

//Welcome to the second issue of the Right to Food Quarterly. The stock-taking of the Committee on Food Security in Rome in late 2006 to evaluate progresses made in hunger eradication was devastating. Neither the World Food Summit targets nor the Millenium Development Goals on reducing hunger will be achieved. In light of the number of hungry and malnourished people which even has increased to 854 million according to the FAO, the Right to Food as one major tool in the struggle against hunger becomes essential. Civil society is called on to take up responsibility to remind governments of their human rights obligations and monitor their implementation.

A genuine opportunity to enforce this commitment is presented by the theme of this year's World Food Day. October 16, 2007 will focus on the Right to Food.

Important initiatives to further strengthen the Right to Food and its implementation in Africa, one of the regions where most of the world's hungry and malnourished people live, were taken at the World Social Forum in Nairobi and at the Forum on Food Sovereignty in the Malian village of Nyeleni.

The progressing justiciability of ESC-Rights is illustrated in the description and analysis of a recent court case in Paraguay, with the Inter-American Court of Human

Rights playing an important role. Another case from Paraguay, Palmital, highlights the importance of extraterritorial state obligations, in this case from Germany towards Paraguay.

We hope you find the Right to Food Quarterly useful, and welcome any comments and information that contribute to make this publication a genuine communication tool on human rights and the Right to Food in particular./

Have a pleasant reading!

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RIGHT TO FOOD QUARTERLY



Effectively realizing ESCR by Ana María Suárez-Franco

The Sawhoyamaxa Decision of the Inter-American Court of Human Rights

// Realizing judicial protection of Economic, Social and Cultural Rights (ESCR) at the regional level has proven difficult. This is not only due to the insufficient recognition of these human rights as actual and enforceable legal rights, but also to a lack of effective procedural mechanisms specifically designed to claim violations of ESCR. For instance, within the Inter-American Human Rights System, most of the member countries have ratified the Additional Protocol to the American Convention on Human Rights in the area of Economic, Social and Cultural Rights, in short, the Protocol of San Salvador. However, although this instrument recognises a number of ESCR, it only provides for direct justiciability of the right to education and trade union rights¹. Nevertheless, in recent years the Inter-American Court of Human Rights decided several crucial cases indirectly giving judicial protection to various ESCR by emphasizing their connection with the right to life. The Court has also developed an interesting interpretation of the land rights of indigenous people, giving a new meaning to the right to property as contained in the Inter-American Convention on Human Rights (Art.21). The tribunal underlines the close relationship between land and the subsistence of these communities as collective entities as well as in their individual dimension.² In 2006 the ICHR adopted two important decisions relating to the Yakye Axa³ and the Sawhoyamaxa⁴ indigenous communities in Paraguay. The next paragraphs describe the latter of these decisions highlighting its contributions to ESCR jurisprudence.

I. THE CASE

The Sawhoyamaxa indigenous community, traditionally living in the Paraguayan Chaco, has long been confronted with conditions of extreme poverty and marginalization. Although they had been living on their lands for centuries, they were never able to formally prove their property of the territory and the Paraguayan state remained reluctant to protect their traditional rights. At the end of the 19th century, foreigners acquired the lands without the consent of the Sawhoyamaxa. Over the past decades, the land was further split up and sold to various private persons. As a consequence, the Sawhoyamaxa were further marginalized, had to enter into paid employment and were subjected to degrading work conditions imposed by the new farm owners. Their access to the lands that they used to hunt and fish, to produce their own medicines and to exercise their cultural rituals was limited. Since 1991 the leaders of the community addressed several complaints to the Paraguayan administrative and judicial authorities claiming the restitution of their lands. However, the state was not effectively addressing the problems and the Sawhoyamaxa were forced to live on the border of the road, without adequate food, sanitation, housing and medical care. As a consequence, the miserable living conditions lead to the death of more than 18 members of the community, most of them children and elderly people.

