



*State of the*  
**RIGHT TO FOOD  
AND NUTRITION**  
*Report*

**2019**



This is a publication by the Global Network for the Right to Food and Nutrition, coordinated by FIAN International

**| Coordinator**

Emily Mattheisen (FIAN International)

**| Authors**

Emily Mattheisen, Ayushi Kalyan, Yifang Tang, M. Alejandra Morena, Andrea Nuila (FIAN International)

Special thanks to the members of the Global Network for the Right to Food and Nutrition and FIAN International for their support in compiling this report.

**| Copy-editing**

Katie Anne Whiddon

**| Art Concept & Design**

Ian Davidson, Marcela Vidal

**| Financed by**

Swiss Agency for Development and Cooperation (SDC)

OCTOBER 2019



Asian-Pacific Resource and Research Centre for Women (ARROW)  
Malaysia



Association Paysanne pour le Développement (Peasant Association for Development, A.PA.DE)  
Togo



Association pour la protection de la nature au Sahel (Association for the Protection of Nature, APN Sahel)  
Burkina Faso



Biowatch South Africa  
South Africa



Brot für Alle (Bread for All)  
Switzerland



Brot für die Welt  
Germany



Centro Internazionale Crocevia (Crossroad International Centre)  
Italy



CIDSE  
(International Alliance of Catholic Development Agencies)  
Belgium



Coletivo de Entidades Negras (Collective of Black Organizations, CEN)  
Brazil



Convergence malienne contre l'accapement des terres (Malian Convergence against Land Grabbing, CMAT)  
Mali



Dejusticia  
Colombia



FIAN International  
Germany



Fórum Brasileiro de Soberania e Segurança Alimentar e Nutricional (Brazilian Forum for Food Sovereignty and Food and Nutritional Security, FBSSAN)  
Brazil



Habitat International Coalition-Housing and Land Rights Network (HIC-HLRN)  
Egypt



HEKS/EPER (Swiss Church Aid)  
Switzerland



Independent Food Aid Network (IFAN)  
United Kingdom



Interchurch Organization for Development Cooperation  
(ICCO Cooperation)  
*The Netherlands*



International Baby Food Action Network  
(IBFAN)  
*Switzerland*



International Indian Treaty Council (IITC)  
*USA*



International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF)  
*Switzerland*



Justicia Alimentaria (Food Justice)  
*Spain*



KATARUNGAN - Movement for Agrarian Reform and Social Justice  
*Philippines*



KHANI  
*Bangladesh*

**Maleya**

Maleya Foundation  
*Bangladesh*



Observatori DESC (Observatory of Economic, Social and Cultural Rights)  
*Spain*



People's Health Movement (PHM)  
*South Africa*



Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (Inter-American Platform for Human Rights, Democracy and Development, PIDHDD)  
*Ecuador*

POSCO Pratirodh Sangram Samiti (Anti-POSCO People's Movement, PPSS)  
*India*

**REDSAN CPLP**

Rede da Sociedade Civil para a Segurança Alimentar e Nutricional na Comunidade de Países da Língua Portuguesa (Regional Civil Society Network for Food and Nutrition Security in the Community of Portuguese-Speaking Countries, REDSAN-CPLP)  
*Portugal*



Réseau africain pour le droit à l'alimentation (African Network on the Right to Food, RAPDA)  
*Benin*



Réseau des organisations paysannes et de producteurs agricoles de l'Afrique de l'Ouest (West African Network of Peasant Organizations and Agricultural Producers, ROPPA)  
*Burkina Faso*



Right to Food Campaign  
*India*



Right to Food Network - Malawi  
*Malawi*



Society for International Development (SID)  
*Italy*



Solidaritas Perempuan (SP)  
*Indonesia*



SOS Faim Luxembourg (SOS Hunger Luxembourg)  
*Luxembourg*



Sustain  
*United Kingdom*



Terra Nuova - Centro per il Volontariato ONLUS (TN)  
*Italy*



URGENCI  
*France*



WhyHunger  
*USA*



World Alliance for Breastfeeding Action (WABA)  
*Malaysia*



World Alliance of Mobile Indigenous Peoples (WAMIP)  
*India*



World Council of Churches - Ecumenical Advocacy Alliance (WCC-EAA)  
*Switzerland*



World Forum of Fish Harvesters and Fish Workers (WFF)  
*Uganda*



World Forum of Fisher Peoples (WFFP)  
*South Africa*



World Organization against Torture (OMCT)  
*Switzerland*



WUNRN (Women's UN Report Network)  
*USA*



Zambia Alliance for Agroecology and Biodiversity (ZAAB)  
*Zambia*

# CONTENTS

Acronyms & Abbreviations	05
Executive Summary	06
Introduction	10
01 International Developments	14
02 SPOTLIGHT: Women's Rights	18
INSIGHT 2.1	<i>Jinwar Free Women's Village in Northern Syria: A Village by and For Women, Building a Peaceful Future</i>
INSIGHT 2.2	<i>Women Agroecological Peasants Promote Biodiversity and Nutrition in Mali, Guatemala – and across the World</i>
INSIGHT 2.3	<i>Colombia: Organizing for the Rights of Rural Women</i>
03 Regional Overview	24
3.1 Africa	25
INSIGHT 3.1.1	<i>Peasants' Resistance against Commercial Seed Systems in West Africa</i>
INSIGHT 3.1.2	<i>Local Communities Fight against Corporate Land Grabbing in Sierra Leone</i>
3.2 Americas	30
INSIGHT 3.2.1	<i>Right to Food and Food Sovereignty in Maine, USA</i>
INSIGHT 3.2.2	<i>Venezuela: Against the Weaponization of Food Aid</i>
3.3 Asia	36
INSIGHT 3.3.1	<i>Making the Right to Food and Food Sovereignty Act a Reality in Nepal</i>
INSIGHT 3.3.2	<i>"Disaster Capitalism" – Sicogon Island, Philippines</i>
INSIGHT 3.3.3	<i>Indian Women Tea Plantation Workers Demand their Right to Water and Sanitation</i>
3.4 Europe	42
INSIGHT 3.4.1	<i>Rising Poverty and Food Insecurity in the United Kingdom</i>
INSIGHT 3.4.2	<i>Austerity in Greece and Inter-European Extraterritorial Obligations</i>
INSIGHT 3.4.3	<i>Lithium Mining in Portugal: A Threat to the Environment and Human Rights</i>
3.5 Middle East and North Africa (MENA)	47
3.6 Community of Portuguese Language Countries (CPLP)	50
INSIGHT 3.6.1	<i>The Dismantling of the Brazilian National Council for Food and Nutrition Security, a Worldwide Reference of Representative Food Governance</i>
INSIGHT 3.6.2	<i>Land Grabbing in Mozambique</i>
INSIGHT 3.6.3	<i>Peoples' Organization and Mobilization in CPLP</i>
Photo Credits	56

# ACRONYMS & ABBREVIATIONS

<b>CBD</b>	Convention on Biological Diversity	<b>ILO</b>	International Labor Organization
<b>CEDAW</b>	UN Convention on the Elimination of all Forms of Discrimination against Women	<b>IPC</b>	Integrated Food Security Classification Phase
<b>CEDAW Committee</b>	UN Committee on the Elimination of Discrimination against Women	<b>ISIL</b>	Islamic State of Iraq and the Levant
<b>CFS</b>	UN Committee on World Food Security	<b>LMO</b>	living modified organism
<b>CONSAN-CPLP</b>	Council on Food and Nutrition Security of the Community of Portuguese Language Countries	<b>MENA</b>	Middle East and North Africa region
<b>CONSEA</b>	National Council for Food and Nutrition Security (Brazil)	<b>MoU</b>	Memorandum of Understanding
<b>CPLP</b>	Community of Portuguese Language Countries	<b>MSC-CONSAN</b>	Civil Society Mechanism of CONSAN-CPLP
<b>CSM</b>	Civil Society and Indigenous Peoples' Mechanism for relations with the UN Committee on World Food Security	<b>NCDs</b>	non-communicable diseases
<b>CSO</b>	civil society organization	<b>NGO</b>	non-governmental organization
<b>EAPA FSN</b>	Eastern African Parliamentary Alliance for Food Security and Nutrition	<b>ProSavana</b>	Tripartite Cooperation Program for Agricultural Development of the Tropical Savannah in Mozambique
<b>ETOs</b>	extraterritorial human rights obligations	<b>RtFN</b>	human right to adequate food and nutrition
<b>EU</b>	European Union	<b>SOFI</b>	State of Food Security and Nutrition in the World (Annual Report)
<b>FAO</b>	Food and Agriculture Organization of the United Nations	<b>TNC</b>	transnational corporation
<b>FIES</b>	Food Insecurity Experience Scale	<b>UK</b>	United Kingdom
<b>GCLWS-WA</b>	Global Convergence of Land, Water and Seeds Struggles – West Africa	<b>UN</b>	United Nations
<b>GIAHS</b>	Globally Important Agricultural Heritage Systems	<b>UNDROP</b>	UN Declaration on the Rights of Peasants and Other People Working in Rural Areas
<b>GMO</b>	genetically modified organism	<b>UNRWA</b>	United Nations Relief and Works Agency
<b>GNRtFN</b>	Global Network for the Right to Food and Nutrition	<b>UPOV</b>	International Convention for the Protection of New Varieties of Plants
<b>HFA</b>	humanitarian food assistance	<b>UPR</b>	Universal Periodic Review
<b>IACHR</b>	Inter-American Commission on Human Rights	<b>US / USA</b>	United States of America
<b>ICC</b>	International Criminal Court		
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights		



# EXECUTIVE SUMMARY

Human rights are at a crossroads: Regressive policies and practices have become the norm in many states, territories, and international institutions the world over. Our food systems are not spared from the damaging effects of growing disparities in access to resources, exacerbated as they are by land grabbing, violence against women, and criminalization of human rights defenders, among other challenges. Higher levels of hunger, malnutrition, and food insecurity are further indications of increasing inequality. The recently released *State of Food Security and Nutrition in the World* (SOFI) 2019 estimates that a staggering 820 million people globally are affected by hunger and malnutrition, while 2 billion are food insecure. These figures have been rising for several years. There is undoubtedly a pressing need for a radical shift towards stronger commitments for human rights, participatory public policies, and regulation of corporations.

Every year, we, civil society organizations (CSOs) working on the human right to adequate food and nutrition (RtFN), critically assess the SOFI report (see [2018](#) and [2019](#) critiques). And every year we continue to witness a lack of human rights assessment, the dismissal of the role of state accountability, and the absence of stories and experiences from those who are most marginalized in the food systems. The ongoing reliance on quantitative data fails to address the structural causes of hunger and global inequalities, and reinforces a ‘business as usual’ approach, rather than the radical shift that is required to tackle them.

This first *State of the Right to Food and Nutrition Report* seeks to move beyond the numbers, and provides an insight into how the RtFN is being advanced in some parts of the world, and violated in others, and how communities, movements and organizations are organizing against retrogressive state actions. Published by the [Global Network for the Right to Food and Nutrition](#) (GNRtFN), with the support of its secretariat [FIAN International](#), this report strives to generate a dialogue with the figures presented in SOFI, and to contribute an important, but often ignored perspective to the global debate on food insecurity.

Using participatory methodologies of information collection – including questionnaires, interviews and consultations – this pilot report covers developments taking place approximately between January 2018 and July 2019. It does not claim to be exhaustive, but rather covers countries, regions, and cases from which input was received, and where the GNRtFN members are active.

#### **THE RIGHT TO FOOD AND NUTRITION ON THE GLOBAL STAGE**

The global environment for human rights is becoming evermore difficult for CSOs to navigate. UN institutions and other spaces of engagement are experiencing extreme financial shortfalls, and humanitarian crises are severely impairing national institutional spaces. Meanwhile, world powers are clearly retreating from their historical commitment to human rights. Despite this daunting scenario, as illustrated by the case studies in this report, grassroots movements and CSOs continue to advocate for change, and still organize on key issues related to the RtFN.

International standard-setting processes remain important for further developing the interpretation of the RtFN. The adoption of the [UN Declaration on the](#)

Rights of Peasants and other People Working in Rural Areas (UNDROP) in December 2018 is a major achievement for peasant and rural grassroots movements, as it aims to protect those who produce 80% of the world's food supply. Similarly, the 2018 decision from the Conference of the Parties (COP) to the Convention on Biological Diversity (CBD) on setting barriers to the release of gene drives will have far-reaching consequences on protecting biodiversity, food sovereignty and the RtFN. The process towards developing a binding treaty on transnational corporations (TNCs) and other business enterprises with respect to human rights seeks to enhance protection of those affected by these actors' activities. However, in the current climate of corporate power and influence, a majority of 'industrialized' states refuse to fully engage.

The UN Committee on World Food Security (CFS) is, to this day, a key space for developing RtFN policies with full civil society participation. The 2018 monitoring exercise of the Right to Food Guidelines within the CFS created an important opportunity to assess how far policies supporting the RtFN have progressed since their adoption in 2004. A current process to elaborate Guidelines for Food Systems and Nutrition is also an occasion to reshape how the question of nutrition should be approached, and to seek solutions and policy guidance that are embedded in systemic shifts across food systems.

#### **WOMEN IN THE SPOTLIGHT**

By featuring a spotlight on women's rights, which coincides with the theme of the 2019 issue of the Right to Food and Nutrition Watch (also published by the GNRT-FN), this report highlights the impact of regressive social and economic policies on the RtFN of women, particularly women of color, migrant, refugee and other non-white, non-middle class women. Gender equity or 'women's empowerment' has become a discourse used by corporations to perform public relations work, while instrumentalizing women, and carrying out exploitative practices and dispossession of the commons. Yet, despite being confronted by violence and criminalization, women from different parts of the world are finding ways to resist and organize. A case in point is Jinwar, a village by and for women in Northern Syria, where women are building their present and future together, both metaphorically and literally: they are building houses and schools, running cooperatives, growing food, and rearing livestock.

