while other laws (including those of Brazil, Guatemala,

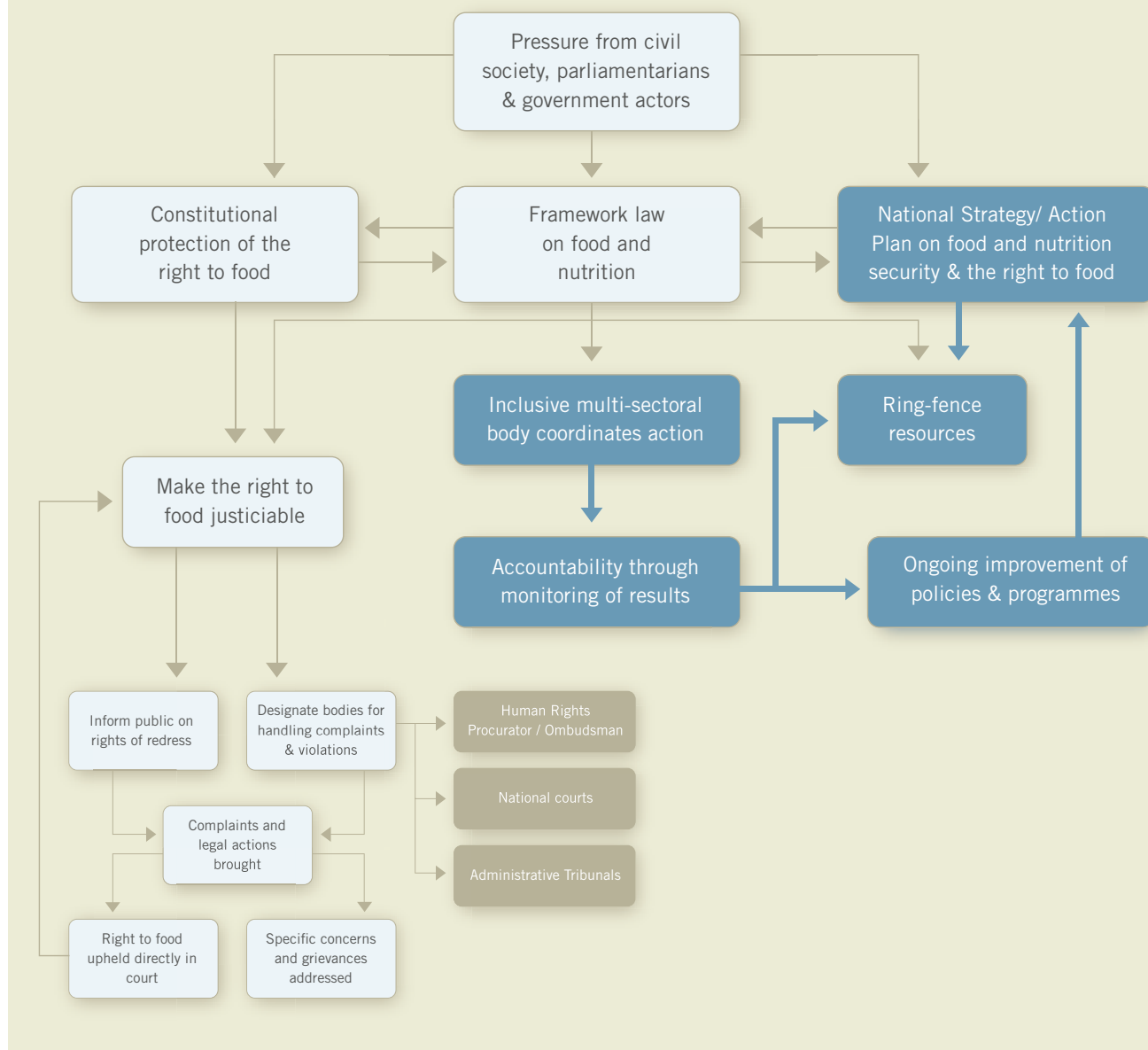
Argentina and Venezuela) make no such reference. However, none of the laws specify the judicial, quasi-judicial and administrative mechanisms to which complaints could be presented in cases of violations of the right.²⁷ Nor are penalties for non-compliance set out in national law. This is one of the important shortcomings of current FNS systems and legal frameworks.

The FNS laws of Guatemala and Nicaragua mandate national human rights institutions to monitor the implementation of FNS policies, through period reports. However these institutions do not have a mandate to receive and consider complaints about violations of the law.

