

Food Sovereignty and the Role of the State: The Case of Bolivia

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List of abbreviations

CSO	Civil Society Organization
FAO	Food and Agricultural Organization
GMO	Genetically Modified Organism
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFAD	International Fund for Agricultural Development
IMF	International Monetary Fund
MAS	<i>Movimiento al Socialismo</i>
MDPyEP	<i>Ministerio de Desarrollo Productivo y Economía Plural</i>
MDRyT	<i>Ministerio de Desarrollo Rural y Tierras</i>
NGO	Non-Governmental Organization
SDC	Swiss Development Cooperation
WFP	World Food Program
WTO	World Trade Organization

1. Introduction

Today, some 795 million people in the world do not have enough food to lead an active and healthy life (FAO, 2015). This is about one in nine person on earth. Poor nutrition causes nearly half of deaths in children under five - 3.1 million children each year. The vast majority of the world's hungry people live in developing countries (FAO, 2015). However, according to Beauregard and Gottlieb (2009), insufficient food production is not the only cause of the problem. They argue that there are enough grains produced in the world to provide every person with 3200 calories per day and that food production has risen over 2 percent a year during the past 20 years while population growth has been much slower. Therefore, the problems of hunger and malnutrition are not only caused by lacking food, but also by lacking access to food (Beauregard and Gottlieb, 2009).

The barriers restricting food production and access to food are multiple and differ from country to country. According to Windfuhr and Jonsén (2005), changes at the international level have played a particularly important role in aggravating the problem of hunger and malnutrition in developing countries. During the 1980s and 1990s, under the influence of the World Bank and the International Monetary Fund (IMF), structural adjustment policies were implemented in many developing countries. The idea of these policies was for the countries to open up their markets to cheap agricultural imports and in turn export commodities such as oil and sugar in order to reduce budgetary imbalances. In 1995, the World Trade Organization (WTO) was created and countries agreed on a set of binding trade rules. These rules set conditions for policies such as food safety regulations, intellectual property, agricultural subsidies and price support. As a result, national governments have to some extent lost their authority to regulate the areas of trade, biodiversity or land policies and the influence of transnational companies has increased (Andrée et al., 2014; Windfuhr and Jonsén, 2005). Beauregard and Gottlieb (2009) argue that the economic order promoted by the IMF, the World Bank and the WTO goes to the expense of smallholder farmers and the environment.

Food sovereignty appeared among the international peasant movement La Via Campesina during the 1990s as a political concept criticizing exactly this economic order. La Via Campesina was established by farmer representatives from different continents in Mons, Belgium in 1993. The movement is composed of peasants, small- and medium-sized producers, landless people and agricultural workers with a special focus on women, rural youth and indigenous people. Today it consists of 148 organizations from 69 countries. La Via Campesina first presented the concept of food sovereignty on the international scene at

the World Food Summit in Rome in 1996 (Claeys, 2015; Schanbacher, 2010). The concept was originally defined as follows: “Food Sovereignty is the right of each nation to maintain and develop its own capacity to produce its basic foods respecting cultural and productive diversity” (La Via Campesina, 1996).

Although the main proponents of food sovereignty are farmers’ grassroot organizations, non-governmental (NGOs) and civil society organizations (CSOs), governments of various developing countries having expressed their interest in the concept during recent years and they have initiated efforts to translate it into public policies (Claeys, 2015).

Bolivia was after Venezuela and Ecuador the third Latin American country that included the concept of food sovereignty in its constitution in 2009 and as a consequence in different laws and policies. Even though a huge part of civil society supported the adoption of food sovereignty by the state, its implementation has not been free of conflict (Cockburn, 2013). The Bolivian example is therefore an interesting case to explore the role of the state in implementing food sovereignty. This paper focuses on two questions: What role has the Bolivian state played in implementing food sovereignty in the country? What are the strengths and weaknesses of the agricultural development policy to promote food sovereignty?

The next part provides some background information. It concentrates on the different pillars of food sovereignty and clarifies the terminology by distinguishing food sovereignty from the somewhat related concepts of food security and right to food. In addition, efforts to institutionalize food sovereignty at the national and international level will be highlighted. Furthermore, an overview over the political, economic and social context in Bolivia will be provided. This information will serve to answer the research questions in part 4. Relevant laws and policies will be presented in order to discuss the role of the state in implementing food sovereignty. Moreover, a specific policy, the agricultural development policy, will be analyzed.

2. Background

2.1. The concept of food sovereignty

2.1.1. Pillars of food sovereignty

Since its original definition, the concept of food sovereignty has been picked up by different actors and a proliferation of different definitions and interpretations has emerged. This

extension of the term and the appropriation by different groups led to much uncertainty about the policy implications of food sovereignty (Claeys, 2015; Schanbacher, 2010). At the Nyéléni Food Sovereignty Forum that was held in 2007, food sovereignty was conceptualized consisting of six pillars (La Via Campesina, 2008). According to Claeys (2015), most food sovereignty activists subscribe to these pillars of the Nyéléni Declaration, albeit with different emphasis:

1. The right to food and the rejection of commoditization of food.
2. Support and respect for food producers.
3. Localized food systems: protection from dumping¹ and inequitable international trade.
4. Local control over natural resources: against privatization and exploitation.
5. Development and exchange of local knowledge: against genetically modified organisms.
6. Work in harmony with nature: against monoculture, industrial farming, for agro-ecological practices.

Some elements contained in the six pillars are worth being stressed here. First, food sovereignty activists promote small-scale family farming. While neo-liberal models suggest that only large-scale agriculture is efficient in terms of yields, food sovereignty activists argue against a focus on purely economic gains. They believe that small farms have multiple functions that benefit both the society and the biosphere. In particular, they stress that monocropping practiced by large farms leaves empty land spaces that small-scale farmers use for other crops (Pimbert, 2009; Schanbacher, 2010). According to Schanbacher (2010), small-scale agriculture promotes biodiversity, connects farmers and families to the land and provides a link between the farmers and the crops they produce and consume.² Secondly, food sovereignty embodies the tenets of agro-ecology. Rather than simply focusing on high-yield agricultural methods, agro-ecology emphasizes biodiversity, recycling of nutrients and regeneration and conservation of resources (Altieri et al., 1998). Schanbacher (2010) argues that in areas that are resource poor and in remote areas prone to environmental risks, these practices are not only more productive, but also more biologically diverse and environmentally friendly. Thirdly, gender considerations are explicitly taken into account in food sovereignty discussions and policy proposals. In developing countries, women produce 60 to 80 percent of the food but more women than men suffer from hunger and malnutrition. Gender inequalities affect women's education, employment and participation in decision-

¹ Dumping is a practice where subsidized agricultural products from the North are exported to developing countries where local products cannot compete because of their higher prices.