#### **HUMAN RIGHTS IN RETREAT: A TREND ACROSS REGIONS**

All countries globally, north and south, have suffered from an increase in hunger, malnutrition, and food insecurity during the reporting period. This is matched with a global trend of regressive social policies and a move towards more xenophobic and authoritarian governments, with austerity and technocratic policies often replacing the welfare state. In North America and Europe, for instance, the cutting of social benefit programs contributes to higher rates of poverty and food insecurity. Many parts of Asia also continued to witness the acceleration of authoritarianism and a surge of religious clashes undermining democratic values, with a staggering 486 million people across the region struggling to access healthy and nutritious foods. Latin America experienced state and corporate-led violence, and widespread criminalization and killings of human rights defenders. In this region, women face violence and attacks on their social and reproductive rights,



and they are even more disproportionately affected by food insecurity than in other regions. The situation in the Middle East and North Africa region (MENA) is still largely under-reported in the mainstream hunger and malnutrition monitoring (e.g. the annual SOFI report), both in terms of statistics and their analytical narrative, despite this being a region with some of the worst conflict-induced humanitarian crises, ongoing occupations, austerity measures, and inflation.

As denounced in this report, further challenges to the realization of the RtFN and other human rights include: acute funding problems faced by the UN (e.g. UN Relief and Works Agency, and the Human Rights Council) and by regional human rights systems (e.g. the Inter-American Human Rights System); deep rooted corruption; cumbersome procedural requirements to access social benefit policies (e.g. linking of social security schemes with the Aadhaar system in India); increased crackdowns on freedom of speech and assembly; and the weaponization of food aid (e.g. in Venezuela).

#### **BUILDING POLICIES AND ORGANIZING FOR THE RIGHT TO FOOD AND NUTRITION**

On the positive side, the report highlights examples from regions across the world that have seen progress in creating legal and policy frameworks in support of the RtFN. The Community of Portuguese Language Countries (CPLP), for instance, has made huge strides in creating RtFN laws and participatory policy-making, and in monitoring spaces both at state and community-wide levels. In Mali, significant advancements in national legal frameworks and policy spaces made over the last few years are now in the implementation phase. These include the Policy on Agricultural Land (*Politique Foncière Agricole*, 2015) and the Law on Agricultural Land (*Loi Foncière Agricole*, 2017), which recognize communities' customary and collective tenure rights. Some European countries have also begun to better address their national RtFN obligations. The Government of Scotland has set out the ambition of becoming a Good Food Nation, and in 2018 started consultations on RtFN legislation. Moving to Asia, a positive illustration of social mobilization is the adoption of the Right to Food and Food Sovereignty Act (2018) in Nepal, which emerged from a long collective process of CSO lobbying and awareness-raising.

The report additionally includes instances of people and communities organizing against regressive state actions and exploitative corporate policies. In West Africa, peasant farmers are advocating against commercial seed systems, which are based on exclusive intellectual property rights, and attempt to replace farmer-managed seed systems. In Colombia, over 70 CSOs came together to prepare and submit the first specific shadow report on the rights of rural and peasant women to the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee). As a result, important recommendations were made to the Colombian State around enhanced political participation and incorporation of the principles of UNDROP into its policies. In Mali, Guatemala and around the world, women are at the forefront of advancing agroecological practices that are not only environmentally sustainable and socially just, but also transforming gender relations within communities. Yes, human rights are at a crossroads; but this report shows that people are organizing – both through grassroots movements and through civil society participation and advocacy – to realize against all odds the human right to adequate food and nutrition for all.



# INTRODUCTION

## INCREASING FOOD INSECURITY AMIDST DECREASING HUMAN RIGHTS

The *State of Food Security and Nutrition in the World* (SOFI) is released annually by FAO (Food and Agriculture Organization of the United Nations) as the main global measurement of indicators related to food insecurity. During this year's official SOFI launch in July 2019, the panelists shared their assessment of the report's findings and all were clear to point out the rising inequalities, the need to target the root causes of hunger, and to call for a radical shift in solutions – a breath of fresh air compared to the normal discussions around SOFI. However, what started as a progressive front towards real systemic analysis and change, was followed by a call for a greater role of the private sector and industry through increased investments, funding, and aid. No presenter called for stronger public policies, regulation of corporations, or stronger commitment to human rights.

The SOFI 2019 reports that there are some 821 million people suffering hunger globally, and an estimated 2 billion facing food insecurity across the global north and south. The world continues to witness increasing rates of hunger, malnutrition and food insecurity. For the first time, the SOFI includes the impact of inequalities on food security, and the Food Insecurity Experience Scale (FIES) indicators. It depicts that food insecurity, more broadly, is something which impacts far more people than previously reported, and is also an issue seen in the global north.

While the report is objectively much better than past editions in terms of scope and analysis, the SOFI 2019 fails anew to address the root causes of hunger and malnutrition and creates a narrative for the main drivers of food insecurity: conflict, climate change, and economic slowdown. As this report comes amidst a moment when dominant, industrial food systems are perpetuating hunger, as well as environmental, social, and cultural degradation, the human right to adequate food and nutrition (RtFN) standards, including the newly adopted UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) should be a guiding point on ensuring support to peasant agriculture, as the real means to feed the world in a healthy nutritious way and build sustainable territorial food systems. Similarly, there is a need to rethink solutions and policy support. In this global moment of increased hunger, it is clear that the role of the UN Committee on World Food Security (CFS) needs to be strengthened, as it is in the best position to assess root causes and develop solutions to hunger and malnutrition, make connections with other policy spaces, and ensure that those persons most impacted by food insecurity and malnutrition have a voice in the decisions that affect them. It is disappointing to once again not see a clear call for policy guidance and monitoring support from this body in the SOFI report.

Last year, we called for a human rights-based SOFI. While the report is moving closer to structural analysis, there is still a long way to go to ensure that the data and numbers lead to real change on the ground. High-level officials can continue to pledge changes in New York, Rome, and Geneva – but until that translates into meaningful human rights-based actions, the 2020 SOFI will most likely reflect the similar regressive trends, and move further away from achieving the increasingly impossible goal of ending hunger by 2030, as foreseen in the Sustainable Development Goals.

## **FROM TECHNICAL DATA TO LIVED EXPERIENCES**

The predominant monitoring systems of hunger and malnutrition are largely based on quantitative measuring of calorie intake, income or food-related expenditures, and agricultural production, among others, focusing on outcomes at the individual and household level. These monitoring systems rarely address issues of discrimination linked to socio-economic status, gender and race/ethnicity, disenfranchisement, patterns of ownership and access to land, labor and capital, and more qualitative assessments of wellbeing and human capabilities. Also, those affected by food insecurity and malnutrition tend to be mere objects to be monitored instead of subjects who should have a say in defining what should be monitored, and how, or how policy interventions should be designed. This work is unfortunately still left to the ‘experts’.

Human rights instruments are increasingly being developed and utilized by social movements not only to defend their members from major abuses and human rights violations, but also to develop public policies and laws in order to realize human rights.

Policies and laws that support the RtFN have been incorporated at national level as well as at regional and international levels, however, the use of these policies and the possible impact on the quality of life of people are not captured by the existing monitoring reports on food and nutrition security, including the SOFI. In fact, they do not include indicators that monitor popular participation, governance, accountability, and policy coherence with human rights, nor do they correlate the other factors that affect the realization of the RtFN. Focusing uncritically on quantitative data collection may only distract us from taking the very urgent action that is needed in order to overcome hunger and malnutrition, and more generally global inequalities.

In moving forward, the world needs data that uncovers the structural causes of hunger and malnutrition, such as inequality and discrimination linked to class, gender and race, ethnicity, disenfranchisement, patterns of ownership and access to land, labor and capital. Reliable data needs to be used as part of a democratic process that aspires to challenge oppressive power structures, and strengthens participation in decision-making of those most affected by human rights violations.

## **FIRST STATE OF THE RIGHT TO FOOD AND NUTRITION REPORT**

Every year the SOFI report is critically assessed, and every year the indication is the need to have a human rights analysis or chapter within the report. While we will continue to advocate for this, at the same time, the members of the Global Network for the Right to Food and Nutrition (GNRtFN) are working at different levels to advocate for the RtFN.

Peoples Monitoring is an initiative put forward by members of the GNRtFN, which seeks to rethink how we monitor the RtFN. In doing so, members are working together to develop tools for monitoring, which move beyond technocratic monitoring and assessments, towards more qualitative assessments that reflect the root causes of the violations of the RtFN and related rights, as well as seeking coherence across policy and monitoring spaces.

This first pilot *State of the Right to Food and Nutrition Report* seeks to shed light on how policies and laws that support the RtFN are being developed around the world, as well as the reality of how people and communities are fighting for their rights on the ground. It is not meant to be an alternative SOFI report, but a report which contributes to the debate of the SOFI and fills in the recognized human rights analysis that the SOFI leaves out. It also seeks to challenge the narrative of acquiring more data and more corporate support which is increasingly being put forward as the solution, as seen in the continuous narrative of the 2030 Agenda, as well as in the recent **launch of the SOFI 2019** report in New York. This includes highlighting the real structural issues that explain hunger and malnutrition in the world.

The report is structured as follows: In the first section, an overview of processes and frameworks that have an impact on the RtFN at the global level is provided. This is followed by a spotlight on women's rights, which coincides with the 2019 issue of the *Right to Food and Nutrition Watch*, "Women's Power in Food Struggles", also published by the GNRtFN. Finally, there is an overview of laws and policies, including new developments as well as regressions, and specific struggles for the RtFN by regions: Africa, Americas, Asia, Europe, the Middle East and North Africa region (MENA), and the Community of Portuguese Language Countries (CPLP).

This report was done in collaboration with the members of the GNRtFN. Information was largely collected through questionnaires and individual interviews with key informants, as well as some small group consultations. It covers developments taking place between January 2018 and July 2019 (when the 2019 SOFI report was released). The report does not seek to be exhaustive, but rather covers countries, regions, and cases from which input was received, and where the GNRtFN members are working. As this is the first pilot report, the content, timeline, and methodology will be reviewed and adjusted for the coming years.



01

INTERNATIONAL  
DEVELOPMENTS

Zeid Ra'ad Hussein, the former UN High Commissioner for Human Rights, announced in December 2017 that he would not seek another term, citing concern that his voice would be silenced in an age when the United States and other world powers are retreating from their historical commitment to human rights. One year later, the new Commissioner, Michele Bachelet, announced the potential postponement and cut-back of activities of the Human Rights Council.

Human rights are at a crossroads: The inadequate financial contributions are against the background of growing opposition to human rights on a global scale. For civil society organizations (CSOs) and affected communities and individuals, the UN treaty bodies are increasingly becoming a rare space in which they can organize and find support for the struggles they face in their home countries. Unlike many other policy and decision-making spaces, the treaty bodies are protected from a growing trend in multistakeholder approaches, whereby those who cause human rights abuses are given an equal voice and the right to participate on an equal footing as victims of such abuses. At a time when civil society spaces are shrinking in many national contexts, it is all the more crucial that impunity for human rights abuses and violations can be challenged at the UN level.

However, this negative climate for human rights in institutional spaces has not failed to deter grassroots movements and other CSOs to advocate for change at all levels. Within this difficult context, international spaces continue to play an important role in standard-setting, accountability, as well as creating spaces for CSO articulation and organizing on key issues related to the RtFN.

**FAO** has been a critical UN institution in supporting policy dialogue and providing technical support on issues fundamental to those who are most impacted by hunger and malnutrition. From the work on the RtFN, land tenure, sustainable fisheries, and agroecology, to the critical support of the reformed **UN Committee on World Food Security (CFS)**, FAO will continue to play a key role in finding policy and technical solutions to achieving “Zero Hunger” – an ambitious goal laid out in the 2030 Agenda, as global hunger and malnutrition continue to increase.

In June 2019, a new Director General of FAO was elected, Qu Dongyu of China, ushering in a new era of global policy for food and agriculture. Civil Society hopes that this new leadership will continue working with the same spirit of openness towards CSOs on realizing the RtFN as they navigate the challenges of increased hunger and malnutrition, climate change and environmental destruction, loss of biodiversity, as well as decreasing rights to land and territories of peasant and indigenous communities worldwide.

As the foremost inclusive international and intergovernmental platform on food security and nutrition, the **CFS** is a key space for developing normative policies to support the RtFN. The 2018 CFS process to monitor the use and implementation of the Right to Food Guidelines was a significant opportunity to reinforce the importance of RtFN policies and programs at national level, and to recognize the contribution that the CFS has had in supporting the normative interpretation and guidance for the RtFN since its reform in 2009. The CSO report assessing the use and implementation of the Right to Food Guidelines was a contribution from

the Civil Society and Indigenous Peoples' Mechanism for relations with the CFS (CSM). The report constructed an enriched normative framework from standards adopted in the 2004 Right to Food Guidelines and builds on the achievements in international policy fora in Rome, Geneva, and New York, among others, underlining the critical role that the CFS has had in progressing the standards and technical guidance for the RtFN.

The adoption of the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) on December 17, 2018, after 18 years of work within the peasants movement, 8 years of work in the UN Human Rights Council, and 5 years of negotiations in an Open-Ended Inter-Governmental Working Group, was a huge advancement for human rights in the past year. This new human rights instrument addresses the claims of various rural grassroots movements and is designed to face the challenges met by the rural world, including small farmers, pastoralists, fishers, rural women, landless, nomadic peoples, rural workers, indigenous peoples, and other local communities who depend on nature for their livelihoods. Peasant movements and their supporters also consider the UNDROP as a key tool for the realization of the RtFN, since it aims to protect those who produce 80% of food consumed in the world. Furthermore, peasants and other small-scale food producers produce diverse food in ways that are more environmentally sustainable. The protection of peasants and other rural communities is critical to maintain social fabric, mitigate migration, and support peace and freedom. With this important achievement, the focus is now on ensuring its use and implementation.