Courts can play an important role in giving effect to the right to food, as demonstrated by judgments by the Colombian Constitutional Court and courts in Argentina, Guatemala, Honduras and Paraguay.²⁸ However, despite the fact that the right to food has been included in national constitutions and laws, there are very few cases where courts have based their judgements on the right to food. One of the few cases where specific reference is made to the right to food, is a ruling by the Sectional Court of Appeal in San Pedro Sula, Honduras, in favour of a “*recurso de amparo*” (appeal for the protection of the subjects’ constitutional rights) in order to prevent an eviction order against a group of small-scale farmers in an agrarian conflict, recognizing the argument of the lawyer acting on behalf of the farmers referring to the obligation of the State to protect the right to food under the International Covenant on Economic, Social and Cultural Rights and referring to the ICESCR and General Comment No. 7 (on forced evictions) of the Committee on Economic, Social and Cultural Rights.²⁹ A recent case in Mexico, involving the right to food and the FNS law of the Federal District, shall also be noticed, with another favourable sentence by a court in March 2012 to guarantee the right to adequate food based on the “*recurso de amparo*.”³⁰

One problem faced is that judges and lawyers are often not sufficiently familiar with the right to food and its justiciability, even when this right is explicitly enshrined in national constitutions and laws. Hence, more training and awareness-raising amongst the judiciary seem to be needed. In this regard, the OHCHR Office in Guatemala has recently facilitated training on the right to food to judges and lawyers. In some cases judges have started to incorporate the right to food in their judgements after having received specific training on this right. Also, there were indications that the younger generation of judges and lawyers are more disposed to refer to human rights standards.

Figure 2: Building on progress in Latin America and the Caribbean: potential pathways for making the right to food operational



More strategic litigation would be required from lawyers associations and NGOs defending human rights for jurisprudence to be created and to further empower rights holders to claim their rights. Civil society organizations play a crucial role in facilitating access to judicial mechanisms. Acting alone, individuals who suffer from hunger and food insecurity are generally amongst the most disempowered groups in society and consequently the least likely to complain to the authorities about their situation. Colombia, Argentina and Mexico provide good examples where strategic litigation has won symbolic cases that are beneficial for the society as a whole.

b. National human rights institutions

Many countries have established independent national human rights institutions, which monitor the compliance of the State with its obligations in the area of human rights, and which in some cases can receive complaints from aggrieved individuals. While these institutions have traditionally focused more on civil and political rights, they are now giving increasing attention also to economic, social and cultural rights, including the right to food. Thus, three national human rights institutions (Guatemala, El Salvador and Colombia) have issued reports specifically on the right to food and on the

implementation of national SAN policies. In Argentina, it was following an action by the National Ombudsman that the Supreme Court decided, in September 2007, that the national State and the Government of Chaco Province should provide food and drinking water to the province's indigenous Toba communities; and in Brazil, the Public Ministry is composed of independent public prosecutors that can hold public authorities accountable in the implementation of programmes related to food and nutrition. Also in Brazil, the National Council for the Defense of the Rights of the Human Being (CDDPH), monitors violations of the right to food. However, currently CDDPH has a limited mandate and its decisions are not legally binding.³¹

The Human Rights Procurator's Office in Guatemala has a specific mandate to monitor the implementation of the national FNS policy.³² Its 2011 monitoring report, entitled "Death from hunger... is also a crime" (*La muerte por hambre... también es un crimen*), analysed continuing problems of inadequate coordination of policies and programmes despite the efforts of the National Council of Food and Nutrition Security (CONASAN) and regretted the lack of attention paid to the recommendations made in its previous reports. The 2012 report, recently presented, stresses the low level of budget allocations from national funds, as FNS programme activities are mostly funded by external development assistance (more than 80%).³³

Equally, as part of its mandate to promote the protection of human rights, the Office of the Public Defender in Colombia issued a first report on the right to food in 2012. The report analyses steps taken to give effect to the right to food, following the adoption in 2008 of the new National Food and Nutrition Security Policy (PNSAN) and makes specific recommendations to address the main obstacles identified. In particular, the report identifies as key obstacles the lack of a clear legal framework for food and nutrition security and the lack of coordinated and coherent action by the authorities in this area.³⁴

c. Regional and global human rights monitoring

Finally, it is worth mentioning the role of regional and global monitoring mechanisms. For example, at the regional level, the Inter-American Court for Human Rights has ruled on cases concerning the right to food. For example it ruled that the Paraguayan State had violated the right to life for failing to ensure access to food, water and health services to 19 members of an extremely poor indigenous community, when it "knew or should have known about the existence of a real and

immediate risk for the life of a determinate person or groups of persons".³⁵ The case does not specifically refer to the right to food, which is not recognized as a legally enforceable right under the American Convention on Human Rights and its Additional Protocol in the Area of Economic, Social and Cultural Rights ("Protocol of San Salvador"). Rather, the case deals with the right to food indirectly as an integral part of the right to a life in dignity and the right to life.