² This is of course a debatable statement. There may very well be small-scale farmers who practice monocropping, use pesticides and pollute water. However, the purpose of this section is to show the main arguments used by the proponents of food sovereignty and the emphasis put on very specific aspects such as small-scale farming.

making, which in turn affects the nutritional situation of women and children (Beauregard and Gottlieb, 2009). Lastly, food sovereignty does not imply the self-sufficiency of a state. Its advocates are not against trade, but they argue that food is not a commodity and hence that agriculture and food should be exempt from free trade agreements (Beauregard and Gottlieb, 2009; Claeys, 2015).

2.1.2. Right to food, food security and food sovereignty

Apart from food sovereignty, two other concepts have been used to design strategies for the eradication of hunger and malnutrition: the right to food and food security. For the purpose of this paper it is important to understand the differences and complementarities between the three concepts and the different actors involved in promoting them.

The right to food achieved international recognition in the Universal Declaration of Human Rights of 1948 and it is included in the International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1976. As a human right, it implies that individuals can require the state to respect, protect and fulfill their needs for appropriate access to food in an acceptable quality. For countries that have ratified the ICESCR, the right to food is legally binding and states are obliged to work progressively towards implementing it. While individuals have to do everything possible to achieve their right to food, governments not only have to ensure that food is available in sufficient quantity, but that the residents of their countries have the means to obtain it (Claeys, 2015). The main proponents of the right to food are human rights organizations, development NGOs and church organizations (for example FIAN, Oxfam, Bread for the World). In addition, it is supported by individual experts attached to various national and international organizations (for example Olivier De Schutter or Amartya Sen). In contrast, even though the concept of food sovereignty has had a lot of resonance among these NGOs and academics as well, the main proponents of food sovereignty are still rural social movements and organizations.³ Claeys (2015) stresses the difference between this food sovereignty movement and the proponents of the right to food. The right to food defenders use advocacy and campaigning as tools for action but contrary to food sovereignty proponents they do only rarely engage in protests. Although these two different groups of actors have the same goals and often work together, their main difference lies in the fact that right to food activists speak on behalf of the hungry and malnourished, but they do not seek to improve their own life situation. Especially, in the early 2000s tensions between the two groups arose. Food sovereignty activists were questioning the legitimacy of human rights and development NGOs to speak on their behalf and rejected different aspects

³ See Annex A1 for an overview of different food sovereignty proponents.

of the right to food. For example, they did not agree with the emphasis on individual rights and they rejected the notion of the state as primary agent for guaranteeing the right to food. In their opinion, food and agricultural policies have to be redefined at the international, national and local level (Claeys, 2015).

The right to food, as opposed to food sovereignty, has the advantage that it is based on existing international law and it can therefore be a powerful tool in defending the rights of deprived individuals and groups. However, it has the common weakness with other economic, social and cultural rights that courts and judges in many countries still do not know enough about these rights. Although states have to guarantee the right to food, there is a wide margin of interpretation on how to implement it (Claeys, 2015). In 2004, the Council of the Food and Agricultural Organization (FAO) adopted a set of Voluntary Guidelines for the realization of the right for food. They contain provisions on land and water, safety nets, standards for the use of food aid and the prohibition against using food as a weapon in conflicts. Furthermore, they address the responsibilities governments have concerning international impacts of their own policies (FAO, 2005). However, these guidelines are much more suggestions than a clear model for implementation. Food sovereignty, in contrast, proposes a more precise economic and political framework based on agro-ecology and local production. It uses a right-based approach as well, but it focuses both on the right to food and on the rights of peasants. In particular, it emphasizes the right of small-scale producers to food-productive resources. Therefore, it is written more from a rural perspective and can be seen as a model for rural development (Beauregard and Gottlieb, 2009).

Food security is the most used term of the three and since the 1970s it has been reformulated many times. While early definitions of food security focused on the worldwide availability of food, it became clear quite quickly that national food security was at least as important and policies such as import and export quota, food aid and new irrigation techniques were discussed. However, soon, it was questioned whether these production-oriented policies were really able to solve the problems of hunger and malnutrition and the focus shifted to individuals and groups and their entitlement and access to food (Windfuhr and Jonsén, 2005). The current definition of food security was agreed on at the World Food Summit in 1996: "Food security, at the individual, household, national, regional and global level is achieved when all people, at all times, have physical, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life" (FAO, 1996).

Food security has become the central concept used in international organizations such as the FAO, the IFAD, the World Bank and even the IMF and these institutions have developed

a wide array of policies that governments can use against hunger and malnutrition. However, there exist no legally binding state obligations or legal mechanisms to enforce it (Schanbacher, 2010). Other limitations of the concept of food security are the following. First, although modern definitions of food security emphasize the individuals' and households' access to food, they still focus on the access to food and to its purchasing and not on the access to productive resources. This is at odds with a rights-based approach that always starts from the individual or the household. Secondly, food security puts the focus on the quantity of food people are able to access and not on how people access this food and the conditions under which it is produced. For the right to food and food sovereignty proponents, access means more than the purchasing power to buy food; it also represents resources to feed oneself, such as skills, capital, land and seeds. Proponents of food sovereignty therefore put the control of the resources to produce food at the center of the argument (Windfuhr and Jonsén, 2005).