II. THE COURT'S ARGUMENTS

The Sawhoyamaxa, represented by the NGO Tierra Viva, brought the case to the ICHR. In its decision of March 29 of 2006 the Court declared the Paraguayan state in violation of the human rights to property, judicial protection, life and juridical personality before the law. This article only examines the relevant aspects of the right to life and the property rights of indigenous people:

1. The right to property:

With the Sawhoyamaxa case the Court continued developing its jurisprudence adopted in the *Awas Tingny*⁵ and *Yakye Axa* cases. The following aspects are especially relevant:

a) Applying the ILO Convention No. 169 the Court reaffirmed the special relationship between indigenous people and their territory, with land being a precondition for the realization of other human rights, inter alia the ESCR, of the communities and the community members.⁶ For the tribunal this *sui generis* link justifies the application of a special property concept differing from the classical one.

b) Paraguay argued that since the current owner of the land is a German citizen, expropriation of the land would breach an existing bilateral investment protection agreement between Paraguay and Germany. The tribunal argued on the one hand, that restitution of the land to the indigenous people can be considered a public interest issue and as such would fall under the exceptions foreseen in the bilateral agreement. On the other hand, the state cannot justify violations of its obligations under the Inter-American-Convention on Human Rights by pointing to its obligations under the investment protection agreement.⁷

c) The tribunal reaffirmed that – especially in cases where indigenous people had to leave their lands involuntarily – possession of the respective lands is not a necessary condition to recover the official property, even without a property title – except in cases where the land had been transferred in good faith to a third party. In those cases – where the state is not able to return the traditional territories – it shall transfer alternative lands of the same size and quality which shall be agreed upon by negotiation with the communities in ways respecting their decision making culture.⁸

d) In case of conflict between the current private owners and the indigenous communities the state must adopt a decision on the basis of the principles of legality, necessity, proportionality and for the achievement of a legitimate goal.⁹

e) If the indigenous people lost possession of their lands as described in c) there is no time limit for claiming restitution of the official property after this loss, because even when the physical connection between the indigenous people and their land was interrupted, the material link remains.¹⁰

1 Protocolo Adicional A La Convención Americana Sobre Derechos Humanos En Materia de Derechos Económicos, Sociales Y Culturales, "Protocolo de San Salvador" Art. 19.6 in <http://www.cidh.oas.org/Basicos/Basicos4.htm>

2 See Voto Razonado Del Juez Sergio García Ramírez regarding the, *Sawhoyamaxa Vs. Paraguay* Decisión, Par 11 in http://www.corteidh.or.cr/docs/casos/articulos/seriec_146_esp2.doc

3 Corte IDH. Caso Comunidad Indígena Yakye Axa Vs. Paraguay. Solicitud de Interpretación de la Sentencia sobre Fondo, Reparaciones y costas (art. 67 Convención Americana sobre Derechos Humanos). Sentencia de 6 de febrero de 2006. Serie C No. 142 in http://www.corteidh.or.cr/pais.cfm?id_Pais=5

4 Corte IDH. Caso Comunidad Indígena Sawhoyamaxa Vs. Paraguay. Decision of March 29th of 2006. Serie C No. 146 in http://www.corteidh.or.cr/pais.cfm?id_Pais=5

5 Corte IDH. Caso de la Comunidad Mayagna (Sumo) Awas Tingni Vs. Nicaragua. Sentencia de 31 de agosto de 2001. Serie C No. 79 in http://www.corteidh.or.cr/pais.cfm?id_Pais=15

6 *Sawhoyamaxa Decision* Ob Cit. (Fn. 4) Par. 118ff.

7 *Ibid* Par. 140.

8 *Ibid* Par. 128

9 *Ibid* Par.138

10 *Ibid* Pars. 131-132

2. The right to life

Though Paraguay argued that it had adopted charity measures in favour of the Sawhoyamaxa, the Court attributed the death of the 18 persons to the state's negligence with regard to the extreme conditions of poverty they suffered. Invoking its jurisprudence developed in the case Villagrán Morales¹¹ the Court:

a) Reiterated the different aspects of the right to life that does not only prohibit arbitrary deprivation of life. It also implies state obligations to create the conditions necessary – by adopting both, negative and positive measures – to protect and preserve the right of all of those living in the states' territory.¹²

b) In this specific case the ICHR investigated whether Paraguay was responsible for the degrading conditions faced by the members of the community and whether it adopted adequate measures that could reasonably be expected of it in order to prevent the risks to the lives of the victims. In answering these questions the tribunal found Paraguay responsible for the deaths.