With regard to international/global monitoring mechanisms, most countries in the region have ratified the core international and regional human rights treaties guaranteeing the right to food, notably the International Covenant on Economic, Social and Cultural Rights. The regular review by international treaty monitoring bodies, such as the Committee on Economic, Social and Cultural Rights (ICESCR), provides an important occasion for public debate and Government self-assessment of the status of implementation of the right to food. The international treaty body monitoring system is actively used by NGOs across the region to prepare so-called "alternative reports" to complement the official reports submitted to the treaty-monitoring bodies by States. To further strengthen international monitoring, States are encouraged to accept the complaints mechanisms established under the Optional Protocol to the ICESCR. States from Latin America are well represented amongst the initial ratifications and signatures of the Optional Protocol, showing the importance given to the right to food and other economic, social and cultural rights in the region.³⁶

Equally, the Special Procedures of the Human Rights Council, and the mandate of the Special Rapporteur on the right to food in particular, promote national-level accountability through communications to Governments on specific cases of concern and through official country visits which facilitate public debate on the status of realization of the right to food.

d. Social mobilization & protection of human rights defenders

As the experience of Latin America and the Caribbean clearly shows, social mobilization and the active engagement of civil society is key to draw attention to failures in the implementation of laws and to bring violations of the right to food to light in situations where other accountability mechanisms are failing. In recent years, civil society organizations have become increasingly active in monitoring the protection and realization of the right to adequate food, as demonstrated by the growing number of civil society reports on the

right to food which call for continuous monitoring of this right at the national level.³⁷ In some cases, engaging in campaigns to uphold the right to food has serious costs for the people involved, who may be subjected to physical threats and intimidation. This is why ensuring the protection of human rights defenders is also critical to ensuring accountability.

5.2. Effective implementation

a. Coordination amongst different sectors

A multisectoral approach is needed to promote the realization of the right to food. Ensuring the realization of the right to food goes beyond constitutional provisions and FNS laws, depending also on a range of other laws and regulations concerning access to land, employment, social security, drinking water, etc. Hence, a key challenge for the effective implementation of food policies and strategies is to ensure effective coordination amongst different sectors and Government ministries. All the FNS laws currently in force or under consideration establish specific inter-sectorial bodies, to coordinate the actions of various ministries. In most cases a National Food Security Council is created as the guiding body for the system, linked to the highest level of Government (Presidency or Vice-Presidency) and formed by different ministers and civil society representatives. The status of these FNS councils differs from jurisdiction to jurisdiction. In the Brazilian case, the national food and nutrition council (CONSEA), although highly representative, has a consultative nature, addressing recommendations to the Inter-Ministry Chamber of Food and Nutrition Security, the cross-ministerial taskforce in charge of implementing the national food security strategy.³⁸ In other countries such as Guatemala, Ecuador and Nicaragua, the coordinating bodies can make binding decisions, but are less representative.

In a number of cases, the coordinating bodies have been established by an Executive Decree, rather than under a food and nutrition law, as is the case of the *Consejo Nacional de Alimentación y Nutrición* (CONAN) in Bolivia; the *Secretaría Nacional de Coordinación y Seguimiento del Plan Alimentario Nacional* (SENAPAN) in Panama; and the *Consejo Nacional de Seguridad Alimentaria y Nutricional* (CONASAN) in El Salvador.³⁹ These bodies have a weaker status than institutions created by FNS laws, as Executive Decrees are easier to derogate from than laws adopted by Parliament.

These coordinating bodies generally include the Ministries of Agriculture, Health, Social Affairs, Education, and in some cases have a technical

secretariat located within one of these ministries. For example, in Bolivia the secretariat of CONAN is located within the Ministry of Health, while in El Salvador CONASAN is coordinated by the Ministry for Social Inclusion (*Secretaría de Inclusión Social*).

b. Participation

Apart from coordinating the implementation of policies and strategies across different sectors and ministries, the coordinating bodies should serve to facilitate participation of civil society in the development of policies and in the identification of specific measures and priorities, through a continuous process of consultation and dialogue to establish or modify programmes for the realization of the right to food.