Schanbacher (2010) criticizes the policies put forward by the international organizations: "Common to all of these institutions is the underlying assumption that economic growth is the guiding force behind achieving food security and eliminating global hunger and poverty." This is one of the fundamental critiques food sovereignty proponents use against the food security framework. According to him, even though the FAO and the IFAD recognize that trade is a double-edged sword, their emphasis always remains on productivity. La Via Campesina and other organizations therefore call for a major change in trade policy and the international system (Schanbacher, 2010). On the other hand, Jansen (2014) argues that the food sovereignty movement, with its emphasis on anti-capitalism and the re-peasantization of societies overlooks some fundamental questions as well. In particular, according to him, alternatives for current agricultural regimes cannot simply withdraw from capitalism and return to the peasant past and the local. Farmers may actually wish to become incorporated into larger commodity networks, which is demonstrated by the increasing demands for credit and support for innovation. In addition, feeding the world's population remains a challenge and the question of productivity can therefore not be overlooked. Increasing small-scale farmers' productivity without relying on external inputs and technology seems difficult. Therefore, he argues that science and the state play an important role in making food sovereignty a possible alternative (Jansen, 2014). The above-mentioned arguments show that the debate of food security versus food sovereignty is often highly ideological and that the two concepts are presented as opposed to each other despite some overlap.

To sum up, the three concepts can be compared as follows: "Food security, the right to food, and food sovereignty all address food accessibility and the concept that everyone should

have access to sufficient food. Fundamentally, however, food sovereignty proponents believe that food security and realization of the right to food necessitate the rights of producers, equitable access to resources, a shift from neo-liberal agriculture policies, localized food systems, and environmentally sustainable agriculture” (Beauregard and Gottlieb, 2009). In essence, the right to food is a legal concept, food security a technical concept and food sovereignty a political project.

2.1.3. Institutionalization of food sovereignty at the national and international level

Proponents of food sovereignty have advocated for including the concept in international treaties and in national constitutions.

At the international level, instruments proposed by food sovereignty activists, such as a convention on food sovereignty, an international treaty on the rights of smallholder farmers, a new dispute settlement mechanism or a world commission on sustainable agriculture and food sovereignty have never been able to find a large number of supporters, particularly because all these proposals would imply major changes in the current regulation of agricultural and trade policies. The only successful initiative is the inclusion of the rights of peasants by the Human Rights Council (Claeys, 2015, Windfuhr and Jonsén, 2005).

Given these difficulties at the international level, the emphasis has shifted to the national or even sub-national level over the past few years. Under the pressure of and in alliance with food sovereignty activists, states have initiated efforts to recognize food sovereignty and translate it into public policies (Claeys, 2015). The role of the state in promoting food sovereignty is however ambiguous. According to Windfuhr and Jonsén (2005), food sovereignty activists use the term of sovereignty “(...) to demand the right to control policies, the distribution of resources, and national and international decision-making for those who are directly affected by these policies. The term has therefore a much connotation of local democracy, participatory development, and subsidiarity than of national policy formulation and government bureaucracies.” Menser (2014) even argues that the notion of food sovereignty is at odds with the notion of state sovereignty and the spatiality of the interstate system where the fundamental unit is the individual citizen and the fundamental polity the state. Food sovereignty in turn is a political program that advocates for a mode of production controlled by non-state subjects (farmers and their communities) and framed by specific norms such as self-determination, human rights and sustainability.

An additional difficulty in implementing food sovereignty at the national level comes from the fact that it demands a radical change in a state’s trade policy. Conflicting interests between

different policy areas limit support for food sovereignty among governments. In spite of these difficulties and the unclear role of the state, various countries have recognized the concept of food sovereignty in their constitutions, for example Mali, Nicaragua, Nepal, Senegal and the already mentioned Ecuador, Venezuela and of course Bolivia (Claeys, 2015). According to Pimbert (2009), there exists no standardized food sovereignty policy agenda to translate the concept into policies because policy makers have to take into account local history, culture as well as the ecological and social context of a country. Possible policies that, depending on the context, could be and have been adopted by states are the following:⁴

- An equitable land reform.
- Policies that guarantee stable prices and that cover the cost of production, for example by establishing import quota and subsidies that promote sustainable production.
- Ban Genetically Modified Organisms (GMOs) and agribusiness and promote alternative agriculture based on local knowledge.
- Establish mechanisms and criteria that control the safety and quality of food and consider environmental, social, and health standards.
- Protect the knowledge of farmers by banning patents and inappropriate intellectual property right legislation (Pimbert, 2009).

2.2. Bolivia

2.2.1. Economic context

During the past few years, Bolivia experienced a period of high economic growth rates and macroeconomic stability, demonstrated by relatively stable inflation rates and fiscal and trade surpluses (SDC, 2013). According to the definition of the World Bank, Bolivia is now a middle-income country.⁵ However, the production matrix remains heavily focused on the export of primary products, especially non-renewable resources such as mining products and gas. So far, the state has failed to diversify the economy (Swisscontact, 2014).

Nevertheless, in order to change the current structure, the state has decided to invest in some strategic sectors in agro-industry (potatoes, cereals etc.), manufacturing industry (textiles, wood etc.), technology (metal and information technology) as well as to support small and medium enterprises. As a result, the participation of the state in the economy⁶ has

⁴ This is of course a non-exhaustive list.

⁵ Each year, the World Bank classifies the world's economies based on estimates of gross national income (GNI) per capita for the previous year. Currently, middle-income countries are those with a GNI per capita of more than \$1,045 but less than \$12,736. For more information see <http://data.worldbank.org/news/new-country-classifications-2015>.

⁶ For example through the creation of state-owned enterprises.

grown considerably after 2005 and represented around 30 percent in 2014. With the general economic downturn in Latin America and the falling prices for primary exports in 2014, Bolivia saw its trade surplus considerably reduced and recorded a fiscal deficit for the first time in this decade (Fundación Milenio, 2015).

In Bolivia, in 2013 the share of agricultural value added to total GDP was 10 percent and in spite of a slight decrease during recent years, agriculture still represents the main source of income for almost 40 percent of the labor force. Of these 40 percent, 94 percent are small-scale family farmers and only 6 medium- to large-scale farmers. While large farms and agribusinesses are mainly concentrated in the lowlands of the Departments of Santa Cruz, the majority of the small-scale farmers live in the highlands and valleys in the Western part of the country. The small-scale farming sector is characterized by the extremely small size of the plots⁷ and by a combination of traditional and subsistence farming techniques (Liendo, 2014). The main problems of the farmers are the low productivity and quality of their products, lacking organization and coordination among them and limited access to markets (for services, inputs and commercialization of their products). What is more, during decades, they were not at all in the focus of public policy (Swisscontact, 2014). The lowlands are dominated by monocultures (rice, sugar cane, soya, wheat) as well as livestock production. A consequence of these monocultures combined with deforestation is the increasing degradation of the soil. Moreover, Bolivia is and will be particularly affected by the effects of climate change (Liendo, 2014).

