Reference: The Initial Report (Art. 1-15) of Venezuela to the Committee on Economic, Social and Cultural Rights (UN Doc E/1990/5/Add.41)

Submitted at the occasion of the 25rd session of the Committee on Economic, Social and Cultural Rights (Spring 2001) by FIAN International, an NGO in consultative status with ECOSOC, working for the right to feed oneself and PROVEA, a Venezuelan Human Rights Organisation.

FIAN Parallel Report

The Right to Adequate Food in Venezuela

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1. Introduction

Geographical information

The Republic of Venezuela is located in the North of South America with a territory of 916.455 square kilometres including the continental part and the islands. The Northern border is the Carribean Sea, the Southern neighbour is Brasil, in the East, there is the Republic of Colombia and in the West Guyana. The coastal line is 2,813 kilometres long. Venezuela has a variety of different landscapes that combine mountain regions (the Andes) with large plateaus where the major part of Venezuela's arable lands can be found. In the southern part of the country with the Guyanean Massif and the Amazonas region, the soils have a very high mineral content and are thus not suitable for farming and husbandry. The country has very important water resources.

Political organization

In 1958, Venezuela formally introduced a democratic system with changing governments under the leadership of two main political parties, the social democrats and the Christian democrats. In 1998, new political movements came to power and in December 1999, a new Constitution was adopted. Since then, the political landscape of the country has been changing. The party in power (the Movement for the 5th Republic) has become the country's most influential political group although at regional and local level, the balance between the political parties still exists.

According to the new Constitution, Venezuela is a federal and decentralized democratic republic. It establishes five public powers: the electoral and the moral power and the three traditional ones: the legislative, the executive and the judicial power. The president is elected in a direct, universal and secret election for six years and can only be reelected once. The legislative power consists of one chamber.

The adoption of the text of the new constitution has triggered off a process of adaptation which can be characterized by the new legal framework and the implementation of new institutions and bodies. They have resulted in a process of adjustment that will go on for some more time.

Economic organization

The Venezuelan economy is largely based on the oil extraction, which makes up an income of approximately 8 billion dollars per year. The yearly income is very vulnerable because of the fluctuation of the oil prices at international level. Therefore, it has a strong impact on the implementation of the government's's programmes.

The estimated income per capita in the year 1999 is about 3670 dollars. The country's economic growth is negative which can easily be derived form the growth rates of the last years: 2,3 % in the period between 1965 and 1980 and -0,6 % between 1990 and 1999. The average rate of inflation between 1990 and 1998 was 49 %, exceeding 100 % at least twice. One of the main reasons for the weak economic growth is the lack of a more diversified economy.

During the last years, the economic policy of Venezuela has adhered to the principles of neoliberalism and globalization. In this processes, it has become normal to abandon the constitutional obligation of guaranteeing the peoples' economic, social and cultural rights. Measures that have been taken are for example the adoption of economic adjustment programmes characterized by the elimination of benefits, the flexibilization of the labour legislation, reforms of the social security and health care system.

Structural adjustment programmes

During the period covered by the Venezuelan Government's's report, a Structural Adjustment Programme (SAP) has been implemented. It has been started during the presidency of Carlos Andrés Pérez (1989-1993) and was continued by his successor, president Rafael Caldera (1994-1999). The negative impact of the neoliberal SAP on the Economic, Social and Cultural Rights of the Venezuelan population became evident during the presidency of Pérez. The candidate to the presidential elections, Rafael Caldera, used these as striking arguments in his electoral campaign. In his article "My Intentions for the Venezuelan People", he wrote he would pursue an anti-neoliberal policy. However, this document was pure lipservice, nothing but "rhetorical intentions". On the contrary, between 1994 and 1999, the Caldera government implemented the "Venezuelan Agenda" which was clearly neo-liberal. During his period of office, Caldera gave priority to the concept of "development" in order to establish an macro-economic balance, deteriorating the population's standard of living, aggravating poverty, unemployment and the informal economic sector and deepening the crisis of the public services. The latter were abandoned and their budget was cut, thus the Venezuelan population had less access to health care, education and social security.

Population

The Central Office for Statistics and Information (OCEI) indicates that in the year 2000, Venezuela has 24,169,744 inhabitants. 37 % of these live in urban areas. The distribution between the sexes is almost even (50 % male and 50 % female population). The age structure has changed in the last years although the group of individuals who are younger than 24 years is still the largest group among the population. The growth rate of the population has gone down from 3.0 between 1970 and 1990 to 2.2 between 1990 and 1999. Analogously, the fertility rate has come down from 6.6 in 1990 to 2.9 in 1999.

The majority of the population lives in the central coastal area of the north where the most important cities are located. The southern region is practically uninhabited.

A high percentage of the Venezuelan population is mestizo. This is due to the racial mixture during the colonization and to the fact that Venezuela has been a country which had taken up a lot of immigrants (until the decade of the eighties). Approximately 3 % of the population are indigenous and live mainly in the border States of the country.

2. Venezuelan legislation and the right to food

In Venezuela, the legislative power of the State has not paid adequate attention to the right to food. Therefore, the public policies in this area do not have a legal framework which gives them judicial protection.

The former Constitution of 1961 did not recognize the right to food. In 1995, a Presidential Commission was created in order to prepare a draft for an *Agricultural Development and Food Security Act*. This draft has never been adopted in Congress and was finally put into the archives.

The new Constitution of 1999 (article 305) guarantees "*food security of the population*". This right has not been included in the 3rd Chapter on "*human rights and guarantees and on duties*", like the other human rights. It has been integrated in the 4th Chapter on "*the socio-economic system*". According to the constitutional precept, food security consists of two guarantees: the sufficient and continuous availability of food in the national territory and the appropriate and permanent access of the *"consuming public"* to it. It seems that this is rather situated rather in the area of consumers' rights which could leave out groups without purchasing power. In spite of this, every person's right to be protected against hunger obliges the State to take measures in favour of vulnerable groups of the population and victims of famines. This can be derived from the State's obligation to protect persons who live in precarious circumstances, as established in Article 21 of the Constitution. Furthermore, and in accordance with Article 23 of the Constitution, the protection proclaimed in Article 11, paragraph 2 of the International Covenant on Economic, Social and Cultural Rights would have priority in the internal order because it confirms this right in conditions that are more favourable than those established in Article 305 of the Constitution.

According to the Constitutional framework and the international treaties, the Venezuelan State is obliged to develop policies that guarantee food security. This could be done by taking measures such as a) securing the agricultural and livestock production in the country, b) reaching strategic levels of self-sufficiency, c) compensating disadvantages of agricultural activities, d) improving the methods of production, conservation and distribution of food, e) appropriate information on nutritional principles for the population, f) improvements and reforms of the agrarian system, and g) guaranteeing the equal distribution of food.

The National Assembly plans to start a debate on an *Agricultural Development and Food Security Act* in its sessions between September and December 2001. The text of the document is unknown to us.

