



Food and Agriculture
Organization of the
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Parliamentary fronts against hunger, and legislative initiatives for the right to adequate food and nutrition

The experience of Latin America and the Caribbean
2009–2016

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Food and Agriculture Organization of the United Nations
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FOREWORD

"The experience in food security in Latin America and the Caribbean served to initiate dialogues in other regions."

Eight years have passed since the Parliamentary Front Against Hunger in Latin America and the Caribbean was established at the Interparliamentary Conference on the Right to Food Security, held in Panama on 3 and 4 September 2009 with the support of 65 parliamentarians from 19 countries. Today there are 17 national and three departmental parliamentary fronts, as well as four in supranational parliamentary institutions. This constitutes a dynamic movement that has promoted over 50 legislative initiatives, which have in turn resulted in the adoption of 23 laws and three constitutional amendments aimed at ending hunger.

This represents a milestone in FAO's long-standing collaboration with parliamentarians. The Conference further incentivised this collaboration and afforded it a pragmatic, flexible structure that would ensure its continuity. The experience in Latin America and the Caribbean served to initiate dialogues in other regions, which are gradually establishing their own ways of working – such as the Pan-African Parliamentary Food

Security and Nutrition Alliance, or the European Parliamentary Alliance Against Hunger.

This publication is aimed at communicating and sharing the experience of the parliamentary fronts and the legislative results they have achieved. It is not prescriptive in nature, nor does it intend to serve as a model to be followed, since the experience of the parliamentary fronts themselves shows that the most effective approaches in terms both of how these fronts operate and of their legislative initiatives are those that take into account the specific conditions and context of each country and region. However, it also shows that in order to make real progress towards ending hunger, food insecurity and malnutrition, the work of the executive must be accompanied by proactive legislature. Regulatory frameworks should be developed that consolidate policies and strengthen the governance of food security and nutrition, reflecting consensus on priorities for action while ensuring coherence and sustainability.

Chapter one provides a background on the creation of the parliamentary fronts, the instruments they use to promote policy dialogue and share experiences, and the situation as it stood at the end of 2016. Chapter two summarises for the reader the legislative fields in which the fronts have been working, which include constitutional amendments to explicitly recognise the right to adequate food, framework laws on food security and nutrition, laws on school meals and healthy food, and legislation on family farming.

Readers looking for greater detail will find factsheets in the annexes, containing the key elements of 15 laws approved as a result of parliamentary front initiatives. The final chapter addresses lessons learned during the process, which relate mainly to the importance of building flexible partnerships with other development partners, agencies and non-governmental actors, to promote policy dialogues that include both specialised technical knowledge and the sharing of experiences between peers, South-South cooperation and triangulation, in order to strengthen and stimulate work at parliamentary level. All of these lessons are not only of interest for achieving Sustainable Development Goal 2 and ending hunger– they are lessons that can also be applied to meeting the rest of the SDGs.

Finally, on behalf of the Food and Agriculture Organization of the United Nations (FAO) and all the members of the Parliamentary Front Against Hunger and their respective national assemblies, I would like to thank the Latin American and Caribbean Parliament (PARLATINO), Spanish Cooperation, the Brazil-FAO International Cooperation Fund and the Mexican Agency for International Development Cooperation (AMEXCID) for their commitment and support, without which this fruitful partnership would not have been possible.



José Graziano da Silva

Director-General

*Food and Agriculture Organization of the
United Nations*

"Latin America and the Caribbean have saved more than 30 million people from hunger over the last decades, making it the region that has made the most progress in the world."

It is a pleasure to write these words on behalf of the Parliamentary Front against Hunger (PFH) in Latin America and the Caribbean in order to introduce this publication to the international community as well as to regional, national and local actors committed to the right to food.

Latin America and the Caribbean have saved more than 30 million people from hunger over the last decades, making it the region that has made the most progress in the world.

A key element was political commitment: both the governments and societies of Latin America and the Caribbean chose to put food security at the forefront of their political agendas.

This progress notwithstanding, there are still 34 million people suffering from hunger while obesity and overweight affect more than half of the population.

In this context, legislators for the Parliamentary Front against Hunger want to guarantee that the current generation of men, women, girls and boys be the last that suffers from this scourge, and I am convinced that we will achieve it.

Through cooperation, dialogue and experience sharing, the PFH has shown it is possible to develop efficient, collaborative models geared towards reducing both food insecurity and the underlying factors that perpetuate poverty and obstruct sustainable development.

Such is the case of the inter-parliamentary processes that took place to promote a Model law on family farming in the Latin American Parliament, or in the progress made at national level thanks to the drafting of new legislation, public policies and budget allocations for food and nutrition security (FNS).

I am proud to announce that today the region counts approximately 400 legislators committed to this fight, in addition to permanent offices in more than 17 national parliaments, which resulted in more than 21 laws being approved and implemented.

Moreover, there was a demonstrated legislative willingness to contribute to implementing the Sustainable Development Goals (SDGs) as well as to developing mitigation and adaptation action on climate change.

Thanks to these achievements, the PFH have transformed themselves into an integrated group for the majority of Latin American and Caribbean countries, with a clear agenda recognized by several international organizations such as the United Nations, the Organisation for Economic Co-operation and Development (OECD), the European Union, the Community of Latin American and Caribbean States (CELAC), the Latin American Parliament and the Pan-African Parliament, among others.

In conclusion, I would like to express my gratitude to the Food and Agriculture Organization of the United Nations (FAO), the Latin American Parliament, the Spanish Cooperation, the Program of Brazil-FAO International Cooperation, the Mexican Agency of International Development Cooperation (AMEXCID), and to all members of PFH and their respective national congress, without whom this study would not have been possible.



Luisa María Calderón Hinojosa
Mexican Senator and Coordinator of Parliamentary Fronts against Hunger in Latin America and the Caribbean.

ACKNOWLEDGEMENTS

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Juan Carlos García y Cebolla, Right to Food Team leader, Luis Lobo, Policy Officer and Coordinator of the Hunger Free Latin America and the Caribbean Initiative Support Project, and Ricardo Rapallo, Food Security Officer,

were responsible for the coordination and technical supervision of the publication. The text was written by Claire Mason, Rosana Martin-Grillo and Barbara Villar. The information was validated by the members of the Parliamentary Fronts against Hunger in Latin America and the Caribbean. José Valls, Carolyn Rodrigues Birkett, Luisa Cruz and Anna Maria Ausania provided valuable comments in the different stages of the study. Margaret Vidar, Jean Touadi, Maria Gloria Riethmuller and Simon Blondeau reviewed the final draft.

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ARGENTINA

32nd FAO Regional Conference for Latin America and the Caribbean (March 2012). The Parliamentary Fronts reaffirm their commitment to eradicating hunger by 2025.

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ACRONYMS

CEDAW	<i>United Nations Convention on the Elimination of all forms of Discrimination against Women</i>
CELAC	<i>Community of Latin American and Caribbean States</i>
FAO	<i>Food and Agriculture Organization of the United Nations</i>
FF	<i>Family Farming</i>
FOPREL	<i>Forum of Presidents of Legislative Powers of Central America and the Caribbean Basin</i>
FNS	<i>Food and Nutrition Security</i>
INCAP	<i>Central American and Panamanian Institute for Nutrition</i>
MAG	<i>Ministry of Agriculture (and Livestock)</i>
MDG	<i>Millennium Development Goals</i>
MERCOSUR	<i>South American Common Market</i>
ODA	<i>Right to Food Observatory for Latin America and the Caribbean</i>
SDG	<i>Sustainable Development Goals</i>
PARLATINO	<i>Latin American Parliament</i>
PARLANDINO	<i>Andean Parliament</i>
PARLACEN	<i>Central American Parliament</i>
PARLASUR	<i>South American Parliament</i>
PFH	<i>Parliamentary Front against Hunger</i>
PRESANCA	<i>Regional Programme for Food and Nutrition Security for Central America</i>

REDSSAN

Network of Food Sovereignty and Security

REAF

Specialized meeting for Family Farming

SICA

Central America Integration System

SINASSAN

National System for Food Security, Sovereignty and Nutrition

SSAN

Food and Nutrition Security and Sovereignty

TS

Technical Secretariat

WFS

World Food Summit

WHO/PAHO

World Health Organization/Pan American Health Organization

INTRODUCTION

“The remarkable growth of FNS laws based on the right to food was enabled particularly thanks to the dedication and commitment of the parliamentarians, many of whom are connected through the Frente Parlamentario contra el Hambre, which serves as a network for sharing best practices between national parliaments to encourage the drafting and adoption of legislation that improves the protection of the right to food.”

Olivier de Schutter

Special Rapporteur on the Right to Food (2008–2014)¹

Objective and rationale of document

The Parliamentary Front against Hunger in Latin America and the Caribbean (PFH) is a diverse group of parliamentarians who seek to eradicate hunger and malnutrition in the region by drafting effective legislation and public policies, raising awareness and forming alliances with civil society, academia, international organizations and other key actors.

Since its formation in 2009, the PFH has directly or indirectly supported the approval of more than 20 laws related to the right to food, contributing towards efforts to achieve food and nutrition security in the region.

There are currently 17 national and three departmental PFH,² one regional (PARLATINO), and three subregional PFH (FOPREL, PARLACEN and PARLANDINO).³ The PFH is recognized by and collaborates with the Community of Latin American and Caribbean States (CELAC)⁴ and other regional integration fora. In addition, the PFH has participated in exchanges and meetings with parliamentarians from Africa and Europe.⁵

This study presents the most notable results achieved by the PFH in the fields of: i) food security and nutrition; ii) school meals and healthy eating; and iii) family farming. The aim is to document legislative achievements made since the formation of the PFH

and to describe some of these processes up to 2016. The last chapter sets out a number of lessons learned. The study is intended to contribute to an exchange of experiences while highlighting the value of South-South interregional cooperation.

This report will hopefully show how, despite a wide variety of ideologies, a diverse group of political representatives in Latin America and the Caribbean has united behind a cause and stimulated the adoption of legislation and policies towards the achievement of food security and nutrition through coordinated, collaborative, persistent, strategic and inclusive actions, with the aim of ending hunger in the region by 2025.

Background

“In Latin America we have 49 million hungry people. This is not a question of agriculture, nor of science, nor of the economy; it is a question of politics and it is here that we, as parliamentarians, have responsibilities to bring to bear instruments for food security for the population.” Representative Deputy José Carlos Cardoso, Uruguay, President of the Commission for Agriculture and Fisheries, Parlatino 2010–2015.⁶

The 1990s saw a notable increase in global awareness of the fundamental causes of food and nutrition insecurity, leading to the adoption of a common definition of food security⁷ by member countries of the Food and Agriculture Organization of the United Nations (FAO) at the World Summit on Food Security (WFS) of 1996. Social and civil society movements – such as La Vía Campesina⁸ in representation of small-scale farmers’ groups and organizations around the world – contributed to broadening the scope of the debate to bring in concepts such as food sovereignty. In 1999 the UN Committee on Economic, Social and Cultural Rights issued General Comment 12, providing a precise definition for exercising and guaranteeing the right to food.⁹ It is on this basis that progressive

political commitment has grown in Latin America and the Caribbean, prioritizing the eradication of hunger and malnutrition with the aim of generating legal and institutional frameworks and assigning adequate resources.

In the new millennium, a range of political initiatives¹⁰ placed the fight against hunger and food insecurity on national and regional agendas, sending a clear message that the scourge of hunger should be unacceptable. The Hunger Free Latin America and the Caribbean Initiative (HFLACI) was launched in 2005, promoted by the then Presidents of Brazil and Guatemala¹¹ and agreed by all countries in the region, thereby becoming the first regional commitment to eradicate hunger.

The HFLACI is a framework of action that has been ratified on multiple occasions by governments and heads of state of countries in the region,¹² demonstrating high-level commitment and strengthening its sustainability. In further support of this pledge, in 2015 the Community of Latin American and Caribbean States (CELAC) approved a Plan for Food and Nutrition Security and the Eradication of Hunger (CELAC FNS Plan) 2025,¹³ positioning the fight against hunger at the highest level of political agendas of countries in the region.

The incentive to create a network of parliamentarians to draft and drive diverse national initiatives arose from a regional context. The formulation of effective and lasting public policies and legislation that would be resilient to changes in governments and global economic fluctuations was deemed vital to definitively and sustainably confront hunger and malnutrition. Contacts were made in the Latin American Parliament (Parlatino)¹⁴ between parliamentarians and civil society,¹⁵ agreements were reached and coordination was generated with entities already undertaking initiatives on formulating legislation for eradicating hunger, such as the Forum for Presidents of the Legislative Powers of Central America and the Caribbean Basin (Foprel), the Central American Parliament (Parlacen), the Andean Parliament

(Parlandino) and the South American Parliament (Parlasur). Drafted during the 1st Parliamentary Forum on the Right to Food, held in the Dominican Republic in September 2008, the Declaration of Santo Domingo¹⁶ approved the proposal to create the PFH.

The Regional PFH for Latin America and the Caribbean was formally launched in 2009, during the Interparliamentary Conference on Food Security and Nutrition in Panama. A declaration committed to combatting hunger was signed by 65 parliamentarians from 19 countries. The regional PFH sought to forge connections with other committed actors, strengthening multisector coordination and policy collaboration in alliance with existing fronts or social movements in the struggle against hunger.¹⁷

The PFH has grown significantly since its inception in 2009 and the first PFH Forum held in Brazil in 2010.¹⁸ In 2016 it counted more than 300 parliamentarians from across the continent and had established itself as a key actor in the region in the fight against hunger. The composition of the PFH is based on plurality and sustained by the common interest and will of parliamentarians working to end hunger, malnutrition and poverty, transcending political trends. Its shared objective affords it greater continuity, enabling it to surpass political parties. As a result it has the capacity to bring together different positions from all sides of the political and social spectrum.

The Latin American and Caribbean region is widely recognized for its achievements in reducing hunger and poverty over the last two decades.¹⁹ The UN 2030 Agenda for Sustainable Development²⁰ has provided a renewed framework for action.²¹ Its 17 Goals and 169 Targets are directed towards eradicating poverty, hunger and injustice through sustainable means; they demand revitalized and novel action on the part of *all* countries, inspiring collaboration between them. Specifically, Sustainable Development Goal (SDG) 2 aims to end hunger and malnutrition in all its forms by 2030, making the work of the PFH even more relevant to global challenges.

The Project in Support of the HFLACI²² – an agreement between FAO and the Spanish Agency for International Cooperation for Development (AECID) – has been a fundamental element in the evolution of the work of the PFH since the outset. The Project provides technical and logistical assistance and has an important role to play in training and planning. Other governmental cooperation programmes, such as those of Brazil and Mexico, also provide valuable technical and financial support²³ to these efforts, which has been vital to the sustainability and impact of the PFH.

The PFH in 2016

The PFH is now established as a regional reference point with its own institutional structure,²⁴ strong alliances with civil society and international organizations and the capacity to contribute to drafting modern and relevant legislation aligned to international human rights standards.