During the past years, with a growing average income, the demand for agricultural products has increased in Bolivia. However, due to the above-cited limitations in production, the country remains dependant on imports to cover between 30 and 40 percent of its consumption. In particular, the domestic production of wheat and dairy products is not able to meet the demand (Liendo, 2014; Ormachea, 2010).

2.2.2. Political context

Evo Morales, Bolivia's first president of indigenous origins, was first elected in 2005 and confirmed in 2009 and 2014. After years of structural adjustment programs that led to the dismantling of public service, growing influence of foreign companies and social tensions, his election marks a turn (SDC, 2013; Swisscontact, 2014). Important factors explaining the electoral victory of his political party *Movimiento al Socialismo* (MAS) are the ability to form alliances with different sectors of the civil society, such as indigenous organizations, trade unions, urban intellectuals and workers and leftist groups. Moreover, the poor were counting

⁷ Not more than 5 Ha.

on Morales to give their demands priority. The MAS used its strong connections to the civil society to present itself as the government of the social movements and the civil society. This however obscures the fact that the MAS has much closer ties to some sectors of the civil society than to others and that it has a tendency towards instrumentalizing these social movements. Although civil society participation has been strengthened under Morales' government and groups that were marginalized before now play a role in Bolivian politics, other groups were excluded (feminists, indigenous from the lowlands). Moreover, the decision-making power of the society is being limited by the homogenizing and slightly authoritarian tendencies of the government (Schilling-Vacaflor, 2010).

In 2009, the Bolivian government promulgated a new constitution. A particular feature of this constitution is the substitution of the unitary republic with a plurinational state. During the past 15 years, the idea of plurinationalism has influenced public debates in Latin America and especially in the Andean region.⁸ Although there exists no universal definition of plurinationalism, it generally refers to the coexistence of several different nationalities within a larger state where different peoples, cultures and worldviews exist and are recognized. Its proponents present plurinationalism as an alternative model of state and citizenship and oppose it to the concept of multiculturalism that was part of the neoliberal agenda (Fontana, 2014). This change of name was not just a formality, which is demonstrated by the fact that Bolivia has engaged in a process of in-depth institutional reforms. New mechanisms of participatory democracy, such as the referendum and the legislative initiative of citizens, were introduced. Another issue at stake is the territorial reorganization. Besides the existence of municipal, departmental and regional autonomy, the constitution recognizes the existence of so-called indigenous-campesino entities.⁹ Their representatives are elected according to the communities' own rules and procedures and their autonomous rights are fixed in the constitution (Fontana, 2014; Schilling-Vacaflor, 2010). As Fontana (2014) points out, indigenous-campesino "(...) is the term used to describe a new collective citizen who is now entitled to various forms of special rights in relation to land property, the juridical system, mechanisms of representation, and self-government. The concept, referred to more than a hundred times within the constitution, is used as if it refers to a clearly existing entity. However, empirically, it is hard to identify such a sociological aggregate. Indeed, native movements, indigenous groups, and peasant unions exist as separate organizations, often in conflict, and self-identification dynamics are highly volatile." The introduction of the indigenous-campesino subject in the constitution therefore responds more to the necessity of

⁸ Ecuador was the first country to include the idea in its constitution in 2008.

⁹ *Territorios Indígenas Originario Campesinos* in Spanish. In the English literature on the subject they are also called indigenous native peasant territories.

consolidating an alliance between native, indigenous, and peasant sectors than to an existing reality (Fontana, 2014).

Compared to previous constitutions, the new one supports enhanced human rights, especially economic, social and cultural rights. In addition, it claims that its primary objective is to achieve the *vivir bien* (good life) of all the population. The *vivir bien* concept contains elements of indigenous philosophy such as reciprocity and complementarity, but its implications for policies remain rather vague. It is more used in political discourse to distinguish the Bolivian model of development from the Western model and to reject imperialism and neoliberalism. Integral part of the *vivir bien* concept is the respect for mother earth (*madre tierra*). It calls for the respect of the nature and the responsible handling of natural resources (Schilling-Vacaflor, 2010). In 2012, the Framework Law on Mother Earth and Integral Development for Living Well (Law N°300) was adopted. It outlines the principles for making a shift from classic development models to a so-called integral model and enshrines the legal rights of nature. The law requires efforts to prevent and avoid damage to the environment, biodiversity, human health and intangible cultural heritage (IPS, 2014).

2.2.3. Social context

Between 2005 and 2014, the number of people living in extreme poverty decreased from 38 percent of the population to 19 percent and the number of people living in poverty from 60 percent to 43 percent. Similarly, economic inequality, as measured by the Gini coefficient dropped from 0.6 in 2002 to 0.5 in 2009 (SDC, 2013; Swisscontact, 2014). This reduction of poverty and inequality is mainly due to the different social redistribution programs that the MAS put in place. Examples of such programs are the old-age pension *Renta Dignidad* or the cash transfer programs for mothers and children *Juana Azurduy* and *Juancito Pinto*. However, the sustainability of these programs is questionable since they are entirely financed by taxes on hydrocarbon. Bolivia experienced a drop in its tax revenue in 2015 with the fall in international prices for minerals. In addition, in spite of the progress made, still more than four million people live in poverty. The majority of them are small-scale farmers of indigenous origins and they are concentrated in the Western highlands and valleys. Urbanization has been accelerating these past few years and a steady flow of people, especially of young men, is leaving the countryside and migrating to urban areas (Fundación Milenio, 2015; SDC, 2013; Swisscontact, 2014).