c) Moreover the tribunal attributed to the state the degrading labour conditions of the Sawhoyamaxa and reiterated the obligation to adopt special measures to ensure the realization of ESCR for particularly vulnerable persons.¹³ The state was found slow and inefficient in fulfilling the rights to land and judicial protection within reasonable time.

d) Preventive measures with regards to the rights to health, food, housing, water and sanitary conditions of the Sawhoyamaxa had been adopted in an administrative order but not effectively implemented, thereby causing violations of the right of life in dignified conditions and even the death of many children.¹⁴

III. REPARATIONS

The Court ordered the Paraguayan State to take a number of steps, most importantly:

- To restitute the claimed 14.404 hectares of land to the Sawhoyamaxa within three years. If this proves not feasible, alternative land should be agreed upon in negotiation with the community.
- To establish a development fund of one million \$ in order to implement specific programmes for the benefit of the community members on education, housing, agriculture, health, water and sanitation.
- Provision of basic services and goods such as food, water, health care, education and vaccination, sufficient and adequate for subsistence until the restitution of the lands.
- Indemnification to the relatives of the deceased for material and moral damages.
- Creation of a complaint mechanism to address land claims.

¹¹ Corte IDH. Caso de los "Niños de la Calle" (Villagrán Morales y otros) Vs. Guatemala. Sentencia de 19 de noviembre de 1999. Serie C No. 63 in http://www.corteidh.or.cr/pais.cfm?id_Pais=18

¹² Sawhoyamaxa Decision Parr. 150

¹³ Ibid Par. 154

¹⁴ Ibid Par. 167

IV. CONCLUDING REMARKS

Analyzing both, the argumentation of the Court and the ordered reparation, one can conclude that it recognized, though in different words, the state obligations to protect, respect and fulfil ESCR. Moreover, the tribunal applied the principles of non-discrimination, participation, transparency and priority of vulnerable groups.

The right to food was not restricted to the dimension of fulfilling it by providing food as a transitory measure. Instead, access to resources such as land and water to guarantee the subsistence of indigenous people was recognized as its main element. /

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New Report of the Special

Rapporteur on the Right to Food

// Mr. Jean Ziegler, the Special Rapporteur on the Right to Food, provided his first report to the Human Rights Council, which is at the same time his last report – since he completed his second mandate. The report addresses two especially important issues: the right to food of children and of migrants fleeing from hunger. Ziegler welcomes the potentially positive effects of the land reforms and redistribution processes carried out in Venezuela and Bolivia. Also, he explicitly mentions two initiatives carried out by FIAN International: the international symposium on the implementation of the RtF at national level, organised in Heidelberg on the occasion of FIAN's 20th anniversary in cooperation with FAO and the Max Planck Institute; and FIAN's work of the past four years with La Via Campesina on the issue of peasants' rights including the documentation of their violations in annual reports. Mr. Ziegler recommends to the Council to follow-up on these developments and to look at how the proposed new international instrument to protect peasants' rights could improve their situation. Furthermore, FIAN had sent 40 requests for action to the Special Rapporteur whose intervention with the respective governments could be decisive. The concrete actions taken by the Rapporteur concerning these interventions will be detailed in the soon available report's annex. /

Prepared by Sandra Ratjen

http://ap.ohchr.org/documents/dpage_e.aspx?m=101

World Food Summit + 10 by Sofia Monsalve

A difficult dialogue between governments and civil society organizations

// From October 30 to November 4, 2006, FAO held the 32nd session of its Committee on World Food Security (CFS) to evaluate progress made in hunger eradication since the World Food Summit. In 1996 governments adopted the Rome Declaration on Food Security and Plan of Action and promised to halve the number of hungry people by 2015.

Today, the implementation can only be described as catastrophic. According to the latest estimates, 854 million people around the globe are still undernourished, most of them in developing countries where numbers have been reduced only by 3 million instead of the aspired 206 million. Recent trends give cause for concern: A decline of 26 million between 1990–1997 was followed by an increase of 23 million in the years up to 2003.