3. Implementation of an adequate standard of living

General aspects

Since the mid-eighties and especially since the nineties, Venezuela has been involved in an economic and social process which can be characterized by a general deterioration of the standard of living suffered by the majority of the population's. Until the middle of the 20th century, important achievements in the areas of health care, nutrition and education had been made. But in the current situation, this success is reversed and results in social exclusion of considerable degree. The different methods used for measuring the level of poverty, coincide, except for some variations, in the percentage of 80 % as reads the following table:

Classification of the population according to social strata

A/B	3%
C	16 %
D	39 %
E	42 %

Reference: DATANALISIS, El Nacional (daily newspaper), 07/09/00

Research done by private consultants revealed that *"in the period 1999-2000, the population of the so-called stratum C went down from 17 to 16 %, but stratum D (with least resources) grew from 41 to 43 %."* [1] This means that more than 400,000 Venezuelan families (8 % of 5,1 million altogether) live in extreme poverty.
The reasons that explain this situation can be found to great extent in the economic model that is based almost exclusively on the oil extraction. It has proved to be unable to generate a productive economy which would be sufficiently diversified. Furthermore, there are the accelerating process of urbanization that the country is undergoing, the growth of poor groups among the population without any access to services and without qualification necessary for getting a permanent and well-paid job. The neoliberal economic model, that in the last years has prevailed at global level, is another reason. It has resulted in high rates of poverty and a high degree of exclusion never seen before and probably, these effects will not be reversed in the short term.

According to the analysis of the United Nations' Development Programme (UNDP), in the mid-nineties, Venezuela has turned into a country of medium development (Human Development Index – HDI – between 0,500 and 0,799). Before that, it had belonged to the category of high development (HDI between 0,800 and 1).
The HDI integrates three components: life expectancy, educational level and income. The latter has experienced the sharpest reduction of the three. Therefore, this institution confirms a downward tendency: *"...is the result of the considerable decline of the income per capita in Venezuela..."*.[2]
In the global ranking, Venezuela's DHI used to be found between positions 46 and 50, being the 5th in the Latin American ranking. The UNICEF Report on the Global Situation of the Children puts Venezuela in position 119 (positions counted downwards).
A detailed analysis of these indicators reveals that there are considerable inequalities in the inland regions of the country. These have various reasons: geographical regions difficult to reach, regions not very appropriate for agricultural production, rural or indigenous population. This proves that the State as guarantor of well-being and the population's economic, social and economic rights has not implemented the appropriate measures and policies in

[1] El Universal (daily newspaper), 14/04/00.

[2] UNDP-OCEI: Human Development Index and the in Venezuela, 1999, page 15.

order to help the most vulnerable groups of the population. Out of the 23 federal States of the country, only two have maintained a high level of human development, eight have gone down to the medium category and the other 13 have remained in the medium category but show clear signs of deterioration. We think that the different rates will double because these are most vulnerable States.
Other indicators which are traditionally used for analysing the situation of countries show the following values for Venezuela:

Indicator	**Value**
Life expectancy at birth	73 years
Infant mortality rate (< 1 year)	20/1.000 born alive
Mortality rate (< 5 years)	23/1.000 born alive
Births per year	574,000
Gross rate of school attendance	91

Reference: UNICEF, Global Situation of the Children, Official Summary 2001

Nutritional situation of the Venezuelan population

The Food and Nutrition Monitoring System (SISVAN) is the official body which is responsible for controlling the food situation in the country. It depends on the National Nutrition Institute (INN) and has to help it in *".. designing food and nutrition programmes and policies for the population which is exposed to nutritional risks."* [3] The numbers that this body elaborates are used in the reports written for the various United Nations' agencies.
In the last decade, the nutritional situation of the Venezuelan population has been characterized by irregularities, but it is evident that there is a clear downward tendency compared to the achievements made after the middle of the 20th century. At the beginning of the nineties, the nutrition index had improved compared to the values of the eighties, between 1994 and 1995, this tendency was slowed down and in 1997-1998 it experienced a sharp decline. At the end of the decade, the index improved slightly and it will soon be possible to confirm that the negative tendency of the nineties would be reversed.

At the beginning of the nineties, the nutritional deficit of the population in general was about 20 %. This was a 5 % decline compared to the values of the seventies. For the children, this deficit is higher, calculated by the average of several indicators combined (general undernourishment), I. e. 24,26 %.
In its report on Venezuela's nutritional profile of 1999, the United Nations' Food and Agricultural Organization (FAO) wrote: *"According to the nutritional situation of children younger than five years, in relation to international parameters, Venezuela can be put in positions defined as low to acceptable..."* [4] This confirmation was based on the values for 1995 with 5 % underweight, 14 % chronic undernourishment and 3 % acute undernourishment. At the end of the decade the values of these categories indicate that there are 9 % underweight at birth whereas chronic and acute undernourishment continue to have the same rates (14,9 % and 2,9 % respectively). Unofficial numbers (Fundación Cavendes) show an increase of children born with underweight up to 13 %, undernourishment during pregnancy has gone up from 12 % in 1997 to 15 % in 1998.

Anthropometric indicators

3 INN, Memorandum 00584, 1998, page 4.

4 FAO: Nutritional Profiles by Countries: Venezuela, 1999, page 3.

Various studies made by organizations such as Fundación Cavendes and Fundacredesa (as a basis they used the numbers prepared by SISVAN) recognize that the Venezuelan population has suffered considerable changes in its anthropometric profile due to insufficient food. Therefore, the improvements made from the forties on that allowed the Venezuelans to be almost as tall as the Europeans (1,7 metres) have deteriorated and thus made them fall back 7 centimetres in the height-age index. In an analysis by social strata, it is confirmed that *"A 7-year-old child from the upper class weighs 24,3 kilos and is 121,9 centimetres tall whereas one of the same age from a lower stratum weighs 20 kilos and is only 114,8 centimetres tall."* [5]

In Venezuela, the chronic undernourishment – this type is caused by several years of shortages which have irreversible effects such as smaller height per age – is more frequent than the acute undernourishment – that type is caused by an acute shortage of food. As a consequence the body adapts to a different bodily constitution which is due to a prolonged shortage of food.

The last numbers available (1999) as to these indicators show a slight improvement, as can be seen in the following table:

Comparison of the nutritional situation of children younger than 15 years - 1998-1999

Combination of indicators per age group	Deficit	
	1998	**1999**
< 2 years	25.32 %	23.76 %
2 to 6 years	24.69 %	23.39 %
7 to 14 years	26.11 %	25.62 %

Reference: Food Monitoring System (SISVAN)

In the table above, it is evident that the reduction of the nutritional deficit amounts to an average of 1,1 % in all three age groups. But this rate is not yet an important recovery.

In relation to the separate indicators of the anthropometric classification, the only piece of information available is that one the indicator weight/height refers to. It measures present or acute undernourishment. Here, a slight reduction could be discovered compared to 1998, from 12,51 % to 11,74 %. As already mentioned before, this indicator is historically less important than the one of height/age which measures the chronic undernourishment, I. e. the one that becomes evident after a certain period of time and which is approximately 8 points higher than the indicator weight/height. But the indicator weight/age which measures both, chronic and present (general) undernourishment, is almost 10 points higher than the weight/age one. This indicates that there has been an adaption to a different bodily constitution because of a prolonged shortage of food.

The conclusions of the official institutions themselves as to the population's anthropometric characteristics allow to confirm the accommodation of the body as a consequence of insufficient food. This can be derived from a prevailing lower height that coincides with a reduction in the prevailing low weight per height.