The process towards a binding treaty on transnational corporations (TNCs) and other business enterprises with respect to human rights is one that is both incredibly timely as well as contentious, gaining more and more attention and political energy since its start some 4 years ago. This instrument seeks to enhance the protection of affected individuals and communities against violations related to the operation of transnational corporations and other business enterprises, and provide them with access to effective remedies, in particular through judicial mechanisms. This standard-setting process has created the space within civil society to create collective thinking and elaborate positions on issues that are critical to the future of the RtFN, and human rights more broadly, bringing together different segments of civil society, with different approaches, priorities, and experiences in human rights work. Yet the future of this process is unknown, as with the current climate of corporate power and influence, this treaty continues to be an uphill battle. Difficulties remain to fully engage a majority of 'industrialized' states, which continue to doubt the added value of such a treaty and oppose the continuation of the process. Nonetheless, work will continue with the efforts of the Treaty Alliance, Feminists for a Binding Treaty, and the Global Campaign to Dismantle Corporate Power and Stop Impunity, which represent important civil society and social movement positions and mobilizations against corporate power and influence.

The role of business and private interests is very apparent in the discussions around biodiversity. At the fourteenth meeting of the Conference of the Parties (COP) to the Convention on Biological Diversity (CBD), which took place in Sharm El-Sheikh, Egypt, from 17 to 29 November 2018, 196 governments passed



a **global decision** about gene drives. The decision urges precaution and reinforces as a priority the need to seek free, prior and informed consent or approval from all potentially impacted communities and indigenous peoples before even considering environmental release of gene drive organisms. This decision is not the **formal legal moratorium** that peasant, indigenous peoples and CSOs had pushed for. However, it sets barriers to the release of gene drives. This **new biotechnology**, which forces genetically engineered traits through entire populations of insects, plants, animals and other organisms, is a major threat to biodiversity, food sovereignty and the RtFN.

Understanding the challenge of malnutrition in all its forms requires a holistic and multidisciplinary analysis which combines both political and technical perspectives. The current process within the CFS to elaborate **Guidelines for Food Systems and Nutrition** is an important opportunity to reshape how the question of nutrition should be approached, and to seek solutions and policy guidance that are embedded in systemic shifts across the food systems. Over the anticipated 2 years (until October 2020) to elaborate the guidelines, CSOs will remain fully engaged in the process. The conceptual framework created by the **Civil Society Nutrition Working Group** is based on the lived experiences of the constituencies most affected by malnutrition, and presents food systems as an organic cycle in which the dimensions of health, food sovereignty, forms of production and exchange, culture, environment and biodiversity, among others, must be understood and addressed in an integrated way. The Guidelines are likely to be the most important normative outcome of the **Decade of Action on Nutrition**. While the Guidelines as an additional normative instrument present a huge opportunity to help connect and advance struggles for the RtFN, the political moment is not an easy one and there are many powerful actors that have a stake in the process, and will seek to steer it into a direction favorable to their interests.



A circular illustration of a woman with a white headscarf and a blue dress, holding two trees. The tree on the left has green leaves, while the tree on the right is bare. The background is a textured, light brown color.

02

SPOTLIGHT:  
WOMEN'S RIGHTS

This SPOTLIGHT is aligned with the theme of the 2019 issue of the *Right to Food and Nutrition Watch*, the flagship publication of the GNRtFN. Titled “*Women’s Power in Food Struggles*”, the new issue will be available as of 16 October 2019 in English, Spanish, French and Portuguese at [www.righttofoodandnutrition.org/watch](http://www.righttofoodandnutrition.org/watch).

Given the recent rise of right-wing governments globally, there is also a trend towards the adoption of retrogressive social and economic policies that have an impact on the realization of the RtFN. Two examples are the attempt to dismantle the National Council for Food and Nutrition Security (CONSEA) in Brazil, and the proposed deep cuts to state food and nutrition support in the USA. While these trends are alarming in themselves, what is even more troubling is that women – in particular women of color, migrant, refugee and other non-white, non-middle class women – face specific threats. The consequences are at the very least, two-fold. On the one hand, major gains made by feminist movements may be reversed in the current context of ‘post-truth’ politics (a political culture marked by the resurgence of populist narratives and demagogical types), illustrated for instance by the calling into question of gender theories, which show how people are socialized according to their sex. On the other hand, the further expansion of the predominant agrifood system has structural impacts that affect women’s access to social and political avenues that are essential for the realization of the RtFN.

At the international level, women have had to face other consequences. The disputed terrain between human rights practitioners, civil society and corporate-driven interests has permeated the different human rights protection systems, and women’s rights activism has also taken a hit. The UN crisis is a concrete example of how regressive measures can impact women. Earlier this year, the head of the Human Rights Council announced that due to the budget shortage, sessions of the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) would be postponed. Women and human rights organizations rallied to express their concern, and their support for the CEDAW Committee (see e.g. [this letter](#), signed by many CSOs, including members of the GNRtFN). They recognize that the implications of these measures are not only institutional, but also political. Experience among women’s rights organizations shows that that mechanisms of shadow reporting contribute to political agency, and foster analysis on the ground (see insight 2.3 on Colombia below). Having spaces for discussion and exchange has been challenging for women; these setbacks are also a closed-door for making this possible.

As reported in previous issues of the *Right to Food and Nutrition Watch (the Watch)*, the struggle for food sovereignty can still do more to recognize and advocate women’s rights, despite often coming up against a brick wall both in national and international fora. A case in point is the CFS, where some states consider that women’s issues are not a priority, or openly argue that this is not part of the CFS mandate, thereby undermining the core principle of human rights indivisibility. It was not until 2016 that CFS recommendations included agreed language

on women's rights. This continues to be a major issue in 2019, with some states openly rejecting women's rights. On a positive note, however, women's organizations and voices have become more strongly organized within this space of global food governance.

International institutions and arenas of law- and policy-making are still beset with ideas that tend to homogenize women, and exclude their political agenda. For instance, at negotiations of global governance instruments, women frequently see their rights, such as their sexual reproductive rights, denied or limited. To counter this tendency, movements and organizations have come up with different strategies. For example, a network of organizations known as the Feminists for the Binding Treaty has pushed for the current negotiations on a binding [treaty on TNCs and other business enterprises with respect to human rights](#) in the Human Rights Council to include women's concerns. They have highlighted the gendered way in which women bear the brunt of these actors' unregulated activities (as exemplified by this [letter from October 2018](#)).

Corporations have coopted the gender equity and/or 'women's empowerment' discourse for their public relations campaigns, while actually instrumentalizing women, and being involved in exploitative practices and dispossession of the commons. This is illustrated by [PepsiCo's recent practices](#): in April 2019 the PepsiCo foundation committed millions of dollars to a ['female empowerment program'](#) to support women farmers, and yet that very same month PepsiCo [sued small-scale potato farmers in India for using "patented seeds"](#). Income generating-projects, such as micro-credits and other incentives are sold as a remedy to poverty. As highlighted in past issues of the *Watch*, we are witnessing the [corporate capture of food and nutrition](#), whereby corporations also instrumentalize and objectify women in gender-ascribed roles (as mothers and providers of food for their families). They are portrayed as a [significant consumer niche market](#), to which they can sell supplements for breast milk and other products that actually contribute to malnutrition and other health issues.

Nevertheless, women from different parts of the world are finding ways to resist, either with their male counterparts or by themselves, and even when they are criminalized. In this sense, it is important to note that 'anti-rights' movements, and neoliberal policies often promoted by right-wing parties, come up against women's mobilizations, feminist agroecological proposals, and new forms of organized society.

The UNDROP adopted in December 2018 (see section 1) includes, among other important provisions that are relevant to women, a specific article on peasant women and other women working in rural areas. Article 4 specifically recognizes the need for equal participation and access to land and other natural resources for women. Another instrument that is still pertinent, and which should be implemented, is [General Recommendation 34](#) on the rights of rural women, adopted in 2016 by the CEDAW Committee. The text is an authoritative interpretation of Article 14 of the Convention on the Elimination of Discrimination against Women (CEDAW), and highlights the role of women in food production, and women's rights in rural areas.

Through these normative contributions, state parties to CEDAW shall recognize the RtFN of rural women within the framework of food sovereignty, including rural agricultural workers and food producers, who are often engaged in unpaid work and/or within the informal sector. Nutrition issues of mothers and children are understood as intertwined, while the importance of ensuring the protection of women's human rights over their lifespan is underscored.



On June 21, 2019, the International Labour Organization (ILO) adopted the landmark **ILO Convention No. 190** concerning the Elimination of Violence and Harassment in the World of Work, and an accompanying non-binding recommendation that provides guidance on the convention's obligations, which can be viewed as an achievement. As the first international instrument specifically setting standards for dealing with the issue of violence and harassment in the workplace, the Convention also recognizes the particular impact on women and girls, and highlights the need for a gender-responsive approach to address the underlying causes of gender-based violence.

#### **INSIGHT 2.1**

##### **JINWAR FREE WOMEN'S VILLAGE IN NORTHERN SYRIA: A VILLAGE BY AND FOR WOMEN, BUILDING A PEACEFUL FUTURE**

This report, along with the 2019 issue of the *Watch* titled *Women's Power in Food Struggles*, clearly show that women worldwide are locally organizing and building alternative ways of life to counter power structures – even amidst violence and war. A case in point is Jinwar Free Women's Village, described on its own [website](#) as “an ecological women's village currently under construction in the heart of Rojava”, which was born in 2017 in West Kurdistan/Northern Syria. Amidst the ongoing conflict in Syria, their creators' goal is to “provide an alternative, peaceful place for the co-existence of women, free of any and all violence [and] of the constraints of the oppressive power structures of patriarchy and capitalism,” so that “every woman can reach her full potential.” It is a village “built by and for women” – women of “all ethnicities and religions, and their children.” The village is for women who have experienced violence, be it in the context of war or as a result of patriarchal oppression, or those who lost their husbands or relatives and did not have a place to go. Not by chance, the Kurdish word ‘Jinwar’ means ‘woman's space’ or ‘woman's land’, as Kurdish researcher Salima Tasdemir narrates in the 2019 *Watch*. In this village, women are **building their present and future together** – metaphorically and literally: with their bare hands,

they create the bricks with which they build their houses. They conduct workshops and run schools, and medical centers. Women share social reproductive work, and lead a communal life. Importantly, this also entails keeping community gardens, orchards and lands, where they grow (with just a little water) tomatoes, cucumbers, eggplants, paprika, watermelons, and olives, among other fruits and vegetables, and they rear livestock. Food production is an essential part of women's lives in Jinwar, as is living in harmony with nature.

## INSIGHT 2.2

### WOMEN AGROECOLOGICAL PEASANTS PROMOTE BIODIVERSITY AND NUTRITION IN MALI, GUATEMALA – AND ACROSS THE WORLD

At a time when our planet is on the brink of environmental collapse, and hunger, inequalities and the dismantling of democracy are on the rise, every day, women are building and advancing agroecological practices that are socially and ecologically just. As put forward in the 2019 *Watch* and a recent paper (forthcoming) by the Women's Constituency and **Working Group of the CSM**, agroecology, if applied with a feminist approach, can benefit women – and communities – on various levels. It can diversify work tasks and transform gender relations within communities, create spaces of equal participation and exchange, and strengthen women's creative and collective work towards self-determination. It can also improve the health and nutrition of both those producing the food and those consuming it, by eliminating harmful agrochemicals and diversifying crops, fruits and livestock. Examples abound from all regions of the world. In Mali, as cited in the *Watch*, "women agroecological peasants who are part of the COFERSA cooperative (Convergence of Rural Women for Food Sovereignty), have raised awareness about the nutritional benefits of local foods (for example, fonio, millet and sorghum), and have encouraged consumers to switch from imported foods with low nutritional value, such as white bread, to their local products – also improving women's access to markets. Interestingly, "[p]ride in local biodiversity, based on traditional knowledge and culture and manifested in local cuisines, is a driving force of their work". Across the Atlantic, in Guatemala, the Association *Qachuu Aloom* (Mother Earth) is supporting women indigenous leaders to practice agroecology in 8 communities in Rabinal (Baja Verapaz Department) in the Dry Corridor. Through capacity-building, agroecology, and rescuing seeds and culinary culture, the fight against malnutrition is strong in this region. This process also encourages the use of renewable energy, the recycling of water, the defense of water sources, and stopping desertification.

*Sources: Information provided by [Justicia Alimentaria](#), member organization of the [GNREFN](#). Another source consulted which does not exist online is "Agroecology and Nutrition: Transformative Possibilities and Challenges". Rachel Bezner Kerr. In Burlingame, Barbara, and Dernini Sandro, eds. *Sustainable Diets: Linking Nutrition and Food Systems*. CAB International, 2019. Page 58.*

### INSIGHT 2.3

#### COLOMBIA: ORGANIZING FOR THE RIGHTS OF RURAL WOMEN

Between 2017 and 2019, more than 70 CSOs developed the **First Specific Shadow Report on Rural and Peasant Women of Colombia** (available in Spanish). Submitted to the CEDAW Committee in 2019, the process for its elaboration included chronicles, information gathered in interviews, and regional meetings. The latter served to identify and validate regional information, and propose a roadmap for monitoring the recommendations that the CEDAW Committee would then make to the State of Colombia after its review.

The report brings to light: i) the systematic violation of human rights of rural women, who are the “poorest of the poor” and have unequal access to goods, services, resources and opportunities for participation (land, credit, political participation); ii) the lack of implementation of the gender approach in the **Peace Accords**; iii) the increase of murders, criminalization and sexual violence against women social leaders; iv) the expansion of monocultures and use of agrochemicals, hydroelectric and mining projects, and the privatization of seeds, all of which affect women’s food sovereignty; v) the adoption of regressive legal and policy frameworks (such as the ZIDRES Law on so-called economic and social rural development interest areas); vi) the limitation of popular consultations; vii) the formulation of a National Development Plan without allocation of resources and without an adequate gender approach; and, viii) the abstention of the State in the vote on the adoption of the UNDROP.

Thanks to this report, and the international advocacy process before the CEDAW Committee, the **recommendations** to the Colombian State, adopted in March 2019, revolved around the Peace Agreement and an Integral Rural Reform, political participation, and the call to consider incorporating the principles of the UNDROP. The greatest impact, however, was organizational, as a group was consolidated for follow-up and monitoring.