The FAO Secretariat's report on Food Security stated that progress in reducing the number of undernourished people had been negligible – even though the proportion of undernourished people in the developing countries has been reduced by 3 percentage points. The global figures entail significant differences between regions. While in the Asia and Pacific region, Latin America and the Caribbean, both number and prevalence of undernourished people have been reduced, in other regions, one or both indicators have increased and the average rate of reduction has fallen short of what would be required to halve the undernourished population by 2015. According to these figures, neither the World Food Summit targets, nor the Millennium Development Goal on reducing hunger will be achieved.

Despite this poor record, no substantial decisions or recommendations to strengthen the struggle against hunger were taken at the meeting.

Based on an analysis of lessons learned during the past decade, the report presented key elements guiding the way forward towards 2015 including a focus on poverty and hunger in those areas around the world and within a country where a significant proportion of people suffer from malnutrition (hotspots) as well as a twin track approach that combines longer-term interventions to enhance productive potential with programmes and policies responding to immediate needs of the poor. Other recommendations were that significant public investments should be accompanied by policies inducing complementary private investment and that actions to enhance the productivity of smallholder agriculture must be scaled up to achieve food security in rural areas. Finally, poverty reduction efforts must be combined with increased provision of global public goods such as market mechanisms for environmental goods and services to achieve sustainability and enhanced domestic competitiveness is needed to ensure low income countries profit from trade liberalization that should go hand in hand with donor support for improving agricultural productivity.

The so called Special Forum, a multi-stakeholder process organized since 2003 as part of the CFS, comprised three thematic panels on Aid and Investment, Trade and Globalization and Agrarian Reform and Rural Development with the latter being particularly contentious. A number of Southern countries vocally requested a stronger role of FAO in the promotion and monitoring of agrarian reforms, thus following up on the International Conference on Agrarian Reform and Rural Development (ICARRD) of March 2006. The EU, Canada and the

US, however, blocked this initiative and impeded both the CFS and FAO Council later on to take concrete action on ICARRD implementation. Instead the discussion was referred to the FAO Committee on Agriculture (COAG) which traditionally focuses on agricultural productivity and not on combating hunger through agrarian reform.

The document "Time for Food Sovereignty", of the International Planning Committee for Food Sovereignty (IPC) and the Ad Hoc Group of International NGOs claimed that FAO's report does not accurately analyse the causes of hunger and poverty and their increases in recent years. There is, for instance, no critical reflection on trade liberalisation which often leads to bankruptcy of small scale food producers. Major causes of hunger such as dispossessions and lack of access to land and other productive resources are not mentioned at all. The CSOs also disagreed with the priorities set by the Mid-Term Review which strongly focus on trade liberalization, productivity and improving conditions for private investment.

Instead, they recommended to explore new paradigms such as the principle of food sovereignty to enable countries and peoples to define their own food policies. Further recommendations were to prioritize support to small scale producers, local markets, social movements and local institutions, to promote the use of traditional and scientific knowledge and to strengthen the role of women, in particular through equal access and control over natural and productive resources.

As for the Guidelines to Support the Progressive Realization of the Right to Adequate Food adopted in 2004, the report only reaffirms the recommendation to implement the Guidelines but it fails to outline concrete steps towards this goal - such as the creation of new forms of accountability.

However, a Special Event was dedicated to the implementation of the Guidelines and followed by a FAO-initiated meeting to build up a Global Right to Food Network. Government representatives from Mozambique, Indonesia, Brazil, Germany and Switzerland reiterated their commitment to the implementation of the Right to Food at national level and CSOs shared experiences on training, justiciability and monitoring of the Right to Food.

FIAN will continue focusing on agrarian reform issues and the implementation of the Right to Food Guidelines within FAO. Recently the Working Group on Agrarian Reform achieved an important step: In spite of the opposition of influential countries, FAO's Director General allotted core budget resources to pilot projects for the national implementation of ICARRD. /

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// Named after a legendary woman, Nyéléni, who gained respect far beyond her village by teaching her people how to feed themselves, the World Forum on Food Sovereignty took place from February 22 to 28 in Mali. It was hosted by the world's first "food sovereignty village" in the Malian countryside where all food was sourced directly from Malian farmers, pastoralists and fishers, and cooked and served by the villagers.