Deficits of micronutrients

The micronutrients with the highest deficiency among the Venezuelan population are iron, iodine and vitamin A. The most recent data (1999/2000) as to its development reflects the following situation:

Iodine deficiency

According to an evaluation made in November 1999 by the WHO/OPS, UNICEF, the Andean Subregional Programme for Micronutrients and the International Council for the Control of Iodine Deficiency Disorders (DDY), *"... Venezuela*

[5] El Nacional, 17.07.99, page C-2.

declared itself to be virtually DDY free country" [6], and it indicated at the same time that *"...it will be able to sustain it if the Programme maintains the present situation, although some of its activities would have to be strengthened."* [7] According to the President of the National Commission for the Control of the Iodine and Fluorine Content of Salt, *"... controls between 1993 and 1995 registered that 35 % of the country's inhabitants had less than 100 microgrammes of iodine per litre of urine, I. e. less than the normal quantity. Other studies made at the end of the year 1993 showed that 6 out of 10 children suffered iodine deficiency. Similar analysis in 1998 revealed that this problem does not exist anymore in any of the country's States. At the moment, only one out of 10 children lacks this micronutrients."* [8] This was one of the objectives to be fulfilled by the year 2000, as established in 1990 during the World Summit for the Children held in New York.

Increasing anaemia and iron deficiency

Anaemia and iron deficiencies are increasing. According to data prepared by UNICEF, 59 % of the Venezuelan children younger than 36 months and 16 % of the adults suffer iron deficiency. For pregnant women, an analysis made in the city of Caracas revealed that 41 % of them suffer from anaemia and 47 % from iron deficiency.

For many years, it has been recognized that iron deficiency and anaemia are the most important nutritional shortage among the Venezuelan population. Therefore, the authorities have developed a strategy for their eradication. This strategy is based on strengthening the supply of food with a high iron content. It started as a compulsory programme in 1993 for products such as precooked corn or wheat flour and cereals which make up 45 % of the daily calorie consumption of the population. According to the INN, one year after the programme had started, *" ... the prevailing anaemia went down from 19 % to 9 % and iron deficiency from 37 % to 16 %."* [9]

However, measurements made between 1997 and 1998 (Fundacredesa-UNICEF) revealed less encouraging numbers. *"During this period, iron deficiency went down from only 15 % in 1994 to 12,5 % in 1998. The prevailing anaemia increased form 10 % in 1994 to 15 % in 1998, probably due to the Dengue epidemic which has plagued our country in the last years."* [10] These indicators increase to the same extent to which the socio-economic situation deteriorates. It can be observed that *"...56 out of 100 children of stratum V in Caracas suffer from anaemia and the same goes for 63 out of 100 children of the same stratum on the inland regions of the country."* [11]

Vitamin A deficiency

The study "The Impact of the Enrichment of Flours with Iron and Vitamin A", carried out by Fundacredesa in 1998, revealed that *"The vitamin A deficiencies were severe (40 %), moderate (18%) and low (5 %) among children at the age of 7, 11 and 15 respectively."* [12]

Another, more recent study, also made by Fundacredesa in the metropolitan area of Caracas, found out that in 1999 the vitamin A levels among the members of certain strata had considerably declined, even if the values continued to be above the calculated requirements. The decline amounted to 6.4 % in social stratum IV and 7 % in V whereas in

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6 INN, Special Journal 50th anniversary, 15/12/99, page 7.

7 Idem.

8 El Nacional, 23/11/00, page C-2.

9 INN, Special Journal 50th anniversary, 15/12/99, page 6.

10 Idem.

11 El Nacional, 13/10/99, page C-1.

12 FUNDACIÓN CAVENDES, Anual Food Report on Venezuela, Vol.12, No. 12, 1999, page 134.

stratum III, an increase to 17.2 % was observed, which had to do with a higher consumption of liver among this group of the population.

Development of energetic needs and consumption

The FAO calculated the energetic needs of the Venezuelan population to be 2.103 K/cal/person/day in 1995, for the year 2025, an increase is estimated to 2.146 K/cal/person/day. According to several experts in this topic in Venezuela (Bengoa, Montilla), these estimates are conservative because they were made on the basis of minimum standards that were defined by the crisis the country is undergoing. The minimum standards correspond to groups with few physical activities, low weight and height . At the same time, these could be due to having eaten less. According to experts, the value for the Venezuelan population has to be 2,600 K/cal/person/day, which would also be more in line with the FAO's universal estimates (2,700 to 3,000 K/cal/person/day).
Opposite to this minimum standards, the Supply of Nutritional Energy (SNE), I. e. the percentage of the needs that is actually covered, is considered high because it exceeds the estimated energetic needs. However, the SNE has declined progressively in considerable amounts. In 1980, the SNE reached 2,714 K/cal./person/day, and in 1995, it was 2,423 K/cal/person/day.
The declining character of these indicators has been recognized by the authorities of the Ministry of Production and Commerce (MPC) that wrote *"In the 30 years between 1960 and 1990, the calorie and protein intake has improved in Venezuela from 2,000 Kcal. y 50 g respectively in the forties and fifties, and due to available food, to 2,187 Kcal. and 57.4 g of protein in 1961-1963, to 2,385 Kcal. and 58.9 g proteins in 1969-1971, to 2,719 Kcal. and 68.9 g proteins in 1979-1981. This positive development was mainly achieved by importing food. It has declined again to 2,444 Kcal. and 61 g proteins per person and day during the period 1998-2000."* [13]
The numbers given vary according to the place and the socio-economic conditions the population lives in. That is why the members of lower social strata have a lower calorie intake, as reads the following table:

Daily calorie consumption by social strata

Stratum	Calories
III	2,499
IV	2,193
V	2,153

Reference: Fundacredesa

Development of food intake

In Venezuela, there are two concepts that allow the level and capacity of consumption of the Venezuelan population to be measured: firstly, the Standardized Food Basket (CAN) and secondly, the Basic Food Basket (CB).
CAN is defined as *"... a quantified list of food that covers the caloric and nutritional needs of the Venezuelan population, it reflects the consumption habits, and is affordable because of the price, and it adjusts to the country's productive potential."*
The CB is *"The minimum quantity of products obtained by the Common Standardized Food Basket, by which at least 50 % of the energetic and nutritional needs of the population can be covered. Its availability must be particularly protected by the State, by means of competent bodies."* These needs have been estimated to be 2,200 K/cal, calculated for an average family of 5.2 persons, 14 % of the calorie formula come from proteins, 14 % from fat and 72 % from carbohydrates.

[13] Economy Today, 04/09/00, page 8.

During the last years, there was a tendency that the purchasing power of the wages of the majority of the population has been below the real costs of the Basic Basket. This holds true for strata C and D that make up 79 % of the population: People form these strata have to earn at least two minimum wages (which means two working days per day) in order to cover the CB costs, as shown in the following table:

Stratum	Monthly Income (bs)	%	%
		1986	**1999**
A B	3,838,328	6	3
C	739,737	24	18
D	249,409	40	38
E	120,569	30	41

Reference: Fundacredesa, El Universal, 09/02/00, page 2-19

For the year 2000, the minimum wage reflects a deficit of 29 % in relation to the Food Basket and of 77 % in relation to the Basic Basket. This means that 86 % of the population have an income which is insufficient for covering the costs of the Basic Basket.