The PFH is made up of supranational, national, departmental and subnational parliamentarians from the countries of Latin America and the Caribbean, sharing a common objective to position the right to food and the struggle against food insecurity at the highest level of the public agenda in each country. There are currently 17 PFH,²⁵ which are coordinated by the Executive Coordinating Committee.²⁶

Technical support is provided by a Technical Secretariat represented at FAO headquarters by the Project in Support of the HFLACI. The managerial structure and constitutional documents of the PFH are important elements for its continuity and permanence in political and social spheres. The PFH is strengthened by its technical-political alliances with civil society and institutions such as FAO, the CELAC, the World Health Organization/Pan American Health Organization (WHO/PAHO), Consumers International²⁷ and the Right to Food Observatory in Latin America and the Caribbean (ODA)²⁸, among others.²⁹

The PFH holds an annual regional Forum³⁰ with the aim to exchange experiences, improve capacities and networks between parliamentarians and identify strategies for guaranteeing the right to food. The PFH also holds annual planning meetings, periodic trainings and multiple national consultation and awareness-raising initiatives in the process of drafting and approving laws.³¹ Each Forum and Planning Meeting results in an established strategy that guides work during the year.³² Information materials and reports on activities and constitutional acts are available to the public through the PFH website,³³ enhancing transparency and accountability.

Among the goals of the PFH in seeking a permanent solution to hunger and malnutrition are: developing effective legal and institutional instruments to guarantee the right to food; bringing together and coordinating legislative representatives seeking alliances with civil society; opening up consultation, discussion, and awareness-raising opportunities; and generating and exchanging knowledge, opinions and national, regional and international experiences so as to make the most of technical assistance, good practices and lessons learned in diverse political arenas. In the last two Fora of the PFH, other themes that impact on food security in the region were added to the working agenda, including climate change and budgets for food security and nutrition, considering in particular the commitments made by countries to the Paris Agreement³⁴ and the SDGs.³⁵ Gender and participative governance are cross-cutting themes for all the activities of the PFH.³⁶

South-South Cooperation and interregional exchanges of information and legislative experiences have become increasingly important to the work of the PFH. Relations have been strengthened with parliamentarians in Africa and in Europe, and in 2016 the PFH presented their experiences in meetings with parliamentary colleagues in Spain, at the European Union and at the Pan African Parliament.³⁷ Politicians from other regions also participated in the annual PFH Forum in Latin America.


The influence and interactions of the PFH have led to more than 20 laws being passed on food and nutrition security, as well as the promotion of numerous other legislative initiatives. The following table sets out the state of the PFH in 2016 and presents examples of legislative advances made in Latin America and the Caribbean, including initiatives currently underway.

Table 1: The PFH in 2016 and initiatives approved or under consideration³⁸

REGIONAL/ SUBREGIONAL PFH	YEAR OF FORMAL CONSTITUTION	LEGISLATIVE INITIATIVES AND YEAR
<i>Regional</i> PFH of the PARLATINO http://www.parlatino.org/es/	2009	Framework law on the right to food, food security and food sovereignty, 2012
		Framework law for Latin America on the regulation of the publicity and promotion of foods and non-alcoholic drinks aimed at children and adolescents, 2012
		Framework law on school meals, 2013
		Declaration on family farming, ³⁹ 2014
		Model law on family farming, 2016
		Draft framework law for the reduction of food loss and waste, 2016
<i>Subregional</i> PFH of the FOPREL http://foprel.org.ni/category/acerca-de-foprel/	2009	Framework law for food sovereignty and security and nutrition, 2008
		Framework law on the right to adequate school food and nutrition, 2013
		Framework law on prevention of, environmental protection against, integral management of and adaptation to climate change, 2014
		Framework law on the human right to water and sanitation, 2015
<i>Subregional</i> PFH of the PARLACEN http://www.parlacen.int	2011 (process began in 2008)	Declaration of the reactivation of the PFH in the PARLACEN, 2009 Act of Constitution of the PFH, 2011
<i>Subregional</i> PFH of the PARLANDINO http://www.parlamentoandino.org	2014 (process began in 2010)	Draft framework law on food sovereignty for the Andean region, 2015

 Approved Legislation

 In Parliamentary Process

 In drafting

NATIONAL PFH	YEAR OF FORMAL CONSTITUTION	LEGISLATIVE INITIATIVES AND YEAR
PFH ARGENTINA ⁴⁰ http://parlamentarios.contraelhambre.org/frentes/nacionales/argentina/	2011 <i>(process began in 2009)</i>	Law 27.118: Historical reparation of family farming for the reconstruction of a new rural policy in Argentina, 2015
		Draft rules for buying from family farmers to strengthen the sector, 2015
		Draft framework law on food and nutrition security, 2016
PFH BOLIVIA (PF FOR FOOD SOVEREIGNTY TO LIVE WELL) ⁴¹ http://parlamentarios.contraelhambre.org/frentes/nacionales/bolivia/	2012 <i>(process began in 2009)</i>	Law 622: School meals in the ambit of food sovereignty and the plural economy, 2014
		Law 775: Promotion of healthy eating, 2016
		Draft law on food sovereignty to live well, 2014
PFH BRAZIL (FOR FOOD AND NUTRITION SECURITY) http://parlamentarios.contraelhambre.org/frentes/nacionales/brasil/	2007	Constitutional amendment to art. 6, 2010
		Constitutional amendment to art. 225, 2010
		Law 11.497: National school meals programme, 2009
PFH COLOMBIA http://parlamentarios.contraelhambre.org/frentes/nacionales/colombia/	2011 <i>(process began in 2009)</i>	Draft law for a national food and nutrition security system, 2016
		Draft law for community and small-scale agriculture, 2016
PFH COSTA RICA http://parlamentarios.contraelhambre.org/frentes/nacionales/costa-rica/	2012 <i>(process began in 2009)</i>	Draft law for food security, 2016
		Draft law for family farming, 2016
PFH ECUADOR (PF FOR A HUNGER-FREE ECUADOR) http://parlamentarios.contraelhambre.org/frentes/nacionales/ecuador/	2011 <i>(process began in 2009)</i>	Law on hydrological resources and the use and exploitation of water, 2014
		Official rule N° 134 for the labelling of foods processed for consumption, 2015
		Organic law on rural land and ancestral territories, 2016
		Draft school meals law, 2015
		Draft organic law on agrobiodiversity and seeds, 2016

NATIONAL PFH	YEAR OF FORMAL CONSTITUTION	LEGISLATIVE INITIATIVES AND YEAR
PFH EL SALVADOR http://parlamentarios.contraelhambre.org/frentes/nacionales/el-salvador/	2012 <i>(process began in 2009)</i>	Proposal for constitutional amendment to art. 69 to recognise the right to water and adequate food, 2012
		Law of the School milk programme, 2013
		Draft law on food and nutrition security and sovereignty, 2016
PFH GUATEMALA http://parlamentarios.contraelhambre.org/frentes/nacionales/guatemala/	2012 <i>(process began in 2009)</i>	Draft school meals law, 2015
PFH HONDURAS http://parlamentarios.contraelhambre.org/frentes/nacionales/honduras/	2011 <i>(process began in 2009)</i>	Law for microfinance for women, 2015
		School meals law, 2016 ⁴²
PFH MEXICO http://parlamentarios.contraelhambre.org/frentes/nacionales/mexico/	2011 <i>(process began in 2009)</i>	Constitutional amendments of arts. 4 and 27, 2011
		Modification of general law on social development to recognise the right to nutritious food, 2016
		Draft law on the right to adequate food, 2015
PFH NICARAGUA http://parlamentarios.contraelhambre.org/frentes/nacionales/nicaragua/	2011 <i>(process began in 2009)</i>	Law N° 881: Judicial Digest in field of food security, nutrition and sovereignty, 2015 ⁴³
PFH PANAMA http://parlamentarios.contraelhambre.org/frentes/nacionales/panama/	2015 <i>(process began in 2009)</i>	No legislative initiative has yet begun, focus is on consolidating the national chapter
PFH PARAGUAY http://parlamentarios.contraelhambre.org/frentes/nacionales/paraguay/	2011 <i>(process began in 2009)</i>	Draft law on farming insurance, 2016
		Draft law to create the national system of small-scale family farming, 2016

NATIONAL PFH	YEAR OF FORMAL CONSTITUTION	LEGISLATIVE INITIATIVES AND YEAR
FPH PERU http://parlamentarios.contraelhambre.org/frentes/nacionales/peru/	2014 <i>(process began in 2009)</i>	Law 30021: Promotion of healthy food for children and adolescents, 2013
		Rules establishing technical parameters for food and non-alcoholic drinks as a reference to Law 30021, 2014
		Law 30355: Promotion and development of family farming, 2015
		Draft framework law on school meals, 2015
		Draft law on food and nutrition security, 2015
		Draft procedural rules for law 30355, 2016
PFH DOMINICAN REPUBLIC http://parlamentarios.contraelhambre.org/frentes/nacionales/republica-dominicana/	2011 <i>(process began in 2009)</i>	Law 589-16 on food and nutrition sovereignty and security for the right to food, 2016
PFH ST VINCENT & THE GRENADINES http://parlamentarios.contraelhambre.org/frentes/nacionales/san-vicente-y-las-granadinas/	2015 <i>(process began in 2009)</i>	No legislative initiative has yet begun, focus is on consolidating the national chapter
PFH URUGUAY http://parlamentarios.contraelhambre.org/frentes/nacionales/uruguay/	2011 <i>(process began in 2009)</i>	Law 19.140: Promotion of healthy foods in centres for education, 2013
		Creation of the Special Advisory Commission on the Right to Food in the Uruguayan Parliament, 2015
DEPARTMENTAL/ STATE PFH	YEAR OF FORMAL CONSTITUTION	LEGISLATIVE INITIATIVES AND YEAR
Departmental PFH of Potosí, Bolivia	2014	Draft law on school meals for the Department of Potosí, 2014
Departmental PFH of La Paz, Bolivia	2014	Draft law on school meals for the Department of La Paz, 2015
State PFH of the Federal District (DF) of Mexico	2012	Law on food and nutrition security for the State of Mexico, 2009
		Family farming law of the Federal District (DF), 2015

LEGISLATIVE ACTION PROMOTED BY THE PFH

The process of developing effective laws comprises many elements. Together with political will, it is often necessary to consolidate parliamentary action through multisector cooperation and collaboration and by strengthening the knowledge of legislators. Raising the awareness of the general public as well as of the Executive and Judicial branches is also important in preparing for legitimate and lasting legislative changes.

The creation of the PFH presented opportunities for strengthening legislative processes to guarantee the right to food, as it focuses on participation, engaging with interested parties, transparency, receiving technical support and raising awareness. Through partnerships with specialized agencies such as FAO, WHO/PAHO and the ODA,⁴⁴ parliamentarians and their advisors participate in training workshops, analytical processes, exchanges of experiences and public information and media campaigns. They also receive important technical support in elaborating laws with a focus on human rights. The results can be seen in the laws that are finally approved, generated by the combined efforts of civil society, academia and parliamentarians, with broad public support.

To demonstrate the legislative impact made by the PFH, some of these laws and the processes that led to them will be examined in the following sections, in the areas of food security and nutrition, school meals and healthy eating, and family farming. In the annexes, specific laws are detailed to demonstrate their adherence with good practices and international human rights standards.

Initiatives related to the Constitution

The Constitution is considered the pillar of people's rights and the obligations of the state. Incorporating the right to food in a clear and explicit way can afford it the highest level of protection, given the Constitution's hierarchical placement in the judicial order, while aiding the interpretation of related laws and eventual amendments of national laws. It also helps to promote and raise national awareness of the right to food. Generally, the Constitution surpasses changes of government and political trends and so to place within it the right to food serves as a safeguard against its revocation.⁴⁵

At the constitutional level in Latin America and the Caribbean there is broad recognition of the right to food.⁴⁶ A clear example of this can be seen in Bolivia, where article 16 of the 2009 Constitution stipulates that: "*all people have the right to water and food... the State has the obligation to guarantee food security through healthy, adequate and sufficient food*".⁴⁷ In other countries, the right is recognised for a specific group of people (for example children, workers, lactating mothers, etc.).⁴⁸ However, for the majority of countries in the region⁴⁹ the right to food is implicitly recognised within a broad interpretation of other rights,⁵⁰ or through constitutional recognition of the incorporation of ratified international treaties into domestic legal systems.

The PFH has driven constitutional amendments to explicitly include recognition of the right to food

for all people. One example is **Brazil**, where the PFH supported a collaborative process to amend the Constitution, which had begun in 2003⁵¹ with trainings, awareness raising, open debates and a media campaign.⁵² This work led to the approval by Congress in February 2010 of Constitutional amendment 64/2010 to article 6 of Brazil's Constitution, establishing the following: *“Education, health, food, work, rest, security, social provision, maternity are all social rights...”*.

In collaboration with civil society, academia, the Executive and various national and international organizations,⁵³ the PFH in Mexico supported the approval of amendments to the country's Constitution, which in 2011 resulted in the explicit incorporation of the right to food through modification of articles 4 and 27, establishing: *“The State will guarantee that all people have the right to nutritious, sufficient and quality food” (art.4)* and *“Integral and sustainable rural development.... will also have among its aims the guarantee by the State of the sufficient and opportune supply of basic foodstuffs as established by law” (art.27)*.

Food and Nutrition Security Laws

Food and nutrition security exists when “...all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life...”.⁵⁴ Since its formation, the PFH has strengthened the right to food by formulating laws that promote and protect food security, nutrition and food sovereignty. While the region registered success in these areas during the first decade of the new millennium, the consolidation of the PFH at regional and country level is considered to have been a strong influencing factor in reinforcing the processes of drafting, approving, implementing and overseeing the laws.

The food and nutrition security laws passed before the formation of the PFH in countries such as Argentina, Brazil, Guatemala, Mexico, Nicaragua and

Honduras⁵⁵ are relevant for its later work. In some cases it was the same parliamentarians that supported the processes of drafting and approving the laws who subsequently went on to form the PFH in their countries. It is also worth pointing out the value of this pre-existing legislation as a basis from which to raise awareness, stimulate and craft later legislation, or to measure impacts and improve implementation.

The PFH support laws that are based on partnerships and participative processes, in order to engender their acceptance in public opinion and ensure the inclusion of factors of local and national importance and relevance. In drafting new legislation, the PFH analyse comparative laws and review successful initiatives that are already ongoing. The positive elements of a country's experience are identified and brought into the drafting process, while ensuring respect for each country's particular context. In the same way, regional framework laws play an important role in inspiring and guiding the drafting and content of national legislation.

The **Parlatino Framework law on the right to food, security and food sovereignty**⁵⁶ is a result of work directed by the members of the Regional PFH together with the Commission on Agriculture, Livestock and Fisheries of the Parlatino, supported by FAO and the HFLACI. The law was approved at the 18th Parlatino Ordinary Assembly by the 23 member states and makes clear reference to the international human rights obligations of states and their duty to respect, protect and guarantee the right to food for all people. Its extensive approval at regional level affords it wide legitimacy, reach and impact. At the same time, as a framework law it has been used for training purposes and to generate effective national laws for food and nutrition security and sovereignty. It offers strategies, institutional mechanisms and a legal basis for the approval of legislation or policies to achieve full protection of the right to food. Although not legally binding, it provides guidelines for all countries, reiterating the importance of advocating for this right and encouraging all states to legislate so as to ensure food and nutrition security, with particular attention to society's most vulnerable.