3. Discussion

3.1. Implementation of food sovereignty in Bolivia

3.1.1. Legal framework and policies

In recent years, Bolivia has adopted a number of legal texts referring to food security and sovereignty. The Bolivian Constitution of 2009 first refers to food sovereignty in the context of international treaties. According to Article 255, international treaties shall respect “[f]ood security and sovereignty for the entire population; the prohibition of importation, production and commercialization of genetically modified organisms and toxic elements that harm health and the environment” (Art. 255, II, 8). Secondly, with respect to sustainable rural development, to “(...) guarantee food security and sovereignty, prioritizing the production and consumption of agricultural foods produced in the territory of Bolivia” is an explicit objective (Art. 407.2). Moreover, the Constitution embraces the concepts of right to food and food security in its Article 16: “Every person has the right to water and food.” and “The State has the obligation to guarantee food security, by means of healthy, adequate and sufficient food for the entire population” (Art. 16, I and II). Claeys (2015) further mentions articles of the Constitution that do not explicitly use the term of food sovereignty, but that contain some of the pillars of the Nyéléni Declaration.¹⁰ Article 302 for example aims at ensuring food quality and safety and Article 302 refers to natural resources as being the property of the Bolivian people. The constitutional text also stresses the importance of the control of exit and entry of biological and genetic resources (Art. 407.11) and of the production and commercialization of agro-ecological products (Art. 407.3).

There is no unique law on food sovereignty but the concept has found its way into various areas. In 2006, food sovereignty was included as a key objective in the new National Development Plan under the MAS government. However, there is no single ministry, entity or program responsible for the implementation of food sovereignty at the policy level since it touches various areas of development (Dávalos Saravia, 2013). I have identified the following as being the three main areas where the concept of food sovereignty plays a role:¹¹

1. Agriculture:

In 2013, the Law on Sustainable Family Farming and Food Sovereignty (Law 338) was promulgated. It acknowledges the importance of small-scale family farming in achieving food sovereignty. This law is part of the bigger context of the Law on the

¹⁰ Also see 2.1.1.

¹¹ The list of laws and policies presented here is non-exhaustive but should give a broad overview.

Productive Communitarian Agricultural Revolution (Law 144) that “(...) establishes the institutional and technical bases and the (...) mechanisms for the production, transformation and commercialization of agricultural and forestry products (...); giving priority to the organic production (...)” (own translation). The main subjects of this law are the indigenous-campesino communities.¹² Other important laws with respect to food sovereignty are the Law N°765 on Organic Production of 2011 and the Community-Based Agrarian Reform Renewal Act (No. 3545) of 2006. The latter makes substantive changes to the previous agrarian system by providing for the regrouping of small agricultural holdings and for the distribution of lands to indigenous peoples who do not have sufficient land.¹³

2. Industry and trade:

In its Article 19, Law 144 outlines that the state should play an active role in the purchase and transformation of agricultural products, among others through the creation of state-owned enterprises (Law on Public Enterprises, N°466). An important actor in this field is the Enterprise for the Support to the Production of Food (EMAPA) that is under the authority of the Ministry of Productive Development and Plural Economy.¹⁴ Furthermore, during the past year, the government promulgated different supreme decrees that prohibited temporarily the export of food products and other norms that allowed the mass import of such products in order to guarantee sufficient supply in the Bolivian market and prevent food prices from increasing (Dávalos Saravia, 2013).

3. Social policy:

In addition to the already mention redistribution programs for children and elderly people that are supposed to combat poverty and improve the nutritional situation of families, the Bolivian government also has a special program that provides pregnant and breastfeeding mothers with nutritional supplement from Bolivian production (Law N°3460). Moreover, the eradication of hunger is one of the main objectives of the National Development Plan. In order to achieve this goal, a program for the eradication of child malnutrition that involves several entities at the national and subnational level was established. Within the framework of this program, local councils for food and nutrition are created and are supposed to articulate municipal governments with civil society (Dávalos Saravia, 2013).

¹² Also see 2.2.2.

¹³ More specific policies, programs and relevant actors in this area will be presented and analyzed in part 3.2.1.

¹⁴ See <http://www.emapa.gob.bo/>

3.1.2. The role of the state in implementing food sovereignty

In order to understand the role of the state in implementing food sovereignty, it is crucial to clarify the interpretation of the concept by the government. In all the laws and policies cited above, food sovereignty is always used in conjunction with food security. As Dávalos Saravia (2013) points out, already before 2005, previous Bolivian governments had undertaken efforts to improve food security in Bolivia.¹⁵ However, only in 2006, the current government declared food security one of its priority areas by including it in the National Development Plan. What is more, for the first time, the concept of food sovereignty was mentioned (Dávalos Saravia, 2013). The way the two concepts are used already tells a lot about how they are understood by the government. First of all, by always mentioning them at the same time, they seem to be perceived as complementary or to some extent interchangeable rather than ideologically opposed. This is reflected in the policies. While the laws in the agricultural sector put emphasis on the control of resources and the way food is produced, social policy focuses very much on the availability of food for all Bolivians. The objective of economic and trade policy is to become more self-sufficient in production while at the same time ensuring availability of cheap food at all times. Sometimes food sovereignty seems to be at the center of the argument and sometimes food security. Secondly, instead of simply putting “food security and sovereignty”, in some texts the expression “food security with sovereignty” (“*seguridad alimentaria con soberanía*”)¹⁶ is employed. The Spanish wording somewhat implies that food sovereignty is seen as a means to achieve food security rather than as a goal itself. This is in line with how most food sovereignty proponents interpret the concept (Beauregard and Gottlieb, 2009; Windfuhr, 2005). Nevertheless, by generally putting very much emphasis on the quantity of food produced and the productivity, it seems that food security is a more central concept in Bolivian law and policy formulation than food sovereignty. I therefore argue that the current Bolivian government sees food sovereignty as a possible way to achieve the ultimate goal – increase domestic food production – however not the only way. As a consequence, the government has developed its own interpretation of food sovereignty where it adopts those parts of the concept that it judges useful.

Claeys’ (2015) distinction between internal and external food sovereignty provides the framework for the illustration of this argument. According to her, in its internal dimension, food sovereignty refers to the peoples’ right to self-determination, that includes the right to participate in the governance of the state as well as various forms of autonomy and self-governance. In turn, in its external form, food sovereignty refers to the right to self-

¹⁵ This makes sense given the deficiencies in domestic food production (see 2.2.2.).