As a consequence of the facts mentioned above, the decline of the food consumption at family level had continued in the last decade and reached its climax (12 %) in 1998. This has provoked changes in the food patterns of the Venezuelan population which do not favour the coverage of the established calorie needs. A study made by private consultants (Datánalisis) in 1998 about the development of the population's food consumption revealed that the Venezuelans have given up eating strong food such as meat, chicken, flours and fish. They were replaced by pasta, margarines and eggs, provoking a situation never seen before: the arepa (a kind of tortilla made out of sweetcorn flour) has been replaced by pasta because corn flour is more expensive than wheat flour which is used for making pasta. This behaviour caused a reduction of 11 % in the consumption of corn flour in 1997 whereas the consumption of wheat flour increased by 5 %.

During the year 2000, a slight recovery of the food consumption could be observed. This is due to the fact that for the first time in many years, food prices have remained below the rate of inflation.

Other factors that influence in the reduction of the consumption are the loss of jobs, the high rate of unemployment among women, the discrimination against women as to salaries and wages, the educational level of women in their homes (they are responsible for 90 % of the family's food), the size of the families and the difficulties as to transport and storage of food. According to the Centre for Women's Studies, the wage of working women is 30 % lower than that of men. Between 1988 and 1999, this has provoked an increase in women's probability to be poor, from 12.5 % to 33.20 %.

Characteristics of the national food production

As to the self-sufficiency of the country, Venezuela finds itself at a critical level of autonomy, if the FAO and CEPAL criteria are taken as reference. In accordance with these criteria, those countries in which the own contribution to the national food production is below 58 % receive this label. The Report on the Nutritional Profile of Venezuela states that *"... imported food exceeds 50 % of the total energetic supply ... [and that] the development of the food's availability index in relation to the SNE shows a pattern of instability because there are severe and sudden changes in very short periods of time. These changes are due to the fact that the country is highly dependent on imported food. This becomes even more serious because of the ups and downs in the availability of foreign currency."*[14] In general terms, Venezuela is only able to produce between 25 % and 30 % of what it consumes and because of this, its dependence

[14] FAO: Nutritional Profiles by Countries: Venezuela, 1999, page 13.

on imported food is very serious.
The decline of the national food production is proven by a progressive reduction of the cultivation of lands suitable for food production. According to the declarations of the former Minister of Production and Commerce, J. J. Montilla, this means that *"... the harvested lands per inhabitant were reduced from 2,525 square metres in 1950, to 2,089 square metres in 1961, to 1,706 square metres in 1970, to 1.177 square metres in 1980, to 898 square metres in 1990 and to 714 square metres in 1998 without a considerable increase of the productivity of each unit of land."*[15]
According to numbers prepared by the MPC, between 1988 and 1999, the different crop types have undergone the following developments:

Type	Year/cultivated land (ha.)		
	1988	**1994**	**1999**
Cereals	1,150,446	765,211	677,280
Grains and leguminous crops	91,184	49,741	47,323
Root crops	79,215	65,524	75,628
Vegetables	25,755	33,086	39,383
Fruits	184,907	210,898	199,978

Reference: Statistical Department of the MPC

In the table above, it can easily be seen that the most important crop types for the Venezuelans' diet such as cereals (rice, corn and sorghum) and the grains and leguminous crops (arveja = tufted vetch, caraota, beans and quinchoncho) have undergone a decline of almost 50 % between 1988 and 1999 and therefore have to be imported for supplying the population.
The constant decline of the national food production has various reasons:
There are difficulties that have to do with the quality and the physical characteristics of the arable lands. Therefore, it is necessary to cultivate crop types that are potentially more effective in order to minimize the impact of the poor lands. Experts think that *"The main limitations of the lands for farming and husbandry are related to the relief (more than 40 % of the territory), the low fertility of the lands (a third part of the territory), the lack of irrigation and other problems related to aridness."*[16] Despite these obstacles, Venezuela has a considerable potential for growing tropical crops.
Another difficulty has to do with the lack of a coherent agricultural and food policy that stimulates and protects national production and imports food only in order to compensate for deficits but not for replacing national production. Until now, the lack of a reasonable distribution of products that were harvested in the country itself, the activities of the agribusiness to buy these products at low prices and the excessive import policy have been elements that have hindered a sustainable agricultural development that would protect the right to food.
Most small peasants find themselves in a situation of "disprotection" because they do not have legal security as to the ownership of their lands, they have almost no access to consulting and technical and financial assistance and do not have the services and infrastructures that would make their life and work easier.
As a conclusion we would like to enumerate the following main reasons for which Venezuela has not achieved an adequate agricultural development that would guarantee food security for the population:
– lack of consensus as to the objectives of the agricultural development of the country,
– lack of a sustainable agricultural policy
– lack of mechanisms that oblige the affected sectors to fulfil all duties and commitments that have been made,

15 Economy Today, 04/09/00, page 8.

16 FAO: Nutritional Profiles by Countries: Venezuela, 1999, page 7.

– critical level of food autonomy as a result of the dependence on imported food,
– lack of appropriate mechanisms for adequate access to food for the most vulnerable groups of the population,
– insufficient budget allocations for the sector,
– speculation during the transformation and commercialization of food.

4. Documentation of violations of the right to feed oneself

4.1 Violations of the obligation to respect and to protect

Case 1: Destruction of means of subsistence means of indigenous communities in the Imataca forest

The Venezuelan policy of economic opening acted against the Government's obligation to respect the traditional means of subsistence of indigenous communities living in the Imataca forest reservation and in the town of the Gran Sabana. For about 10,000 indigenous persons belonging to the peoples of the Akawaio, Arawako, Karina and Pemon, access to their traditional means of subsistence is threatened by the activities of private companies and governmental projects of industrial development.

a) The economic opening

Venezuelan economy depends essentially on oil export from the Northern part of the country. This led way to efforts of preservation of the forest regions in the Southern part of the country. Consequently, in 1961, the Imataca forest which extends over the departments of Bolivar and Delta Amacuro, was indeed declared an "ABRAE" area (area bajo régimen especial – area under special rule) in order to protect the biodiversity and to support the sustainable exploitation of the region. Animal and plant life is indeed very rich in the Imataca forest, and there are lots of ores, metals, water and precious woods, too.

The declining oil price of the last years, however, affected Venezuela seriously and made her go in for a policy of „economic opening" in the Southern part of the country. This was expressed by the "Prosedur" development programme for the South of the country, this programme being defined as the Government Policy. This programme consists of several projects such as the power cable project.

The CVG activities – mining, forest exploitation and hydroelectric power generation – are developing in the region of Guyana. Within the framework of its policy of economic opening, the Venezuelan Government entrusted CVG with the economic development of the Southern part of the country. In this framework, the realisation of the power transmission line will make it possible to transport the energy which is necessary for the industrial activities. The objective is to create an industrial park in the region of Imataca, the Lema forest and the Gran Sabana. Among these projects, there would be big dams, a gas pipe running under the power line up to Brazil, and the construction of infrastructural facilities for the mining companies[17].

Mining and forest exploitations

In 1981, Imataca was declared a permanent forest exploitation area, and the wood obtained from it represented already 11% of the country's total production, with about twelve concessions for wood exploitation having been granted. As for the ore, Imataca is rich in gold and diamonds. That is why in 1965, the Southern part of Imataca was opened to mining activities. As a result, Imataca became a key place of production, for small miners as well as for the companies profiting of concessions. We thus count, within the Imataca reservation, about 300 mining concessions

[17] El Bolivarense, 21.10.1999.

granted to the Venezuelan Corporation of Guyana – a state-owned enterprise – and to foreign companies, mostly Canadian[18].