At country level, the **Dominican Republic** provides a key recent example of the successful efforts of national PFH in preparing, drafting, debating and raising awareness around legislation for food and nutrition security. In July 2016 the food and nutrition sovereignty and security law was passed,⁵⁷ following a process that began in 2011 with a series of public meetings and the participation of more than 500 people to exchange views on the proposed legal content. The process was led by the Interinstitutional Committee on Food and Nutrition Security, composed of the Ministries of Agriculture and Health and the national chapter of the PFH, with technical support from FAO, the World Food Programme (WFP), the PAHO and the UN Development Programme (UNDP). Subregional fora such as FOPREL and the Regional Programme for Food Security and Nutrition for Central America (PRESANCA)⁵⁸ contributed with exchanges between the Dominican Republic's PFH and the PFH in Nicaragua and Honduras, in order to strengthen legal content with the experience of those countries. Based on the outcome of public meetings and a study of good practices and comparative legislation, a draft law was prepared and disseminated for consideration to more than 70 organizations from 25 provinces of the country. Approved in June 2016, the final law was the fruit of broad consensus with civil society, legislators, the Government and community organizations, among others.

The new law in the Dominican Republic created the National System for Food and Nutrition Sovereignty and Security, facilitating the formulation, design and implementation of all related policies, programmes and projects in the country, with a focus on human rights. It is considered a model of integration given the high level of participation on the part of governmental institutions, civil society organizations and UN agencies who came together to lend weight to its drafting and approval. The continuous action of national PFH throughout the entire process was key to its creation and subsequent ratification.

The PFH have also played an active role in supporting the approval of other legislative instruments relating to food and nutrition security, for example in **Mexico**⁵⁹ and **Nicaragua**.⁶⁰

Table 2. Approved food and nutrition security and sovereignty laws promoted by the PFH

REGION/ COUNTRY	TITLE OF LAW	YEAR
PARLATINO	<i>Framework law on the right to food, security and food sovereignty</i>	2011
DOMINICAN REPUBLIC	<i>Food and nutrition sovereignty and security law</i>	2016
MEXICO	<i>Modification of the 2004 general law on social development to recognise the right to nutritious food</i>	2016
NICARAGUA	<i>Law N° 881 of the Nicaraguan Judicial Digest on matters of food and nutrition sovereignty and security</i>	2015

In addition to the legislation in Table 2 above, it is worth mentioning the processes currently underway, driven by the PFH and of which there are various in diverse stages of debate and formulation. These are summarized in Table 3 below:

Table 3. Draft⁶¹ food and nutrition security and sovereignty laws supported by the PFH

REGION/ COUNTRY	TITLE OF LAW	YEAR
PARLANDINO	<i>Draft framework law on food sovereignty for the Andean region</i>	2015
ARGENTINA	<i>Draft framework law on food security</i>	2016
BOLIVIA	<i>Draft law on food sovereignty for living well</i>	2014
BRAZIL	<i>Project to modify law N° 11.346 of 2006</i>	2015
COLOMBIA	<i>Draft law on food and nutrition security</i>	2013– 2016
COSTA RICA	<i>Draft framework law on food security</i>	2016
EL SALVADOR	<i>Draft law on food and nutrition sovereignty and security</i>	2013
MEXICO	<i>Draft law on the human right to adequate food</i>	2015– 2016

School meals laws

The right to adequate food incorporates issues of hunger and malnutrition, including inadequate nutrition and unhealthy eating habits. The PFH pay special attention to wellbeing and nutrition when drafting legislation, particularly that which benefits the right to health, education and the meals of children.

School meals are considered a key factor for sustainable human development. They are increasingly recognised as an instrument of social protection for society's most vulnerable and as a guarantee of access to adequate food for minors in education. It can benefit their growth and cognitive development, encourage school attendance, promote nutritional wellbeing and improve dietary habits. It can also lead to local and rural regeneration through its links with public spending and sustainable family farming, as well as generating the active participation of families by optimizing nutrition, through initiatives such as school gardens.⁶²

Today, there are school meal programmes in almost all countries of the region. The PFH seek to enshrine these programmes in laws to ensure their continuity, guarantee greater reach, adequate budget provision and the creation of appropriate institutions and mechanisms for effective implementation. After some 65 years of school meal programmes,⁶³ the experience of countries such as Brazil has served to support the PFH through exchanges and trainings aimed at strengthening the generation of legislative proposals.

The PFH have influenced the approval of laws in five countries,⁶⁴ as well as framework laws at the regional and subregional level.⁶⁵ These laws are summarized in Table 4 below and further detailed in the Annex at the end of this document. It is worth pointing out that the national chapter of the PFH in **Honduras** presented a new *school meals law*⁶⁶ that was approved in September 2016.⁶⁷

The **Parlatino** *framework law on school meals* was approved in 2013 and makes reference to the *Parlatino framework law on the right to food, security and food sovereignty*, article 12 of which calls on states to implement school meal programmes in recognition of the right of all children to adequate food and nutrition. The school meals framework law is directed at school-age children and includes measures to prevent chronic malnutrition, reduce related diseases and promote healthier lifestyles in the region. It also sets out instruments for overseeing the implementation of effective public policies. The law is an important reference point for countries of the region when drafting national legislation aligned with international standards related to the protection and promotion of children's rights.

The **Foprel** *framework law on the right to adequate school food and nutrition* was approved by the Presidents of 11 Legislative Powers in 2013. Its formulation included input from the PRESANCA (Phase II)⁶⁸ and the Central American and Panamanian Institute for Nutrition (INCAP). The initiative emphasizes nutrition and calls for the creation of judicial frameworks to guarantee the full exercise of the right to adequate school food and nutrition for children in public and subsidised private education at preschool, primary and specialist schools, as a fundamental human right.⁶⁹

The PFH⁷⁰ in **Bolivia** is an example of how a process of training, awareness raising and partnership building culminated in the drafting and approval of legislation for school children's right to food. Bolivia's PFH was formed in 2012, with one of its priorities being to establish a law to guarantee school meal programmes. Meetings, workshops and regional exchanges were arranged with other parliamentarians of neighbouring countries to learn about their experiences in school meals systems. Further meetings were held with civil society to exchange information and raise awareness, and the PFH carried out an exercise of citizen consultation, in which the draft law was discussed in all nine departments of the country. In partnership with academia,⁷¹ the state of

current legislation was analysed and comparative laws studied, as well as the *Parlatino's framework law on school meals*. The process of drafting a national law then began, with the participation of the Ministries of Education, Health and Agriculture, small-scale farmers' organizations and others from civil society.

During this process, political alliances were formed to prioritize school meals during the legislative period of 2014–2015, thus enabling an agreed draft law to be presented containing improvements in nutrition, school performance and boosting the community economy through public spending from local suppliers. Bolivia's *law 622 on school meals in the context of food sovereignty and the plural economy* was approved on 29th December 2014.

Healthy eating laws

Malnutrition generates a dual burden: undernutrition, which still affects some 34 million people in Latin America and the Caribbean,⁷² and obesity and overweight, which are increasing at an alarming rate, with approximately 22 percent of people in the region classed as obese.⁷³ These issues require not only the promotion of changes in nutritional habits, but also regulation on the publicity, production and commercialization of food products. Nutrition education is an important element to be considered in school meal laws. The PFH have worked on legal initiatives related to nutritional wellbeing or the right to healthy food, creating nutritional guidelines and regulating publicity, in particular when directed at minors.

With the backing of FAO and PAHO, in 2012 the regional PFH in **Parlatino** drafted and approved a proposal for a *framework law for Latin America on regulating publicity and promotion of food and non-alcoholic drinks directed at children and adolescents*.⁷⁴ It serves as a reference for countries in the region, encouraging them to introduce legislation to regulate the publicity of foods for minors, ensure the inclusion of information about amounts of sugar

and trans fats on food labelling, foster exercise and sporting activities and promote the sale of healthy foods in schools, among other recommendations.

The national chapters of the PFH have contributed to the approval of laws relating to healthy eating in **Bolivia, Peru, Ecuador, and Uruguay**.⁷⁵

Table 4. School meals and healthy eating laws supported by the PFH

REGION/ COUNTRY	TITLE OF LAW	YEAR
PARLATINO	<i>Framework law on school meals</i>	2013
FOPREL	<i>Framework law on the right to adequate school food and nutrition</i>	2013
BOLIVIA	<i>Law N° 622 on school meals in the context of food sovereignty and the plural economy</i>	2014
BRAZIL	<i>Law N° 11.947 on school meals</i>	2009
EL SALVADOR	<i>Law on the programme for school milk</i>	2013
HONDURAS	<i>School meals law</i>	2016
BOLIVIA	<i>Law N° 775 on the promotion of healthy eating</i>	2016
ECUADOR	<i>Official Decree No. 134 on the labelling of foods processed for human consumption</i>	2015
PERU	<i>Law N° 30021 on the promotion of healthy eating for children and adolescents</i>	2013
URUGUAY	<i>Law N° 19.140 on healthy eating in teaching centres – rules for its promotion</i>	2013

In addition to approved legislation, the PFH have actively participated in other initiatives for school meals and healthy eating, such as the Bolivian Departmental PFH of **Potosí** and **La Paz** developing the *Departmental law on school meals*.⁷⁶ Other processes are also being worked on in **Guatemala**, **Ecuador** and **Peru**. Table 5 summarizes the related legislative initiatives under discussion in the region.

Table 5. Draft laws on school meals, supported by the PFH

REGION/ COUNTRY	TITLE OF LAW	YEAR
ECUADOR	<i>Draft school meals law</i>	2015
GUATEMALA	<i>Draft school meals law</i>	2015
PERU	<i>Draft framework law for school meals</i>	2015
DEP. POTOSÍ (BOLIVIA)	<i>Proposal for departmental school meals law</i>	2014
DEP. LA PAZ (BOLIVIA)	<i>Proposal for departmental school meals law</i>	2016

Family farming

Supporting family or community farming is key to ending hunger and moving towards more sustainable agricultural systems in Latin America and the Caribbean. It is estimated that family farmers account for approximately 80 percent of farmland use in the region, amounting to some 60 million people.⁷⁷ However, family farmers are often among the most excluded groups from politics and markets, with scant access to land, finance and technology as well as public services such as health, security, education and infrastructure. This limits their capacity to produce or generate decent incomes. According to FAO, ensuring structured support for family farmers and including them in value chains are some of the greatest challenges for the region.

Coinciding with the International Year of Family Farming, in 2014 the PFH stated its support for this way of life and issued the *Family Farming Declaration of the Parlatino*.⁷⁸ At the Fifth PFH Forum⁷⁹ it was agreed to strengthen this group with a view to promoting more inclusive development and improving nutrition and in recognition of the fact that by supporting family farming, governments can alleviate hunger, poverty and combat food and nutrition insecurity. The work of the PFH contributed to approval of legislation for the promotion and protection of family farmers in **Argentina, Ecuador, Peru, Honduras**, and the **Federal District of Mexico**, as well as approval of the *model law on family farming*⁸⁰ during the XXXII General Assembly of the **Parlatino**.

The **Parlatino model law on family farming** was approved in December 2016 and establishes guiding principles, definitions and obligations. It thus serves as a framework for states to create or improve laws, policies and national strategies for family farming. It calls on states to guarantee the preservation, promotion and development of this way of life, and to ensure it is strengthened and valued in generating sustainable food security in countries. It provides operational measures for full participation,

as well as interministerial, interdisciplinary and interinstitutional coordination and collaboration.⁸¹

In **Argentina**, law 27118 on the *historical reparation of family farming for the reconstruction of a new rural policy in Argentina* was approved in 2015. It is an example of legislation focused on the protection and promotion of family farming and the rural sector. The law provides a clear definition of family farming and declares it to be of public interest, highlighting its importance as a way of life and securing its preservation. The law was drafted as a result of coordinated work with the Ministry of Agriculture and Livestock and representatives from the agricultural sector with support from national PFH. One of its results was the creation of a Subsecretariat for Family Farming.

In **Mexico**, at state level the PFH of the Federal District supported the drive to promote family farming, placing the issue firmly on the legislative agenda. The *family farming law* was approved unanimously in 2015 and is the outcome of combined efforts by the departmental PFH and civil society and small-scale farmers' organizations. The law seeks to promote public policies to sustain family farming and reduce rural poverty, fostering local production and good agricultural practices with a focus on gender, indigenous peoples and protection of the most vulnerable.⁸²

The PFH have worked inclusively with local committees, small-scale farmers' organizations, the Executive and other actors vital to the wellbeing of family farming, securing legislation to protect and promote this way of life in furtherance of sustainability and food security. A summary of the approved legislation to which the PFH have contributed can be found in Table 6 below.⁸³

Table 6. Family farming laws supported by the PFH

REGION/ COUNTRY	TITLE OF LAW	YEAR
PARLATINO	<i>Model law on family farming</i>	2016
ARGENTINA	<i>Law 27118 on the historical reparation of family farming for the reconstruction of a new rural policy in Argentina</i>	2015
ECUADOR	<i>Organic law on rural land and ancestral territories</i>	2016
HONDURAS	<i>Law for a national programme of microfinance for rural women</i>	2016
PERU	<i>Law N° 30.355 for the promotion and development of family farming</i>	2015
MEXICO DF, MEXICO	<i>Family farming law</i>	2015

In addition to legislation that has already been successfully passed, other legal initiatives for the protection and promotion of family farming prepared by the PFH in **Argentina, Colombia, Ecuador, Guatemala, and Paraguay** can be found in Table 7 below.

Table 7. Draft laws on family farming supported by the PFH

REGION/ COUNTRY	TITLE OF LAW	YEAR
ARGENTINA	<i>Draft law on rules for purchasing from family farms to strengthen the sector</i>	2015
COLOMBIA	<i>Draft law for community and small-scale farming</i>	2016
ECUADOR	<i>Draft organic law for agrobiodiversity, seeds and to foster agroecology⁸⁴</i>	2016
GUATEMALA	<i>Draft family farming law</i>	2016
PARAGUAY	<i>Proposal for law on farming insurance</i>	2014

LESSONS LEARNED

The PFH are a relatively recent and new endeavour. While still being consolidated, the desire to positively impact on achieving zero hunger in Latin America and the Caribbean remains key to its role. Its collaboration and diversity facilitate it being extended to other parliamentarians of the region and in other parts of the world. Compiling some of the experiences gained from its diverse processes in formulating legislation demonstrates good practices as well as challenges and lessons learned, contributing to the continued development of effective legislation towards eradicating hunger and safeguarding food and nutrition security.

Institutions

The institutional nature of the PFH serves to strengthen them and their capacity for coordination and action, facilitating their continuity in the context of electoral change. It can also enhance accountability and transparency. By way of examples, in Bolivia, Costa Rica, the Dominican Republic and Uruguay, the PFH have an official formality with internal procedural rules. In the Dominican Republic, a 2011 resolution welcomed the formation of the PFH and the Chamber of Deputies co-financed the participation of parliamentary delegations to a range of PFH regional activities. Meanwhile in Uruguay, since 2015 the PFH has formed part of a Special Commission to provide Parliament with guidance and proposals related to food and nutrition security.

Keeping the right to food on the agenda

The PFH promote food and nutrition security and drive awareness of the right to food. They actively participate in international and high-level meetings,⁸⁵ engage in dialogue with regional integration bodies⁸⁶ and parliaments⁸⁷ and support follow-up of regional commitments such as the CELAC FNS Plan.⁸⁸ In this way the PFH seek to place food security and nutrition high on regional and international agendas, secure high-level political commitment, and identify opportunities for new legal processes.