¹⁶ For example in the National Development Plan (Bolivia, 2006c)

determination, development and sovereignty over natural resources and it is often used as a reaction to neoliberalism and economic imperialism.

The MAS government has been trying to build an alternative development model based on an anti-neoliberal and anti-imperialistic discourse and it has used this same discourse in its policy vis-à-vis the United States and other Western countries (Schilling-Vacaflor, 2010). As a result, in its conception and implementation of food sovereignty, it is exactly this external dimension that prevails. According to Cockburn (2013), what the state wants is sovereignty, not food sovereignty. Therefore, in practice, in Bolivia, food sovereignty has meant greater state control in the management of natural resources and in food production, which is for example demonstrated by the existence of EMAPA. The term of food sovereignty is used to support all national production, even based on conventional agriculture and Genetically Modified Organisms (GMOs) (Cockburn, 2013). Despite the strong statements made against foreign control by Bolivian government officials, some degree of corporate control is still tolerated to ensure economic stability and the availability of sufficient quantities of food (McKay and Nehring, 2013; Urioste, 2011).

However, this focus on the external dimension of food sovereignty neglects or even undermines the internal dimension by continuing to rely on unequal agrarian structures and by not transforming control of resources and decision-making power (Claeys, 2015). According to McKay and Nehring (2013) the implementation of a food sovereignty strategy by the state "(...) may serve a political strategy to increase degrees of consent and gain popular support, while in reality food sovereignty projects are implemented using a residual approach and more akin to reinforcing dependence on the corporate agro-food system." Indeed in Bolivia, as seen above, president Morales needs the support of parts of the civil society and especially of indigenous-campesino groups. It seems that despite the shortcomings of the Bolivian food sovereignty policy, peasant organizations such as Via Campesina member Bartolina Sisa continue their support for Evo Morales, although opposition has been rising recently (Cockburn, 2013).

In sum, by implementing its idea of "state-led" food sovereignty the Bolivian government has shown the powerful role states can play in shaping their interpretation of the concept. While the external dimension of food sovereignty seems to be in line with other state objectives, the internal dimension of the concept would require a radical transformation of power relations that the state is not willing to support. However, implementing a partial version of food sovereignty leads to outcomes that are against the very principles of food sovereignty. Examples of such outcomes are presented and discussed in the next part.

3.2. The Bolivian agricultural development policy to promote food sovereignty

3.2.1. Presentation

In this part, the focus is on the agricultural development policy because it is the one that relates most directly to food sovereignty as conceptualized by Via Campesina. This policy is led by the Ministry of Agricultural Development and Land (*Ministerio de Desarrollo Rural y Tierras – MDRyT*) with support from the Ministry of Productive Development and Plural Economy (*Ministerio de Desarrollo Productivo y Economía Plural – MDPyEP*), the Vice-Ministry of Water and Irrigation and the Vice-Ministry of Environment, Biodiversity and Climate Change. Agricultural development was listed as one of the central means to change the productive structure of the country in the National Development Plan of 2006. Within this framework was developed the Agricultural Sector Development Plan “Rural and Agrarian Revolution 2010-2020”. This document contains eight sectoral agricultural development policies, it specifies their relation to the objectives of the National Development Plan and it outlines their programs for implementation.¹⁷

Policy number 2 is the one that relates to the implementation of food sovereignty in agricultural development. It is called “Agricultural Production for Food Security and Sovereignty” and it refers to the policy “Transformation of production and food patterns” of the National Development Plan (MDRyT, 2010). The main objective of the policy is to “[e]nsure the production, access, availability and stability of healthy food at fair prices for the Bolivian population with priority for the most vulnerable groups” (MDRyT, 2010, own translation) and it is implemented through four main programs:¹⁸

- SEMBRAR (Right to Food): It promotes partnerships between public and private sectors at regional and local levels to define food production strategies in order to guarantee the human right to adequate food.
- CRIAR (*Creación de Iniciativas Alimentarias Rurales – Creation of Rural Food Initiatives*): It aims to support peasant, family, and indigenous based farming. Projects attempt to integrate producers with local markets by directly transferring financial resources to social organizations (for example indigenous-campesino communities) that implement the projects themselves.
- EMPODERAR (*Emprendimientos Organizados para el Desarrollo Rural Autogestionario – Businesses Organized for the Self-Managed Rural Development*):

¹⁷ Annex A2 provides a list of the eight sectoral agricultural development policies.

¹⁸ See Annex A3 for an overview table of the policy.

It provides financial resources and technical assistance for agricultural projects and support to introduce new technological processes.

- *Fomento a la Producción Orgánica/Ecológica* – Strengthening of organic/ecological production: It provides technical assistance and financial incentives for ecological producers and their organizations (McKay and Nehring, 2013; MDRyT, 2010).

Important elements in these programs are the following: First, the strengthening of family, indigenous and peasant farming is an objective in all the programs. Secondly, the programs focus a lot on increased national production of agricultural products. Production is for example supported by the distribution of seeds or of tractors for the mechanization of the sector. This again shows the emphasis put on food security, as opposed to food sovereignty.¹⁹ Thirdly, public-private transfer of resources is a strategy often used. These resources are however usually not transferred to individual producers but to indigenous-campesino communities or producer organizations. Lastly, the programs promote the extension of credits and of a universal agricultural insurance schemes to small producers, thereby relying on the already existing microfinance networks, the public development bank and the national insurance institute (MDRyT, 2010; Urioste, 2011).

3.2.2. Strengths and weaknesses

Even though according to Pimbert (2009), there exists no standardized food sovereignty policy agenda²⁰, Beauregard and Gottlieb (2009) argue that every food sovereignty policy should move towards achieving the same objectives:

- Equity: The right to food should be secured, cultural celebrated, social and economic benefits enhanced and inequalities combated.
- Sustainability: Human activities and use of resources should be ecologically sustainable.
- Direct democracy: Civil society should be empowered and government institutions as well as markets democratized.

They stress that these goals can only be achieved “(...) if governments are to take on food sovereignty (...) in all of its parts. Its true realization is not possible by taking bits from here and there” (Beauregard and Gottlieb, 2009). In practice, this means that governments have to respond to all the six pillars of the Nyéléni Declaration mentioned above and that any policy should be evaluated against progress in these six areas. I will therefore analyze the

¹⁹ This is also reflected in the objective of the policy.

