Challenges to Realizing the Right to Food in our Hemisphere

San José de Costa Rica, 22 August 2013

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Coordinator of the Hunger-Free Latin American and the Caribbean Initiative Support Project
The Problem

Brain Scan of two 3-year-olds

Normal

Extreme Abandonment
The Problem
The Problem

Latin America and the Caribbean (13 countries): Number of undernourished people as a percentage of total population

### The Problem

**Latin America and the Caribbean (23 countries): Prevalence of Chronic Malnutrition in Children 2012 (S/A in children < 5)**

<table>
<thead>
<tr>
<th>Country</th>
<th>Década de 1990</th>
<th>Última medición</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guatemala (1993-2009)</td>
<td>55.4%</td>
<td>48.0%</td>
</tr>
<tr>
<td>Honduras (1992-2006)</td>
<td>42.5%</td>
<td>40.1%</td>
</tr>
<tr>
<td>Ecuador (1998-2004)</td>
<td>37.3%</td>
<td>35.2%</td>
</tr>
<tr>
<td>Peru (1992-2008)</td>
<td>32.5%</td>
<td>29.0%</td>
</tr>
<tr>
<td>Nicaragua (1993-2007)</td>
<td>29.6%</td>
<td>27.2%</td>
</tr>
<tr>
<td>El Salvador (1993-2008)</td>
<td>29.5%</td>
<td>23.0%</td>
</tr>
<tr>
<td>Guyana (1997-2008)</td>
<td>19.5%</td>
<td>15.6%</td>
</tr>
<tr>
<td>Paraguay (1990-2005)</td>
<td>20.6%</td>
<td>17.5%</td>
</tr>
<tr>
<td>Mexico (1990-2007)</td>
<td>19.1%</td>
<td>15.9%</td>
</tr>
<tr>
<td>Uruguay (1995-2004)</td>
<td>18.3%</td>
<td>13.9%</td>
</tr>
<tr>
<td>Colombia (1995-2010)</td>
<td>18.6%</td>
<td>12.7%</td>
</tr>
<tr>
<td>Argentina (1994-2005)</td>
<td>17.1%</td>
<td>8.2%</td>
</tr>
<tr>
<td>Brasil (1996-2007)</td>
<td>15.6%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Cuba (2000)</td>
<td>10.1%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Jamaica (1991-2009)</td>
<td>13.5%</td>
<td>7.0%</td>
</tr>
<tr>
<td>Costa Rica (1996-2009)</td>
<td>9.1%</td>
<td>5.7%</td>
</tr>
<tr>
<td>Chile (1994-2008)</td>
<td>9.0%</td>
<td>5.6%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4.2%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2.0%</td>
</tr>
</tbody>
</table>

**Source:** Own chart, based on data taken from WHO (2012). Global Health Observatory Data Repository (available on: [http://apps.who.int/ghodata/](http://apps.who.int/ghodata/))
The Problem

Prevalence of **Obesity** in +20 adults (%) in Latin America and the Caribbean (2008)

The Problem

Prevalence of chronic malnutrition as a function of literacy level of mother

[Bar chart showing prevalence of chronic malnutrition across different literacy levels in countries such as Bolivia, Colombia, República Dominicana, Guatemala, Haiti, and Perú. The chart includes data from 2003, 2005, 2002, and 2004-6. Source: DHS]
The Problem


- Food Availability: 26.1%
- Women's Status: 11.6%
- Women's Education: 43.0%
- Health: 19.3%

**Food security** exists when all people, at all times, have physical and economic access to a sufficient supply of safe and nutritious food to meet their dietary needs and food preferences to lead an active and healthy life.

*(World Food Summit 1996)*
The Roots of the Problem
The Roots of the Problem

Breakdown of Agri-Food Trade in Latin America and the Caribbean, 2012

Exports

<table>
<thead>
<tr>
<th>LAC</th>
<th>Imports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brasil</td>
<td>Mexico</td>
</tr>
<tr>
<td>Argentina</td>
<td>Brasil</td>
</tr>
<tr>
<td>Mexico</td>
<td>Venezuela</td>
</tr>
<tr>
<td>Chile</td>
<td>Caribe</td>
</tr>
<tr>
<td>Ecuador</td>
<td>Colombia</td>
</tr>
<tr>
<td>Peru</td>
<td>Chile</td>
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<tr>
<td>Colombia</td>
<td>Peru</td>
</tr>
<tr>
<td>Uruguay</td>
<td>Guatemala</td>
</tr>
<tr>
<td>Guatemala</td>
<td>Costa Rica</td>
</tr>
</tbody>
</table>

Rest of the World

<table>
<thead>
<tr>
<th>Rest of the World</th>
<th>Source: FAO-RLC, based on GTA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>29,6</td>
</tr>
<tr>
<td>Asia</td>
<td>17,6</td>
</tr>
<tr>
<td>Europa</td>
<td>17,2</td>
</tr>
<tr>
<td>ALC</td>
<td>12,5</td>
</tr>
<tr>
<td>USA</td>
<td>7,0</td>
</tr>
<tr>
<td>Resto</td>
<td>4,7</td>
</tr>
</tbody>
</table>