International exchanges

Processes are enriched by promoting and participating in dialogue and exchanges with parliamentarians of other regions, particularly Africa⁸⁹ and Europe.⁹⁰ The PFH are a regional and international reference for the political commitment to end hunger, while exchanging and benefiting from mutual cooperation and collaboration serve as steps towards achieving a global solution to hunger. In the words of the then Regional Coordinator of the PFH, Ecuadorian parliamentarian María Augusta Calle: “The fight against hunger has no frontiers or political allegiance; this parliamentary action must reach all corners. We must create spaces for dialogue and the exchange of experiences so as to share our errors and our successes. Solidarity is the key.”⁹¹

Building knowledge

Parliamentarians do not always have the necessary legal or specialist knowledge on food security and nutrition to be able to draft the most appropriate legislation to meet international human rights standards and assure sufficient budgetary, implementation and oversight measures. The PFH use all tools available to them in terms of capacity building to construct effective laws. This is demonstrated by the positive results achieved in the Dominican Republic and Bolivia, among other countries where training was undertaken and technical support received from international and regional organizations, experts, academia and civil society organizations to strengthen drafting skills. By the same token, a greater number of actions carried out by the PFH have the support or collaboration of UN agencies, such as FAO, the United Nations Children's Fund (UNICEF), the OMS/OPS, the Office of the High Commissioner on Human Rights (OHCHR) and the International Labour Organization (ILO), which contributes to their technical enrichment.

Support of external donors

The support of resource partners such as the Spanish Cooperation Agency (AECID), the Mexican Cooperation Agency (AMEXCID),⁹² the School meals and Governance Programmes of the Brazilian Government, and FAO, among others, has been fundamental to the success of the PFH. This support has been a strategic ally throughout the activities of the PFH since the outset and includes the important role of the AECID Training Centres, which exist in many regions of the world and that have provided space and services since 2015 as the site for PFH Planning Meetings. Adequate financial resources and technical cooperation partnerships are vital for the consolidation, effectiveness and sustainability of the work of the PFH.

Outreach and consensus building

A participative and inclusive process is key to successfully drafting legislation. The PFH open up spaces for debate and discussion, as well as generating support and consensus from civil society groups and receiving local input and validation of draft legislation. They work closely with academia – such as the Right to Food Observatory (ODA) – public and private sectors, and representatives from indigenous peoples' organizations, small-scale farmers' organizations, women's organizations, and agricultural organizations, among others. Awareness-raising activities are held through public meetings and workshops and information campaigns aimed at mobilizing opinion to build legitimacy and popularity around legislation for food and nutrition security.

Communication

By providing clear information, awareness is raised about the need to eradicate hunger and the opportunities for doing so. In turn, sufficient momentum can be gained to promote legislative change for the right to food. Fostering political will and building consensus helps laws to be developed, approved and implemented, as well as propagating greater human rights knowledge. In many countries, the PFH communicates its progress and activities on the right to food through social and other media. For example, in El Salvador the right to food was promoted by the PFH on the radio and in the press, while in the Dominican Republic the PFH built on an intense campaign to disseminate information about food and nutrition security to finally gain approval of a food security law. The PFH maintains a website⁹³ that provides up-to-date information on its activities and serves as a portal for key documents, as well as containing details of each national PFH and their related laws, campaigns and meetings. Sharing information helps to generate a political culture that favours transparency and accountability and ensures people and organizations have access to full information, effective laws and can therefore be active participants in advocating, securing and claiming their rights. ■

ANNEX

LEGISLATIVE TABLES

The following pages contain a selection of laws that were approved with the support of the PFH at national or regional level. Each law is presented in a table that summarizes its most relevant contents. The intention is to demonstrate the consensus

reached by the PFH in facilitating the adoption of modern and effective laws. It does not include a deeper evaluation of the quality or the impact of the laws, which will be subject to more detailed analysis in a later publication.



I. FOOD AND NUTRITION SECURITY AND SOVEREIGNTY LAWS

Legislative Table 1. PARLATINO Framework law on the right to food security and food sovereignty⁹⁵

PARLATINO–FRAMEWORK LAW ON THE RIGHT TO FOOD SECURITY AND FOOD SOVEREIGNTY. PUBLICATION: 2012	
Objective and reach of the law	<p>To ensure the full exercise of the right to food and create the judicial framework of reference for establishing of policies and strategies to permanently guarantee the right to food, food security and nutrition of the population, as a national priority.</p> <p>To strengthen institutional capacities for overcoming malnutrition, hunger and guaranteeing health and wellbeing.</p>
Obligations and principles	<p>Participation, accountability, equality, non-discrimination, empowerment.</p> <p>The state must respect, provide, protect and promote the human right to food, and inform, oversee, evaluate and guarantee mechanisms for redress.</p>
Definition of the right to food	Art. 10: the right to adequate food is the human right of people, alone or collectively, to have access at all times to adequate, safe and nutritious foods with cultural relevance, so as to satisfy nutritional needs for a healthy life and integral development.
Institutions	Chapter V creates a national and multisector authority for coordinating the implementation of the right to food, including advice, coordination and the review of policies for monitoring and follow-up, with the establishment of indicators of progress, budgets and information, among others.
Monitoring and evaluation	Chapter VI creates a monitoring and evaluation system, responsible for collecting disaggregated data on food and nutrition security (FNS), evaluating progress on the right to food, and presenting reports to Parliament on the application of the law.
Emergencies	Art.29d establishes and identifies mechanisms for early warnings related to FNS and the right to food through the System for Vigilance and Monitoring.
Education	Art. 24 sets out the obligation to include material related to food and nutrition education and human rights in secondary, primary and adult education planning.
Mechanisms for implementation and redress	<p>Art. 16 proposes amendments to criminal codes in order to criminalize the deliberate deprivation of food and the violation of the right to food, as well as to revise the administrative and legislative framework accordingly.</p> <p>Infringements or omissions of the right to food can be denounced as an administrative procedure with redress for the violation.</p> <p>States must adopt judicial mechanisms and adjust laws in alignment with international obligations on the right to food and establish administrative procedures and corresponding reparations.</p>
Budget	<p>Art. 18 The national budget will assign the necessary resources for implementing the right to food.</p> <p>The State guarantees that the institutions responsible for vigilance have the necessary financial and human resources for autonomously promoting and overseeing the right to food.</p>

**PARLATINO - FRAMEWORK LAW ON THE RIGHT TO FOOD SECURITY AND FOOD SOVEREIGNTY.
PUBLICATION: 2012**

Participation/ Governance	Coordination and decision making must involve all actors and wide participation should be ensured. Chapter VII provides instructions on the representation and transparent participation of the private sector and civil society with a range of qualifying criteria (including gender, geographical areas and communities, the holding of consultations and periodic public audiences).
Priority policies	Refers to the responsibility for formulating, adopting and reviewing national policies on the right to food to guarantee they adequately meet the changing needs of the population.
Innovative elements	<p>First regional framework law on right to food.</p> <p>Ample consensus – approved by parliamentarians from the 23 member states.</p> <p>Reference point for developing legislation at the national level.</p> <p>Technically the law meets all the elements necessary for guaranteeing the right to food from assignment to implementation and monitoring, establishing necessary accompanying institutions.</p> <p>Fosters transparency and good governance.</p> <p>Establishes obligations on the parts of states with sanctions for violations.</p>

Legislative Table 2. DOMINICAN REPUBLIC Law for food and nutrition security and sovereignty⁹⁵

DOMINICAN REPUBLIC LAW FOR FOOD AND NUTRITION SECURITY AND SOVEREIGNTY. PUBLICATION: 2016

Objective and reach of the law	Establish an institutional framework for the elaboration and development of policies for food and nutrition security and sovereignty as instruments to respect, protect and exercise the right to adequate food for all people without distinction, in accordance with human rights principles.
Obligations and principles	<p>Universality, equity, equality; non-discrimination, human dignity, participation, transparency, accountability and sustainability.</p> <p>The State must respect, protect, promote, inform, supervise, oversee, evaluate and guarantee mechanisms, processes and redress for the right to food.</p>
Definition of Right to Food	Chapter II: 'The right for all people to live in conditions which enable their access to food, the financial means of acquiring sufficient quantity and quality of food to satisfy their needs; to be protected against the risk of losing access to food in unforeseen situations; access to drinkable water and to information on appropriate nutrition.'
Institutions	Creates: i) the National System of Food and Nutrition Sovereignty and Security (SINASSAN), responsible for drafting the National Plan of FNSS, following up the state of FNSS in the country and promoting the production of food and the regional integration of topics related to FNS; ii) the National Council for Sovereignty and Food and Nutrition Security (CONASSAN), for formulating and applying policies and plans and evaluating their follow-up; iii) National Network for Sovereignty and Food and Nutrition Security (REDSSAN), which must be participative and on three levels: municipal, provincial and regional.
Monitoring and evaluation	<p>Refers to the creation of a monitoring system that obliges the authorities at all levels to protect and guarantee the right to food. The FNSS Plan is to be evaluated annually by REDSSAN.</p> <p>Art. 7. provides indicators of progress and impact for decision making.</p>
Emergencies	<p>As part of the definition of the right to food, provides the right to be protected in adverse situations, such as climatic, economic or social disasters.</p> <p>Includes guidelines for developing preventative actions within the SINASSAN, to efficiently guarantee in front of food emergencies as a result of natural disasters, economic or social crises, including the creation of state food reserves.</p>
Access to information	SINASSAN will promote regulations on information and publicity directed at children and in educational and health establishments.
Education	Included in the guidelines of SINASSAN is food and nutrition education and information, with the promotion of policies for healthy eating habits.

DOMINICAN REPUBLIC LAW FOR FOOD AND NUTRITION SECURITY AND SOVEREIGNTY. PUBLICATION: 2016

Mechanisms for implementation and redress

Art. 44: Public servants and other responsible actors who violate the law or its regulations, by action or omission, are committing an infringement.

Art.45-46: The State is responsible for making available all means necessary to ensure the right to food is not violated, and will establish funds for compensating damage caused, as well as the judicial means for dealing with cases of violations of the right to food.

Budget

The Home Office will ensure sufficient budgets are available for the institutions of SINASSAN to execute programmes and projects.

Lines of public/private credit will be generated for small- and medium-sized producers.

Participation/ Governance

Explicit inclusion of the duty on public bodies to respect, protect, promote, provide, inform, oversee, supervise, and evaluate the realization of the right to food, as well as to guarantee mechanisms, processes and resources for its demand.

The REDSSAN has a specific budget and is participative and decentralized, charged with formulating, executing and following up the FNSS Plan. It is linked to local Development Councils, with further guidelines on functions to be provided in subsequent regulations.

Priority policies

Creation of a National Plan for FNSS every four years. Establishes the following policy areas:

- Access to food and social protection
- Food production and availability
- Fair land tenure
- Food supply, safety and quality
- Wellbeing, nutrition and health; food and nutrition education and information
- Knowledge management
- Formation of human resources
- Prevention and preparation in the face of catastrophes and emergencies

Innovative elements

Decentralized law, inclusive, covering three levels of government.

Explicit mention of knowledge management and investment in human resources training as policy areas.

Promotion of regional integration for FNS governance.

Technically complete, with measures for judicial claims and assignation of responsibilities.

II. SCHOOL MEALS AND HEALTHY EATING LEGISLATION

Legislative Table 3 PARLATINO Framework law on school meals⁹⁶

PARLATINO FRAMEWORK LAW ON SCHOOL MEALS. PUBLICATION: 2013	
Objective and reach of the law	Establish a framework of reference for states to implement policies and strategies to permanently safeguard and set as a national priority the right to food and food and nutrition security for children and adolescents. Ensure adequate food, protect the health of minors, improve their nutritional condition, promote healthy habits in education and prevent all forms of malnutrition, favour access to healthy food and drink in schools.
Obligations and principles	Participation; accountability; equality; no-discrimination; empowerment. State must respect, protect and promote the right to food for children and adolescents and guarantee its opportune access; inform, supervise, oversee and evaluate implementation and establish the means for redress.
Definitions	Gives guidance to all states, proposing a common definition of concepts such as health; malnutrition; undernutrition; chronic undernutrition; overweight; obesity; school meals; stability.
Nutrition	Art. 6 establishes guidelines for school meals covering nutritional elements and determining factors, including a nutritional guide under the responsibility of the Ministry of Health. Art. 11 guarantees the right to adequate food, including the right to nutrition. Art. 20 is the obligation of the State to guarantee access to adequate food and nutrition according to the needs of children and adolescents in schooling.
Institutions	Art.23 creates the national authority for applying the right to school food. Responsible for coordination and implementation of the law. Sets the functions to be assumed, including advising, formulating, adopting and reviewing policies; establishing indicators; collecting information and reporting to Parliament.
Monitoring and evaluation	Creates an oversight system responsible for collecting disaggregated data on the FNS of minors, to evaluate the progress of the right to food and to set up early warning mechanisms.
Sustainable and inclusive development	Art. 6 refers to sustainable development for school meals, motivating diversification in local production and family farmers/rural producers, prioritizing traditional indigenous communities.
Food safety	The State is responsible for ensuring healthy and safe foods and hygiene measures when elaborating and distributing food.
Access to information	Art.21 is the right to information, including the obligation of the State to inform and ensure proper dissemination of information, as well as to establish simple procedures for access to information in various languages and through verbal means in zones with high levels of illiteracy.
Nutrition education	Art. 19 authorities will strengthen the production of healthy and nutritious foods, organize training programmes and education on diversifying diets. Art. 22 the curriculum will include material related to food and nutrition education for adults and children.

PARLATINO FRAMEWORK LAW ON SCHOOL MEALS. PUBLICATION: 2013

Mechanisms for implementation and redress	<p>Chapter IV: the State is the guarantor of the right to food. Administrative and legal frameworks should be reviewed and indicators for measuring impact introduced.</p> <p>Art. 13 establishes the adoption of legislation for preventing and compensating discriminatory practices for violations to children's right to food.</p> <p>Chapter VIII provides administrative redress for infractions of the law and measures to compensate violations of the right to food.</p>
Budget	Art. 16 establishes financing for school meal programmes charged to the national budget
Governance and participation	Art. 26 recommends that the National Authority be made up of different sectors of government, civil society, academia, the private sector, and professional organizations. Chapter VII sets out full and transparent participation from the private sector and civil society, among others, and provides for their input into decision making on the elaboration and follow-up of school meal policies and programmes.
Priority policies	<ul style="list-style-type: none"> • School meal programmes for guaranteed access to adequate nutritious food for children and adolescents. • Education and information on food, nutrition and healthy habits. • Protection of the right to adequate information and education on food and nutrition regarding marketing and publicity to minors. • Information systems and follow-up of food insecurity and malnutrition to identify particularly vulnerable households and groups. • Linking school meals with local production and food habits, with attention to the needs of specific groups such as indigenous peoples.
Publicity provisions	Art. 6: publicity of food and drink in educational institutions to be submitted to the Ministry of Health to ensure coherence with nutrition policy.
Innovative elements	<ul style="list-style-type: none"> • Framework of reference common to all countries of the region, building on successful experiences. • Coherent with the FNSS framework law (Parlatino) including participation, budgetary provision, monitoring and evaluation and redress. • Adopts a human rights focus and defines school meals as a right for students, incorporating elements to protect their right to education and information. • Links school meals to local production, healthy habits, attention to needs and cultural preferences of specific groups. • Incorporates concept of appropriate foods for minors with food allergies or intolerances.