The biggest challenge now is to disseminate the recommendations of the CEDAW Committee and to promote the implementation of CEDAW **General Recommendation 34** on the rights of women, as well as the UNDROP.





# 03

## REGIONAL OVERVIEW



Recent statistics paint a dire picture, with hunger on the rise in almost all African sub-regions, making Africa the region with the highest prevalence of undernourishment, currently **at almost 20 %**. At the same time, Sub-Saharan Africa has witnessed **some advancements** in making proposals and developing RtFN frameworks in the past several years, yet with no significant advancement in materializing explicit RtFN legislation and constitutional reforms. It was only in April 2019 that members of the newly-formed **Eastern African Parliamentary Alliance for Food Security and Nutrition** (EAPA FSN) committed to leveraging their critical role as legislators to promote the RtFN in the sub-region. This new parliamentary alliance consists of parliamentarians from 9 Eastern African nations, the East African Legislative Assembly, and the Inter-parliamentary Union of the Intergovernmental Authority on Development (IGAD). It aims to drive the food security and nutrition agenda forward at national and regional levels and urge their governments to intensify the battle against food insecurity, malnutrition, and hunger by enacting sound legislation and allocating adequate resources. Additionally, a member of the East African Legislative Assembly is also working on **a motion to compel the East African Community** partner states to create a body to deal with regional food security and nutrition.

The work of the CSOs in the region has largely focused on reform of natural resource governance, in particular, land and seed policies. **Mali** has seen important advancements in legal frameworks and policy space at national level in the past several years. The achievements have touched on issues related to the governance of land and other natural resources, in particular, the Policy on Agricultural Land (*Politique Foncière Agricole*, 2015) and the Law on Agricultural Land (*Loi Foncière Agricole*, 2017). Key achievements in these policies include the recognition of customary, collective tenure rights of communities, and their legal protection (in particular in the Law on Agricultural Land). In this regard, the Law on Agricultural Land gives the same degree of legal protection to individual land ownership (titles) and customary tenure. It also foresees the establishment of land commissions, comprising of community members, to self-manage collective land, linked to the work of the **multi-actor platform on land governance** that was established in November 2014. This platform continues to be an important CSO-State policy dialogue space towards implementing legal frameworks.

In **Benin**, social actors within the Global Convergence of Land, Water and Seeds Struggles – West Africa (GCLWS-WA) used consistent advocacy work and political lobbying, to thwart an attempt by the government of Benin to join the International Convention for the Protection of New Varieties of Plants (UPOV, 1991). This Convention is a key instrument to promote certified seeds and commercial seed markets, imposing strict intellectual property rights that are in the interest of companies but have **negative impacts on peasant seeds**.

CSOs in **Burkina Faso** have been engaging in processes towards a draft law on access to plant genetic resources for food and agriculture and benefit-sharing from their use. Acknowledging the importance of protecting peasant rights and rights underlined in the UNDROP, CSOs have undertaken advocacy work and engaged

with the technical services of the Ministry of Agriculture, to make sure that such rights are protected in the new law. The new law was voted on May 7, 2019, and it includes the demands of CSOs. As far as the legal recognition of the RtFN is concerned, CSOs will also continue to undertake advocacy work to ensure recognition of this right in the new constitution, as well as in the subsequent elaboration of a Right to Food Bill. Additionally, in July 2019, several thousand genetically modified mosquitoes were released in Western Burkina Faso by the Target Malaria Project. The stated objective of this project – which is funded, among others by the Bill and Melinda Gates Foundation and the US military – is to fight malaria, but CSOs also consider it a test and preparation of new biotechnologies, which could also be applied to food and agriculture.

CSOs in **Malawi** continue to support ongoing advocacy for a Right to Food Bill in the face of shrinking spaces of participation. Prior to the introduction of the draft NGO Amendment Bill 2018, civil society had relatively free rein to organize autonomously in the country. However, there has been an increasing level of hostility towards CSOs' demand for transparency and accountability, as well as participation in policy dialogue. Despite these conditions, CSOs will continue to advocate for the legal protections of the RtFN through the ongoing process to elaborate the bill. The content of the bill aims to promote the nature and scope of the RtFN in Malawi, recognizing the tripartite obligations of the state to respect, protect and fulfill human rights. The bill seeks to make violations of the RtFN justiciable, and thus the Malawi Human Rights Commission will continue to play a major role in this regard, supported by the efforts of civil society towards the eventual enactment of the bill. A major criticism is that this process is hampered by government bureaucracy. In 2018, the bill remained at cabinet level.

In **Uganda**, a policy trend can be observed in recent years towards an increased emphasis on micronutrient deficiencies, and the promotion of medicalized and technical approaches to nutrition. These are in particular the promotion of bio-fortified seeds and foods (e.g. vitamin A-enhanced sweet potato) and the use of fortified ready-to-use therapeutic food in the treatment of malnourished children. It appears that there is little support given to the protection and promotion of biodiversity and indigenous crops, fisheries, and that some interventions may interfere with the promotion of positive food cultures. Additionally, interventions in the area of nutrition are largely donor and private funded, and run in parallel to the public system. The draft food and nutrition policy from 2016 (yet to be adopted) foresees an even stronger role of private sector funding in nutrition, and considers the government to be primarily a 'facilitator' of nutrition interventions carried out by other actors in the country. This bears huge risks in terms of human rights-orientation, sustainability of interventions, and public accountability towards rights holders. More so, as of 2018, the National Food and Nutrition Council, which has influence on policies in the country, is working without a legal mandate and does not have clear spaces for engaging with the most affected communities.

A similar situation is observed in **Zambia**, where a new agriculture policy aims at and focuses only on 'private sector-led development', and envisages farming entirely as an economic activity and not as a food production activity. The policy completely undermines government funding, and stymies general public discus-

sion on the link between agriculture production and food security at the household and community scale. Nutrition programs are completely separated from the discussion on agriculture, and market-led development is viewed as the solution to the chronic poverty and nutrition issues. It is worth noting that much of this narrative is funded by donors. The RtFN is not recognized legally; the Bill of Human Rights has not been enacted yet, and there is no access to information on this instrument, thus there is very limited legal basis for CSOs to hold the state accountable on matters of the RtFN. Zambia is also in the process of amending its **current biosafety legislation** in order to facilitate the introduction of genetically modified organisms (GMOs), and the commercial release of living modified organisms (LMOs). At the same time it has applied to join UPOV 91, which is recognized as a system of intellectual property rights that structurally undermines peasants' control over seeds and the RtFN. Another policy negatively impacting the RtFN in the country is the Zambia Farm Block Policy, which is directly facilitating **foreign land grabs and displacing rural communities** from traditional lands.

In June 2018, the **Togolese** parliament voted **a new land and private property code**, which was adopted by the government in July 2018. This law aims to forestall the crucial issue of land litigations, and to establish a new, more efficient and sustainable property governance with effective involvement of the whole chain of actors. However, owing to the weak state of the rule of law, poor government accountability, lack of resources for local CSOs, and increasing instances of corporate capture, there is an imminent need to implement a specific framework for the protection and regulation of the RtFN in the country.



In **Sierra Leone**, the Malen Land Owners and Users Association (MALOA), a land-grab resistance group, has continued to monitor, document and denounce human rights violations and negative impacts on human rights resulting from corporate land grabbing in the Malen region of Sierra Leone. The group has been subjected to criminalization, intimidation, arbitrary arrests and detention. (for more information, see insight 3.1.2)

### INSIGHT 3.1.1

#### PEASANTS' RESISTANCE AGAINST COMMERCIAL SEED SYSTEMS IN WEST AFRICA

Peasants' and indigenous peoples' control over seeds and their sustainable use are one of the backbones of food sovereignty, and are critical elements for the realization of the RtFN. West Africa is extremely rich when it comes to biodiversity and diverse food systems. More than 80% of the seeds used are peasant seeds, i.e. seeds that are selected and multiplied by communities in their fields. They include traditional and local seeds, but also seeds from peasant varieties from other regions, or seeds of so-called 'improved', or commercial varieties, which are reproduced by peasants. These seeds are managed by communities through peasant seed systems, i.e. a set of peasant practices and knowledge related to seed use, production, and management.

**Africa's wealth has been spotted by the seed industry**, which is trying to get hold of the biodiversity developed by peasants in order to sell it for profit. Heavily funded initiatives and programs are aiming at creating a market for industrial seeds, and to impose GMOs. According to the seed industry, commercial seed systems that are based on exclusive intellectual property rights are to replace the farmer-managed seed systems.

However, West Africa's peasants are resisting, reinforced by the second caravan of the West African Convergence on Land, Water, and Seeds organized in November 2018, and the publication of the **Green Book**. In Mali, the National Coordination of Peasant Organizations (*Coordination Nationale des Organisations Paysannes du Mali, CNOP-Mali*) and the West African Committee for Peasant Seeds (*Comité Ouest-Africain des Semences Paysannes, COASP*), a network of peasant organizations and other CSOs, are reinforcing the capacities of communities to multiply, use and develop their varieties and seeds by maintaining their knowledge of plants and animals. Among others, they are supporting the creation of so-called living community seed banks (*cases vivantes de semences paysannes*). In parallel, they are advocating for policies and laws that support peasant agroecology, which recognize and effectively protect peasant seed systems, and guarantee peasants' rights to save, use, exchange, and sell peasant seed. Upon the initiative of CNOP-Mali and COASP, a **Multi-Actor Policy Dialogue Platform** was created in November 2017 (*Cadre de concertation multi-acteurs sur la reconnaissance des droits des agriculteurs et des semences paysannes au Mali*), which provides a policy dialogue space between the Malian government and CSOs. In particular, it has provided space for discussion and agreement upon a joint input paper into the process regarding the revision of the national seed policy, which is expected to be adopted shortly by the Malian government.

### INSIGHT 3.1.2

#### LOCAL COMMUNITIES FIGHT AGAINST CORPORATE LAND GRABBING IN SIERRA LEONE

Since the arrival of multinational agribusiness company **SOCFIN in 2011 as part of a large-scale investment in palm oil in the Southern Province of Sierra Leone**, social conflict has raged in the Malen Chiefdom. The company has taken control of a total of 18,473 hectares of the Chiefdom's 27,000 hectares of land, transforming over 12,000 hectares into industrial palm oil plantations. The activities of SOCFIN have deprived the communities living in the area from accessing farmland and related natural resources. It has also adversely affected their livelihoods and enjoyment of human rights, especially the RtFN. The affected communities are composed of more than 32,000 people living in 52 villages located within the concession area. They have denounced the agreements as illegitimate, insisting on the absence of their active, free, meaningful and informed consent. Furthermore, the communities have shared their grievances with the State of Sierra Leone, which include: lack of consultation and transparency, intimidation, inadequate compensation, lack of marking boundaries of family land before its clearing, extremely poor working conditions on the SOCFIN plantation, destruction of the livelihood and the area's ecosystems, and the negative impact on its biodiversity. Beyond these grievances, opposition to the land lease agreement has been systematically criminalized and repressed by local security services, often using violence. Recently, two villagers were killed by security forces and there were consecutive arbitrary arrests of community people and MALOA leaders. Women have been most severely affected. Prior to the arrival of SOCFIN, the agricultural activity of women was of chief economic importance. Therefore, limited access to and control over land has created a wide economic gap for them. Testimonies from women in the communities point to the unsuitability of swamps for cultivation as a result of contamination of chemicals and fertilizers released by SOCFIN. In addition, women, especially elderly women, are mostly deemed unfit for the tasks demanded of workers in SOCFIN's plantations, and thus frequently face barriers when it comes to work. In early November 2018, women in the communities and those working on SOCFIN plantations went on strike. Among other demands, the affected communities are calling the Government of Sierra Leone to set up a fair, transparent, effective and independent mechanism to deal with this case of land grabbing, and all violence and abuse associated with it.



Historically, Latin America has been the most progressive and advanced region in human rights and RtFN related legislation and policies. Despite some progress, implementation of these laws and policies has been limited in most countries. The region has been witnessing the rise of right-wing governments, the adoption of retrogressive policies, state and corporate-led violence, criminalization of human rights defenders, and growing attacks on human rights and women's social and reproductive rights, as well as **violence against women**. The Inter-American Human Rights System has been facing **acute funding problems** over the past years, a sign of the lacking commitment to human rights. The **nomination of some conservative members** in the Inter-American Commission on Human Rights (IACHR) was also of concern.

The number of people suffering hunger has **increased** in the Americas from 39.1 million in 2015 to 42.5 million persons in 2018. Women are disproportionately affected – more so than any other region. For the first time, the SOFI 2019 reports that 8% of the population in Northern America and Europe (combined) is facing moderate food insecurity, however without any country-specific disaggregated data. In North America, there is a shockingly high number of children living in poverty, and obesity (**37.3% in the USA and 31.1% in Canada**) and overweight are also a major concern. Poverty, hunger and the violation of the RtFN are **key structural factors behind mass migration** in the continent, with Central America hitting the news internationally in October 2018 as a 'caravan' of thousands of migrants, mainly from Honduras, Guatemala and El Salvador, made its way through Mexico to the United States. The migrant detention centers where many people are held are host to appalling conditions. The most controversial practice has been the separation of children from their parents, where "children are forced to sleep on the floor in overcrowded facilities, without access to adequate healthcare or food, and with poor sanitation conditions", according to **UN High Commissioner for Human Rights, Michelle Bachelet**.