The forum that was jointly organised by La Via Campesina, the Network of farmers and producers organisations of West Africa (ROPPA), the Malian coordination of peasant organisations (CNOP), the World March of Women, the World Forum of Fish Harvesters and Fishworkers (WFF), the World Forum of Fisher Peoples (WFFP), the International Planning Committee for Food Sovereignty (IPC), Food Sovereignty Network, and Friends of the Earth followed a particularly interesting methodology: The concept of food sovereignty and its implications for action were discussed alternately in plenary and working group sessions. The latter were organised either around themes, sectors or interests so that participants could interact in different settings and their inputs could be reflected throughout the event. The specific themes dealt with in working groups were trade; production models; access to and control of resources; shared use of territories and fishing grounds; traditional agricultural and fishing techniques and knowledge; migrants and conflicts and consumer protection. Represented constituencies were peasants and landless people; fishers; indigenous people, pastoralists and consumers. In addition to these, "groups of interests" such as women, youth and environmentalists also held meetings.

The main outcomes were firstly, a strong political declaration, sent as a signal to the world about the direction taken by the social and political struggle of a great part of the alter-globalization movement. The Declaration states that participants intent to fight for a world where all peoples, nations and states are able to determine their own food producing systems and provide good quality, adequate, affordable, healthy, and culturally appropriate food and where the role and rights of women's in food production are recognized and respected.

Secondly, a synthesis presents in more details the intense discussions of the working groups and concretizes them into an action plan that includes, for example, a European Forum on Food Sovereignty planned for September 2007 in Hungary.

The Nyéléni Forum aims not to be a short-time event but a sustainable initiative. The "food sovereignty village" was not only meant to host the forum but also to become a training centre where food sovereignty can develop in its most concrete and innovative forms. Last but not least, it was not for no reason that the project was organised in Mali – one of the first nations who inscribed food sovereignty in its new agrarian reform law.

All information and documentation on the Forum can be found at www.nyeleni2007.org. /

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FIAN PROMOTING THE RIGHT TO FOOD

HEARING ON PARAGUAY BEFORE THE CIDH

FIAN International, SEIJA and La Via Campesina participated in a hearing on March 7, 2007 before the Inter-American Commission on Human Rights (CIDH) about violations of the RtF caused by the lack of implementation of agrarian reform in Paraguay. The results of the fact-finding mission to Paraguay in 2006 were presented and a testimony of a peasant was heard on the importance of land for this vulnerable group. The CIDH was asked to recommend to Paraguay to adopt measures addressing the documented violations and to adapt public policies to its obligations under the RtF.

More information with Ana-Maria Suarez Franco

SUCCESS ON RIGHT TO WATER IN INDIA

The efforts of Janhit Foundation and FIAN International pressured the authorities in Uttar Pradesh to meet their obligations under the human right to water by providing water to 10,000 residents of Jai Bheem Nagar slum in Meerut. FIAN International launched an international urgent action in May 2006. The engineers of the Municipal Corporation will be starting with the installation of the pipelines. The embassy of Japan will probably support the program financially.

More information with Ashwini Mankame

FACT FINDING MISSION TO INDIA

A FIAN International fact-finding mission to India in December 2006 with representatives from Germany, Norway, Switzerland and the Indian states of Andhra Pradesh, Karnataka and Tamil Nadu, concluded with a set of observations and recommendations to the Indian government. The mission investigated and verified violations of the right to food and water in Karnataka and Tamil Nadu related to threats of eviction, denial of land titles, lack of access to water, and the flawed implementation of the public distribution system.

More information with Ashwini Mankame

Foreign “Investment” vs. Agrarian Reform *by Rolf Künnemann*

The case Palmital in Paraguay

// 16 % of Paraguay’s population are undernourished¹ and most of them live in rural areas. The main reason for malnutrition in rural areas is landlessness. While a small class owns all the lands, smallholders and agricultural workers face hunger.

