

Joint Report to the Committee on Economic and Social Rights of the United Nations, during the consideration of the 3rd periodic examination of the Venezuelan State in the Period of Session 55 of the International Covenant on Economic, Social and Cultural Rights

Article 11. The right to Food

By:



**Observatorio Venezolano
de la Salud, OVS**



Fundación Bengoa



**Centro de
Investigaciones
Agroalimentarias, CIAAL**

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The Right to Food
Venezuela's Executive Summary

This is an Alternative Report prepared jointly by the Venezuelan Health Observatory (OVS), the Bengoa Foundation for Food and Nutrition and the Centre for Agrifood Research (CIAAL), for consideration by the members of the Committee on Economic, Social Rights and Cultural of the United Nations to check and review the examination to be conducted by the Venezuelan State on compliance and implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights, which will be held in June 2015 during the 55th Period Committee sessions in Geneva. The report deals with Article 11 of the Covenant, which recognizes the right to adequate food (Article 11.1) and the right to protection from hunger (Article 11.2), according to the General Comment No. 12 of the Committee, and further information is presented to the report presented by the State in 2012 and in response to the list of issues sent to the Committee in 2015.

The food situation in Venezuela is characterized by a significant contraction in domestic food production and large amounts of imports, which reported a fall in recent years. These two features together produce a permanent shortage and, as a result, a situation of high vulnerability for achieving protection against hunger, since existing programs are not able to reach those who are most in need. Thus, it can be observed, the rise of obesity in one hand while undernutrition on the other is still prevalence, conforming the so called "double burden of malnutrition" phenomena. In addition, there are serious restrictions on access to information and availability of data, and the impact of the economic measures and scarcity, on the current nutritional status of the population is not known. In this sense, the State's argument that "Today in Venezuela 95.4% of Venezuelans eat 3 or more times a day", in contrast to other research study conducted in 2014, reported that 11.2% people in a nationally representative sample eat fewer than 2 meals a day, should be discussed. This study is the Living Conditions of the Venezuelan Population Survey (ENCOVI, 2014) performed by three universities: Universidad Central de Venezuela, Universidad Simon Bolivar and Andres Bello Catholic University.

Given this situation and in order to guarantee the availability and accessibility of food, the organizations that are in charge of performing this report, we kindly ask the members of the Committee, to urge the State to adopt economic policies that allow a process to reduce shortages, taking measures to promote a free and open economy, price controls to be reviewed, since producers must not sell their products losing their capital and money. Particularly in the agri-food sector, it is advisable to apply measures to encourage food production, according to the caloric and nutrient needs of the Venezuelan population, eliminating the land expropriation laws and policies to ensure that the state does not contribute to the abandonment of agricultural projects, and respect private property owners to be an alternative to the state and generate incentives to producers. There is also the need to suggest to diversify the industry and conduct efficient imports to combat food shortages and prevent hunger in the future.

In conjunction with these measures, we want to ask the Committee to advise the State to strengthen efficient programs for achieving the consumption of healthy foods in disadvantaged population. This can be performed through technical adequacy, monitoring of food safety, compliance with regulatory standards that guarantee food safety and community involvement, along with capacity building in food and nutrition matters. In the shorter term, it is necessary to ensure the health of affected populations, in particular, address the situation of obese people who need help to get healthy food, and undernourished people through programs of nutritional recovery. The School Feeding Programme (PAE) should be reviewed, as inconsistencies in the delivery and dispatch of the meals have been important issues that have been obstacles for the success of this program, in which indicators such as height and age must be included to validate the adequacy of the intake of children and ensure that the needs of the growing process are met.

Finally, we also request the Committee to urge the State to restore and update as soon as possible information systems on nutritional status of the population, such as the SISVAN, the food and nutrition surveillance system which is not updated since 2007. Ensuring public access to reliable and detailed data allows, with the assistance of independent researchers and academia, to conduct methodologically well designed studies on the prevalence of overweight-obesity and undernutrition, in order to assess the problems and obtain accurate diagnosis. We also ask the committee to urge the

State to open scientific debate and engage the industry in social responsibility actions concerning food and nutrition, along with government support and academia.

Introduction

This is an Alternative Report prepared jointly by the Venezuelan Observatory of Health (OVS), the Bengoa Foundation for Food and Nutrition and Agrifood Research Center at the University of the Andes (CIAAL), for consideration by the Committee members on Economic, Social and Cultural Rights of the United Nations, on the occasion of the examination to be taken by the Venezuelan State on compliance and implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights, which will be held in June 2015 during the 55th Session of the Committee in Geneva.

The report deals with Article 11 of the Covenant, which recognizes the right to adequate food (Article 11.1) and the right to protection from hunger (Article 11.2), according to the General Comment No. 12 of the Committee, and complementary information is presented in addition to the report presented by the State in 2012 and in response to the list of issues sent to the Committee in 2015.

Context

1. Venezuela is currently in a situation of food and nutritional vulnerability. During the past 15 years, the state has carried out several actions that have influenced the construction of the current food and nutrition scenario, one of these actions has been the exchange controls and the different rates of change that have been implemented in the country.