The consequences were not long in coming: a considerable increase of pollution in the forest and the rivers, a massive deforestation, an important decline of biodiversity, the destruction of environment and, in other terms, of the subsistence means of indigenous communities. We should note as well that small mining exploitations particularly brought about, on the one hand, an increase of sedimentation in the rivers and their quick silver pollution and, on the other hand, conflicts with the indigenous communities. To this, we should add as well that the process of settling of certain indigenous communities, is accompanied by demographic growth and thus by a more important pressure on the forest. In this case, we notice that there is not enough food for everybody, and we observe malnutrition.

The Presidential Decree no. 1850

In May 1997, the cabinet approved the Presidential Decree no. 1850 changing radically the legal rule which protected the Imataca forest. This decree is in fact a "land development plan and a use arrangement for the forest reservation of Imataca" aiming at the completion of the ABRAE rule. According to this plan, Imataca was put, from then onwards, under the authority of the ministry of environment and natural resources (MARN). The official objective of this Decree was a global administration of the region, in order to use the resources in a sustainable manner as well as to guarantee the well-being of the population. However, the Decree confers to the MARN the competence of granting exploitation licences to private companies. The Decree thus fits in the policy of economic opening aiming at the development of mining activities, forest exploitation, tourism, industry and colonisation in this region.

The Decree no. 1850 triggered off all sorts of protests expressed by academic, scientific, political, and religious communities and by local authorities, indigenous peoples and their organisations, environment and human rights organisations. These protests denounced the anticonstitutional and illegal character of the Decree as well as its environmental and social consequences, especially for the indigenous communities. Venezuelan law provides, for example, a public consultation for any development plan such as the Decree no. 1850. After three consecutive postponements, this consultation took finally place, but as the participants received their material only a few days before, they asked for another postponement in order to prepare their statements. But on May 14th 1997, the cabinet approved the Presidential Decree no. 1850 without waiting for the postponement of the consultation.

The power transmission line between Venezuela and Brazil

In April 1998, the MARN granted to the Venezuelan Corporation of Guyana and to the Electrification du Caroni C.A. – CVG-EDELCA, the permission to build a power transmission line between Venezuela and Brazil. This project is the concretion of an agreement concluded in 1994 which intends that Venezuela shall supply the Northeast of Brazil with electric power from the power station of Guri in the Northern part of Imataca. So the location route of the power line runs through the forest reservation of Imataca, the forest of Lema and the National Park of Canaima.

Going into details, the communities living on the location route are the following: San José, San Antonio de Roscio, San Mateo de Warmapatte, San Flaviano, San Miguel de Betania, Joboschirima, Santa Lucia de Inaway, San Juan de Camoiran, San Rafael de Camoiran, Uroivarai, San Francisco de Yuruani, Santa Cruz de Mapauri, San Camilo,

[18] Marta, Miranda, *Todo lo que brilla no es oro*, 1998, Institut des Ressources Naturelles. (see appendix II)

Agua Fria, Maurak and San Antonion de Morichal. Building the power line affects 15,000 indigenous people living in more than 30 communities of Akawaio, Arawako, Pemon and Karina[19].

CVG-EDELCA began building the power line in June 1998, with the particular participation of the transnational Swiss-Swedish concern ABB. Important forest surfaces were cleared of trees in order to put up the huge pylons. The construction work for the power line will affect more than 2,212 hectares, destroying on its way the "conucos", plantations of the indigenous from those communities living nearest to the location route.

Opposition to the realisation of the power line achieved to mobilise a great part of the Venezuelan and international social society for assisting the indigenous peoples of the region. The Government of Caldera stuck to its hard-line approach and mobilised the "Guardia Nacional" in order to force the construction work. The Government thus failed to fulfil its obligation to respect the right of the indigenous people of Imataca to get adequate food. Their way of life and subsistence assured enough highly nutritive food and corresponded to their culture and beliefs.

b) The points of agreement

In 2000, the situation remained more or less the same because if the mining and forest exploiting activities did not increase they did not disappear either. Their impact on the indigenous people's traditional ways of subsistence remain worrying. Hugo Chavez' election for President paralysed the realisation of the power line, but only for a short time. In a meeting with the Brazilian President Cardoso, Hugo Chavez confirmed his country's engagement to supply Brazil with electric power.

The Venezuelan Government entered into negotiations with the Indigenous Federation of the department of Bolivar which represents the indigenous communities of the Imataca forest and the Gran Sabana. The so-called agreement "Los puntos de entendimiento", of 21st July 2000 stipulates that the indigenous people will accept the realisation of the power line if the Government fulfils seven requests[20]:

1. Setting-up of an "interinstitutional commission made up of representatives both of the executive body of the Government and the indigenous peoples, on equal terms", in order to start the demarcation process of the indigenous settlements.
2. The presentation, by the executive body, of the ITO Convention 169 to the National Legislative Commission for ratification.
3. A joint management together with the indigenous people for those ABRAE where indigenous peoples are living.
4. The executive body guarantees that the indigenous people may control and assess the impact of the power line construction.
5. Creation of a permanent fund for the integral sustainable development of indigenous peoples, this fund being destined to the affected communities.
6. Setting-up of a "Presidential Commission for indigenous peoples"
7. Binding force of the agreement

One of the important elements of the agreement is its binding promise that there will not be any other industrial projects in the area. The chairman of the Indigenous Federation of the department of Bolivar underlined after signing

[19] El Bolivarense. 01.10.1999.
[20] See appendix I.

the agreement: "hemos planteado que no se construya o que no se instalen proyectos (Industriales) a lo largo de la red del tendido éléctrico, en este caso en los hábitats indigenas" ("we have brought about that no (industrial) projects will be built or installed along the mains of the power line, in this case in the indigenous settlements")[21].

Resistance of the Pemon communities of the Gran Sabana

This agreement was not unanimously welcomed by all indigenous peoples. Fourteen Pemon communities of the municipality of the Gran Sabana which were directly affected by the power line, filed an action before the Supreme Court of Justice[22]. On 4th October 2000, the Court admitted the file, but only on the grounds of environmental laws and not on the grounds of indigenous peoples' rights although they were stipulated in the new constitution.

The Government preceding Hugo Chavet's election, i.e. the Government of President Rafael Caldera, failed to fulfil its obligation to respect the right of the indigenous communities living in the Imataca forest and the Gran Sabana, to adequate food. Ignoring the existence and the rights of indigenous people, the policy of economic opening contributed to the deterioration of their standard of living and the serious threat to their way of subsistence, for themselves as well as for future generations.

In the same way, under the Chavez Government, the policy of economic opening seems to go on, especially apparent in the determination to finish the power line which is still fiercely disapproved by the Pemon communities directly affected in the region of the Gran Sabana.

It is true that the process of the Constituent Assembly admitted the constitutional recognition of indigenous peoples' rights, the political participation of the indigenous representatives, the setting-up of an ombudsman for indigenous rights. It is true as well that the present Government asked the indigenous representatives' opinion before they went on building the power line.