Paraguay is a state party to the International Covenant on Economic, Social and Cultural Rights. Art.11.2 of this Covenant obliges states to carry out agrarian reforms in order to effectively implement the landless peasants’ right to food. The landless in Paraguay need land to feed themselves as the high level of 38% unemployment makes it unlikely for them to obtain alternative jobs. Paraguay’s agrarian reform law allows for land that does not meet its social function to be expropriated and the country has taken measures to implement this law. However, agrarian reform remains slow; as a consequence, peasants suffering of undernourishment occupy idle estates because they cannot wait any longer for the land to be distributed to them.

Palmital is a settlement of 120 landless families. More than 10 years ago they occupied an idle estate of 1003 hectares owned by several Germans living in Germany. The Palmital families applied for a transfer of the title under the agrarian reform provisions that require the land either to be sold by the owners or expropriated if the owners refuse to sell. When the agrarian reform authorities finally took action towards expropriation, the Senate refused to give its consent arguing that expropriation of the German owners would violate the 1993 bilateral investment treaty (BIT) with Germany.

The police violently expelled the families from their settlement three times, burnt down their farms, destroyed their fields and imprisoned their leaders. For several months, the men and women, children and seniors lived virtually on the street, without shelter or food supplies. But even in the face of state repression, they always returned to the estate. Meanwhile there was an out of court settlement between the landless, the owners and the state of Paraguay allowing the families to stay on the land.

The case, however, is not an isolated one: The application of the agrarian reform and also the restitution of ancestral lands to indigenous peoples were repeatedly stopped with reference to the BIT when the landowners were German. On March 29, 2006 the Inter-American Court of Human Rights pronounced a judgment on a similar case (*Sawhoyamaxa vs. Paraguay*, cf page 2) and held that the application of bilateral commercial agreements cannot provide a justification for the breach of states’ obligations emanating from the American Human Rights Convention; on the contrary, the application of such agreements has to always be compatible with the Convention (para. 140).

Another interesting aspect of this case is the issue of Germany’s extraterritorial obligations as a state party to the International Covenant on Economic, Social and Cultural Rights. Germany is obliged under art. 2.1. in conjunction with art. 11.2 to cooperate with other state parties, among them Paraguay, to achieve the realisation of the right to food as soon as possible. It follows from this that under no circumstances Germany must contravene Paraguay’s efforts to implement its own territorial obligations under the Covenant.

According to UN General Comment No. 12 on the right to adequate food, when entering international treaties, states parties have to bear in mind their duties under the Covenant. Therefore, the BIT, that allows for expropriations “in public interest”, has to be interpreted in a way which does not contradict the above mentioned obligations under the Covenant.

The German Embassy in Paraguay however, in an intervention with the Paraguayan authorities, had referred to the BIT in the Palmital context, creating the impression that Paraguay would violate the BIT if it expropriated the German citizens and thereby undermining Paraguay’s efforts to implement its agrarian reform legislation. Moreover, with its intervention, the Embassy may have instigated Paraguay to violate the Covenant and the American Convention on Human Rights.

The German government had been notified repeatedly by FIAN and others about this extraterritorial human rights violation. So far, it failed to ensure an interpretation of the BIT in conformity with the Covenant – for example by making a statement towards this effect to its Paraguayan counterparts. In a first reaction, it even questioned whether the Paraguayan agrarian reform authorities had acted within the limits of Paraguayan law when suggesting the expropriation. The government claimed that the interpretation of the BIT concerning expropriations in Paraguay is in the full competence of Paraguay and that a unilateral statement by Germany would not be useful in this context. It did, however, send a note to the embassy alerting it to the circumstances and to the need to take human rights aspects into consideration. Whether the embassy will act accordingly remains to be seen. /