The **United States (USA)**, under the presidency of Donald Trump, has fostered a culture of far-right politics which have had a huge impact on the human rights of people within and outside the country, including on the RtFN. At the international level, the US is contributing to the breakdown of human rights and multilateralism, as well as international cooperation for human rights, largely signaled by its **exit from the UN Human Rights Council**, and significant funding cuts to the UN (e.g. UN Relief and Works Agency – see section 3.5 on the Middle East and North Africa region). To date, the USA remains one among the few countries worldwide that has not ratified the International Covenant on Economic, Social and Cultural Rights. With long-standing allegiance to corporate interests, the US Department of Agriculture (USDA) has become **rife with conflicts of interest**, as corporate actors and interests are entering the public policy sphere. At the same time, the **USDA recently announced** a **proposed rule** to place new restrictions on eligibility requirements for food benefits under SNAP, the Supplemental Nutrition Assistance Program (formerly food stamps), which could result in more than 3 million Americans losing access to nutritious food. And this in a context in which 46 million persons, including 12 million children and 5 million seniors – more than half of whom are working – **rely on food banks**. However, all is not

lost, as some states and cities are taking the lead in human rights-based policies (e.g. a **Food Sovereignty Law** in the State of Maine - see insight 3.2.1 - and the **City for CEDAW** in Pittsburgh). Over the last 5 years, a national network of food access organizations in the US has emerged, known as **Closing the Hunger Gap**. With close to 200 members, and growing, this network is working to expand hunger relief efforts beyond food distribution towards strategies that promote social justice and address the root causes of hunger, while advocating for nutritious food to be recognized as a human right.

The new Senate which took office in **Mexico** after the July 2018 elections may be an opportunity for a RtFN bill to be approved, which could contribute to addressing the country's alarming food and nutrition security situation. Political participation, non-discrimination, people's sovereignty over natural resources, decent income, women's rights and nutrition are perceived by CSOs as central to the problems impeding the effective fulfillment of the RtFN in the country. Obesity is a particular nutrition and public health concern, with **28.4% of adults affected**. Structural reforms passed during the previous governments facilitated an extractive development model through the implementation of large hydroelectric fracking, and open-pit mining projects. These practices boosted violence and dispossession of land against indigenous peoples and peasant communities. With President López Obrador taking office in December 2018, this new government promises a friendlier environment for legislation and policy consistent with the RtFN. Though there are different reactions, most of the CSOs working on related issues agree on this being a good opportunity for strengthening people's participation. Still, much of the work will be focused on making sure that those in legislative and executive bodies understand and make proper use of the RtFN framework in order to ensure implementation.

In **Guatemala**, the **decision by Guatemalan President Morales not to renew the mandate of the International Commission against Impunity in Guatemala (CICIG)** in August 2018 put the rule of law at risk. Morales himself is under investigation as his party allegedly received illicit campaign funding, and was barred from running for the June 2019 general elections. Guatemala has a relatively advanced legal, policy and institutional framework for food security and the RtFN – yet it continues to display some of the **worst indicators on hunger and malnutrition** in the Americas, especially among rural and indigenous communities: nearly 50% of children under 5 suffer malnutrition. In 2017, it adopted a Law on School Meals (*Ley de Alimentación Escolar*), with discussions on implementation ongoing in 2018. While this law has some interesting components, it did not fully include CSOs in the process of development, and it lacks a human rights approach. The landmark ruling in the 2013 **Camotán case** declared the Guatemalan state responsible for a breach of economic, social and cultural rights by failing to ensure the RtFN of five undernourished children from



four families living in the villages of Camotán. However, in August 2017 one of the beneficiaries, an 8-year-old girl, died, illustrating the gaps in implementation, which continue as of 2019.

In **Honduras**, the re-election of President Hernandez, which amidst electoral fraud allegations, sparked protests resulting in the death of more than 20 civilians. In mid-2019, widespread protests arose again, as a result of the threat of decentralization and privatization of education and health, and in the wake of the anniversary of the 2009 coup d'État. Promoted laws and policies favor industry priorities, exclude meaningful CSO participation, and do not align with the explicit commitment to the RtFN made in the Constitution. The Law on Protection of New Plant Varieties (2012), also known as the “Monsanto Law”, seriously limits farmers’ rights to save, sell, and exchange seeds, giving advantages to seed varieties coming from large industries. CSOs are now rising up against these regulations, filing a recourse of unconstitutionality in 2018, and presenting an amicus curiae in 2019, using the standards developed in the UNDROP, which recognizes the right to seeds. A new National Policy and Strategy on Food and Nutrition Security (Política de Seguridad Alimentaria y Nutricional de Largo Plazo y Estrategia Nacional de Seguridad Alimentaria in Nutricional), adopted in December 2018, covers access and availability of food, but does not define action plans for its components nor addresses the mechanisms and provisions that consider access to, and respect, protection and guarantee of the resources needed for the realization of the RtFN. To date, the trial for the murder of Honduran indigenous activist Berta Cáceres in 2016 has still not fully delivered justice, despite some progress in prosecuting the crime’s material authors.

In **Colombia**, there has been no progress on the implementation of the Peace Accords (2016). The peace accords presented an opportunity to advance in the realization of the RtFN, something explicitly agreed upon in them. From 2017-2019, a coalition of human rights organizations and academics in the country worked to advance legislative proposals in the Colombian Congress on issues related to public health, nutrition, and the RtFN, but have felt resistance to these measures. For example, Bill 019/201, which would establish public health measures to control obesity and other related non-communicable diseases (NCDs), through measures such as front-of-package labels based on WHO recommendations to enable healthy dietary choices, Bill 022/2017 to regulate marketing and advertisement of ultra-processed foods directed to children and adolescents, as well as Bill 214/2018 which also supported front of package labelling, have all faced fierce resistance and interference by major industry federations in the country, leading to their inability to pass into law. Also, there has been an upward trend of killings of human rights defenders (killing of 25 human rights defenders between January and March 2019 alone).





People from **Venezuela** have also increasingly migrated to Latin and foreign countries in 2018. In January/February 2019, opposition leader Juan Guaidó declared himself interim president and appealed to the military to oust President Maduro on the grounds that the May 2018 election was rigged. The European Union, United States, and several Latin American countries recognized Guaidó as president. This political split has created a dire social and economic situation in the country, where food aid is being used as a weapon (see insight 3.2.2), as further explained in the featured case below. The crisis continues both within the country, as well as in neighboring Colombia where many refugees are experiencing what is being deemed the beginning of a protracted emergency.

With the 2017 elections in **Ecuador** of a new government under the presidency of Lenin Moreno, CSOs, movements and indigenous communities aspired to a political shift towards a truly inclusive and meaningful dialogue with a broader spectrum of civil society. In particular, this includes the politically organized indigenous movement that faced criminalization and violence throughout the previous government due to its opposition to a development model based on extractivist projects. This change allowed for policy work, promotion and participation in the country towards the coherence of human rights, in line with one of the most progressive constitutions in the region in terms of social rights and rights of nature (the constitution), and the leadership role that the Ecuadorian state has been playing in the TNC treaty process. Despite the constitutional prohibition (Art. 401) on the entry of GMOs, peasant movements filed a protection action against the state because they were able to verify the existence of GM soybean crops in their territories. On the other hand, mining activities have left profound negative impacts in several communities, as evidenced by the Research Mission carried out in July 2018 in Kimsakocha and Río Blanco. This whole scenario is combined with the adoption of new legal frameworks, which encourage increased space for corporations and contribute towards violations of the RtFN.

**Paraguay** has a high instance of forced evictions and threats of evictions against rural, indigenous, and urban communities, which has been accentuated in recent years as a result of increased land grabbing. Especially since 2018, aggressiveness, violence, and criminalization against peasant and indigenous communities have increased (e.g. the murder and disappearance of land activists in the Canindeyú Department in 2018). A legislative proposal for a Framework of Sovereignty, Food and Nutritional Security and Right to Food, delivered by the parliamentarians of the Guasú Front in 2013, was approved by Congress but rejected with a total veto by the Executive in November 2018. Such a framework would have provided legislative support to the increased infringements on rights to access land and nutrition resources. A recent report by the Inter-American Court of Human Rights confirmed the state's failure to guarantee the human rights of the Yakye Axa community that continues to live "in very precarious and dangerous conditions". The report noted the lack of significant progress so that the community can live on its lands, "which [...] constitutes a serious lack of compliance by the state with its obligation to delimit, demarcate, title and deliver the alternative lands to the Yakye Axa Community". The Court assessed as unjustifiable that the lands – which have been owned by the State for 5 years – have not yet been titled in the name of the Community.

### INSIGHT 3.2.1

#### RIGHT TO FOOD AND FOOD SOVEREIGNTY IN MAINE, USA

The state of Maine has been one of the pioneering states in the United States working on policies to ensure its population has adequate tools to access nutritious food through direct farmer-to-consumer transactions. Since 2009, towns across Maine have been passing the Local Food and Community Self Governance Ordinance. In 2017 Maine passed **the Food Sovereignty Law**, which directs state agencies to take a hands-off approach in any municipality that has passed the Ordinance, thus preserving direct-to-consumer food sales from burdensome state licensing and inspection requirements, which are not always appropriate or feasible for smaller-scale production. This law was created through a grassroots process, kick-started primarily by small-scale producers.

In 2019, another attempt was made to pass an amendment to the Maine State Constitution by which Maine would have become the first state to institute a RtFN in its State Constitution. Maine residents would have had the opportunity to vote in November 2019 on an **amendment** which would state that « individuals have a natural, inherent and unalienable right to food », including the right to acquire, produce, process, prepare, and consume the food of their own choosing. The ballot measure would have stated that individuals have a right to hunt, gather, forage, farm, fish, garden, save seeds, and exchange seeds for their nourishment, sustenance, and well-being, as long as an individual does not commit abuses, such as trespassing, theft, and poaching, on private or public lands. The measure would provide that individuals “have a fundamental right to be free from hunger, malnutrition, starvation and the endangerment of life” due to a lack of access to food. The bill is currently tabled in the legislature and will be considered again in January of 2020.

In a country that does not legally recognize the RtFN, or any other human right for that matter, the success of the social organizations in Maine is impressive. However, many people in the state feel that the **presence of food deserts** (areas where there is limited fresh food access, usually found in low-income areas, which force people to rely usually on less healthy «convenient» options), and a real issue of food insecurity, warrant human rights-based policy shifts. According to 2018 figures from the **US Department of Agriculture**, 14.4% of Maine households between 2015 and 2017 were classified as food insecure, while 6.4% of those households qualified as very food insecure, meaning that people in those homes reported running out of food, skipping meals and going hungry.

You can read more about the process of how this bill was put forward in reports by **WhyHunger**.

### INSIGHT 3.2.2

#### VENEZUELA: AGAINST THE WEAPONIZATION OF FOOD AID

Venezuela has been in the news much lately. In March 2019, nearly 50 organizations, including members of the **GNRtFN**, launched an **open letter** to denounce the use of food aid as a political weapon against the Venezuelan people and government, and to express solidarity with grassroots efforts focused on feeding communities.

At that time, shipments of food provided by USAID were sitting across the Venezuelan border in Colombia, as the US government threatened to force these shipments into the country without authorization of the Venezuelan government, amidst mounting threats of military intervention. Internationally recognized development and aid organizations, including the International Red Cross and the UN, criticized such actions as overtly political.

Among multiple factors that are at play in the challenges facing Venezuela, the issue of aid cannot be decoupled from the sanctions imposed upon Venezuela by the US government and its allies. These illegal sanctions, part of a broader financial blockade, directly hamper imports of food, medicines and other necessities into Venezuela, with disastrous effects upon the population, particularly those most vulnerable. The aid in question pledged by USAID was in the amount of US \$20 million, which pales in comparison to the estimated US \$30 million lost daily in oil revenue due to the sanctions.

A concerning recent development is that Venezuela's primary domestic food assistance program known as Local Committees for Supply and Production (*Comités Locales de Abastecimiento y Producción, CLAP*), a lifeline for 6 million families, is among the targets of the latest round of proposed US sanctions against Venezuela. It is important that human rights defenders keep our eyes on Venezuela, and continue to denounce violations to Venezuelans' food sovereignty, and their RtFN, while supporting critical efforts on the ground.



Many parts of Asia continued to witness the acceleration of authoritarianism and a surge of religious clashes undermining democratic values in 2018-2019. On a positive note, the first victory by an opposition coalition after 61 years of rule by the dominant party in Malaysia in May 2018 offered a stark contrast to the trend of democracies being tested by populist politics in the region. A positive trend was also observed in Nepal, with the election of a democratic government in December 2017, ensuring representation of women and vulnerable communities. While Asia remains to be a region characterized by so-called ‘mega-cities’ and huge economic growth, a staggering **486 million people across Asia** are struggling to access healthy and nutritious foods. Additionally, Asia is still the continent where the world’s most malnourished children can be found. Despite some advancement vis-à-vis the RtFN, primarily in the legal and policy frameworks, practical barriers to effective implementation and civil society participation in holding states accountable in several countries have not been overcome. Some of these are highlighted below.

**India** continues to be home to **one quarter of the world’s undernourished people**, despite the adoption of the world’s largest social security programs, the National Food Security Act (NFSA), in 2013. The NFSA aims to support **two thirds** of India’s 1.2 billion people by providing subsidized food grains using the already existing schemes such as the Public Distribution System (PDS), the Integrated Child Development Services Scheme, the Midday Meal Scheme, and maternity entitlements. Aside from legal gaps in the Act itself, critiques highlight corruption, loopholes in implementation, and more recently the imposition of the Aadhaar system of biometric identification that is linked to receiving rations as part

of the PDS. This caused an undue denial of ration, resulting in cases of starvation and deaths in 2018. Rampant violations of land rights in the context of mining, dams, energy production facilities, and industrial settlement continue, and additionally, in February 2019 the Supreme Court ordered the **eviction of all tribal people and forest-dwellers** whose claims to forest lands had previously been rejected. This last year also witnessed **farmers’ protests** across the country on an unprecedented scale, calling for increased minimum support prices, and one-time unconditional loan waivers. Media censorship is on the rise, as is violence against journalists. Moreover, human rights activists and CSOs that critically question these issues are coming under increasing political pressure.

**Bangladesh** addresses the goal of achieving food security primarily by increasing the availability of food grains rather than diversifying foods available. In 2018, the government continued to imple-



ment different social safety net programs, directly distributing food to the poor and marginalized. However, recent [statistics](#) revealed by the Planning Commission show that these safety net programs barely cover 29% of the total population in need. Given that the RtFN is not asserted as a fundamental right, the government programs towards food security are increasingly moving in the direction of charity and philanthropy, rather than long-term development and policies that can lift people out of poverty, enabling them to adequately feed themselves. A [Right to Food Draft Act](#) prepared by the Law Commission in 2016, which was followed by significant government and CSO consultations between 2016 and 2017, still remains in legislative limbo. Relevant ministries tend to focus more on food security programs implemented by development agencies, but in the face of this, Bangladeshi CSOs continue to exert pressure on the government to move the policy discussion forward.