Source: FAO-RLC, based on GTA
The Roots of the Problem

Latin America: Evolution of **Poverty and Indigence**, 1980-2012

**Source:** ECLAC, based on special tabulations drawn from household surveys in different countries
The Roots of the Problem

Latin America and the Caribbean (17 countries): **Extreme Poverty - Undernourishment** Ratio (2012)

Source: Regional Office for Latin America and the Caribbean, 2012
An Answer to the Problem, from a Rights-based Approach - The Right to Food

1. Public Policy with a Rights-based Approach

2. Legislation on the Right to Food
Complexity of Effective Food and Nutrition Security Policies

- Development Strategy
- National FNS Policy / Strategy
- International Legal Framework
- Political Commitment throughout the Policy Cycle
- Global Ideological and Cultural Space

- Social Development
- Health
- Infrastructure
- Trade
- Production
- Utilization
- Stability
- Access
- Availability

- Contingencies and Risk Management
- Education
- Rural and Land Development
- National and Local Values and Culture
- Legal and Institutional Framework
- Productive Resources
- Gobernanza regional y mundial
- Gobernabilidad democrática y gobernanza
- Global Agri-Food System
1. Public Policy with a Rights-based Approach

Some policies making a difference in the fight against hunger, food insecurity and malnutrition

- Promotion of Family Agriculture
- Social Protection
- Dietary supplementation in women of child-bearing age and children under 2
- School food
- Healthy habits; nutrition education
- Focus on women and children.
2. Legislation on the Right to Food

**Binding vs. Non-binding International Instruments:**

- International Covenant on Economic, Social and Cultural Rights (1966) (ICESCR) and other Human Rights Conventions
- General Comment 12. The Right to Adequate Food, 1999
- Rome Declaration on World Food Security and World Food Summit Plan of Action, 1996
- Voluntary Guidelines on the Right to Food, 2004
- Declaration of the 2009 World Summit on Food Security
- Regional Instruments
2. Legislation on the Right to Food

International Law

ICESCR, Article 11.

1. the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

2. The fundamental right of everyone to be free from hunger

- Acknowledgement of undertakings 1) progressive adoption of legislative measures (maximum utilization of resources); 2) non-discrimination; 3) respect, protection and guarantees; 4) international assistance and cooperation.

- Implementation (progressively vs. immediate enforcement)

- Inclusion in pertinent legislation (CESCR)
2. Legislation on the Right to Food

Developing **national legislation**

- The Right to Food in the **Constitution** (Recognized in different forms: explicit, implicit, governing principle, collective right, individual right, etc.)

- **Framework Legislation**
  - Development Process: Participation, scenario assessment, ex-ante legislative and impact assessment
  - Contents of the Law
  - Law Enforcement

- **Sector-specific Legislation**
  - Compatibility
2. Legislation on the Right to Food

1) Is a Framework Law for full realization of the Right to Food enough?

2) Is a Framework Law to *regulate* the legal framework for food and nutrition security enough?

3) What are the laws supplementing the legal framework on FNS?
2. Legislation on the Right to Food

Examples in the Region

In Latin America, 8 countries have a law regulating Food and Nutrition Security and the Right to Food:

- Different objectives
- Different scopes
- Different approaches
- Different characteristics
- Different processes
- Different scenarios
<table>
<thead>
<tr>
<th>YEAR</th>
<th>COUNTRY</th>
<th>LAW</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003</td>
<td>Argentina</td>
<td>National Food and Nutrition Programme</td>
</tr>
<tr>
<td>2005</td>
<td>Guatemala</td>
<td>Law on National FNS System</td>
</tr>
<tr>
<td>2006</td>
<td>Brazil</td>
<td>Organic Law on Food Security</td>
</tr>
<tr>
<td>2008</td>
<td>Venezuela</td>
<td>Decree-Law on Food Security and Sovereignty</td>
</tr>
<tr>
<td>2009</td>
<td>Ecuador</td>
<td>Organic Law on Food Sovereignty Regime</td>
</tr>
<tr>
<td>2009</td>
<td>Nicaragua</td>
<td>Law on Food and Nutrition Sovereignty and Security</td>
</tr>
<tr>
<td>2011</td>
<td>Honduras</td>
<td>Law on Food and Nutrition Security</td>
</tr>
<tr>
<td>2011</td>
<td>Bolivia</td>
<td>Law of the Productive, Communal, and Agricultural Revolution</td>
</tr>
</tbody>
</table>
Regional Commitment to the Right to Food

Parliamentary Front against Hunger in Latin America and the Caribbean

http://www.fao.org/alc/es/fph/

Regional Right to Food Observatory

http://www.oda-alc.org/
Thank you very much

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