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BOOK REVIEW

NO STEP BACK: THE PROHIBITION OF RETROGRESSION IN THE SOCIAL RIGHTS FIELD

The UN Committee on Economic, Social and Cultural Rights (CESCR) has elaborated several times on the principle of progressive realization of ESCR, on the basis of Art. 2.1 of the ICESCR. Experts on the issue as well as instruments interpreting standards of ESCR derive from the principle of prohibition for states to adopt retrogressive measures that affect the achieved standard of implementation. At the same time, constitutional doctrine at national level has been developing criteria to elucidate this prohibition. Does the prohibition of retrogression really exist? Is it an absolute prohibition or does it apply only in certain limited cases and if the latter, which criteria could be used to determine its scope? The compiled works explore this issue and analyse the different interpretations by the CESCR and by national courts, specifically in the cases of Argentina, Brazil, Colombia, Germany, Peru and Spain. The reader is given a panoramic view of the state of the art both at the international level and in comparative domestic law. This compilation is a new step in the systematisation of ESCR doctrine, dealing with an often neglected issue.

Ni un paso atrás: La prohibición de regresividad en material de derechos sociales, compiled by Christian Courtis (CEDAL, CELS), 400 p, Buenos Aires 2006, ISBN 10:987-9120-90-6

ISBN 13: 978-987-9120-90-3;

To order at delpuerto@editoresdelpuerto.com

// During this year's WSF in Nairobi, important steps were taken to further strengthen the RtF and its implementation in Africa. Major initiatives were the launches of the African Right to Food Network and of the African part of the Global Campaign for Agrarian Reform.

A seminar under the title "Building a Right to Food Network in Africa" brought together some 120 people from 30 African countries and a variety of African CSOs. The panel, consisting of the Network's Steering Group (see below) as well as Ms Wanjiku Anne Maina (PELUM Zambia) and Lucas Mufamadi (NKUZI, South Africa) discussed country examples from Ghana, Malawi and South Africa and thematic issues such as RtF violations through the operation of international mining corporations or RtF issues in hunger emergencies. The RtF network intends to act in three principal functions: as an information exchange, as a watchdog monitoring the right to food in African countries and as a platform for action when right to food violations occur, including requests for fact-finding missions, dissemination of protest letters and coordination of lobbying activities. A founding workshop was scheduled for the end of July 2007 in Cotonou, Benin and the first edition of a quarterly e-newsletter is scheduled to be published before that. So far, the Network's Steering Group consists of: Ms Huguette Akplogan-Dossa (Social Watch Benin), Mr Mike Anane (FIAN Ghana), Ms Hannah Owusu-Koranteng (WACAM Ghana), Mr Michael Windfuhr (Bread for the World, Germany), Mr Kofi Yakpo/ Ms Kafui Afanou (FIAN International).

La Via Campesina, FIAN International and the Land Research and Action Network (LRAN) launched the African part of the

Global Campaign for Agrarian Reform (GCAR). The campaign has been developing since 1999 and seeks to strengthen local and national struggles for land, agrarian reform and food sovereignty and the right to food. Fifty delegates from various countries and regions of the world, among them Diamantino Nhampossa, coordinator of La Via Campesina in Africa, debated different focuses of the campaign such as food sovereignty, natural resources and gender as well as strategies for fighting against agribusiness, large landholders, and transnational corporations. GCAR's next steps will be to focus on case work and fact-finding missions.

The theme Human Rights Struggles over Habitat, Land and Environment, co-organized within the Human Dignity and Human Rights Caucus by FIAN and the Habitat International Coalition (HIC), aimed at fostering strategic dialogue, mutual support and solidarity towards alternative models of development based on a human rights framework. Among the strategies discussed were promoting the „Right to the City Charta“, promoting the right to land as an individual as well as collective right, the recognition of peasants' rights and the adoption of a UN convention for their protection as well as the adoption of the UN Declaration on the Rights of Indigenous Peoples. Furthermore it was suggested to conduct joint fact-finding missions on land, habitat and environment human rights issues and to share developments in case law. /

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EVENTS AND SEMINARS

EU FORUM ON RURAL DEVELOPMENT

The European Commission (EC) and Member States will convene the Second European Forum on Sustainable Rural Development during the week of June 18, 2007, in Berlin. Following the successful first Rural Forum held in Montpellier in 2002, this event will bring together up to 400 participants, including policy makers and practitioners from the EC and EU Member States' governments and development agencies, parliamentarians from EU and African countries, as well as experts from developing countries governments, civil society organisations, research institutes and international organisations. The overall theme of the forum will be "Sustainable Growth and Poverty Reduction in Rural Africa: How can Europe be a more effective partner?" The issue will be high on the international policy agenda next year with the release of the World Development Report 2008 on Agriculture and Development and with the continuing G8 discussions on mobilising resources for African development. FIAN as part of the organizing committee of a civil society pre-conference seeks to highlight the Right to Food in the debate about rural development policies.