In **Sri Lanka**, after 18 years of civil war, the constitutional reform process initiated in 2016 was a step towards reconciliation and further democratization. According to the [final report](#) of the Public Representations Committee on Constitutional Reforms (PRC), economic, social and cultural rights enjoy equal status with civil and political rights, in line with the international human rights system. The report recommends the adoption of the RtFN, the right to water, the right to health as well as rights related to the environment and land as fundamental rights. So far, some of these rights are referred to only in the Directive Principles, and thus are not justiciable. Furthermore, the mandate of the National Human Rights Commission is restricted to those rights, which are fundamental in the Constitution, and therefore it cannot investigate violations of economic, social and cultural rights. However, due to the difficult political situation in the country in 2018, now further perpetuated by the Easter bombing in 2019, the constitutional reform efforts were stalled as the country re-entered into a state of emergency.

Despite the limited space for democracy in **Pakistan**, CSOs continue to speak out against the [Seed \(Amendment\) Act](#) adopted in 2016, which puts serious restrictions on farmers to stock, sell or exchange any seeds without official permission – a punishable crime with prescribed fines and imprisonment. It is an act that favors multinational seed corporations, as they have the power to manipulate and compromise indigenous seeds and patent them as their own. The act has the support of the federal government, although the [18th Amendment](#) made agriculture a provincial subject. The new 2018 National [Food Security Policy](#) further reinforces these provisions, and continues to put pressure on small farmers to conform to industry standards and products (seeds, fertilizer, etc.). Around half of the country's entire farmland is controlled by 2% of farm households, reflecting how Pakistan's agriculture is skewed in favor of big landlords. The plights of small farmers – the size of landholding, bonded farm labor, lack of access to irrigation, and to inputs and markets – remains.

With the enactment of the [Right to Food and Food Sovereignty Act](#) in September 2018, **Nepal** – the first Asian nation to incorporate food sovereignty into its constitution – finally took the step to implement Article 36 of its Constitution, which guarantees rights related to food (see insight 3.3.1). Emerging from a long process of collective CSO lobbying, as well as awareness-raising efforts, the new Act takes into consideration almost all the suggestions that had been put forth by

CSOs. The Act includes aspects of the RtFN, food security, and food sovereignty, and clearly indicates how the Act is to be implemented and monitored. In addition, in 2018 a series of laws and acts that support the realization of other economic, social, and cultural rights closely related to the RtFN were approved, such as the Right to Housing Act, the Social Security Act, the Right to Employment Act, the Human Rights for Persons with Disabilities Act, the Right to Education Act, the Public Health Service Act, and the Consumers Protection Act. Also in 2018, a study on the violations of human rights focusing on extraterritorial obligations (ETOs) on the Indo-Nepali border was initiated by the National Human Rights Commission.

The **Philippines** made headlines after President Duterte announced the withdrawal from the International Criminal Court (ICC), following the announcement of a preliminary examination of drug-related killings under the Duterte administration. The year 2018 continued to witness alarming regressions of human rights, and increased criminalization of human rights defenders and activists. Since Duterte took power in 2016, several laws, acts, and even the constitution have been under review and reform, with significant impacts on human rights in the country. In addition, while hunger continues to persist in the country, large tracts of land are still under control of the political/economic elites because land distribution under the national agrarian reform program is not only incomplete (600,000 hectares remaining), it is also driving the continuing marginalization and deepening poverty of rural food producers through the further liberalization of agricultural policies. One example is the removal of quantitative restriction on rice importation, and the increased cost of agricultural inputs, as a consequence of the Tax Reform for Acceleration and Inclusion (TRAIN) law. On a positive note, the House of Representatives passed the Zero Hunger Bill in May 2018 thanks to the perseverance, commitment and continuing negotiations of the National Food Coalition and some supporters of the law in Congress. An Executive Order will be endorsed by the Cabinet Secretary and presented to the President for his signature.

In **Indonesia**, more than 43.5% of the population is still unable to meet daily dietary needs, predominantly in rural areas. Access to natural resources is key to the realization of the RtFN in Indonesia, yet due to the promotion of neoliberal policies favoring large-scale plantations (e.g. palm oil), foreign investment, and development projects, cases of unresolved land conflict are rampant. Traditional communities are displaced, and persons from coastal areas are evicted. In an attempt to implement the national agrarian reform, President Jokowi signed a decree on agrarian reform, seeking to issue titles to the landless and raise farm incomes. The government aims to register all land in the country by 2025, and return 12.7 million hectares of land to indigenous people and rural communities. As of today, only 400,000 hectares out of 9 million hectares (government target) of land have been distributed. The Plant Cultivation System Law (1992) has regularly been used to prosecute and put in jail farmers who breed and exchange seeds, and it continues even today. Lastly, in 2018, the UN Special Rapporteur on the Right to Food conducted a country visit to Indonesia. Her report calls on the Indonesian Government to pay special attention to indigenous peoples (custom-

ary local communities), women and children, and highlights some concerns that currently persist in Indonesia, undermining people's ability to feed themselves adequately.

In 2018, several CSOs made their submissions to the Universal Periodic Review of **China**. Some member organizations of the GNRtFN members put together **a joint submission on China's Extraterritorial Obligations**, highlighting cases of small-scale fishers' RtFN violations caused by the omission and action of the Chinese Government. The Universal Periodic Review (UPR) released its recommendations, and of the 346 recommendations made, 284 were accepted by **China**.



**INSIGHT 3.3.1  
MAKING THE RIGHT TO FOOD AND FOOD SOVEREIGNTY ACT  
A REALITY IN NEPAL**

As a result of cumulative efforts made by civil society, political parties and other concerned actors, the right to food is guaranteed as a fundamental right under Article 36 of the Constitution for the first time in Nepal's history. Accordingly, Article 47 of the Constitution mandates the Government to *make legal provisions* for the implementation of fundamental rights within three years (by 2018) of the commencement of the Constitution. In January 2016, the Nepal Law Commission was tasked to draft the 'Bill of Right to Food Act' towards making the right to food a claimable right. The Right to Food Bill Working Group was formed on the initiation of FIAN Nepal on March 18, 2016, including CSOs working on the right to food, food security, and food sovereignty issues. This group's function was to initiate and support effective advocacy and lobby work with policymakers, to ensure the Bill is aligned with needs of communities facing RtFN violations, and to support alignment with international human rights advocacy and standards. The Nepal Law Commission prepared the first draft Right to Food Bill, incorporating feedback and suggestions from CSOs, and submitted it to the Ministry of Agriculture and Livestock Development in May 2017. After some additional consultations, the Bill was tabled in the Federal Parliament on August 17, 2018, passed and approved into law on September 18, 2018. **Civil society** is presently supporting the ongoing drafting of rules and regulations related to the act, and is advocating for the establishment of food councils at province and local levels as per the provisions of the act.

### INSIGHT 3.3.2

#### “DISASTER CAPITALISM” – SICOGON ISLAND, PHILIPPINES

When **Super-typhoon Yolanda** (also known as “Haiyan”) struck the Philippines on November 8, 2013, Sicogon island in the Province of Iloilo was among the typhoon’s hardest hit areas, fully devastating the lives and livelihoods of the island’s 1,500 farmer and fisherfolk families. Instead of receiving disaster relief and humanitarian assistance, the people of Sicogon were subjected to further adversity. Through a state-sanctioned corporate-led disaster reconstruction project, real estate giant Ayala Land formed a joint venture with Sicogon Development Corporation (SIDECO), a private company that holds a title to **809 hectares of the 1,163-hectare island**, to pursue SIDECO’s long-standing plan to convert the entire island into a high-end resort.

The SIDECO-Ayala joint venture heightened the devastation of residents by isolating them from humanitarian response, and preventing them from repairing their houses through the deployment of armed guards. Thus, the residents, especially women, suffered from prolonged hunger, homelessness and sustained disruption of livelihoods. Amidst this heightened vulnerability, the residents were forced to choose between two options: a small one-time payment of **150,000 Philippines Pesos (around US\$ 2850)** with a condition to permanently leave the island, or be relocated to the mainland of Iloilo.

The **784 families** who are members of the Federation of Sicogon Island Farmers and Fisherfolks Association (FESIFFA) refused, and consequently endured sustained harassment by the companies’ armed guards. As they had no government protection, FESIFFA eventually succumbed to pressure, and reached an agreement with the joint venture in which they waived their pre-Yolanda land rights acquired under the national agrarian reform program in exchange for 70 hectares of land along with livelihood support.

The joint venture built a port, an airport, and two hotel facilities, without fulfilling the commitment to FESIFFA. They also diverted the major source of household and drinking water of residents. FESIFFA resisted what they dubbed as a monster tourism project, and **filed a case for revocation** of a land conversion order as well as corruption cases against erring government officials. They organized community-based protest mass actions, coordinated human rights trainings, and formed alliance support groups. Mass and social media work became central in their campaign, with a recently launched online petition against the monster tourism project. In all these actions, women are active participants and frontliners of the struggle. If the conversion of the whole island into a high-end tourism project is not permanently stopped, the former residents’ human rights will continually be violated.



### INSIGHT 3.3.3

#### INDIAN WOMEN TEA PLANTATION WORKERS DEMAND THEIR RIGHT TO WATER AND SANITATION

Tea workers from plantations in Assam and West Bengal (India) are not receiving adequate living wages, and their working conditions are harsh and physically arduous. Without protective equipment, workers who spray tea bushes are regularly exposed to pesticides. Female tea pluckers – around half of the workforce – suffer from violations of their human rights, especially their RtFN, housing, work, water and sanitation, etc. As a general rule, women plantation workers are subjected to violations of their maternity protection rights and benefits, and face rampant discrimination at work. The wages they receive are less than those of men; and they have few, if any, promotional opportunities. These violations at the workplace are compounded by the pervasive human rights violations they face vis-à-vis their living conditions.

However, the workers are resisting: They are taking their own initiatives to **survey the quality of water available on plantations as well as sanitation facilities**, with the support of the **International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations** (IUF). The results are then presented regularly to the respective authorities, demanding them to put up water pipes and latrines in areas identified by the workers' water and sanitation teams. Similarly, in response to the legal action filed by IUF in collaboration with some unions, in April 2018 the **Supreme Court of India ordered** the Assam and West Bengal State Governments to make an interim payment of the long-standing wage and benefit arrears to tea workers. The workers' fight for the RtFN continues as they demand to be included in the **Minimum Wage Act**, from which they are currently excluded.

The GNRtFN supported the tea workers through a **fact-finding mission** to tea plantations in 2015.



The European region, like the rest of the world, is facing regressions in social policies, and a move towards more right-wing xenophobic governments, with austerity and technocratic policies slowly replacing a robust welfare state. Across Europe, there has been a lack of recognition, analysis, or supportive legal and policy frameworks for the RtFN, and human rights more broadly. However, in the past years, some initiatives from or supported by CSOs have tried to challenge this narrative. There is an increasing acknowledgment of both the role that European states have in the realization and violation of the RtFN of persons and communities abroad, as well as within the national context. Important shifts are taking place in terms of analysis, advocacy, and building laws and public policy for the RtFN and food sovereignty.

In **Belgium**, a Proposal for a Framework Law on Belgian State's Legal Obligation to Implement the Right to Adequate Food (*Proposition de Loi Cadre: Instaurant l'obligation d'une Mise en Oeuvre Effective du Droit à L'alimentation par la Belgique*) was submitted to the federal Parliament in 2014. However, due to lack of political support at the federal level, the proposal did not move on. Discussions around food strategies shifted to the regional level. In 2016, the Brussels Region adopted the so-called **Good Food Strategy**, and in 2018 the Walloon Region adopted the **Eat Tomorrow** (*Manger Demain*) strategy. Both strategies aim at enhancing food production (locally and sustainably produced food), as well as improving food consumption and nutrition. Brussels set up a Food Policy Council, and the Walloon Region is also considering this possibility. Despite these advances, both strategies have their shortages: they do not enshrine the legal obligations of the RtFN, they lack accountability mechanisms, and they are not holistic strategies encompassing all policy sectors that impact the RtFN (agriculture, health, social inclusion, etc.).

In **Switzerland**, a broad coalition of more than 100 CSOs continued to work for a constitutional amendment regarding mandatory human rights due diligence, and liability of transnational corporations (the **Responsible Business Initiative**). The parliament elaborated a counterproposal at the legislative level which is still pending. Two other popular initiatives for constitutional amendments were voted on: The **Initiative for Food Sovereignty** aimed at propagating a wholesome, remunerative, and ecological smallholder agriculture, and the **Fair Food Initiative** aimed at strengthening the supply of good quality food produced under fair conditions, including imported foodstuffs. While both initiatives failed to be adopted in the referendum, they triggered debates at the national level.

As a challenge to the **United Kingdom** (UK) Brexit vote in 2016, partners such as **Nourish Scotland**, **Independent Food Aid Network** (IFAN), and **Sustain UK** have been organizing people and building advocacy strategies rooted in human rights, and in particular the right to food and economic justice. Sustain UK has been working with colleagues from Just Fair as well as academics from Newcastle and Bristol Universities to work on what a legal framework ensuring the RtFN would look like in the UK. After years of campaigning, household food insecurity will finally be measured nationally in the UK. Unfortunately, the UK Government chose to do this by allowing the Department for Work and Pensions to include **ques-**

tions into an annual survey rather than by supporting legislation that would have had more weight, as well as a duty to produce a report on the state of food insecurity. There is also a clear health crisis around nutrition, with obesity amongst adults and children remaining high. There has been some progress on tackling this crisis through the introduction of the Soft Drinks Industry Levy, as well as the junk food ad ban across Transport for London sites.

The Government of **Scotland** has set out the ambition of becoming a Good Food Nation. To this end, in 2018 they started consultations on RtFN legislation. Enshrining this right in state law would oblige government officials to fulfill their obligations vis-à-vis the RtFN, as well as open a space for the participation of CSOs in the process.