Recommendations

But the Venezuelan Government must now apply the indigenous peoples' constitutional rights in order to guarantee their access to the traditional resources of subsistence – especially by the demarcation process of the indigenous territories. The Government should review all licences which contradict the environmental law or were granted to enterprises whose activities caused pressure and forcible expulsion of local populations or the destruction of their means of subsistence by contamination of soils and rivers.

As for the power line, there is no doubt that it is the cause of a considerable deterioration of the affected communities' means of subsistence. By realising this work, the Government offends directly the indigenous people's right to adequate food. In order to respect its engagements on the grounds of the International Pact on Economic, Social and Cultural Rights, the Government must therefore, on the one hand, take the necessary measures to apply the points agreed on with part of the indigenous peoples so that they receive a proportionate compensation for the damage caused by the line, and on the other hand, take into consideration the requests of the Pemon communities still offering resistance to the realisation of the last section of the work, in the municipality of the Gran Sabana.

[21] Correo del Caroni, 08.04.2000. Page A-3.
[22] Correo del Caroni, 07.08.2000. Page A-2.

Case 2: The exploitation of coal in the Sierra de Perija destroys the means of subsistence of the indigenous peoples of Bari and Yucpa

Venezuela's policy of oil and mining exploitation acts against her obligation to respect and to protect the right to adequate food of the indigenous peoples of Bari and Yucpa living in the Sierra de Perija in the department of Zulia. Already in the forties, the Bari and the Yucpa suffered from the invasion of oil companies polluting irreparably their vital environment. On the occasion of the economic opening, without any consultation or analysis of the impact, the Government, through the mining ministry, granted to the multinational companies of Maicca, Consulminca and Carboca, concessions for coal exploitation within an area of 150,000 hectares. Since 1996, the mining companies began their construction work which had a devastating impact on the forest and the traditional resources of subsistence of the Bari and Yucpa. Suffering from malnutrition and new diseases, many Bari and Yucpa people were compelled to leave their territories, and migrated to the slums of the big cities.

The Government neither consulted the Bari and Yucpa authorities nor did it carry out any impact analysis, nor did it consider the environmental laws protecting the National Park of the Sierra de Périja, and even less did it provide for compensation measures in favour of those whose territories were affected or who became the victims of diseases caused by the activities of the multinational companies.

On 20th October 1998, before the Supreme Court of Justice of Venezuela, the Yucpa filed an action against the granted mining concessions. So far, the Court did not answer to this action. In June 1999, the indigenous people of Zulia urged President Hugo Chavez to withdraw the coal concessions having been granted to the transnational companies in the Perija forest. At the same time, the environment ombudsman, Luver Portillo, accused the Maicca company of putting the inhabitants of Perija under pressure in order to make them leave the area.

Case 3 Delta Amacuro

By granting oil exploitation licences to nine transnational companies in the Orinoco delta, in the department of Delta Amacuro, the Venezuelan Government acted against its obligation to respect and protect the Warao people.

The Warao's way of life is inseparably bound to their traditional environment in the swamps of the delta. The use of the American Palm, "la palma de moriche", is exemplary, being at the same time source of food and raw material for all sorts of objects such as clothes or wickerwork. For most of the Warao, the beginning and intensification of the oil exploitation brought about the end of their way of life, and misery. The extraction activities of the transnational companies are the cause of an important pollution of the delta and its swamps. In 1995, the Government granted about twelve exploitation concessions to transnational companies among which there were: British Petroleum (BP), Benton Vincler, Gico Prax Land, Louisana Lands, Amoco et Ex-Geo[23].

The destruction of the natural environment of the Warao has taken away from them their traditional means of subsistence, has exposed them to new diseases and to hunger. Most of them had no other solution than to migrate to the miserable squatter towns of the closest cities : Guayana, Puerto Ordaz and Ciudad Bolivar[24].

At no time has the Venezuelan petrol policy taken into account the people of the Warao nor has it considered the

[23]Aray, Yaritza, Situacion de los pueblos indigenas de Venezuela, 1997, Frankfurt.
[24]Nueva Prensa, 07.09.1999.

environmental consequences of the activities of the transnational companies. As late as 1998 – when the Warao started to beg in the city streets, the Government was forced to tackle this question. This is when the Venezuelan Government agreed to employ funds, although in the manner of a charitable, assisting attitude. Their aim: provide them clothes and medicines, and then repatriate them in the delta region, where their only activity remains to suffer the exploitation by the petrol companies.

Such a policy ignores the traditional way of life and of subsistence of the Warao.
Immediate measures should be taken to protect the very fragile ecosystem of the Orinoco Delta and to guarantee the territorial integrity of the Warao, so that they can live and find their food according to their habits and their cultures. Indeed, according to the words of Raoul Espinoza, Cacique of the Blanco people from the Amacuro Delta, "even the petrol companies exploit our work, and we have no means to buy our food, neither are we in a position to sow or to feed our families"[25].

The Venezuelan Government offended its obligation to respect and to protect the right of the Bari, Yucpa and Warao peoples to adequate food, by granting exploitation concessions to transnational companies which do not only destroy the traditional food resources of these peoples but often even engage them in order to exploit them, or expulse them when they occupy the desired territories.

Recommendations

On the strength of the International Pact on the Economic, Social and Cultural Rights, Venezuela must withdraw or cancel those economic exploitation concessions which are illegal regarding the laws on environment protection and those protecting the indigenous peoples; in the past, these rights were guaranteed by Article 77 of the Constitution which reserved a special legislation for the indigenous tribes, and also by the dispositions of the New Constitution. Furthermore, the Venezuelan Government owes it to compensate the indigenous communities whose lands have been affected or whose members became ill as a consequence of the invasion of these private companies. Our recommendations aim to guarantee a dignified access for them to adequate food.

Case 4: the lack of land titles and forced eviction of the peasants

The production, conservation and distribution of food is one of the measures that the States have to take in order to fulfil the obligation to protect the right to food, as established in the Pact on ESCR. These activities are indispensable for putting in concrete terms one of the basic elements of this right, which is the availability of food in sufficient quantity and quality. As a reference to adequate food, the General Comment No. 12 of the Committee for Economic, Social and Cultural Rights underlines that the productive use of lands and resources is a means by which human beings can feed themselves directly. In order to achieve this, it is necessary to develop strategies that include the following aspects: direct and equal access to the economic resources, the right to own land and other goods, access to grants and loans, to natural resources and to an adequate technology. These measures include everything that is necessary for setting-up an agrarian system and for its operation.
In the case of Venezuela, there is enough productive land for the development of farming and husbandry. According to information of the official bodies, *"there are 48.6 million hectares in Venezuela, on the northern bank of the river Orinoco; taking into account the agricultural potential of these lands, there are 11 million hectares which can be used for farming and 28,1 million hectares suitable for husbandry and forestry."* [26]

[25] Nueva Prensa, 26.05.1999

[26] FAO, Idem, page 7.

On the other hand, according to the calculations of the Central Office for Statistics and Information (OCEI), the rural population in Venezuela will grow in the year 2000 to 3,114,999 inhabitants, I. e. almost 13 % of the total population. These numbers prove that there is enough land to be cultivated by small peasants and their families, something that would guarantee them their self-sufficiency as to food.