Ideally, national food security councils can allow for a permanent dialogue between government and civil society organizations. Currently, the national food security councils of Ecuador, Guatemala, Honduras and Nicaragua reserve seats for civil society representatives, though the voice of civil society in these bodies remains comparatively weak compared to Government representatives in these bodies. The case of Brazil stands out in this regard, as its national Food and Nutrition Security Council has a majority civil society representation.⁴⁰ However, contrary to other FNS Councils, the one in Brazil does not have decision making powers. In all instances, the real decision making power remains with the Government. By way of example, the FNS Council in Honduras takes decisions by simple majority and is composed of 12 members, of which 7 are reserved for the Ministers of State, Social Development, Agriculture, Environment, Health, Finance, and Planning and External Cooperation, while 5 places are reserved for civil society, representing national development NGOs, the national council of private enterprises, the national federation of trade unions, and national farmers' organizations.

There are also a range of other mechanisms through which civil society can participate in shaping food and nutrition policies. In Honduras for instance, civil society participates in local entities overseeing the Poverty Reduction Strategy (*Estrategia para la Reducción de la Pobreza, ERP*). In Brazil, two thirds of the members of the National Council on Food and Nutrition Security (CONSEA) represent civil society organizations. In Peru, civil society is represented in the Inter-Ministerial Commission for Social Affairs (*Comisión Interministerial de Asuntos Sociales, CIAS*). In Venezuela, civil society can participate through the agrarian assemblies (*Asambleas Agrarias*) and Community Councils (*Consejos Comunales*).

It is worth noting that the FNS councils in Ecuador, Guatemala, Honduras and Nicaragua also allow for the participation of the private sector, and that consideration is being given to provide avenues for such private sector participation in several other countries, including Brazil, Guatemala, Peru, Nicaragua, Panama, Venezuela, Colombia and Honduras. The participation of private sector representatives could ideally favour a chain-wide learning process about the food system, from the farmer to the consumer, allowing Governments to identify blockages and to improve the sustainability of the system as a whole.

c. Targeting of programmes

Programmes to ensure the realization of the right to food need to give priority to those persons and groups who are most vulnerable and who face the greatest obstacles in their access to adequate food. Legal frameworks can facilitate such targeting, by clearly identifying criteria to be met for certain entitlements. All food and nutrition security laws currently in force explicitly provide for a general targeting and prioritization of vulnerable groups. As a general trend, policies and programmes on food and nutrition in the region prioritize groups such as school/pre-school-age children and adolescents, pregnant and breast-feeding women, indigenous groups, and families living in extreme poverty.

However, the general targeting provided in the FNS laws has to be further elaborated in the specific programmes. Moreover, while laws can usefully set out the basic criteria which should guide the targeting of policies and programmes, ensuring that programmes in actual practice reach those most in need depends on other factors as well. Importantly, Governments must be able to gather adequate information on vulnerability experienced by different communities and geographic localities, such as vulnerability maps, based on information collected at the local level. Moreover, there must be adequate mechanisms to monitor and verify the information collected and used to identify beneficiaries of social protection and FNS programmes, to ensure transparency and safeguard against the use of political criteria in the selection of beneficiaries.

d. Costing and budget allocations

The effective functioning of institutional frameworks and strategies for the realization of the right to food requires that adequate resources are allocated to allow national food and nutrition systems to function effectively. Moreover, in light of the obligation of States

under international human rights law to take steps to the maximum of available resources towards the progressive realization of the right to food, it is essential that there is full transparency about the use of public resources under FNS programmes.

Almost all of the FNS laws which have been adopted or are currently under consideration refer to the need to allocate adequate resources to policies and programmes to ensure the progressive realization of the right to food. However, only the FNS laws of Guatemala deals with this issue in any detail. In the case of Nicaragua, the FNS law provides for the establishment of a national food and nutrition security fund, though it remains to be seen whether it will become operational. A similar fund established under the 2003 FNS law in Ecuador never became operational. In the case of Guatemala, article 38 of the FNS law provides for the allocation of a minimum of 0.5 per cent of the general budget of the State specifically to food and nutrition security programmes and projects for the population living in poverty and extreme poverty, to be channelled to ministries and institutions through the national Food and Nutrition Security Council (CONASAN).

The FNS law of Guatemala is thus the only one to ring-fence a minimum level of resources for the implementation of FNS programmes. However, as the Human Rights Procurator points out in its first monitoring report on the implementation of the national FNS policy, even the relatively specific reference to a minimum amount (0.5 per cent of the general budget) targeted towards a specific population group, is not sufficiently clear to ensure its effective application in practice. The report also points to the lack of a methodology to effectively monitor budget allocations across ministries related to FNS programmes, and underlines the problem that people are only able to claim their rights if information about Government spending on FNS programmes is made accessible to the public.⁴¹ As mentioned earlier, the Guatemalan Human Rights Procurator also notes the problem of a high dependence of FNS activities on external aid, which may deter budget allocations from national sources.