Legislative Table 4 FOPREL Framework law on the right to adequate school food and nutrition⁹⁷

FOPREL FRAMEWORK LAW ON THE RIGHT TO ADEQUATE SCHOOL FOOD AND NUTRITION. PUBLICATION: 2013

Objective and reach of the law	Establishes a legal framework that ‘...guarantees the full exercise of the right to adequate school food and nutrition to children in public and private subsidized education, at preschool, primary and special education levels, as a fundamental and human right’.
Obligations and principles	<p>Equality; accountability; non-discrimination; inclusion; transparency; participation; respect for dignity; universalism; culturally acceptable school meals.</p> <p>Art. 7: obligations of the State are various and include “...administering systematic access to sufficient, safe, culturally acceptable and quality food”; making the right to food and nutrition State policy; eradicating micronutrient deficiencies and undernutrition; implementing policies to improve diets; generating sustainable production, including access to credits; strengthening infrastructure and investment; guaranteeing food and nutrition education; providing financial and moral incentives; guaranteeing the right to water; and ensuring access and equality of opportunity to minors with disabilities.</p>
Definitions	Art. 6 provides definitions, including: school meals; safe and adequate food; obesogenic atmosphere; undernutrition; malnutrition; nutrients; nutrition education; recreation and physical education, and obesity.
Nutrition	<p>Nutrition is an integral element of the law and refers to the right to adequate nutrition. Concepts of undernutrition, malnutrition, nutrients and nutrition education are developed, emphasizing the importance of nutrition to the law. The Minister of Education must, among other activities, facilitate training in areas such as integral health, healthy lifestyles, child nutrition and healthy foods.</p> <p>Chapter III contains measures which refer to adequate school food and nutrition, including the drafting of evidence-based nutritional regulations to be implemented in all school centres, and the development of guidelines for listing healthy foods and drinks.</p> <p>Chapter IV – School Nutrition Health Centres will have the promotion of nutrition among their functions.</p>
Institutions	<p>The Ministry of Education is the governing body responsible for regulation, planning, coordination and execution of activities.</p> <p>Creates the National Committee for Adequate School Food and Nutrition (CONANA) for intersectoral or and interinstitutional coordination, and Local Committees for School Food and Nutrition (COLANES).</p> <p>The Ministry of Health and COLANES are responsible for drafting and implementing nutritional regulations.</p> <p>Ministries of Agriculture and Education and local authorities will formulate the normative framework for local purchases and the supply of food and programmes to strengthen the capacities of rural women, amongst other activities.</p> <p>Creates school nutrition health centres to support improved health and wellbeing of children.</p> <p>Creates the National Centre for Information and Evaluation of Adequate School Food and Nutrition (CENAE), responsible for compiling data and information for dissemination, open to the public.</p> <p>Creates the National School Food and Nutrition Fund (FONAN) for developing and financing programmes and projects from the national budget, donations and international funds.</p>

FOPREL FRAMEWORK LAW ON THE RIGHT TO ADEQUATE SCHOOL FOOD AND NUTRITION. PUBLICATION: 2013

Monitoring and evaluation	<p>The CENAE has among its functions evaluation, monitoring, follow-up and accountability throughout the management chain of school meals and nutrition.</p> <p>Art 22: elaboration of an operative plan for evaluation; follow up and evaluate the effectiveness and impact on public health; write annual reports; formulate indicators of quantifiable results; carry out studies on the FNS of children in the education system, among others.</p> <p>Art. 20: school nutrition health centres have among their functions to participate in investigation, monitoring and evaluation, education and promotion of nutrition, including regular measurement of students' weight and height.</p>
Sustainable and inclusive development	<p>Art 7: the State should generate sustainable production, strengthening capacities of small- and medium-sized producers and facilitating access to credit for agricultural production, with an emphasis on rural women and the use of native seeds.</p> <p>Increase public and private investment in infrastructure and basic public services for production, distribution, conservation and storage.</p> <p>Policies of fiscal and moral incentives to those contributing through investments (production/generation) to guarantee the right to food in schools.</p> <p>Technical support for 'school gardens' and to strengthen local infrastructure, such as kitchens, dining halls and storage facilities.</p> <p>Strategies for access to drinking water and sanitation in schools and promotion of the consumption of traditional foods.</p> <p>In Chapter IV, mechanisms are established for local purchases.</p>
Food safety	<p>Safe foods are defined as "all food apt for human consumption, free of biological, chemical and physical contamination that would alter its physiological and genetic make-up". The State must guarantee systematic access to safe foods for all children in the education system.</p>
Access to information	<p>Information compiled by CENAE is public, of free access and should be periodically distributed.</p>
Nutrition education	<p>Art.7: the State must guarantee food and nutrition education in the process of teaching and learning, across the school curriculum.</p> <p>Art.10: training and information programmes must be directed at teachers and public authorities; food, nutrition, and the development of healthy habits must be included in school study plans; education campaigns should be implemented and technical and didactic materials prepared, amongst others.</p>
Mechanisms for implementation and redress	<p>An oversight authority is created, with levels of participation, coordination and vigilance set up from local to national level.</p> <p>Section III provides a series of mechanisms and sanctions for implementation and redress, required later to elaborate specific rules.</p> <p>Reference made to administrative sanctions, penal and civil actions. In the case of fines, the funds raised are to be applied to FONAN projects.</p> <p>Anyone can generate a complaint for infringement, and the competent authority can order the decommissioning of instruments or foods used in the commission of any infringement.</p>

FOPREL FRAMEWORK LAW ON THE RIGHT TO ADEQUATE SCHOOL FOOD AND NUTRITION. PUBLICATION: 2013

Budget	<p>Art 23: the government must designate funds from the general budget for application of the law, and public institutions should assign resources from international cooperation related to the productive sector, food distribution, health and education.</p> <p>Art 24: the national budget of income and expenses will make the necessary assignment for programmes in adequate school food and nutrition.</p> <p>Creates the FONAN with resources from donations and the general budget.</p>
Governance and participation	<p>The law sets out a high level of participation on the part of local authorities, organizations, teachers and families, amongst others, and has a strong gender focus (Art. 4: gender equality) throughout the application of the law and its related initiatives, including the financial aspect (Art. 25).</p> <p>Art 5 (f): "The entire educational community, including teachers, children, parents and other actors linked to the right to adequate school food and nutrition, have the right to participate in all activities related to school food and nutrition, by exercising the right to social control, in order to follow up on measures adopted by the State to guarantee the supply of healthy, nutritious, safe and culturally acceptable food".</p> <p>Art 10: There should be coordination with local government, private business, civil society, and cooperation agencies, amongst others.</p> <p>Art 11: CONANA and COLANES have ample provisions for representation and participation.</p> <p>Art 22: CENAE will establish associations with teachers and parents for drawing up criteria and materials related to nutrition in study plans.</p>
Priority policies	<p>Adequate school meals and nutrition programmes with attention to children with special needs.</p> <p>Programmes to prioritize local public purchases and strengthen the capacities of rural women providers.</p> <p>Healthy schools programme.</p> <p>Training and information programmes on healthy food and nutrition.</p> <p>Programmes for increasing physical activity in schools.</p> <p>Policies to regulate the publicity of non-healthy foods directed at minors.</p> <p>Policies for economic incentives.</p>
Publicity provisions	<p>Art 13: Regulation of publicity. The use of publicity not in alignment with adequate food and nutrition is restricted (advertising of fizzy and sugary drinks, as well as junk food is restricted. Art.10).</p>

FOPREL FRAMEWORK LAW ON THE RIGHT TO ADEQUATE SCHOOL FOOD AND NUTRITION. PUBLICATION: 2013

	<p>Framework law with broad consensus, as a reference for the development of similar legislation in other countries;</p>
	<p>Inclusion of the right to water in schools (sufficient, healthy, acceptable, physically accessible and affordable);</p>
	<p>Sanctions and measures for monitoring, evaluation and redress;</p>
	<p>Adopts a human rights focus, equality of opportunity and access and the concept of the right to adequate school nutrition;</p>
Innovative elements	<p>Sustainability, linked to local training and education, local purchases and supply as a priority;</p>
	<p>Emphasis on nutrition with restriction on the sale and publicity of non-healthy foods in schools;</p>
	<p>Concept of healthy schools to monitor, motivate and provide fiscal incentives to promote and enact healthy food and school nutrition initiatives. For example, by involving exemplary individuals or schools, or through free social media campaigns on nutritious school meals;</p>
	<p>Risk prevention plans for situations where emergencies or disasters restrict access to education and/or adequate food;</p>
	<p>Creation of school nutrition health centres to measure impact and support awareness raising.</p>

Legislative Table 5. BRAZIL Law 11.947 on school meals⁹⁸

BRAZIL LAW 11.947 ON SCHOOL MEALS. PUBLICATION: 2009

Objective and reach of the law	To provide a framework for the school meals programme in all educational establishments.
	To contribute to growth, psychosocial development, learning and school performance.
	To facilitate developing healthy food habits for students through food and nutrition education.
	To provide food to cover the basic nutritional needs of students during school hours.
	Directed at all students enrolled in basic public education, including preschool, with special attention to indigenous peoples and afrodescendants.
Obligations and principles	Art. 2 is to guarantee equal food and nutrition security for students, with respect for biological differences, age and health status, as well as attention to specific social vulnerabilities.
Definitions	The right to school food is defined as a right for all students in basic public education.
Nutrition	Distribution of school food according to the nutritional needs of students, following nutritional guidelines. The menus are prepared by a school nutritionist.
Institutions	The National Fund for Development of Education (FNDE) is the competent authority for planning, executing, assessing, following up and evaluating the National Programme of School Meals (PNAE), as well as transferring funds for its implementation.
	The School Meals Councils (CAE) are collegiate organizations with a permanent, deliberative and consultative role in oversight within respective jurisdictions, integrated by government, parents, trade unions and civil society organizations.
Monitoring and evaluation	The CAE oversees the designation of resources for school meals and meeting nutritional guidelines.
	The FNDE has the power to suspend transfers of resources of PNAE when states, Federal Districts (FD) or local authorities fail to fulfil their obligations.
Sustainable and inclusive development	The use of local food products is promoted, and respecting local dietary habits, culture and traditions is favoured along with the sustainability and agricultural diversification of the region. 30 percent of resources dedicated to buying food for the programme must be designated for purchases from family farming so as to facilitate their access to the markets.
Access to information	Art. 17 states that information on the financial resources allocated for school meal programmes is public. The FNDE is responsible for providing this information as well as the technical training for its implementation.
Nutrition education	Art.15 includes food and nutrition education in the school curriculum and the development of healthy habits.

BRAZIL LAW 11.947 ON SCHOOL MEALS. PUBLICATION: 2009

Mechanisms of implementation and redress	Local government's responsibility. The FNDE provides federal funds and technical advice for implementation.
	Any person may denounce irregularities.
	The State is obliged to promote the right to school meals and meeting nutritional guidelines established by the law.
Budget	Funds are allocated from State, FD and local authorities' budgets for the purchase of local foods.
	Funds are also considered for direct investments in improving school infrastructure.
Governance and participation	FNDE carries out audits of the use of State, FD and local authority funds at the close.
Priority policies	National school meals programme, with the objective of contributing to growth and biopsychosocial development, learning and performance and forming healthy habits, through food nutrition and distribution of foods to cover nutritional needs during the school day.
Innovative elements	Decentralized law with autonomy for educational centres.
	Control and accountability measures.
	Nutritionist in charge of elaborating menus and specific nutritional needs must be considered.
	Link to family farming, with at least 30 percent of public food purchases allocated for this sector.
	Aimed at respecting and promoting culture and diets adapted to different cultural groups and ecological and social contexts.

Legislative Table 6. BOLIVIA Law N° 622: school meals in the context of food sovereignty and the plural economy⁹⁹

BOLIVIA LAW N° 622: SCHOOL MEALS IN THE CONTEXT OF FOOD SOVEREIGNTY AND THE PLURAL ECONOMY.
PUBLICATION: 2014

Objective and reach of the law	<p>To guarantee and regulate free school meals, distributing responsibilities among different levels of government, and support the local economy by buying food from local suppliers.</p> <p>To improve school performance and attendance, providing healthy and culturally appropriate food.</p> <p>Aimed at school children and supporting small-scale farmers, indigenous and afrobolivian producers, family farmers and their associations.</p>
Obligations and principles	Holistic free, meals and permanent provision of food.
Definitions	<p>Art. 5. "Healthy, nutritious and culturally appropriate food, provided regularly and permanently to students in educational establishments during the school day, complementing food from home, to contribute to enhanced nutrition and school performance."</p> <p>Healthy, nutritious and culturally appropriate food is defined as: "to eat and drink quality foodstuffs in adequate quantity and diversity, respecting healthy food habits and cultural diversity".</p>
Nutrition	Art. 9 refers to the obligation of the State to formulate technical regulations to establish nutritional parameters of rations for school meals.
Institutions	Maintains existing institutions. Under the process of decentralization, functions and responsibilities are distributed according to territorial criteria.
Monitoring and evaluation	<p>Obligation of the State and departmental governments in the fields of health and education to compile information, follow up and monitor school meals.</p> <p>The Government must supervise and evaluate the impact of policies, technical health regulations and school meals and document the information, as well as monitor, evaluate and follow up. Departmental authorities must collect this information and pass it to the Government.</p>
Sustainable and inclusive development	One of the objectives of the law is to foster local food production for supplying school meals, and to promote public spending at family farms.
Food safety	Central Government has the general responsibility for controlling nutritional quality and food safety. The autonomous authorities must verify the quality and hygiene of food throughout the process of school provision.
Nutrition education	School curricula will have nutrition education introduced progressively and initiatives aimed at raising awareness on the right to adequate food and nutrition for minors.

BOLIVIA LAW N° 622: SCHOOL MEALS IN THE CONTEXT OF FOOD SOVEREIGNTY AND THE PLURAL ECONOMY. PUBLICATION: 2014

Mechanisms of implementation and redress Policies, plans and programmes on school meals will be formulated, implemented and evaluated in a coordinated manner together with autonomous territories and prioritizing vulnerable municipalities. Autonomous municipal and indigenous authorities must regulate and execute the responsibilities assigned to them by law.

Budget Art. 13: resources are assigned “according to the national and autonomous rules in force”.
Resources from international cooperation in support of school meals are channelled through the State and the autonomous territorial authorities.

- Priority policies
- School meals.
 - Food and nutrition education.
 - Linking local production and family farming to school meal programmes.

- Innovative elements
- Linking school meals to family farming and local production boosts the local economy and vulnerable sectors of society.
 - Decentralized with definition of responsibilities at each level of government.
 - Contains elements to foster sustainability, such as limits on the use of plastics and transgenics.