**Portugal**, in line with the other member states of the Community of Portuguese Language Countries (CPLP) (see section 3.6 on CPLP below), created a National Food and Nutrition Security Council (CONSANP). However, unlike the community-wide food council of the CPLP (Council on Food and Nutrition Security of the Community of Portuguese Language Countries, CONSAN-CPLP), and the national councils of the other CPLP countries, CONSANP is a governmental institution comprising government ministries. Other actors, including civil society, are invited on an ad-hoc basis. As a result of the creation of CONSANP, the government is drafting a national strategy on food and nutritional security, and a consultation process is expected to begin in September 2019. Moreover, in 2018, the Statute of Family Farming was approved. However, the implementation process is proving to be slow, and due to technical barriers, the participation of family farmers is low. A proposal for a framework law on the RtFN was also presented to the national assembly at the end of 2018. Although the legislative process is still ongoing, it is believed that the lack of support by right-wing parties will hamper its approval.

**France** is in the process of developing a reformed law on agricultural land, with the active participation of civil society actors. The law is still being drafted, but some of the main issues that peasant organizations and CSOs will seek to address include: stopping the conversion of agricultural lands; ensuring more equitable land distribution for small and medium-sized farms; securing strong tenancy rights (including farm size limits); regulating the land market against corporate investments and speculation; reinforcing policy-making at the local level on land issues; and breaking down silos in policy-making.

### INSIGHT 3.4.1

#### RISING POVERTY AND FOOD INSECURITY IN THE UNITED KINGDOM

Despite being one of the top global economies, 1 in 5 people (14 million persons) are living below the poverty line in the United Kingdom. The UN Special Rapporteur on Extreme Poverty, Philip Alston's **report on his country visit to the UK** in November 2018 painted a bleak picture of poverty and marginalization, exacerbated by austerity measures that have undercut social protection and public services, as well as low wages combined with rising living costs, and an outsourcing of essential state services to third parties.

Over the last decade, austerity measures, coupled with a neo-liberal policy agenda at the national level, have frayed the formerly robust social welfare net, leaving out millions of UK residents, including an additional **1.5 million children** who are being pushed into poverty due to austerity measures. Austerity measures could have easily spared the poor, but instead they have **disproportionately affected** those in the bottom income deciles, especially single parents, people with no recourse to public funds, women, people with disabilities and ethnic minorities.

The rapid growth of the emergency food aid sector over the last decade in the UK is only less concerning than the speed with which food banks and the third sector have become socially acceptable. In the eyes of the public, they are a way of dealing with 'food poverty', or 'household food insecurity', defined as the inability to afford enough nutritious food.

The Trussell Trust, the UK's largest food bank charity involving over 1,200 food banks, has documented a 5,146% increase in emergency food parcels distributed between 2008 and 2018: "**This food bank network went from distributing just under 26,000 parcels a year to handing out more than 1.33 million of them**". This data does not include the food parcel distribution figures of at least 809 independent, non-Trussell Trust food banks nor the contribution of many hundreds of other food aid providers distributing emergency meals and the like. There is a significant concern that rather than tackling structural issues of poverty and food insecurity, the UK has announced a £15 million (US\$ 18.2 million) fund to expand charitable surplus food redistribution (also known as food waste recovery), which is another way of 'greenwashing' and justifying corporate practices of over-production. In an open letter penned by many global food experts to the **Guardian**, it is made clear that "food banking does benefit the reputations of Big Food and supermarket chains as good corporate citizens while distracting attention away from low wages paid to their workers. The emergency food bank parcel comes at a cost to recipients' humanity and dignity".

Food banks and charity are a short-term intervention to much bigger systemic inequalities, and fail to address the root causes of poverty, as

seen by the normalization and increase of food banking in the USA and Canada in the past 35 years. Increased food bank use does not indicate progress in terms of more people being helped – it indicates the failure of governments to support the most vulnerable in society through a functioning welfare safety net, and wages that ensure an adequate standard of living.

**INSIGHT 3.4.2  
AUSTERITY IN GREECE AND INTER-EUROPEAN  
EXTRATERRITORIAL OBLIGATIONS**

Greece has been an emblematic case in the European region for the failure of European economic solidarity. The economic austerity measures implemented in Greece from 2010 were largely based on economic and market analysis, and had deep impacts on the lives of people throughout the country. They also caused damage to the food system. A report issued in 2018 entitled **Democracy Not For Sale: The Struggle for Food Sovereignty in the Age of Austerity in Greece**, by Transnational Institute (TNI), FIAN International, and AgroEcoPolis, concludes that Greece has violated the human right to food of people living within its borders as a direct result of austerity measures. Yet, Eurozone member states, the direct lenders, are also responsible as they signed the Memorandum of Understanding, and most likely pressured the Greek government to do so, violating their extraterritorial obligations of human rights in Greece.

While the government of Greece took many retrogressive measures that contributed to human rights violations, such as social security and pension cuts, the external actors involved in the negotiation of the three Memorandums of Understanding (MoU) have also had a role in contributing to violations extraterritorially. Eurozone member states – as state parties to the International Covenant on Economic, Social, and Cultural Rights (ICESCR) and other international human rights instruments – have therefore breached their extraterritorial obligations to respect the RtFN in Greece. Not only should Eurozone states have refrained from requiring measures that affected the RtFN, they should also have conducted human rights impacts assessments of the Memorandums.



Furthermore, all European states have failed to comply with their human rights obligations when acting and taking decisions in Intergovernmental Organizations and International Financial Institutions, such as in the International Monetary Fund. As part of the UN system, the latter is obliged to comply with the UN Charter, which includes a commitment to the progressive realization of human rights. It certainly should not take any action that would constitute a human rights violation. This issue was also highlighted in the 2018 review of Germany – a powerful member state of the European Union (EU) – under the **UN treaty body review** of the ICESCR, which had similar findings and opinions.

### **INSIGHT 3.4.3 LITHIUM MINING IN PORTUGAL: A THREAT TO THE ENVIRONMENT AND HUMAN RIGHTS**

Covas do Barroso is located in the Barroso region, in the North of Portugal. In 2018, its agricultural system was designated as the first **Globally Important Agricultural Heritage Systems** (GIAHS) site in Portugal, and the third in Europe and Central Asia.

In 2006, the company Saibraisa SA – which had a concession area of around 120 ha to explore mineral deposits of feldspar and quartz for the ceramics industry – initiated its mining operation in the Barroso area. In 2017, the license was sold to Slipstream Resources Portugal, which in turn sold it to Savannah Resources (UK) for lithium exploitation.

At present, over **200 prospecting holes have been drilled, mainly on lands that are part of the commons**. The full exploration has led to the opening of pits of up to 100 meters deep, and 400 meters wide. Consequently, watercourses have been diverted to satisfy a water demand of approximately 390,000 m<sup>3</sup> per year, road traffic has intensified leading to noise and air pollution, and following the explosions, silica dust has been raised, causing respiratory problems.

Indigenous cattle graze on these lands, thus the destruction of this pastureland may negatively impact the designation of Barroso as a GIAHS, also jeopardizing the potential for ecotourism in the region. More importantly, the diversion and contamination of groundwater, due to the lithium mining activity, may pose serious threats to the RtFN of the local population of Barroso.

## MIDDLE EAST AND NORTH AFRICA (MENA)

The Middle East and North Africa region (MENA) has been characterized by conflict, occupation and war, refugee crises, and a lack of democratic governments, as well as a high level of military and development interference by other states. It is a region with some of the worst conflict-induced humanitarian crises (e.g. Yemen, Syria, Libya, and Iraq), ongoing occupations (e.g. Palestine and Western Sahara), and austerity measures and inflation in many countries, including Egypt. But the people living in the region are more than passive victims of these issues — they are organizing, resisting, and creating changes in the ways that they can. Following the 2010 wave of popular uprisings across the region, often referred to as the Arab Spring, there was a renewed sense of hope for democratic change, and stronger guarantees for basic human rights, including the RtFN. With constitutional shifts in many countries, and even the inclusion of food sovereignty in the Egyptian constitution, it seemed that there was hope towards people-led change. However, the gap between policy and implementation remains quite big, with increased crackdowns on freedom of speech and assembly, and general criminalization of activists and human rights defenders. It is also clear that the RtFN and other economic, social and cultural (ESC) rights are being denied as a weapon of war.

Yet, despite this context, it is a region that is largely under-reported in the mainstream hunger and malnutrition monitoring (SOFI report), both in terms of statistics and their analytical narrative. It is important to shed light on how peoples' human rights are being violated, which deeply impact the realization of the RtFN.

The huge funding cut of the United States to the United Nations Relief and Works Agency (UNRWA) will have huge implications for Palestinians in the region. Since 1950, UNRWA has exclusively focused on assisting and protecting Palestinian Refugees, and now serves some 5 million Palestinians in Jordan, Lebanon, Syria, the Gaza Strip and the West Bank, including East Jerusalem. However, UNRWA has faced a financial crisis since the USA, historically the agency's largest single donor, cut its contributions from \$360 million to \$60 million in 2018, and in 2019 to nothing. However, it is also important to note that the occupation of Palestine and the serious human rights violations faced by many Palestinians is a primary driver of food insecurity, poverty, and inequalities.

This cut to UNRWA has threatened schools, medical care, and food for refugees, with many of these services no longer being provided or available. As a real social and political solution to the occupation of Palestine is far from being agreed, UNRWA will continue to be an important lifeline and support for many communities who face a lack of full rights of citizenship in any country, preventing



them from accessing work or public services and benefits. The UN continues to fundraise for UNRWA, and while some \$110 million has been raised from member states, there is still a long way to go in order to reach its annual budget of \$1.2 billion. The most severe impacts of this cut are seen in the **Gaza Strip**, which has faced a devastating 13-year blockade on land, air, and sea imports imposed by Israel, which means that food aid is a critical support for most of the people living in Gaza. According to [UNRWA](#) “just over one million Palestine refugees out of a total population of 1.4 million are reliant on UNRWA food assistance”.



The eight years of conflict in **Syria** has had deep impacts on the human rights of the people in the country. Civilians within the country have been subjected to war crimes, as well as other gross violations of their human rights on a massive scale. Sieges, forced displacement, restrictions on movement and the decreased income for people in the country has had a serious impact on access to food, as well as food production in the country. **Recent reports** from the Syrian Center for Policy Research indicate that between 2010 and 2018, food security dropped by 40%, and that “food was systematically used as a tool of war by warring parties to achieve political gains even after the decline of the armed operations”. Through siege policies, people are starved out through collective punishment, with some 2.5 million persons under siege between 2015 and 2018. Additionally, while humanitarian aid has been important in the conflict, it is not enough, and has often focused on relief rather than development.

Starting in early May, **tens of thousands of acres of farmland** have been burned across an expanse of territory stretching from the Iranian border in the east to near the Mediterranean coast in the west, in a year which was anticipated to give high yields. Deeply impacted are the people and communities living in **North Eastern Syria and Iraq**, an area which has a high presence of the Islamic State of Iraq and the Levant (ISIL), or *Daesh*. While some fires may have been started as a result of conflict, it is clear that many of the fires are being intentionally set by ISIL as part of the **scorched-earth strategy** that the group adopted after it began to lose territory. Not only have many people died from the fires, but it is also deeply impacting the right to food in the region. The **World Food Programme reports** that lives of 6.5 million Syrians are now in immediate danger due to a lack of food, with another 4 million at risk in what is seen as ‘an all-time low’ for food production in the country.

The world still watches silently as the people in **Yemen** continue to starve, in what the **UN deems the worst humanitarian crisis in the world**. The current crisis in Yemen – largely exacerbated by military actions of foreign governments – has resulted in the violation of people’s rights, including the RtFN. In addition to witnessing armed conflict, the majority of the population is facing severe food insecurity. According to the most recent analysis from the **Integrated Food Security**



**Classification Phase** (IPC), from December 2018 to January 2019, a total of 15.9 million people (53% of the population analyzed) are severely food insecure, “despite ongoing humanitarian food assistance (HFA)”. The report states: “This includes 17% of the population (about 5 million people) classified in IPC Phase 4 (Emergency) and 36% (about 10.8 million people) in IPC Phase 3 (Crisis)”, and the additional 63,500 people in IPC Phase 5 (Catastrophe). The ongoing conflict in the country is a primary driver for continued high rates of severe food shortages, further exacerbated by very high food prices, unemployment, and disrupted livelihoods. While the situation continues to deteriorate, a small but important victory was seen in June 2019 as the **UK Court of Appeals** found that the UK failed to adequately assess whether UK exports might be used to breach international humanitarian law in Yemen, and therefore found the transfer of UK weapons to the Kingdom of Saudi Arabia unlawful. This is an important victory around the extraterritorial human rights obligations (ETOs) of states.

**Western Sahara** continues to face occupation by Morocco since 1975. A significant refugee community lives in Tindouf, Algeria, where due to the climate, **daily food security can be a huge challenge**. Additionally, Morocco exploits the **agricultural**, mineral, and marine resources of the occupied country. In early 2019, the EU reinstated a fisheries partnership agreement with Morocco that includes waters in occupied Western Sahara. The EU approved a new Sustainable Fisheries Partnership Agreement which contains the same flaws as the **previous agreement** that was held from 2005 to 2011. **Human Rights Watch** made clear that trade agreements with Morocco have no legal basis to include Western Sahara, as it is a non-self governing territory, to which Morocco has no recognized sovereignty over, and that any agreement must be in consultation with the Sahrawi people. **Civil society** continues to advocate against this agreement.

## COMMUNITY OF PORTUGUESE LANGUAGE COUNTRIES (CPLP)

The CPLP countries (**Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, São Tomé and Príncipe, Timor-Leste, Brazil and Portugal**) have made great strides in adopting RtFN laws, as well as creating participatory spaces for policy making and monitoring at national and CPLP level. The **CPLP Strategy on Food and Nutrition Security (ESAN-CPLP)**, endorsed in 2011, summarizes efforts made to ensure a human rights-based approach in building a food and nutrition security institutional framework in the community. This framework takes shape at the CPLP-level: the Council on Food and Nutrition Security of the Community of Portuguese Language Countries (CONSAN-CPLP) is a multi-sectorial ministerial space, in which civil society, universities, parliamentarians, municipalities and the private sector all participate.