Although there is enough land available, the small-scale production, I. e. the one carried out by peasant families for their own food supply, is extremely vulnerable because it is exposed permanently to risks which endanger a regular productive activity. The most important threat the small peasants are faced with is the insecure tenancy of the land. This has to do with how they got hold of the land. Historically, the Venezuelan peasants have occupied the land that had not been used in order to get a small lot that would be enough to feed the family and to produce goods at small-scale to sell them on the markets. The existence of large-scale farming and the fact that the State did nothing against it, during the first half of the 20th century, have favoured this practice.

The implementation of an Agrarian Reform which started in 1960 did not offer a solution to the problem. There continues to be a concentration of lands in the hands of a few big land-owners, there still is insecurity as to the owners of the land titles. The small peasant have almost no access to loans and assistance because they do not own the land titles. According to the numbers derived from the Agrarian Census in 1998, less than 30 % of the beneficiaries of the land reform have legalized their land titles, only 7 % have had access to official loans and less than 17 % have received technical assistance. Furthermore, 72 % of the lands that the National Agrarian Institute had integrated into the framework of the Agrarian Reform were given to people that had not been subject to this law. In reality, after 40 years of Agrarian Reform, *"only 42 % of the arable lands in Venezuela are cultivated whereas 30 million hectares are still not used for these purposes (...) and 70 % of the lands – 31.2 million hectares – belong to 3 % of the land owners in the agricultural sector."* [27]

Even if these numbers make one think that it would be necessary to adapt the legislation in this area, the laws are not the only reason for the slow implementation. This situation is also due to fact that the competent officials are not able to and do not want to fulfil the legislation in order to achieve positive results.

The present legislation recognizes the social function of the lands: *"... an efficient use of the lands requires that a farm is operated personally, I. e., the owner himself works on it and manages it."* [28] With this principle as a starting point, the law preserves the agricultural purpose of the lands by giving priority to it and by establishing mechanisms for achieving the legalization of the land titles in those cases in which the lands have already been cultivated for years. For example, for regulating the land ownership, the Directive of the Law for Agrarian Reform (DAR) establishes in its article 12 that "In case that the beneficiaries of the tenancy procedure own lands, that belonged to the National Agrarian Institute, and have cultivated these lands permanently for more than three (3) years, and if there are no technical or legal obstacles, the Institute gives the definitive land titles of the respective lots to the peasant. This procedure may not take longer than sixty (60) working days."

Paradoxically, the same authorities that have made this regulation violate it permanently. The following examples serve as testimony, collected by PROVEA in the last 10 years:

Ignorance of the use of the lands for agriculture

103 families of the peasant community of Tasajera in the State of Aragua, have been permanently threatened by being evicted from 2.100 hectares where they had been living for more than 30 years and where they had been cultivating fruits. Although this community had received the common land title from the NAI in 1970, a multinational group and a national company alleged that they were the owners of the lands. They have started to sell 100,000 hectares of the NAI land, among which are also the lands cultivated by the peasant community.

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27 PROVEA: Annual Report October 1998-September 1999, Caracas, 1999, page 247.

28 PROVEA et al.: The Right to Land: Concepts and Strategies for Defense, 1997, page 8.

Violation of the law on the legalization of lands

Although the Directive of the DRA establishes a mechanism for legalizing the ownership of the land within a certain period of time, many people complain about the delays in the procedures which lead to extremely precarious situations.
103 families of the peasant community of Gibraltar, located in the district of Sucre in the State of Zulia, have been evicted violently from 317 hectares of land which they had been cultivating for 17 years. These peasants had applied for the legalization of the land in the NAI on various occasions, but because of the bureaucratic procedures of the NAI, they never got an answer.

Misuse of agricultural lands for other purposes by the NAI

Selling lands which had been farmed and cultivated by the small peasants to companies that want to use them industrially has been a typical misuse many people have complained about. According to the complaints, the NAI itself has misused and sold agricultural land for touristic purposes, for housing or large-scale farming.
Members of the peasant villages in the State of Portuguesa have complained about that the company Smurfit Carton of Venezuela, used agricultural lands for extensive pinetree plantations in order to produce paper pulp at large scale. A report written by the environmental organization AMIGRANSA reveals the characteristics of this case:
"The company started to buy land in 1986 and at the moment, it owns 15 farms with 27,000 hectares altogether. At least half of the land has been classified as agricultural land. According to Venezuelan legislation, land of this type cannot be used for tree plantations. However, precisely this was done and in the major part of the lands, there grow blue eucalyptus, pine trees and melinas. In 1995, Smurfit bought another farm (La Productora) that until then had been operated for agricultural and commercial purposes and for livestock breeding. Two peasant communities in the neighbourhood (Morador and Tierra Buena) had been waiting to receive the land of La Productora as a result of the Agrarian Reform [...] on the 14th of July 1997, the peasants occupied La Productora, claiming that the gouvernment should give them the land. The government reacted by sending the National Guards." [29]
Another important example for the misuse of agricultural lands is the case of the peasant village El Banco in the district of San Joaquín in the State of Carabobo. This community is threatened by losing 800 hectares of land that it has been cultivating since 1961 and that has generated 300 direct and more than 4,000 indirect jobs. The district government ignored the agricultural use of the land by allowing the construction of houses in order to start an urban development project on lands that were restricted to agricultural purposes. The NAI gave way to the pressure of the urban constructors and ignored the agricultural use of the land although the urban development scheme for the metropolitan area of Valencia-Guacara had established that the land in question should be used for farming and husbandry.

These examples demonstrate very clearly that the NAI is not very consistent in its activities. It does not respect the legal precepts established in the DAR. The Institute is rather watching the process than taking decisions, although this should be its task according to the law. It favours arbitrary actions taken by private companies and regional units, which very often have taken action without respecting neither the law nor the human rights.
At the moment, the political changes in the country, which are due to the adoption of the new constitution, have underlined the necessity of a new Land Ownership Act and of a different body to control the distribution of land titles (National Land Institute).

[29] AMIGRANSA. The Struggle Against the Smurfit Plantations. In: PROVEA Anual Report 1998-1999, pages 253-254.

4.2 The obligation to fulfil

Case: Vulnerable populations excluded from social food programmes

According to the declarations made in April/May 1999 by the Committee for Economic, Social and Cultural Rights in its General Comment No. 12 on the *Right to Adequate Food*, human communities have problems with the economic and physical access to food. They need special measures, such as direct food aid programmes.
The degree of undernourishment in Venezuela reveals that the federal States with the highest deficits are States where the majority of the population is indigenous or peasant. For them it is difficult to get physical access to food, they own only few lands suitable for farming and very often, these are located in border regions.
The combined category is the result of the combination of 3 classic indicators: weight per height, weight per age and height per age. Their combination is a general index that reflects general undernourishment because it connects aspects that have to do with past or chronic undernourishment to acute deficits. In this category, the following six States have the highest rates:

Federal State	% Deficit
Portuguesa	33.34
Miranda	32.94
Apure	30.76
Delta Amacuro	29.51
Sucre	27.26
Amazonas	26.94

Reference: SISVAN

Except for the State of Miranda (where the high degree of undernourishment can be explained by the fact that this State is taking up a lot of immigrants from the rural areas who want to settle down in the outskirts of Caracas), the population of all the other States integrates high percentages of indigenous and peasant people.
The numbers given by the Central Office for Statistics and Information (OCEI) as to poor households in the year 1999, reflect that in Venezuela, there are 2,214,661 households living in poverty, I. e. 44.85 %. Among these households, the poverty rate exceeds 55 % in the States mentioned above (except for Miranda):

Federal State	Total No. of Households	Total No. of Poor Households	%
Portuguesa	160,092	91,494	57.15
Miranda	585,645	197,105	33.66
Apure	84,227	56,408	66.97
Delta Amacuro	24,090	16,348	67.86
Sucre	151,383	86,353	57.04
Amazonas	18,506	10,475	56.6

Reference: OCEI (quoted after SOCSAL)

In 1995, the Venezuelan State has initiated the School Meal Programme (PAE) which can be regarded as a special measure taken to supply food to school children. The target group of this programme has been defined as follows: *"Pupils attending preschool education, basic education in levels I, II and III, special education, diversified medium-level and professional education, registered in public and private educational institutions attended by pupils with few economic resources."* (School Meal Programme, 2000).