Contact: Roman Herre, FIAN Germany

RIGHT TO FOOD MONITORING TOOL AND WORKSHOPS

FIAN International, with support of FAO and the German Agro Action, has developed a draft Monitoring Tool on The Right to Food, which basically uses the Voluntary Guidelines for an integrated approach towards public policies related to the right to food. In a Series of Seminars, the Monitoring Tool will be discussed and tested. The Seminars will take place in Latin America (Bolivia, Colombia and Guatemala), Asia (India) and Africa (Uganda and Benin) from May to July, 2007.

Contact: Martin Wolpold Bosien, FIAN International Secretariat

PUBLICATIONS and WEBSITES

MUJERES TOMAN EL PODER DE LA TIERRA

Access to land as an empowerment strategy of indigenous women in Guatemala

Written by Archana Krishnamurty and Renate Schüssler, co-edited by FIAN International and Action Aid, 2007; download at www.fian.org

LA REFORMA AGRARIA EN PARAGUAY

Fact finding mission report about the realisation of the agrarian reform in Paraguay

Co-edited by FIAN International, La Via Campesina and Misereor 2007; download at www.fian.org

ESC RIGHTS IN EL SALVADOR

Parallel Country Report on Economic, Social and Cultural Rights in El Salvador, presented to the UN-Committee on ESC-Rights – English Summary; full report in Spanish;

Co-edited by FESPAD and FIAN International, 2006, download at www.fian.org

GERMANY'S EXTRATERRITORIAL HUMAN RIGHTS OBLIGATIONS (IN MULTILATERAL DEVELOPMENT BANKS)

Two publications give an introduction on the concept of extraterritorial state obligations, explaining them along case studies from Paraguay, Cameroon, South Africa, Mexico, India, and Chad, Ghana and Pakistan, with special consideration on multilateral development banks and the role of Germany.

Written by Ute Hausmann and Rolf Künnemann, co-edited by FIAN International and Bread for the World, 2006, download at www.fian.org

NO ACTION TO BE TAKEN

Tracking down the World Bank's Inspection Panel Report and Management Response to the Coal Mining Project Parej-East, India.

Edited by FIAN International, 2006; download at www.fian.org

WWW.FAO.ORG/RIGHTTOFOOD

With the Launch of the Website www.fao.org/righttofood, FAO's Right to Food Unit took another important step to fulfil its mandate of developing methods and instruments for implementing the right to food, and performing the necessary communication, education and awareness-raising. The website that is available in four languages and at a low-band text-only version does not leave much to be wished for by activists, researchers and politicians. The site's main portal, the information and knowledge centre, provides these resources grouped into four modules (not all of which are available yet): The information and communication module includes basic data on the right to food and materials for advocacy and awareness-raising. The implementation module contains the methodological framework including manuals and case studies. The interactive community module aims to act as a platform for the sharing of ideas and best practices. And the final module on capacity building offers a variety of basic and more advanced training materials including a distance learning course "introduction to the right to adequate food" comprising four lessons of approximately three hours duration. On top of all this, the virtual library attached to this module comprises a vast collection of further documents grouped into the categories Assessment, Capacity, Legal Issues, Monitoring and Policy.

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FIAN International is the international human rights organization that advocates the realization of the right to food. We are a non-political, non-for-profit organization with sections and members in more than 50 countries. We expose violations of people's right to food and strive to secure access to the resources that people need in order to feed themselves now and in the future. We envision a world free from hunger, in which every man, woman and child can fully enjoy their human rights in dignity.



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