6. Lessons learned

The experience of countries in Latin America and the Caribbean in strengthening institutional frameworks for the progressive realization of the right to food offers a number of lessons in regard to their further improvement.

6.1. Political will

A common experience across the region is that laws and policies do not by themselves advance the realization of the right to food, and that here is often a gap between laws and policies and actual practice. For rights-based laws and policies to be given actual effect, they must be combined with genuine political commitment as well as effective monitoring and accountability mechanisms.

6.2. Adequate resources

One central element of political will is the assignation of financial resources. In this regard, it is essential that national budgets assign adequate resources for the implementation of FNS policies and strategies and to ensure their continuation and financial sustainability. Inadequate resource allocations for the implementation of FNS laws remain a significant problem across the region and there is a need for mechanisms to ensure that budget allocations correspond to actual needs.

6.3. Assessing needs and outcomes

Budget allocations and targeting of programmes need to be informed by a continuous assessment of needs and monitoring of outcomes of FNS programmes. In particular, mechanisms must be established to collect adequate data about the situation and needs of vulnerable groups, including information gathered through participatory processes with the concerned individuals and communities. Such continuous data collection is essential to develop effective FNS programmes and strategies and to monitor their implementation in practice.

6.4. Ensuring effective coordination

Experiences from the region underline the importance and challenge of ensuring adequate coordination of multiple actors in the implementation of FNS policies and programmes. To improve and ensure the effectiveness of the coordinating bodies that have been established it is essential that they are assigned adequate resources and powers and that they are inclusive and open to participation of all relevant stakeholders, including civil society.

6.5. Inclusiveness and legitimacy

A common problem in the region has been that FNS programmes and strategies often did not survive changes of Government, impairing their sustainability and effectiveness. Grounding programmes in specific

legislation should serve to address this problem (i.e. the Guatemalan FNS law has survived three governments of three political parties). Equally important to the sustainability of FNS strategies is to ensure that civil society, social movements and farmers organizations are involved in the designed and implementation of programmes for the realization of the right to food, as the pressure exerted by these social partners on Governments will also help ensure to the continuation of programmes and strategies. The experience of countries across the region underlines the critical importance of formulating laws and programmes through inclusive and participatory processes. The broader the political participation and the space given to civil society stakeholders, the more likely it is that the law will be effective, sustainable and respected by all parties.

6.6. Accountability

Despite the process made in including the right to food in national laws, effective mechanisms to monitor the implementation of this right remain weak and more efforts are needed to enable right-holders to effectively claim their right to food. Apart from ensuring the availability and accessibility of redress mechanisms, there is a need to raise awareness about the right to food as guaranteed under national and international law. People need to know their rights in order to be able to demand change and accountability from the Government. At the same time, duty-bearers and those empowered to oversee the implementation of laws and policies must understand what obligations the right to food imposes on them.

The enforceability of laws related to the right to food requires more than enforcement mechanisms: It also requires a change of mind-sets and the creation of a culture of rights. Despite progress made, programmes to address hunger and malnutrition still tend to be perceived as mainly social solidarity programmes rather than human rights promotion programmes. In order to promote a culture of rights and accountability, information should be made readily available about what specific programmes are guaranteeing and what the responsibilities are of different actors. Accountability mechanisms, including administrative and judicial mechanisms allowing beneficiaries to complain if entitlements are arbitrarily denied to them, should be integrated into such programmes.

There is a need to further encourage and empower national courts and tribunals as well as national human rights institutions to provide redress for violations of the right to food. Several national human rights institutions,

such as those in Guatemala, El Salvador and Colombia, have started to monitor the implementation of the right to food, and human rights institutions across the region could usefully be given specific mandates to monitor the right to food including through the consideration of specific cases.

6.7. The need to take further steps

Significant advances have been made in Latin American and the Caribbean in recent years. However, progress has been uneven and the right to adequate food remains unfulfilled for a significant proportion of the

population in the region. The progress made towards the implementation of the right to food must therefore be sustained and further strengthened. It is the role of national Governments and legislatures to create the legislative framework that will ensure that progress is made towards the full eradication of hunger and malnutrition, by setting clear targets, by monitoring progress, by ensuring effective coordination of efforts, by institutionalizing the dialogue between government and civil society to identify solutions, and by ensuring accountability in the implementation of laws, policies and programmes.