Since 2012, the Civil Society Mechanism of CONSAN-CPLP (**MSC-CONSAN**) has taken a leading role in reinforcing legal and policy frameworks for RtFN in the community's member countries. One major achievement has been the co-coordination of a Working Group on Family Farming, in which the **Regional Guidelines for Family Farming** were widely discussed and negotiated through a **participatory process**. The Working Group submitted the final version to the Council, which subsequently approved and endorsed the guidelines at the 2nd Extraordinary Meeting of CONSAN-CPLP, held in June 2017.

MSC-CONSAN also facilitated an important process of monitoring RtFN in CPLP countries, in coordination with efforts at the **global level** to monitor the Right to Food Guidelines within the CFS in 2018. This monitoring process will remain a regular feature in supervising the implementation of the CPLP strategy, which is rooted in RtFN.

CONSAN-CPLP members and participants have recognized the crucial role played by MSC-CONSAN in reinforcing food and nutrition security institutional frameworks. MSC-CONSAN was tasked with coordinating the **International Seminar on Globally Important Agricultural Heritage Systems (GIAHS)**, where a CPLP initiative on GIAHS was discussed, as well as the promotion of a CPLP training center on agroecology (**Centro de Competências para a Agricultura Sustentável da CPLP**). MSC-CONSAN is also currently co-coordinating the CPLP Working Group on Nutrition and Food Systems, where regional guidelines are being discussed.

At the national level, ESAN-CPLP envisages the creation of National Food and Nutrition Security Councils. Currently, all member states have established these platforms, or are in the process of approving them at their respective Councils of Ministers and/or National Assemblies. Seven out of the 9 CPLP member countries – across all four continents in which the community is present – have already implemented such multi-actor spaces.

In **Timor-Leste**, the National Council for Food Security, Sovereignty, and Nutrition in Timor-Leste (*KONSSANTIL*) was established in 2014, with the participation of civil society. It aims to increase agricultural production, and diversify the population's diets, to achieve food security. During Timor-Leste's CPLP presidency, important efforts were undertaken to ensure the inclusive discussion and approval of the CPLP Guidelines on Family Farming.

In Africa, **Cape Verde** has been taking an interesting path: in August 2018, it approved a **Right to Food Law**, which not only includes the provisions and content of the RtFN, but also more progressive provisions on food sovereignty and biodiversity, as well as an established national accountability mechanism. This success is closely linked to the presence of a national participatory policy space, which has been in place since 2014.

**São Tomé and Príncipe** has committed to host a CPLP training center on agroecology (*Centro de Competências para a Agricultura Sustentável da CPLP*). This project, and its relation to the GIAHS regional initiative, is currently being discussed at the country's national Food and Nutrition Security Council. The promotion of local food production has also been actively discussed at the Council, yielding the approval and implementation of a National School Feeding Program (PNASE), and related regulation.

In **Portugal**, it is important to highlight the recent endorsement of the **Statute for Family Farming**, and of the **National Food and Nutrition Security Council**. There is still a long way to go in order to strengthen and ensure autonomous civil society participation in this space. A draft law on RtFN is currently under discussion in the Commission of Agriculture and Oceans at the Portuguese Parliament, and the two Portuguese organizations that act as focal points for the MSC-CONSAR, REALIMENTAR and CNA, were invited to a formal hearing during the month of April.

Since 2003, **Brazil** has inspired other countries through its work on promoting RtFN laws and policies in the country, with the full and meaningful participation of civil society. Brazil was officially removed from the FAO Hunger Map in 2014. However, since the coup against democratically elected President Dilma Rousseff in 2016, harsh **austerity measures** and the rollback of important achievements in realizing RtFN have put agroecology and land governance at risk (see insight box 3.6.1). For instance, the government has been systematically attacking the National Council for Food and Nutrition Security (CONSEA). Since 2018, CSO actors have been resisting increased reversion of RtFN policies. Ongoing advocacy work in Brazil is also pushing back against the expansion of agribusiness – a systematic problem in the country – and the subsequent violations of rights over land and ter-



ritory, and of indigenous peoples' rights. For example, in the MATOPIBA region (an area of around 73 million ha expanding across the Brazilian states of Maranhão, Tocantins, Piauí, and Bahia), **land grabbing and the financialization of land** backed by international capital (pension funds) are destroying the livelihoods of rural communities and significantly eroding local biodiversity. This was revealed by a **Fact Finding Mission** conducted in 2018.

#### **INSIGHT 3.6.1**

##### **THE DISMANTLING OF THE BRAZILIAN NATIONAL COUNCIL FOR FOOD AND NUTRITION SECURITY, A WORLDWIDE REFERENCE OF REPRESENTATIVE FOOD GOVERNANCE**

On his first day in office, on January 1, 2019, Brazil's new President Jair Bolsonaro repealed provisions in the Brazilian Organic Law on Food and Nutrition Security through provisional measure N. 870. The most significant consequence of this decision is the **dismantling of the National Council for Food and Nutrition Security (CONSEA)**.

Since its creation in 2003, CONSEA had served as a space for dialogue between representatives from diverse sectors of Brazilian society, and the government. The inclusion of the demands, experiences, and proposals of civil society into the process of improvement and formulation of public policies related to the realization of the RtFN had proven to be remarkably successful. For example, a positive outcome was **Decree 9.579 of November 22, 2018**, which normalizes Federal law n. 11.265/2006, and regulates the marketing of breastmilk substitutes in line with the international breastfeeding code.

When FAO removed Brazil from its Hunger Map in 2014, CONSEA received international praise, positioning Brazil as an inspiration for many other countries. Besides its efforts to fight hunger, the Brazilian model had also been a reference regarding actions to deal with the rise of obesity and other non-communicable diseases (two rising threats for public health in Latin America).

Since the president announced the shut down of CONSEA, through Provisional Measure 870 (MP 870), many CSOs and human rights defenders have **mobilized to demand a review of the decision by the Brazilian government**. After analyzing the Measure and converting it into a Law, the National Congress decided upon the reestablishment of CONSEA. Nevertheless, this law still needed to be endorsed by the president, but he obstructed the sovereign decision of Congress, and vetoed the specific part concerning the functioning of CONSEA. By doing this, Bolsonaro's administration has sent a clear message of attack against remaining RtFN policies and institutions, and has left CONSEA in a legal and political vacuum that will have to be addressed again by Congress.

**INSIGHT 3.6.2**  
**LAND GRABBING IN MOZAMBIQUE**

The Tripartite Cooperation Program for Agricultural Development of the Tropical Savannah in Mozambique (ProSavana) was approved in 2009. For its execution, three projects were developed: Research Project (ProSavana-PI), Main Plan (ProSavana-PD) and Extension Projects (ProSavana-PE). The first project aims at improving the research capacity of the Institute of Agricultural Research of Mozambique, the transfer of technology in tropical agriculture, and the establishment of agricultural models adapted for the region. It also conducts studies for the preparation of the second project, known as the **Main Plan**, which will be an agricultural development plan for the Nacala Corridor region.

With funding from the Brazilian and Japanese governments, it aims to transform the 19 districts of the Nacala corridor, a fertile area in northern Mozambique, into a food granary. The goal is to create new models of agricultural development, and channel the food towards national consumption and export.

Due to critiques, the program has suffered consecutive delays in its implementation.

According to the Main Plan, launched in 2012, the ProSavana would be implemented in an area of 14.5 million ha, where about 4.5 million people live, of which 80% are farmers. In light of this scenario, Mozambican religious, agrarian and human rights organizations, as well as 43 international organizations, sent an **open letter** to the prime minister of Japan and presidents of Brazil and Mozambique. The letter stated that the project has “negative impacts on the human rights, the right to land and the food security of peasants and their way of life, including their culture, undermining the independence of Mozambican civil society and causing fragmentation”.

Despite criticism, the agricultural project is at an advanced stage. In the north of Mozambique, several agrarian infrastructures have already been installed. In the province of Nampula, for example, a laboratory for the analysis of land quality is operating.




### INSIGHT 3.6.3

#### PEOPLES' ORGANIZATION AND MOBILIZATION IN CPLP

In order to enable social participation in a balanced, transparent and effective manner, the CPLP Strategy on Food and Nutritional Security (ESAN-CPLP) envisaged the creation of Mechanisms for the Facilitation of Social Participation in National Councils and in the CONSAN-CPLP. These mechanisms have been set up autonomously on the basis of guidelines adopted by the member states.

The Civil Society Mechanism at CONSAN-CPLP (MSC-CONSAN) brings together civil society networks and organizations working in food and nutrition related issues (agriculture, environment, gender, children, consumers, youth and others) in CPLP countries.



The Coordination Committee of MSC-CONSAN is currently composed of 18 organizations, working in 8 CPLP countries: 7 national organizations representing family farmers; 8 organizations representing national civil society networks involving consumers, fishermen, poor urban people and agri-food workers and indigenous people working on food and nutrition security, articulated in the Civil Society Network for Food and Nutritional Security from the Community of Portuguese Language Countries (REDSAN-CPLP). The following regional organizations also participate in the Coordination Committee of MSC-CONSAN:

**CPLP Peasants' Platform:** launched in 2012, during the Rio + 20 Summit, the CPLP Peasants' Platform is a space of articulation between organizations representing family farmers and small farmers in the following Portuguese language countries: Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal and São Tomé and Príncipe. The platform aims to influence the political agenda related to Family Farming, Food Sovereignty and RtFN at the national, CPLP and global levels.

**REDSAN-CPLP:** currently comprising around 500 CSOs, the Civil Society Network for Food and Nutritional Security from the Community of Portuguese Language Countries (REDSAN-CPLP) was formally launched in 2007, and has become an important space of articulation and intervention of civil society at national, regional and global levels. It gives voice to organizations working collectively in order to strengthen dialogue with governments and international organizations working in food security and nutrition, RtFN, and food sovereignty.

**Rede das Margaridas da CPLP:** this network is composed of CPLP organizations that work on rural women’s rights and strive for the inclusion of a gender perspective for the realization of the Human Right to Adequate Food and Nutrition. Conceived in 2015, the CPLP Rede das Margaridas was finally launched in Maputo, Mozambique, in 2017. It was influenced by the Marcha das Margaridas, a demonstration to claim the demands of rural women held in Brazil since the 2000s.

MSC-CONSAN globally involves around 500 CSOs and more than 15 million farmers from CPLP member countries, and the Secretariat is currently supported by ACTUAR Association for Cooperation and Development (based in Portugal). Given the many difficulties currently faced by CSOs, CPLP efforts are some examples of how civil society can contribute to institutional and policy changes towards the RtFN.

## PHOTO CREDITS

- Page 6 \_\_\_\_\_ **Oton Barros** (DSR/OBT/INPE) / CC BY-SA 2.0
- Page 10 \_\_\_\_\_ **Tineke D'haese** / La Vía Campesina
- Page 14 \_\_\_\_\_ **Victor Barro** / Friends of the Earth International
- Page 17 \_\_\_\_\_ **Victor Barro** / Friends of the Earth International
- Page 18 \_\_\_\_\_ **Jinwar Free Women's Village**
- Page 21 \_\_\_\_\_ **Jinwar Free Women's Village**
- Page 23 \_\_\_\_\_ **Miguel Martínez** / Cinep (Centro de Investigación y Educación Popular)
- Page 24 \_\_\_\_\_ **Florence Kroff**
- Page 27 \_\_\_\_\_ **Maja Hitij**
- Page 29 \_\_\_\_\_ **Maja Hitij**
- Page 31 \_\_\_\_\_ **Carolina Cabrera**
- Page 32 \_\_\_\_\_ **M. Alejandra Morena** / FIAN International
- Page 35 \_\_\_\_\_ **M. Alejandra Morena** / FIAN International
- Page 36 \_\_\_\_\_ **Alex del Rey** / FIAN International
- Page 39 \_\_\_\_\_ **Danny Carranza** / KATARUNGAN
- Page 41 \_\_\_\_\_ **Kai Horstmann**
- Page 43 \_\_\_\_\_ **Sérgio Pedro** / FIAN Portugal
- Page 45 \_\_\_\_\_ **Sheila** / CC
- Page 47 \_\_\_\_\_ **Alisdare Hickson** / CC
- Page 48 \_\_\_\_\_ **Freedom House** / CC BY 2.0
- Page 51 \_\_\_\_\_ **Alex del Rey** / FIAN International
- Page 53 \_\_\_\_\_ **La Vía Campesina**
- Page 54 \_\_\_\_\_ **Alex del Rey** / FIAN International



---

*Human rights are at a crossroads: Regressive policies and practices have become the norm in many states, territories, and international institutions the world over. Our food systems are not spared from the damaging effects of growing disparities in access to resources, exacerbated as they are by land grabbing, violence against women, and criminalization of human rights defenders, among other challenges. Higher levels of hunger, malnutrition, and food insecurity are further indications of increasing inequality. The recently released State of Food Security and Nutrition in the World (SOFI) 2019 estimates that a staggering 820 million people globally are affected by hunger and malnutrition, while 2 billion are food insecure. These figures have been rising for several consecutive years. While these numbers do not provide the full picture, they do illustrate the need for a radical shift towards stronger commitments for human rights, participatory public policies, and regulation of corporations.*

This first State of the Right to Food and Nutrition Report seeks to provide an insight into how the right to food and nutrition is being advanced in some parts of the world, and violated in others, and how communities, movements and organizations are organizing against retrogressive state actions. Published by the Global Network for the Right to Food and Nutrition, with the support of its secretariat FIAN International, this report strives to generate a dialogue with the figures presented in the SOFI, and to contribute an important, but often ignored perspective to the global debate on food insecurity.

Visit the Global Network for the Right to Food and Nutrition website:  
[www.righttofoodandnutrition.org](http://www.righttofoodandnutrition.org)