As to the fulfilment of the State's obligations with respect to the task of giving food to the most vulnerable groups of the population, this programme has two important limitations which have to do with its coverage and its scope: a) the calorie needs of pupils are only covered minimally; b) not all parts of the States mentioned above are completely covered.

In accordance with the information given by the PAE itself, in the academic year 2000-2001, the pupils' calorie needs and the calorie contributions of the PAE read as follows:

Pupils	Calorie needs	Minimal PAE contribution
Preschool level	1,400 K/C	420 K/C
Basic level I - II	2,000 K/C	600 K/C
Basic level II	2,800 K/C	840 K/C

Reference: School Meal Programme (MSDS; MEYD, FUS, 2000)

These numbers prove that only 30 % of these groups' calorie needs are covered by the programme. Since the programme operates in the school network, it depends on the school schedule, which includes only 200 days per year. It also faces financial and administrative problems that hinder the smooth development of the programme, especially bureaucratic obstacles and the lack of transparency as to the origins of the financial resources. These problems have affected the regular service offered to more than four million pupils. *"The delay in the allocation of the resources affected – according to the numbers prepared by the competent bodies in social policy themselves – 4,4 million pupils who receive the State's aid via some social programmes that were implemented by the Single Fund."*[30]

As to the scope of the programme, it is important to underline that within this programme, there exists the possibility to receive full calorie coverage (100 % of K/cal.) in the so-called Bolivarian Schools where the children remain the whole day. For the academic year 1999-2000, in the States mentioned above, this type of school was distributed as follows: Amazonas 9, Sucre 20, Delta Amacuro 16, Apure 30, Miranda 16, Portuguesa 34. These make up 24.25 % of the 515 schools of this type in the whole country.
As to the coverage of the programme, it reaches 1,697,289 pupils, I. e. 29 % of all registered pupils (5,531,145). The coverage in the States mentioned above reads as follows:

School Meal Programme

Implementation September - December 2000

Federal State	Total No. of Pupils	No. of PAE Pupils	%
Amazonas	29,519	13,029	44
Apure	107,016	48,480	45
Delta Amacuro	35,391	21,364	60
Miranda	500,129	96,760	19
Portuguesa	185,807	122,837	66
Sucre	216,076	37,086	17
Total	5,531,145	1,697,298	29.06

Reference: Complete Tuition Statistics, Sector Office for ME Planification, academic year 1998-99

[30] El Nacional, 01/10/00, page E-1.

It can easily be seen that the coverage in most of the States is below 50 %, and it is particularly low in the States of Miranda and Sucre, where it is not even 20 %. Even if the coverage in the States of Delta Amacuro and Portuguesa is higher than 60 %, one has to take into account that this coverage is not permanent.

There are other groups of society that live in particularly vulnerable conditions as to their food situation. For example, children younger than 2 years showed a nutritional deficit in the category of the combined indicators of 23.76 % on 1999. In accordance with recent studies (FUNDACREDESA, 1999), for children younger than 2 years who belong to the socio-economic strata IV and V in the metropolitan area of Caracas, it has not been possible to reduce the nutritional deficit during the nineties. It is still higher than 20 %. In the States of Delta Amacuro, Amazonas and Apure, it exceeds 30 %, in Delta Amacuro even 40 %.
The programmes for this group which is not covered by the school programmes have been affected by the restructuration the National Nutrition Institute (INN), the supreme governing body for social and food policies, during the last years because it was to be decentralized. For the year 2000, the INN has started a Programme for Nutritional Protection *"... in order to satisfy the nutritional needs of the social groups most affected by a nutritional deficit..."*. This programme is implemented in the whole country. The Ministry of Education, Culture and Sports (MECD), of Health and Social Development (MSDS), regional and local governments cooperate in it.
The programme in question carries out activities in order to assist different State institutions, such as Centres for Education and Nutritional Recovery, school canteens, canteens in institutions for basic, medium-level and diversified education, public canteens and those of companies. The coverage of this programme reads as follows:

Programme	Coverage / days per year
Nutritional protection for children of preschool age	889 children / 365 days per year
Nutritional protection for school children	110,000 children (1st to 6th form) / 100 days per year
Nutritional protection for teenagers	35,967 children (7th to 9th form) / 73 days per year
Nutritional protection for adults	16,000 adults and elderly persons / 240 days per year

Reference: Food Management Directorate, INN

From the table it is evident that the coverage of all programmes is not very high. For children of preschool age, it is actually inexistent.
The Programme for Feeding Mothers and Children (PAMI) aimed at pregnant women and breast-fed children has lost coverage and at the moment, it is not clear if the programme will be continued or be given up. For 1997, this programme reached only 418.201 beneficiaries compared to the 500,000 in the year before.
Although one can say that the social programmes have more effectively reached the individuals who received this aid, the number of beneficiaries has gone down: *".. instead of having more people to receive this aid, the number of beneficiaries is going down year after year."* [31] The INN itself recognizes that *"... less financial means have been allocated to the Programme for Nutritional Protection in the fiscal year 2000."* [32]

[31] El Nacional, 01/01/99.

[32] INN, Programme for Nutritional Protection, Caracas, page 1.

5. Conclusions

In Venezuela, there are structural problems that hinder the implementation of the Right to Adequate Food, as it has been established in the Covenant on ESCR and in other international instruments for this area.

Among the main reason, we would like to enumerate the following:

– There is no well-defined and coherent food policy that fulfils the principles of the right to food. Governmental action in this area has been incoherent, temporarily limited and has not shown continuity and sustainability.
– The development of an agricultural policy that guarantees a sufficient food production in the country has been severely hindered by the system of land ownership: the concentration of land in the hands of a few big land owners and the legal insecurity. The failure of the Agrarian Reform, the lack of a trustworthy and up-to-date land register, the lack of assistance for the small peasants, among others, continue to hinder the country's possibility to initiate a sustainable development in this area.
– In the country, there is no specific legislation as to food security and protection against hunger. This has been recently incorporated into the text of the new Constitution. Therefore, one might think that this situation may be overcome soon by means of a national law.
– The reduction of the purchasing power of most of the population has resulted in a quantitative and qualitative decline of the food intake. The economic measures have not yet achieved a recovery of the wages and salaries and the compensatory social measures do not reach all people, not even those in urgent need.
– The lack of awareness in the public opinion about food as human right favours the situation that, as a rule, the most affected sectors do not claim their rights. As to the national and regional authorities, this lack of awareness results in the fact that they do not take any effective measures to improve the situation.