References

1. The "Expert Consultation on the Implementation of the Right to Food: Experiences of Latin America and the Caribbean convened on 9 and 10 June 2011 in Bogotá, Colombia, and gathered 50 experts, including civil servants, members of Parliament, and staff from national human rights institutions, civil society organizations, social movements and international organisations. The consultation was organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in cooperation with the Food and Agriculture Organization of the United Nations (FAO), with the financial support of the Spanish Development Cooperation Agency (AECID), and held in coordination with and in continuation of the "Second Forum of the Parliamentary Front Against Hunger in Latin America and the Caribbean" which convened in Bogotá on 7-8 June 2011.
2. Since the establishment of the mandate of the Special Rapporteur in 2000, the mandate has conducted official country visits to six countries in the region (Brazil, Guatemala, Bolivia, Cuba, Nicaragua, and Mexico). The reports on these visits are available at: <http://www.ohchr.org/EN/Issues/Food/Pages/Annual.aspx>.
3. The right to adequate food is recognized under Article 25 of the Universal Declaration of Human Rights (G.A. Res. 217 A (III), U.N. Doc. A/810, at 71 (1948)), under Article 11 of the International Covenant on Economic, Social and Cultural Rights (adopted on 16 December 1966, G.A. Res. 2200(XXII), U.N. GAOR, 21st sess., Supp. No. 16, U.S. Doc. A/6316 (1966), 993 UNTS 3), as interpreted by the Committee on Economic, Social and Cultural Rights (General Comment No. 12: The right to adequate food (1999), UN doc. E/C.12/1999/5), as well as under other international and regional human rights instruments, such as the Convention on the Rights of the Child (arts. 24 and 27), the Convention on the Elimination of All Forms of Discrimination against Women (arts. 12 and 14); Convention on the Rights of Persons with Disabilities (arts. 25 and 28). Moreover, aspects of the right to food are covered by International Covenant on Civil and Political Rights, notably under article 6 (the right to life). As the Human Rights Committee underlines, the right to life, inter alia, requires States to take all possible measures to eliminate malnutrition. (Human Rights Committee, General Comment No. 6: The right to life (Article 6), para. 5. At the regional level, the right to food is enshrined in article 12 the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (the "Protocol of San Salvador") of 1988.
4. An example is the *Declaración de Salvador de Bahía* adopted at the first Summit of Latin America and the Caribbean on Integration and Development (*Cumbre de América Latina y el Caribe sobre Integración y Desarrollo*) in December 2008. A similar commitment also underlies the *Iniciativa América Latina y Caribe Sin Hambre*, launched by Guatemalan President Oscar Berger and Brazilian President Lula Da Silva in 2005 with the objective of eradicating hunger in the region by 2025. See: <http://www.rlc.fao.org/es/iniciativa>
5. For more information, see: <http://www.rlc.fao.org/frente/pdf/pfh.pdf>. Increasingly, Parliamentary Fronts are being established at the national level. In 2011 alone, national parliamentary fronts were set up in Argentina, Colombia, Dominican Republic, Ecuador, Honduras, Mexico, Nicaragua, Paraguay, and Uruguay. The strong commitment to the right to food was demonstrated by the willingness of the PFH to organize its Second Forum, convened in Bogotá on 7 and 8 June 2011, in coordination with the regional expert consultation convened by the Special Rapporteur on the right to food in Bogotá on 9 and 10 June 2011.
6. Adopted in Panama in December 2009 at the XXV *Asamblea Ordinaria del Parlamento Latinoamericano reunida en Ciudad de Panamá el 3 de diciembre de 2009*. Article 11 reads: "todos los latinoamericanos tienen derecho a una alimentación que asegure un sano desarrollo físico y mental." Text available at: <http://www.rlc.fao.org/frente/pdf/decladdhh.pdf>.
7. CEPAL (2011), *Panorama Social 2011*, p. 4.
8. The World Bank (2008). *World Development Report 2008. Agriculture for Development*. The World Bank, Washington DC, p. 95.
9. Graziano da Silva, J., Gómez E. and Castañeda S. (2010), *Latin America's Agricultural Boom and Persistence of Rural Poverty: Some Reflections*, p. 4. The report is based on the findings of 8 case studies, on Argentina, Brazil, Chile, Colombia, Guatemala, Mexico, Nicaragua and Peru (available electronically from <http://faorlc.cgnet.com/es/prioridades/desarrollo/boom/pdf/boomen.pdf>)
10. Committee on Economic, Social and Cultural Rights, General Comment No. 12, E/C.12/1999/5, para. 6.
11. Sen, A. (1987), *Poverty and Famines: An Essay on Entitlement and Deprivation* (Oxford: Oxford University Press), pp. 165-66.