Legislative Table 7. EL SALVADOR Law of the School Milk Programme¹⁰⁰

EL SALVADOR LAW OF THE SCHOOL MILK PROGRAMME. PUBLICATION: 2013

Objective and reach of the law	<p>Making the School Milk Programme national, to guarantee the minimum consumption of two glasses of milk per week for children in nursery and primary education.</p> <p>To stimulate national production and generate cattle farming through the implementation of programmes, policies and plans to allow the dairy sector to reach high levels of productivity and competition.</p>
Obligations and principles	Art. 35 and 56: to protect the physical, emotional and moral health of minors and to safeguard education and school attendance.
Sustainable and inclusive development	Supplies of milk are processed and produced in El Salvador by national producers, under the conditions set out in the law on contracts and acquisitions of public administration.
Food safety	The Ministry of Agriculture and Livestock (MAG) is responsible for overseeing good practices and milk safety.
Mechanisms of implementation and redress	Art 3: the MAG is responsible for guaranteeing the requisite level of national milk production for implementation of the law; the Ministry of Education administers the programme.
Budget	The State will annually assign the necessary resources for implementation and execution of the programme, through the Ministry of Education and from the national general budget.
Priority policies	<ul style="list-style-type: none"> • School meals, healthy habits. • Fosters the domestic production of milk.
Innovative elements	The law extends a previous pilot project to national coverage. Combines school meals with the generation of national milk production.

Legislative Table 8. URUGUAY Law 19.140 on healthy eating in centres of education – norms for its promotion¹⁰¹

URUGUAY LAW 19.140 ON HEALTHY EATING IN CENTRES OF EDUCATION – NORMS FOR ITS PROMOTION.
PUBLICATION: 2013

Objective and reach of the law	<p>To protect the health and improve the nutritional condition of children and adolescents in education, through the promotion of healthy food habits in the school environment, so as to contribute to the prevention of overweight and obesity and other related non-communicable diseases.</p> <p>To promote healthy food habits in all people and incorporate into eating habits food and drink suitable for those with diabetics and celiac disease.</p> <p>To promote the incorporation by students of nutritiously adequate food and drink and to ensure their availability in school cafeterias.</p>
Nutrition	<p>Art. 2 - 3. Creates a list of nutritiously adequate foods and drinks with information for the educational community and recommendations on healthy eating for each stage of life.</p> <p>Prohibition of the use of salt as a condiment and the visibility of salt cellars or other recipients containing salt for students.</p>
Institutions	<p>The Ministry of Public Health is responsible for determining groups of acceptable foods and carrying out information campaigns. The Minister of Education is responsible for including healthy habits into the school system.</p>
Access to information	<p>Establishes responsibility to carry out information campaigns to educate the public about foods and promote healthy habits, as well as to orientate and advise the agrofood industry.</p>
Nutrition education	<p>The Ministry of Public Health will provide the educational community with the list of adequate food and drinks.</p> <p>The education system will include healthy eating habits and promote physical exercise and the consumption of drinking water.</p>
Publicity provisions	<p>Publicity is prohibited in educational establishments of all food and drinks not included in the list mentioned in Article 3 of the law.</p>
Priority policies	<ul style="list-style-type: none"> • Healthy eating and food groups. • Prevention of obesity and overweight. • Promotion of healthy habits and exercise.
Innovative elements	<ul style="list-style-type: none"> • Regulations established by the law include control of salt intake and restriction on publicity related to non-nutritious foods and drinks in schools. • Includes nutritional guidelines and guidance and advice to food producers/agribusinesses to improve the nutritional content of foods.

Legislative Table 9. BOLIVIA Law 775 on the promotion of healthy eating¹⁰²

BOLIVIA LAW 775 ON THE PROMOTION OF HEALTHY EATING. PUBLICATION: 2016

Objective and reach of the law	To establish guidelines and mechanisms for promoting healthy eating habits in the population in order to prevent dietary-related diseases and contribute to the exercise of the human right to health and healthy, adequate and sufficient food.
	To regulate the publicity and labelling of food and non-alcoholic drinks, with the exemption of foods and drinks in their natural state not submitted to the industrial process.
	Applicable to all peoples across national territory.
Obligations and principles	Art. 2 on the human right to health and healthy, adequate food to live well.
Definitions	Art. 7 on definitions including illness prevention, healthy food, labelling, the healthy preparation of food, publicity, trans and saturated fats, among others.
Nutrition	The labelling system for food and non-alcoholic drinks should include graphics with colour codes, be clear, legible, understandable, and stand out, establishing the level of concentration of saturated fats, added sugar and salt (technical parameters to be included on labels).
	Foods with a high concentration of salt, added sugar, saturated or trans fats must be accompanied by advice on their responsible consumption.
Institutions	The competent national authority to implement the law will be the Ministry of Health, through the General Directorate of Health Promotion.
	The Ministry of Culture and Tourism will promote healthy Bolivian gastronomy, in coordination with the Ministries of Communication, Health, Productive Development and Plural Economy and the Rural Development of Land.
	The Ministries of Health and Sports, Work and Social Provision, Communication and Education are responsible for promoting physical activity.
Monitoring and evaluation	The Ministry of Health, in coordination with autonomous territorial bodies, will regulate the implementation of the law.
	The Ministry of Health will review the system for applying food labelling.
	Autonomous Municipalities evaluate and supervise eating establishments and food services to ensure standards are met. A time limit of 1–3 years is given for compliance on the part of manufacturers, producers, distributors, importers, owners, providers and businesses.
Nutrition education	The Ministries of Education, Sports, and Health will promote physical activity, healthy eating and natural foods through the media.
Mechanisms for implementation and redress	Public and private entities must use all mechanisms available for supporting and enabling compliance with the law.
	Autonomous municipal governments are responsible for regulating the sale of food in the public and private sectors.

BOLIVIA LAW 775 ON THE PROMOTION OF HEALTHY EATING. PUBLICATION: 2016

Budget Financial resources for implementation are to be obtained from the current budgetary norms in force.

Publicity provisions

Section III regulates the publicity of foods with high or very high sugar, salt, trans fat or saturated fat content, which must carry messages of responsible consumption.

Publicity must avoid generating expectations about the popularity, superiority, status etc. related to consumption of the product, nor display natural images to mislead or erroneous arguments about the nutritional benefit of the products advertised, nor create consumer urgency or dependence.

Warnings must be included that the consumption of unhealthy foods should not replace regular food, and which motivate the consumption of healthy food and drink, showing portions that are relative to the age of the consumer, and so on.

Innovative elements

Establishes clear guidelines about the consumption of unhealthy foods through the use of labels.

Regulates publicity of foods, avoiding the creation of unrealistic images or impressions to avoid impulse buying of food, and prohibits the use of inducement or statements about false nutritional benefits of food.

Water: public and private institutions should encourage the consumption of drinking water and offer natural non-bottled drinking water free to consumers.

Salt content is limited.

Legislative Table 10. PERU Law No. 30021 for the promotion of healthy eating for children and adolescents, with technical rules¹⁰³

PERU LAW NO. 30021 PERU LAW NO. 30021 FOR THE PROMOTION OF HEALTHY EATING FOR CHILDREN AND ADOLESCENTS, WITH TECHNICAL RULES. PUBLICATION: 2013

	<p>Protects and promotes children's and adolescents' right to public health to reduce and eliminate diseases related to obesity and overweight and chronic non-communicable diseases.</p> <p>To protect growth and adequate development and strengthen and promote physical activity.</p> <p>To supervise publicity, information and other practices related to food and non-alcoholic drinks aimed at children and adolescents.</p> <p>Applied to all persons dedicated to commercializing, importing, supplying, making and advertising processed foods.</p> <p>To benefit all persons, including young consumers.</p>
Objective and reach of the law	
Obligations and principles	Art. 1 on the right to health, adequate growth and development.
Definitions	Art. 3 on the definitions for publicity, healthy food, and discounts, among others.
Nutrition	<p>Art. 4 covers incorporation in the design of the national curriculum of programmes to promote healthy eating habits and foster physical activity.</p> <p>Reference is made to complementary transitional dispositions to develop guidelines and technical parameters on food and non-alcoholic drinks.</p>
Institutions	The creation of an Observatory for Nutrition and the Study of Overweight and Obesity is declared of national interest, so as to inform and evaluate the nutritional state of the population.
Monitoring and evaluation	<p>The Observatory will prepare an annual report on follow-up and evaluation of strategies and public policies to pass to related commissions (health, consumer defence and regulatory bodies) and be made available to the public.</p> <p>Corresponding competencies are established in case of sanctions.</p>
Access to information	The use of publicity for food or assertions referring to its health or nutritional value must be backed up by scientific evidence, which must be made available. Any person can request the competent authority for its verification.
Nutrition education	Nutrition education is one of the main areas for action. The curriculum will be designed to include education on food and healthy habits. Campaigns and other mechanisms for communication and raising awareness will be employed.
Implementation mechanisms and redress	<p>In case of breaches related to publicity, the Oversight Commissions of the Institute for the Defence of Competition and the Protection of Intellectual Property will be responsible for establishing the corresponding sanctions.</p> <p>The Ministry of Education and regional authorities and Educational Management Units (UGEL), are responsible for overseeing compliance with norms related to education (physical activity, healthy foods, school environments free of unhealthy foods, etc.).</p>

PERU LAW NO. 30021 PERU LAW NO. 30021 FOR THE PROMOTION OF HEALTHY EATING FOR CHILDREN AND ADOLESCENTS, WITH TECHNICAL RULES. PUBLICATION: 2013

Priority policies	<ul style="list-style-type: none"> • Nutrition education. • Healthy eating in schools and healthy habits. • Consumer information and food publicity regulation. • Monitoring of the nutritional state of children and evaluating nutrition policies.
Publicity provisions	<p>Control of publicity aimed at children and adolescents younger than 16, with a series of prohibitions in Art. 8.</p> <p>Obligation to inform on foods and drinks to be advertised and to carry warnings for those foods and drinks which pass predetermined contents of sugar, salt and saturated/trans fats.</p>
Technical regulation	<p>The law depended on the approval and publication of corresponding regulations, which the PFH in Peru worked actively to draft and publish. In 2015 the "Regulations to establish the reference technical parameters for foods and non-alcoholic drinks"¹⁰⁴ were passed, enabling the law to come into force.</p>
Innovative elements	<p>Broad promotion of healthy food habits and lifestyles for children and adolescents, including: 1) education, 2) school meal habits, 3) habits outside of school, 4) food publicity directed at children and adolescents.</p> <p>Introduction of the 'principle of advertising honesty' – publicity must be clear, objective and relevant with accurate imagery and information according to the product, taking into account that it is public.</p>

III. FAMILY FARMING (FF) LEGISLATION

Legislative Table 11. PARLATINO Model law on family farming¹⁰⁵

PARLATINO MODEL LAW ON FAMILY FARMING. PUBLICATION: 2016	
Objective and reach of the law	To establish a legal framework that enables states to implement policies and strategies to support and strengthen family farming (FF), declaring FF of public interest and a national priority, and permanently guaranteeing its preservation, promotion and development.
	To highlight the importance of FF in its contribution to “food security, the sustainable use of natural resources, the conservation of biodiversity, rural development and territorial decentralization, the fostering of local economies and the value of indigenous communities” – Art. 1.
	To contribute to achieving the right to adequate food and integral development; the reduction of poverty; improving quality of life and economic and social wellbeing and to guide coordination between governmental agencies with a multisector and intergovernmental focus.
	Art. 3 – provides guidelines for developing and strengthening FF. Directed at Assemblies and Congress in the 23 member states of Parlatino.
Obligations and principles	Art. 4 provides guiding principles with definitions on: equality; non-discrimination; security; sustainability; empowerment; participation; preservation; transparency; accountability.
	Chapter III cites the diverse obligations of the State, including specific duties and obligations, legal protection, resource provision, priorities, focus, information, education and legislation.
Definition of family farming (FF)	Art 5. – FF is “the way of life and agricultural work practised by men and women in the same family nucleus, through productive family units. Its product is destined for own consumption, bargaining and trade, and can be derived from gathering, agriculture, forestry, fishing, handicrafts or services, in diverse areas such as horticulture, fruits, forestry, beekeeping, livestock, rural industry, fisherfolk, aquaculture and agrotourism”.
Registry	Art.5 defines registry as: “...the collection and holding of significant information on the units of FF, based on a voluntary register of titles and by way of sworn declaration, relative to qualitative and quantitative aspects of production”.
	Chapter III designates responsibility to the State for creating and managing FF registers.
Support for production	Art. 3 – guidelines on strengthening rural family agricultural production. Productive Family Unit is defined in Art. 5.
	Art. 8 – promotes stable and equitable interaction with markets and the establishment of conditions to develop sustainable FF systems and security.
	Art. 9 – development of programmes for FF Production, including public spending, price guarantees, insurance, markets, cooperativism and associations, financing and participation in local and international fairs and support for commercialization, among others.
	Chapter III gives responsibility to the State to support FF with infrastructure, training and investigation, among other elements, for its means of production. Art. 11 – legal protection for the rights of FF: “The State... will adopt opportune and necessary measures to ensure that the actions of other private actors within their competence do not harm or impede the exercise of the rights of FF title holders”.

PARLATINO MODEL LAW ON FAMILY FARMING. PUBLICATION: 2016

Access to credit and Incentives	Planned promotion of development of productive family units by developing financial programmes, insurance, rural employment and entrepreneurship, with gender equality and priority to be given to "...women heads of households, young people and the indigenous rural population" (Art. 13).
Rural regeneration	<p>Arts. 8–10 refer to rural local development with a view to avoiding migration to urban centres and to reducing poverty.</p> <p>Includes programmes of technical assistance, education, technological research and innovation, generational change, infrastructure and services of water, irrigation, sanitation, electricity, health, education and recreation, professional training and agricultural research, among others.</p>
Institutions	<p>Chapter IV – the State will establish a governing body for the effects of the law, or designate the Ministry of Agriculture as in charge.</p> <p>Chapter V – an oversight system is planned, to be directed by an external, autonomous and specialized body with sufficient resources.</p> <p>Chapter VII – suggests a governing administrative authority to decide on any infringement or violation, in accordance with the law.</p>
Monitoring and evaluation	<p>Chapter V – establishes a system of oversight for monitoring and evaluation, with plural participation and representation, considering periodic public audiences and consultations to determine the level of progress and compliance with the law.</p> <p>Includes the collection of information on FF, land, and the most vulnerable sectors of society, to ensure due attention and priority is given in the implementation of programmes.</p> <p>Art. 22d – considers the establishment or identification of early warning mechanisms.</p>
Access to land	Art. 8f : "Prioritise access to land and the regulation of land tenure relating to estates used by FF producers".
Access to information/ education	<p>Art. 15 – Information: states and public authorities are obliged to promote the dissemination of information about the law, with attention to providing access in all relevant languages and for the most remote populations, using appropriate means of communication and taking into consideration areas of illiteracy.</p> <p>Art. 16 – Education: educational plans and programmes will include information and knowledge about FF.</p>
Mechanisms for implementation and redress	<p>Chapter IV: creation of a governing body, to include in its remit definition of strategies for the development of programmes, the review of national policies, the creation of indicators to measure progress, the presentation of periodic reports to Parliament on the state of the application of laws and the observations of overseeing monitoring bodies relating to international treaties.</p> <p>The law includes a system of oversight to monitor and evaluate, and in Arts. 29 and 30 the use of administrative and judicial resources for administrative and judicial complaints.</p>
Budget	Art. 31: finances for implementation should be charged to the budget of each state and agency involved, according to existing rules.