²⁰ Also see 2.1.3.

Bolivian agricultural development policy to promote food sovereignty according to these six pillars.

In its agricultural development policy, the Bolivian government does not reject monoculture and industrial farming, which goes against Pillar 6 of the food sovereignty principles. This may partly be explained by the emphasis put on food security as opposed to food sovereignty. Mechanization of agriculture is even a stated objective of the Bolivian agricultural policy. Nevertheless, McKay and Nehring (2013) argue that mechanization efforts such as the offering of the collective use of tractors are not appropriate in Bolivia.

Mechanization implies an increased dependence on external inputs and puts pressure on farmers to become indebted. In addition, given the small plot sizes in Bolivia, most farmers use labor-intensive techniques anyway. These programs could therefore lead to what they call a “squeeze of the middle peasantry”, forcing farmers to become agricultural entrepreneurs or wage workers (McKay and Nehring, 2013). With regard to Pillar 6, Cockburn (2013) also stresses that the government’s focus on agro-ecology does not necessarily mean that it promotes sustainable production methods. According to her, “[o]rganic farming systems that do not challenge the monoculture nature of plantations and rely on external inputs as well as on foreign and expensive certification seals, or fair trade systems destined only for agro-export, offer little to small farmers who in turn become dependent on external inputs and foreign and volatile markets” (Cockburn, 2013). Moreover, the government does not seem willing to renounce to the economic security provided by large-scale farming. In particular, the import of genetically modified crops that are not originally from Bolivia (soya, maize, wheat, rice) is allowed. In practice however, only one variety of genetically modified soy is cultivated (Claeys, 2015; Urioste, 2011). This reality not only stands in stark contrast with food sovereignty Pillar 5, but also with the Bolivian vision of Mother Earth and has led to debate and protest by civil society.

Although the agricultural development policy is specifically targeted to family farmers and tries to improve the livelihoods of small-scale indigenous farmers (Pillar 2), in reality it has benefitted the medium to large farmers that are well integrated in the agro-industrial supply chains of products such as milk and quinoa (Claeys, 2015). One reason for this is that in spite of an agrarian reform, the unequal basis of the agrarian structure has remained the same because large-scale landholders that acquired their land before 2009 are not affected and because the limits for landholdings of corporations are set very high (McKay and Nehring, 2013). Even though the question of the control of the land is addressed in the agricultural development plan, this is not done within the same policy as food security and sovereignty. This is clearly at odds with Pillar 4 of the Nyéléni Declaration since a land reform can even be seen as a necessary precondition for implementing food sovereignty. In general,

the agricultural development policy has not given much thought to democratic decision making at the local level and to local control of resources (Dávalos Saravia, 2013). The programs described above are established through externally funded capital injections with short-term project goals and they do not allow local populations to carry out a food sovereignty practice as defined by themselves. What is more, the programs have very limited resources, they rely on complicated administrative procedures and due to the insufficient communication between the national governments and local and regional governments these programs are often not taken into account in local development plans (McKay and Nehring, 2013). Urioste (2011) further stresses that indigenous-campesino entities²¹ that are particularly in the focus of the agricultural development programs are in reality more the exception than the norm because agriculture and food production is in most cases a family and not a community business. Transferring resources to communities instead of producers does therefore not make much sense. In turn, resources can be transferred to social movements, which has however led to a huge corruption scandal in 2014/5.²²

Food sovereignty pillars 1 and 3 are not directly addressed by the agricultural development policy. Although the right to food is guaranteed by the Constitution, the influence of international agribusiness stands somewhat in contrast with Pillar 1. With regard to Pillar 3, the Bolivian state has created EMAPA²³ to develop domestic food production and strengthen local food systems. The idea was that EMAPA would function as a public food procurement agency that connects small farmers with local markets, replacing private intermediaries. The attempt however failed, leading to food shortages and inflation in 2010. Today it still exists and produces some cereals, but only about 2 percent of small farmers receive support from EMAPA (McKay and Nehring, 2013).

In sum, in spite of its stated focus on family farming and ecological practices the Bolivian agricultural development policy shows more weaknesses than strengths regarding pillars 2 and 6 of the Nyéléni Declaration. Moreover, some policies implemented by the state, such as the use of GMOs or the emphasis put on mechanization of agriculture, are even in contradiction with the principles of food sovereignty. Pillars 1 and 3 are not addressed at all in the agricultural development policy. This example illustrates that the Bolivian government

²¹ Also see 2.2.2.

²² Money of the “Indigenous Fund” (*Fondo Indígena*) that was supposed to finance projects in rural areas was in reality transferred to private persons. This is the biggest corruption scandal ever discovered in Bolivia and the first since Evo Morales came into power. More than 200 persons were accused of fraud and a Minister had to step down (http://www.bbc.com/mundo/noticias/2015/12/151205_millonario_escandalo_corrupcion_partido_evo_morales_bm).

²³ Also see 3.1.1.

implemented a partial version of the concept of food sovereignty where it adopts those elements that are in line with other policy objectives such as guaranteeing food security.

4. Conclusion

This paper focused on the question of what is the role of the Bolivian state in implementing food sovereignty and it assessed a specific policy, the agricultural development policy to promote food sovereignty. The main conclusions are the following:

- Since 2006, the Bolivian government has promulgated a range of laws and policies that aim to implement the concept of food sovereignty. However, these regulations did not serve the purpose of implementing food sovereignty as conceived by Via Campesina or other proponents of the concept, but to promote the government's own idea of food sovereignty. The Bolivian government implements a partial version of food sovereignty where the emphasis lies on the external dimension of the concept and on guaranteeing access to food to the population. As a result, policy outcomes are sometimes against the very principles of food sovereignty.
- The agricultural development policy, despite some efforts to promote small-scale, ecological farming, suffers from serious weaknesses. The six pillars of the Nyéléni Declaration are only insufficiently addressed and sectors that were supposed to benefit from the policy, such as small-scale farmers, are marginalized even more.