12. Vivero, J.L. & P. Ramirez (2009). Leyes, políticas e instituciones contra el hambre en el contexto latinoamericano. In Vivero, J.L. & X. Erazo, eds. "Derecho a la Alimentación, Políticas Públicas e Instituciones contra el Hambre", pp. 123-171. Serie Ciencias Humanas, LOM Editores, Santiago, Chile, p. 152. http://issuu.com/joseluisvivero/docs/cap_5_leyes_pol_ticas_e_instituciones_san_en_alc_v
13. Knuth L. and Vidar M. (2011), *Constitutional and Legal Protection of the Right to Food Around the World*, FAO Right to Food Unit, Rome, p. 13; Vivero, J.L. & P. Ramirez (2009), op cit, p. 153. Ten countries (now including Mexico) recognize the right to food as a self-standing right recognized to all. Ten other countries stipulate the right to food for a specific category of the population only, such as children or prisoners. Five countries have constitutional provisions that stipulate the right to food explicitly as being part of another human right.
14. The Special Rapporteur applauded the adoption of the new constitutional provisions in a media statement issued on 13 October 2011, available at: <http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=11491&LangID=S>.
15. Unofficial translation from Spanish. As of August 2012, the reform still had to be ratified by the new Assembly in order to enter into force.
16. Respectively in article 16 (Bolivia), article 10 (Brazil) article 13 (Ecuador), article 99 (Guatemala), article 40 (Guyana), article 22 (Haiti) and article 63 (Nicaragua).
17. The *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* were adopted by 187 Member States of the FAO Council in November 2004, and are available at: <http://www.fao.org/righttofood/publi09/y9825e00.pdf>.
18. The countries concerned are Bolivia, Colombia, Costa Rica, Dominican Republic, El Salvador, Haiti, Mexico, Panama, Paraguay and Peru.
19. The *Iniciativa América Latina Sin Hambre* is supported by FAO through its regional office in Santiago, Chile, with the financial support of Brazil, Spain and other donors. For more information, see: <http://www.rlc.fao.org/es/ialcsh/la-iniciativa/>. A main objective of the Iniciativa is to build social awareness about the right to food, including through the preparation of national status reports on progress made in the implementation of this right, prepared in cooperation with non-governmental organizations. The reports are available at: <http://www.rlc.fao.org/iniciativa/infda.htm>.
20. See footnote 5 above.
21. The Plan is available at: <http://www4.planalto.gov.br/consea/noticias/imagens-1/livro-plano-nacional-caisan>.
22. CESCR, General Comment No. 12, para. 21.
23. On national strategies and the opportunities they present for empowerment, participation and accountability, see in particular *The right to food in practice. Implementation at the national level*, FAO, Right to Food Unit, 2006 ; and Special Rapporteur on the right to food, Olivier De Schutter, *Briefing Note: Countries tackling hunger with a right to food approach. Significant progress in implementing the right to food at national scale in Africa, Latin America and South Asia*, May 2010, available from <http://www.srfood.org/index.php/en/right-to-food>.
24. See for example the concluding observations of the Committee concerning Uruguay (E/C.12/URY/CO/3-4) and Colombia (E/C.12/COL/CO/5).
25. For example, the Special Rapporteur on the right to food recommended that the information system on food and nutrition security provided for under the Nicaraguan Law on Food and Nutrition Security and Sovereignty should be strengthened by the adoption of a unified system of indicators, targets and benchmarks to monitor compliance with the State obligation to progressively realize the right to food (Report on mission to Nicaragua, A/HRC/13/33/Add.5, para. 83 (d)).
26. See HRI/MC/2008/3, p. 24, available at: http://www2.ohchr.org/english/issues/indicators/docs/HRI.MC.2008.3_en.pdf.
27. See Vivero, J. L. (2010). El enfoque legal contra el hambre: el derecho a la alimentación y las leyes de seguridad alimentaria. En X. Erazo, L. Pautassi & A. Santos, eds., *Exigibilidad y realización de derechos sociales. Impacto en la política pública*. Pp. 163-188. Editorial LOM, Santiago, Chile, p. 184.
28. On the justiciability of the right to food and the role of courts, see in particular Courtis, C. (2007) "The right to food as a justiciable right: challenges and strategies", *Max Planck Yearbook of United Nations Law*, Volume 11, 2007, p. 317-337 ; Golay, C. (2009), *The right to food and access to justice. Examples at the national, regional and international levels*, FAO, Rome; FIAN International (2009), *Advancing the right to food at the national level. Some lessons learned*, Heidelberg; Vivero, J L. (2011), *Hunger for justice in Latin America. The justiciability of social rights in hungry democracies*. In: Martín-López, M.A. & J.L. Vivero, eds., *New challenges to the Right to Food*. CEHAP, Cordoba and Editorial Huygens, Barcelona. For a commented list of cases in Latin America and the Caribbean see also the website of ESCR-NET: <http://www.escri-net.org/>.
29. Vivero, J.L., Scholz Hoss, V., Garcia Cebolla, J.C. (2009), *La Justiciabilidad del derecho a la alimentacion en America Latina*, Working Papers, Iniciativa America Latina Sin Hambre, pp. 21-22.
30. See: <http://www.eluniversal.com.mx/ciudad/110851.html>
31. Brazil recently committed to converting the Council for the Defence of the Rights of the Human Person (CDDPH) into a Brazilian National Human Rights Institution in accordance with Principles relating to the Status of National Institutions (The Paris Principles; General Assembly resolution 48/134, annex), which would receive the necessary human, material and financial resources for its operation. See Second National Report of the State of Brazil submitted to the Universal Periodic Review mechanism of the United Nations Human Rights Council – 2012, available at: http://www.direitoshumanos.gov.br/cooperacao/revisao-periodica-universal/National%20Report_UPR%20Brazil%20_eng_FINAL%20VERSION.pdf.