PARLATINO MODEL LAW ON FAMILY FARMING. PUBLICATION: 2016

Governance and participation	<p>Chapter VI contains indications for representation and participation by civil society and the importance of their input and opinions in drafting policies and legislation, as well as for the consideration of the level of compliance with laws and policies and their impact in terms of progress.</p> <p>Art. 28 gives recommendations for the selection of public representatives.</p>
Priority policies	<p>The law refers to the creation of diverse programmes and policies for strengthening FF, among them policies promoting rural productivity and competitiveness, access to markets, technical assistance and education, rural technical infrastructure, public spending, seed security, irrigation, rural employment and gender equality.</p>
Innovative elements	<ul style="list-style-type: none"> • Model law as a reference for legislative and policy actions by member states. • Coherent with the framework laws of Parlantino, and particularly the FNSS framework law. • Structured with a human rights focus, with special reference to vulnerable groups, indigenous peoples and gender equality; context and reference to international obligations, including provision of mechanisms for monitoring and redress and indicators of progress. • Revives and values FF traditions and rural good practices.

Legislative Table 12. ARGENTINA Law 27118 on historical reparation to family farming for the reconstruction of a new rural policy in Argentina¹⁰⁶

LAW 27118 ON HISTORICAL REPARATION TO FAMILY FARMING FOR THE RECONSTRUCTION OF A NEW RURAL POLICY IN ARGENTINA. PUBLICATION: 2015

Objective and reach of the law	<p>Declares family, small-scale and indigenous farming of public interest for its contribution to food security and sovereignty, for practising and promoting systems of production to preserve biodiversity and sustainable processes.</p> <p>Creates a system for historical reparations to FF, in order to increase productivity, food security and sovereignty and to value and protect this rural production system on the basis of environmental, economic and social sustainability.</p> <p>Promotes human development, social and economic wellbeing and the development of rural lands.</p> <p>Corrects disparities in regional development and fosters the conservation of biodiversity and natural resources.</p> <p>Explicitly recognises the ways of life and production of indigenous peoples' communities.</p>
Definition of FF	Art. 5 – a family farmer is “someone who carries out productive agricultural, livestock, forestry or fishing activities in rural areas, and meets criteria established by the law”.
Registry	Art. 6 creates a national registry for FF (RENAF) individually and in associations, so as to form the basis of a unique database at national level (in conformity with Mercosur Resolution 25/07).
Support for production	<p>Productive processes and commercialization to strengthen employment, increase income and generate favourable market conditions, increasing natural capital for production and the consolidation of rural business, including support for local production – supply, storage, seed access, etc.</p> <p>Art. 22: public purchases with priority to registered FF to supply hospitals and the prison system.</p>
Access to credit and incentives	Direct subsidies, multiplication of the amount of micro credits and support funds, offer of national bank credits and subsidized rates of interest, as well as the creation of integral insurance for FF.
Rural regeneration	<p>Art. 10 refers to rural development to generate employment, guarantee wellbeing and the optimum use of land, including promoting and strengthening education, improving infrastructure and equipment, renovation of houses, irrigation systems, animals and drinking water, and training centres.</p> <p>Art. 20 is a prevention, restitution and mitigation plan in the face of catastrophes and emergencies, including soil erosion.</p>
Institutions	<p>National Council for the Coordination of Public Policies for FF, integrated by different Ministries.</p> <p>Centre for Native Seed Production (CEPROSENA) to contribute to food security and sovereignty.</p> <p>Permanent National Commission to regulate ownership of rural land and land registry.</p> <p>The National Council for the coordination of public policies for FF is created to unite, coordinate, organize, and inform on the activities carried out by the different areas of government to comply with the law.</p>

LAW 27118 ON HISTORICAL REPARATION TO FAMILY FARMING FOR THE RECONSTRUCTION OF A NEW RURAL POLICY IN ARGENTINA. PUBLICATION: 2015

Monitoring and evaluation	The law establishes a first stage of three years for its execution, after which its impact and results will be evaluated and relevant adjustments made to programmes and instruments to ensure advances and achievements in the sector.
Access to land	Chapter III defines land as a “social good”. Creates a Land Bank for FF and suspends all evictions for three years.
Access to information/ education	The law will be disseminated with institutions linked to FF. Investigation and advanced technical training in rural areas to strengthen FF. The school curriculum will include rural education, food education and the importance of consuming healthy, nutritious and culturally appropriate products of national origin.
Implementation mechanisms and redress	The Ministry of Agriculture, livestock and fisheries is responsible for applying the law with the participation of the Council of Small-Scale and Indigenous FF.
Budget	Art.33 refers to the assignation of adequate budgetary provisions from national executive powers.
Governance and participation	Art.13 indicates that representative organizations from the sector must be integrated into existing advisory councils or those newly created. Reference is made to the creation of participatory mechanisms for FF, small-scale and indigenous organizations to participate in the management and administration of public services in their territories.
Priority policies	Rural regeneration programmes and policies for rural productivity and competition; rural employment; access to markets; increases in capital for production and consolidation of rural businesses; plans for prevention, mitigation and restitution in cases of emergencies and catastrophes; and policies for rural infrastructure, technology and training, among others.
Innovative elements	Reparations to FF to renovate, restore and strengthen the situation of the most vulnerable rural populations; preservation of traditional practices through technology (seeds, etc.); public purchases from FF for supply to public institutions such as hospitals and prisons; creation of a land bank; temporary suspension of evictions; guarantee of social services to rural communities, including health, education, sports and culture.

Legislative Table 13. ECUADOR Organic law of rural land and ancestral territories¹⁰⁷

ECUADOR ORGANIC LAW OF RURAL LAND AND ANCESTRAL TERRITORIES. PUBLICATION: 2016

Objective and reach of the law	<p>To regulate the use of and access to rural land ownership, the right to property and its environmental and social uses.</p> <p>To guarantee ownership of community land, recognition, adjudication and title of land and communal territories and those of indigenous, afroecuadorian and montubio people; also to guarantee judicial security of rural and community land ownership.</p> <p>Regulate the sustainable use of and equal access to rural territories and agrarian use of rural state territories.</p> <p>Strengthen small-scale and FF in production, commercialization and productive transformation processes.</p> <p>Promote, motivate and strengthen production, the formation of organizations and commercialization for owners of small plots.</p>
Obligations and principles	<p>Plurinationalism; interculturalism; sustainability; participation, social audits and transparency; systematic productivity; rural work; economic and social efficiency; fair access to rural land; gender and generational equality, among others.</p>
Definition of FF	<p>Art. 28: "FF refers to agricultural, fisheries, livestock, harvesting or forestry methods and implies a way of life and culture that combines economic, environmental, social and cultural functions."</p> <p>Art. 30 states that FF can be characterized into four groups: i) subsistence small-scale FF; ii) transitional small-scale FF; iii) community small-scale and FF and iv) consolidated small-scale FF. As a priority, each group will benefit from public policies for improving productivity and strengthening food sovereignty.</p>
Registry	<p>The law refers to the need to be certified or legalized and the obligation to register land for its regulation.</p>
Support for production	<p>The sustainable productivity of land is strengthened, as well as processes for production, productive association and commercialization of FF.</p>
Access to credit and incentives	<p>Art. 34 refers to the financial support available for the opportune use of land, as well as the promotion of lines of credit with preferential interest rates and the generation of financial products. Incentives will be developed for those serving a social or environmental function, while agrarian producers benefit from universal agricultural insurance.</p>
Rural regeneration	<p>Includes education, land regeneration, soil restoration, rural infrastructure, technology transfers, equipment, access to markets and commercialization, and prevention of contamination to encourage efficient and sustainable land use (e.g. Art. 33 and Chapter V).</p>
Institutions	<p>The National Agrarian Authority is the governing entity for coordinating and regulating public policies regarding rural lands, agricultural production and the guarantee of food sovereignty.</p> <p>Creation of the National Land Fund.</p>

ECUADOR ORGANIC LAW OF RURAL LAND AND ANCESTRAL TERRITORIES. PUBLICATION: 2016

Monitoring and evaluation	<p>The Consultative Council monitors and follows up on public policies on fair redistribution of state land, community land and ancestral territory titles; the analysis and information of cases of large estates and the concentration of rural land.</p> <p>Art. 35 refers to social audits and controls.</p>
Access to land	Includes redistribution, titles and regulation of rural land.
Access to information/ education	<p>The law created a System of Public Agricultural Information to generate, administer and provide information to producers and economic agents participating in agricultural markets and rural lands services.</p> <p>Public policies are guaranteed through the register of the System of Public Agricultural Information, under the responsibility of the National Agricultural Authority. This system will be available through information and communication technology and open for public consultation.</p>
Implementation mechanisms and redress	<p>Detailed system of adjudication, regulation and titles of lands.</p> <p>The lodging of petitions, claims, and redress before competent administrative agrarian authorities will be regulated. The procedure will be obligatory, applied as a matter of urgency and with due speed. It is necessary to develop legal rules to establish parameters of compliance.</p>
Budget	The annual budget is assigned by the National Agrarian Authority, charged with the public policy of redistributing rural lands (expropriations of land in the public interest). The National Land Fund will have its own funds.
Governance and participation	A Consultative Council will be formed, integrated by representatives of civil society and producers to formulate, observe, follow up and evaluate national land policies. There will be coordination with small-scale farmers' organizations. Art. 35 allows for participation and social control.
Priority policies	Development of areas of policy for strengthening FF through priority investments; integration of productive organization; commercialization and access to markets, technical advice; technological innovation, and training in associative management, amongst others.
Innovative elements	Redistribution of rural land as a state policy, with access to credits and to ensure the sustainable, productive and fair use of land, particularly for the benefit of the most vulnerable populations.

Legislative Table 14. PERU Law N° 30.355 The promotion and development of family farming¹⁰⁸

PERU LEY N° 30.355 - THE PROMOTION AND DEVELOPMENT OF FAMILY FARMING. PUBLICATION: 2015

Objective and reach of the law	To establish State responsibilities for promoting and developing FF, from its recognition to the importance of its role in food security, the conservation of agro-biodiversity, sustainable use of natural resources, generation of local economies, contribution to rural employment and community life, through to the implementation of State policies.
	To improve the quality of life for families that depend of FF and reduce rural poverty.
	To develop sustainable FF through policies aimed at improving access to productive natural resources, technology and finance; and to guarantee the social protection and wellbeing of families and communities dedicated to this way of life, on the basis of the sustainable management of land.
Definition of FF	Art. 3 defines FF as: "A way of life and of production practised by men and women from the same family in a rural territory in which they are charged with diversified production systems, developed within the productive family unit, as in agricultural production, livestock, forest management, rural business, community fishing, fisheries and bee keeping, among others."
Support for production	Support for production through infrastructural improvements, local markets and product commercialization.
Access to credit and incentives	Management and development of finance programmes and technical assistance for production.
	Foster and stimulate associations and cooperatives for FF with programmes to generate capacity in technical management and entrepreneurship, and promote participation in international and local markets.
	Credit programmes and insurance through the Development Finance Corporation (COFIDE) and the Farming Bank (Agrobanco).
Rural regeneration	Promote projects for effective access to the basic services of water and drainage, electricity, health and education so as to improve quality of life; drive the efficient and rational use of water resources and improve access to hydro infrastructure and irrigation programmes and programmes of conservation and recuperation of water sources.
	Boost local economies by reclaiming and restoring cultural practices of commercial exchange.
Institutions	The Ministry of Agriculture and Irrigation is tasked with promoting and developing FF. The Ministry of Foreign Commerce and Tourism is responsible for promoting FF products.
	The National Institute for Agrarian Innovation (INAI) and the Institute of Amazonian Investigation (IIAP) facilitate the transfer of technologies and technical advice, including seed supply.
	The National Service of Agrarian Health (SENASA) advises on the quality of FF products.
Access to land	Art. 6 formalizes the titles of FF plots.
Access to information/ education	Training and formation of FF producers and communities for management, organization, planning and formulation of products and projects.

PERU LEY N° 30.355 - THE PROMOTION AND DEVELOPMENT OF FAMILY FARMING. PUBLICATION: 2015

Budget	Finance will be provided to implement the law by charging the institutional budget of each of the involved institutions, without the need for additional funding from the public purse, according to legal dispositions in force.
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Priority policies	<p>To develop programmes of financing and provide technical advice for production, transformation, developing business plans and the commercialization of FF products.</p> <p>Priority access of small-holder farmers to programmes for improving their technical capacities and use of technology and information to develop their productive units.</p>
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Legislative Table 15. HONDURAS Law for the national programme of credit in solidarity with rural women¹⁰⁹

HONDURAS LAW FOR THE NATIONAL PROGRAMME OF CREDIT IN SOLIDARITY WITH RURAL WOMEN. PUBLICATION: 2016

Objective and reach of the law	<p>To create a national programme of credit for rural women in order to develop activities and services that contribute to improving their living conditions and those of their communities.</p> <p>To strengthen processes of women's economic and social participation and establish programmes of technical advice on forming units of basic production, business services, access to new technologies and access to markets.</p>
Obligations and principles	<p>Art. 3 establishes the law in the context of women's human rights and the international human rights commitments subscribed to by Honduras, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).</p>
Support for production	<p>Designed to strengthen and develop the productive activities of rural women and encourage their economic and social participation. Aims to establish agreements with NGOs and private enterprises for programmes of socially responsible business.</p>
Access to credit and incentives	<p>Creates a credit system for rural women's organizations and facilitates new means of accessing financial resources. Establishes support credits for developing productive agricultural and non-agricultural activities in favourable amounts, with guarantees, low interest rates, and fair periods of repayment, as well as other facilitating conditions.</p>
Rural regeneration	<p>Access to resources to enable the growth of rural production, employment and access to markets for rural women's organizations.</p>
Institutions	<p>The Secretary of State for Economic Development authorizes plans for investment in a Trust.</p> <p>The Honduran Bank for Production and Housing administers the programme. An Executive Unit will be created within 90 days.</p> <p>A Consultative Council of the Credimujer Programme is responsible for advising and monitoring the programme.</p> <p>The General Direction of Investments supports the follow-up of the programme.</p>
Monitoring and evaluation	<p>State oversight bodies supervise the programme and reports are presented annually by the Trust for accountability.</p> <p>External supervision can be organized depending on the decision of the Honduran Bank and other administrators of the programme.</p> <p>The Secretary of State for Finances participates in follow-up activities.</p> <p>The Consultative Council of the Credimujer Programme interacts with ministerial representatives, civil society and has competencies for monitoring and follow-up, social auditing and reporting any irregularities.</p>

**HONDURAS LAW FOR THE NATIONAL PROGRAMME OF CREDIT IN SOLIDARITY WITH RURAL WOMEN.
PUBLICATION: 2016**

Access to information/ education	Information: the law incorporates the means to disseminate information on available credits.
	Education: support for entrepreneurial and innovative ventures, encouraging the diversification of productive activities and opening new opportunities for the market, including technical advice for business services and trainings and management support.
	Reference is made to the establishment of a network for supporting investigation and innovation.
Implementation mechanisms and redress	The State's overseeing bodies must supervise the Credimujer Programme and ensure compliance with corresponding obligations, according to that established in the law. The Consultative Council of Credimujer is in charge of advising and evaluating the programme.
Budget	The law creates a Trust Programme to finance activities, with an initial funding of five million lempiras provided by the general budget, through national organizations and international cooperation, subsidies and relief funds, loans from national and international financial institutions, national income and other funds.
	Subsequently the programme is responsible for managing resources and seeking new institutional sources of financial support.
Governance and participation	The Consultative Council is integrated by government representatives and representatives from rural and small-scale farmers' associations, organizations of women and afrodescendants, each holding a seat for two years. Representatives must be approved by the Secretary of State for Economic Development.
Priority policies	National Programme of Credit in Solidarity with the Rural Woman 'Credimujer' is the technical-financial instrument of the State, established by law.
	Annual Programme for Technical Advice for Women Entrepreneurs is established.
Innovative elements	Diversity of funding sources for the Trust. It is specified that in the absence of funds from general or special budgets, the programme can run with external funding.
	Includes a programme for technical advice for developing capacities, new technologies, productive innovation and administration, to be supported by NGOs and private entities.