Bolivia is therefore still very far from an effective food sovereignty model implemented by the state. In order to be more effective in implementation, the Bolivian state would need to embrace the concept of food sovereignty in all its dimensions. This would however imply a radical change in its trade and economic relations and in participation of civil society. In particular, the power of multinational companies would have to be reduced and instead of transferring resources to imaginary indigenous-campesino communities, a new model of local control of resources based on the existing realities would have to be developed. Given the current political and economic situation of the country and the contradictory interests of its government, such a transformation is however not very likely to happen in Bolivia any time soon.

While various countries have already tried to implement food sovereignty policies, there is so far none that could serve as a role model for others. Other countries' policies suffer from similar weaknesses than Bolivia's. According to Claeys (2015), what most countries that have attempted to implement food sovereignty have in common is that they emphasize the external dimension of food sovereignty at the expense of the internal one and very often,

public participation is restricted. What is more, changes in the national legal frameworks have brought little structural change, which is demonstrated by the fact that no state that has endorsed food sovereignty so far has questioned its WTO membership. It is therefore questionable if effective implementation of the concept of food sovereignty will ever come from the state (Claeys, 2015).

Lacking political will is however not the only factor that complicates food sovereignty policies. The concept itself also has its inherent weaknesses. First, food sovereignty does not have a unique definition and it is not a clear concept yet. Therefore, it can easily be appropriated by different groups, among them the Bolivian government. Secondly, it mixes existing international law, such as the right to food, with rights that have not been codified (yet). This expansion of the rights-based language contains the risk that those rights that are already legally binding are suddenly seen as political demands as well (Claeys, 2015). Thirdly, food sovereignty does not take into account the situation of the poor in urban areas and structural change in general (McKay and Nehring, 2013). This is particularly relevant in a country like Bolivia where rural-urban migration is accelerating and where non-agricultural activities become more and more important in rural areas.

In order to propose a more comprehensive public policy framework for implementing food sovereignty in Bolivia, further research would be needed. In particular, other policy areas, not only agriculture, should be studied. Moreover, the relationship between the current government and civil society organizations would need to be analyzed in order to provide ideas on how to shape the internal dimension of food sovereignty.

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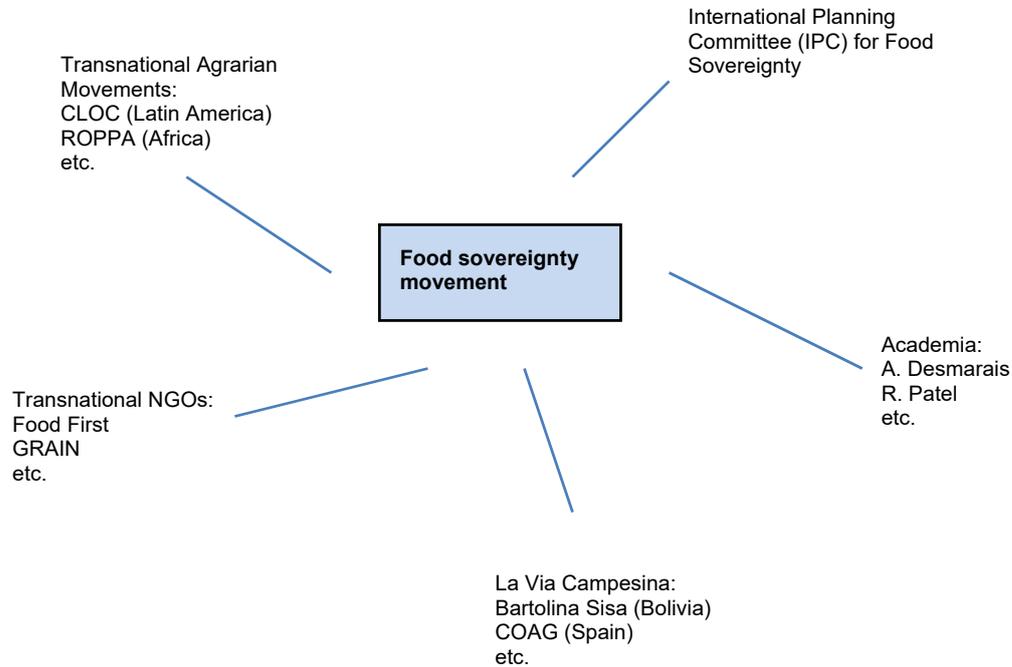
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Annex

A1. Proponents of food sovereignty



Source: Claeys (2015)

A2. Sectoral agricultural development policies

1. Promotion of equity in the tenure, distribution and access to land and forests
 - 2. Agricultural production for food security and sovereignty**
 3. Productive agricultural development
 4. Productive and social land management in new community settlements
 5. Sustainable generation of income and agricultural surplus
 6. Access to water for irrigation
 7. Diversification of the goods and services provided by forests through sustainable use of forest resources
 8. Institutional strengthening of agriculture and forestry
- (MDRyT, 2010, own translation)

A3. Policy N°2: Agricultural production for food security and sovereignty

Plan	Policy	
National Development Plan	2. Transformation of production and food patterns	
	2.1. Construct Food Security and Sovereignty	2.2. Integral Development of Food Production and Productive Rural Development
Agricultural Development Plan	2. Agricultural Production for Food Security and Sovereignty	
Objective		
Ensure the production, access, availability and stability of healthy food at fair prices for the Bolivian population with priority for the most vulnerable groups.		
Implementation Program	Description	
SEMBRAR (Right to Food)	Promotes partnerships between public and private sectors at regional and local levels to define food production strategies in order to guarantee the human right to adequate food	
CRIAR (<i>Creación de Iniciativas Alimentarias Rurales</i> – Creation of Rural Food Initiatives)	Implements projects aiming to support peasant, family, and indigenous based farming. Projects attempt to integrate producers with local markets by directly transferring financial resources to social organizations that implement the projects themselves. It is based on a community-driven approach.	
EMPODERAR (<i>Emprendimientos Organizados para el Desarrollo Rural Autogestionario</i> – Businesses Organized for the Self-Managed Rural Development)	Provides financial resources and technical assistance for agricultural projects and support to introduce new technological processes.	
<i>Fomento a la Producción Orgánica/Ecológica</i> – Strengthening of organic/ecological production	Provides technical assistance and financial incentives for ecological producers and their organizations.	

Source: McKay and Nehring, 2013; MDRyT, 2010