32. Pursuant to article 15, subparagraph (j) of the Legislative Decree No. 32-2005, the Procurator's Office emits annual reports with specific recommendations on the status of implementation of policies and strategies for food and nutrition security which are addressed to the National Council for Food and Nutrition Security.
33. Procuraduría de Derechos Humanos de Guatemala (2012). *Seguridad Alimentaria y Nutricional: de la asistencia humanitaria a la erradicación de la pobreza*. Quinto Informe. Guatemala. http://www.pdh.org.gt/index.php?option=com_content&view=article&id=185:pdh-entrega-informe-de-seguridad-alimentaria&catid=28:noticias&Itemid=57
34. Defensoría del Pueblo, Colombia (2012), *Primer Informe del Derecho Humano a la Alimentación*. <http://www.defensoria.org.co/red/anexos/publicaciones/1InformDerAlimentacion.pdf>
35. Inter-American Court of Human Rights, Sawhoyamaya Indigenous Community v. Paraguay, of 29 March 2006, cited in Courtis (2007), op. cit., p. 329.
36. As of 1 July 2012, the Optional Protocol has been ratified by eight States, four of which are from Latin America (Argentina, Bolivia, Ecuador and El Salvador), and signed by 32 other States, including six from Latin America (Chile, Costa Rica, Guatemala, Paraguay, Uruguay and Venezuela). The Optional Protocol will enter into force upon the tenth ratification.
37. See for example reports available on the website of the *Observatorio de Derecho a la Alimentación de América Latina*: <http://www.oda-alc.org/front/documentos>
38. See Report of the Special Rapporteur on the right to food, Olivier De Schutter, to the Human Rights Council, Addendum: Mission to Brazil (12-18 October 2009), A/HRC/13/33/Add.6, at para. 14.
39. Respectively established by Executive Decree No. 27029 of 2003 (Bolivia), later modified by Decree No. 28667 (2006) to open it up for civil society participation; Executive Decree of 18 October 2004 (Panama); and Executive Decree No 63 of 2009 (El Salvador).
40. While not fully ensured yet, the participation of civil society organizations is being considered with coordinating bodies of Bolivia (*Consejo Nacional de la Alimentación y Nutrición*), Argentina (*la Comisión Nacional de Nutrición y Alimentación*), and Colombia (*Comité Nacional de Prevención y Control de Micronutrientes, CODEMI*).
41. Procurador de los Derechos Humanos (2008), Unidad de Estudio y Análisis, *Primer Informe de Seguimiento a la Política Nacional de Seguridad Alimentaria y Nutricional del Gobierno de Guatemala*, Resumen Ejecutivo, pp. 63-69.

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Olivier De Schutter was appointed the United Nations Special Rapporteur on the right to food in March 2008 by the Human Rights Council. He is independent from any government or organization, and he reports to the Human Rights Council and to the General Assembly. For more information, visit www.ohchr.org/EN/Issues/Food/Pages/FoodIndex.aspx or www.srfood.org.