COLOMBIA

Group photo of the participants in the 3rd Planning Committee of the Parliamentary Fronts against Hunger (PFH) of Latin America and the Caribbean.
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SPAIN

In 2017, the Senate held an event to assess progress on the commitments made during the VII FPH Forum, including potentially holding the first World Parliamentary Summit on Malnutrition in Madrid in 2018.
@Spanish Senate



NOTES

- 1** A rights revolution – the application of the right to food at national level in Latin America and the Caribbean, September 2011, Olivier de Schutter, Special Rapporteur on the Right to Food.
- 2** In Bolivia and Mexico.
- 3** Institutions of regional and subregional political integration – Latinamerican Parliament, Forum of Presidents of the Legislative Powers of Central America and the Caribbean Basin, Central American Parliament and Andean Parliament.
- 4** The PFH participated in the IV CELAC Summit in 2016 and collaborates to support the implementation of the CELAC Plan for Food and Nutrition Security and the Eradication of Hunger 2025.
- 5** During 2016, a delegation of the PFH met with parliamentarians in Europe and participated in the Meeting of the Pan-African Parliament.
- 6** Presentation of the Parlatino Framework Law on the Right to Food, 2012.
- 7** The theme of nutrition was officially added during the WFS in 2009.
- 8** For more information see: <https://viacampesina.org>
- 9** General Comment 12 CESCR 1999: ‘the right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement...’
- 10** Among them the approval of the System of Programmes for Food Security and Nutrition in Argentina and the Zero Hunger Strategy, in Brazil, both in 2003.
- 11** José Ignacio Lula da Silva, Brazil and Oscar Berger, Guatemala during the Latinamerican Summit on Chronic Hunger, Guatemala.
- 12** Including among them the Iberoamerican Summit in Montevideo, 2006; the Declaration of Salvador de Bahía, 2008; the first Summit of Latin America and the Caribbean on Integration and Development, 2008; the FAO Biennial Regional Conferences and the Summit of Latin American and Caribbean Unity in 2010, followed by the diverse fora of the CELAC to date.
- 13** See Executive Summary of the CELAC FNS Plan: <http://www.fao.org/3/a-i4493s.pdf>
- 14** Parlatino - a permanent regional body founded in 1964 and integrated by elected parliamentarians at national level, in representation of each of its 23 member states.
- 15** Supported by FAO and the Spanish Agency for International Cooperation for Development (AECID) within the framework of the Project in Support of the HFLACI, which began in 2006.
- 16** <http://www.oda-alc.org/documentos/1340852208.pdf>
- 17** For example, Mexico’s Front for the Right to Food, formed in 1992, and Brazil’s Parliamentary Front for Food and Nutrition Security of 2007.
- 18** I PFH Forum, organized together with the legislative assembly of Sao Paolo, Brazil, Parlatino and FAO.
- 19** By 2015 the region had achieved Target 1C of the MDG – reducing by half between 1990 and 2015 the proportion of people suffering from hunger, as well as the goal of the World Food Summit (WFS) to reduce by half the number of people suffering from hunger.
- 20** <http://www.un.org/sustainabledevelopment/en/>
- 21** The SDGs were approved in September 2015 and came into effect in January 2016.
- 22** <http://www.fao.org/in-action/apoyo-ialcsh/resumen/en/>
- 23** Agreement signed in 2014 between Mexico’s Government and FAO, supporting triangular South-South cooperation between FAO, Mexico and Central America to contribute to ending hunger, and the Programme of Brazil-FAO International Cooperation.
- 24** It has regional coordination and each national chapter has its own instruments of constitution. For more information see www.frenteparlamentario.org
- 25** Argentina, Bolivia, Brazil, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, México, Nicaragua, Panama, Paraguay, Peru, St. Vincent and the Grenadines, and Uruguay.
- 26** The Executive Coordinating Commission (ECC) is the collegiate body in charge of coordinating the activities of the PFH to facilitate interaction between parliamentarians and representatives of national, departmental and regional parliaments, as well as with academia and civil society organizations.
- 27** <http://consumersinternational.org>
- 28** www.oda-alc.org
- 29** PFH has signed a Memorandum of Understanding with various organizations, including Consumers International and ODA.
- 30** To date, six PFH Fora have been held in: São Paolo, Brazil (2010); Bogotá, Colombia (2011); Ciudad de Guatemala, Guatemala (2012); Santa Cruz de La Sierra, Bolivia (2013); Santo Domingo, República Dominicana (2014); Lima, Perú (2015); Ciudad de México, Mexico (2016).

- 31** Four annual planning meetings have been held since 2013, aimed at strengthening the national and regional work agendas of the PFH; more than 100 dedicated meetings have also been held.
- 32** All these working documents can be consulted at the PFH website: <http://parlamentarioscontraelhambre.org>
- 33** <http://parlamentarioscontraelhambre.org/>
- 34** Paris Agreement on Climate Change, December 2015 <http://www.un.org/sustainabledevelopment/es/combater-el-cambio-climatico/>
- 35** IV PFH Planning Meeting.
- 36** Recent publication on the work of female parliamentarians: <http://www.fao.org/3/a-i6216s.pdf>
- 37** <http://parlamentarioscontraelhambre.org/en/news/fph-se-reune-con-representantes-del-parlamento-europeo-con-el-fin-de-generar-alianzas-contra-el-hambre-y-la-malnutricion/> and <http://parlamentarioscontraelhambre.org/en/news/dos-continentes-una-sola-meta-el-frente-parlamentario-contra-el-hambre-llega-a-africa/>
- 38** The level of involvement of the PFH in the legislation of each country varies, from producing information, drafting and reviewing, up to participation in the entire process and drawing up the final proposal.
- 39** The Family Farming Declaration adopted by Parlatino in 2014 has been presented in diverse fora for dialogue, such as the CELAC. It forms part of the drafting process of a framework law on family farming to encourage countries to create legislative frameworks to promote family farming.
- 40** Reactivated in 2016 as the Argentinian Group for Food Security and the Rights of Rural Women: <http://parlamentarioscontraelhambre.org>
- 41** In this document, whenever Bolivia is named, in all cases it refers to the Plurinational State of Bolivia.
- 42** Pending ratification.
- 43** The PFH in Nicaragua assisted with proposals to improve the content of law N° 881, determined in 2015 by the Parliamentary Commission on the Economy.
- 44** Regional network of academics working on research into and the promotion of the right to food in the region.
- 45** Guide for legislating the right to food, FAO 2010
- 46** Constitutional guarantee of the right to adequate food, FAO 2012.
- 47** Art 16 I and II.
- 48** For example, in Colombia's Constitution where Arts. 43, 44 and 45 provide this protection to lactating mothers, children and the elderly.
- 49** For example, in the Constitutions of Peru, Antigua & Barbuda, Barbados, Jamaica, and Paraguay, among others.
- 50** For example, the right to life or to an adequate standard of living.
- 51** Brazil Proposed Amendment 047/2003.
- 52** Civil Society campaigns such as: El derecho a la alimentación es un derecho para todos, supported by FIAN among others.
- 53** This resulted from a long process with its roots in the social movement that grew during the 1990s in the country to include the right to food in national legislation.
- 54** World Food Summit, 1996 and The Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security, FAO 2005.
- 55** Law 25724-2003 (Law for Food and Nutrition National Programmes), Argentina; Law 11.346: Organic Law for Food and Nutrition Security 2006, Brazil; Law 32-2005 Law for the National System of Food and Nutrition Security, Guatemala; Law for Food and Nutrition Security for the Federal District, 2009, Mexico; food security, nutrition and sovereignty law 2009, Nicaragua; and the food and nutrition security law, 2011, Honduras.
- 56** Further details of the law can be found in the Annex.
- 57** Further details of the law can be found in the Annex.
- 58** <http://www.fao.org/righttofood/our-work/current-projects/rif-global-regional-level/presanca-sica/en/>
- 59** http://www.diputados.gob.mx/LeyesBiblio/pdf/264_010616.pdf. Modification of the general law on social development, 2004
- 60** <http://legislacion.asamblea.gob.ni/Normaweb.nsf/b34f77cd9d23625e06257265005d21fa/7e846dcd384e315206257df007c0934?OpenDocument> Law No. 881 of the Nicaraguan Judicial Digest on matters of sovereignty and food and nutrition security, linked to law on Food and nutrition sovereignty and security (Law No. 693)
- 61** The word 'draft' is used to signify both bills in the legislative process or draft laws under formal discussion.
- 62** School feeding and the possibilities of direct purchases from family farming, case study in eight countries - FAO 2013.
- 63** Brazil began its School Feeding programmes in 1950.
- 64** Bolivia, Brazil, El Salvador, Honduras and Uruguay.
- 65** Framework Law on School Feeding and Framework Law on the Right to Adequate School Food and Nutrition, both in 2013.
- 66** <http://parlamentarioscontraelhambre.org/noticias/prioridad-nacional-honduras-da-gran-paso-al-aprobar-ley-de-alimentacion-escolar/>
- 67** At the date of elaboration of this report the law is pending ratification.
- 68** <http://www.fao.org/righttofood/our-work/current-projects/rif-global-regional-level/presanca-sica/en/>
- 69** Further details of this law can be found in the Annex.
- 70** Full name – The Parliamentary Front for Food Sovereignty for Living Well in Bolivia.
- 71** For example, the ODA-ALC. More information on this process can be seen at: <http://www.oda-alc.org/front/noticias/orden/desc/25>
- 72** Overview of food insecurity, 2015. <http://www.fao.org/publications/card/es/c/a61ce773-fefc-4481-8396-e4641f62b4f1/>
- 73** FAO Press Release - 1/03/2016 (<http://www.fao.org/americas/noticias/ver/es/c/385146/>) on the occasion of the 34th FAO Regional Conference 2016 - <http://www.fao.org/about/meetings/larc34/es/>

- 74** http://www.parlatino.org/pdf/leyes_marcos/leyes/proyecto-regulacion-publicidad-regulacion-pma-30-nov-2012.pdf
- 75** See Annex for further details of these laws.
- 76** In Bolivia, the departments have autonomy over legislating and enacting national laws; to ensure implementation of the national law on school feeding, departmental legislation is required.
- 77** <http://www.fao.org/3/a-at886e.pdf>
- 78** Declaration on family farming, 2014, Parlatino
- 79** Fifth Forum of PFH celebrated in the Dominican Republic, 2015
- 80** <http://www.fao.org/americas/noticias/ver/es/c/459723/>
- 81** See Annex for further details on this law.
- 82** <http://www.aldf.gob.mx/video/comsoc-avala-aldfley-agricultura-familiar-df-21347.html>
- 83** See Annex 3 for details of individual laws.
- 84** Designed to foster the production of traditional seeds and processes of cultivation.
- 85** Including the Second International Conference on Nutrition (ICN2), World Food Summits and the FAO Regional Conferences for Latin America and the Caribbean, among others.
- 86** Such as the Union of South American Nations (UNASUR), the Central American Integration System (SICA), the Caribbean Community (CARICOM), among others.
- 87** Such as Parlatino, Parlandino, Foprel and Parlacen.
- 88** 2015 political commitment to end hunger in the region by 2025.
- 89** Pan-African Parliament.
- 90** European and Spanish Parliaments.
- 91** Maria Augusta Calle, at the Pan-African Conference of August 2016. <http://parlamentarioscontraelhambre.org/noticias/dos-continentes-una-sola-meta-el-frente-parlamentario-contra-el-hambre-llega-a-africa/>
- 92** Programme for a Hunger-Free Mesoamerica.
- 93** <http://parlamentarioscontraelhambre.org>
- 94** <http://www.fao.org/3/a-au351s.pdf>
- 95** <http://www.camaradediputados.gov.do/masterlex/mlx/docs/2e/2/6707/6708.pdf>
- 96** http://www.parlatino.org/pdf/leyes_marcos/leyes/ley-alimentacion-escolar-pma-19-oct-2013.pdf
- 97** FOPREL Framework Law on the Right to Adequate School Food and Nutrition 2013
- 98** http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2009/lei/111947.htm
- 99** http://www.fao.org/fileadmin/templates/righttofood/documents/project_b/bolivia/LEY_ACE_n622.pdf
- 100** <http://faolex.fao.org/docs/pdf/els142836.pdf>
- 101** <https://legislativo.parlamento.gub.uy/temporales/leytemp7770077.htm>
- 102** <http://faolex.fao.org/docs/pdf/bol151018.pdf>
- 103** Although this law precedes the creation of the FPH in the country, it was driven by a parliamentary representative who subsequently went on to integrate and coordinate the PFH in Peru when it was established. Support for the law as such is indirect, though the PFH of Peru participated in and drove the elaboration and approval of the technical regulation cited above, which was fundamental to the operation of the law: <http://faolex.fao.org/docs/pdf/per123883.pdf>
- 104** <http://faolex.fao.org/docs/pdf/per146169.pdf>
- 105** http://www.parlatino.org/pdf/leyes_marcos/leyes/ley-agricultura-familiar.pdf
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- 108** http://faolex.fao.org/cgi-bin/faolex.exe?database=faolex&search_type=query&table=result&query=ID:LEX-FAOC150664&format_name=ERALL&lang=eng
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PERU

Around 80 legislators representing international and civil society organizations and more than 20 parliamentarians from Africa, Asia and Spain participated in the VI FPH Forum, held in 2015.
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MEXICO

During the opening ceremony of the VII FPH Forum, held on 8 November 2016, over 100 legislators from Latin America and the Caribbean, Africa and Spain underscored that it is imperative to use legislation to combat the effects of climate change.
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Parliamentary fronts against hunger, and legislative initiatives for the right to adequate food and nutrition

The experience of Latin America and the Caribbean
2009-2016

This publication details the experience of the *Parliamentary Fronts Against Hunger in Latin America and the Caribbean* in promoting legislation aimed at achieving the right to adequate food. It presents some of the lessons learned on how the parliamentary fronts work and the mechanisms that have proved useful to them. There is also a summary of the most significant legislative results achieved on (i) food security and nutrition, ii) school meals and healthy eating, and iii) family farming. This information will be of use to members of parliament and other interested parties looking to strengthen legal frameworks on food and nutrition. The general analysis is complemented by an annex containing detailed information on 15 regional and national laws that resulted from parliamentary front initiatives.

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