2. The acquisition of foreign currency for imports of the different foods and raw materials necessary for producing, comprises a bureaucratic process that requires different revisions and approvals from government agencies, in which these (the government agencies) have the final decision to judge whether to import or not a particular product or seeds, fertilizers among others. This has been a major reason why, over the last decade, the domestic agricultural productive apparatus, has declined in a significant way. Imported foods do not cover all the required food necessities and the inventories are not enough to supply food outlets both public and private.

3. Instability in the food supply that Venezuela experienced in the last five years, has been increasingly deepened, reaching levels of acute crisis in recent months. In addition to the excessive control over the currency obtaining, instability it is due to a change in the relations of property, in which the State is or intends to be the only owner of land, factories, companies and outlets, thus eliminating the possibility of alternative mechanisms of production, purchase and sale production that through free trade, can encourage competition for the quality and products price offer.

4. Today the state is responsible or co-responsible for the supply or shortages of many foods needed for adequate nutrition in the country. One example is the dairy industry "Lácteos los Andes", which in the past was part of private industry, and today has become part of the governments industries, and has decreased its production capacity, and is one of the causes of the shortage of milk in the country.

5. Moreover, the sum of these factors has affected the inventory needed to ensure food

distribution at the appropriate time, so that the food outlets can have inputs for sale. In addition, the State has suggested that anyone with inputs in inventory may be punishable for the crime of hiding products, when in fact when decreased inventories products are sold and easily run out, causing uncertainty and anxiety in the population, because they don't know when they will find the products back on the supermarkets.

Article 11.1. Right to adequate food

6. The Constitution of the Bolivarian Republic of Venezuela (CRBV) in its Article 305, establishes the obligation of the Venezuelan State to promote (sic) "sustainable agriculture as the strategic basis for overall rural development, to ensure food security of the population, understood as the sufficient and stable availability¹ of food within the national sphere and timely and uninterrupted access to them on the part of consumers ... ". The same article states that this objective "was achieved by developing and prioritizing internal agricultural production". These approaches are also outlined in the three plans implemented nationwide ever since: 1) the Plan for Economic and Social Development of the Nation 2001-2007²; 2) the First Socialist Plan, Plan for Economic and Social Development of the Nation 2007-2013³; and 3) the Second Socialist Plan, Plan for Economic and Social Development of the Nation⁴. It should be emphasized that the first of these plans envisioned achieving the "economic balance", which in addition to favor domestic production, considered as complementary the imports. It is also contained in Article 9 of the Organic Law of Food Security and Sovereignty⁵.

7. The State noted in paragraph 248 of its report to the Committee, that the policies implemented during the last decade have strengthened national food production. However, when it is analyzed what happened with the national food production, after showing positive rates over the period 2003-2008, it can be observed that the agricultural gross domestic product (PIBA) exhibits negative annual average rates of growth: -0, 5% in 2009; -1.0% In 2010; and -1.4% in 2011. In 2012 (with 3.1%) and 2013 (0.5%) growth was observed. However, considering the natural growth of the population

¹ Lo que se llama disponibilidad en esta cita no es más que lo que, en el lenguaje nutricional, agroalimentario y de disciplinas afines, se denomina abastecimiento; esto es, el resultado de sumar a la producción nacional (PN), la importaciones de alimentos y materias primas para su elaboración (M), restar las exportaciones de estas (X), y sumar o restar –según se tomen o se acumulen, respectivamente–, las cantidades sacadas/almacenadas como inventarios, para los alimentos que por sus características puedan almacenarse.

² República Bolivariana de Venezuela, RBV. (2001). Líneas generales del plan de desarrollo económico y social de la nación 2001-2007. Caracas: Ministerio de Planificación.

³ República Bolivariana de Venezuela, RBV. (2007). Líneas generales del plan de desarrollo económico y social de la nación 2007-2013. Caracas: Gobierno Bolivariano de Venezuela.

⁴ República Bolivariana de Venezuela-Asamblea Nacional de la República Bolivariana de Venezuela, RBV-AN. (2013). Ley del Plan de la Patria. Segundo plan socialista de desarrollo económico y social de la Nación. Caracas: Gaceta Oficial de la República Bolivariana de Venezuela N° 6.118 Extraordinario, de fecha 04 de diciembre de 2013.

⁵ República Bolivariana de Venezuela, RBV. (2008). Ley Orgánica de seguridad y soberanía agroalimentaria. Gaceta Oficial N° 5.889, de fecha 31 de julio de 2008.

based on the last census of INE of 2011 by 1.5% year on year, the situation is different: between 2008 and 2013 the per capita PIBA (PIBA per capita) was reduced to an average of -1.5%. In addition, preliminary estimates of 2014 exhibited a reduction in per capita PIBA of -5.2%.⁶ Likewise, the most recent figures available show⁷ that the production of Venezuelan agricultural sector (commodities and unprocessed agricultural commodities), with some exceptions, decreased in most areas. For example, the volume of agricultural production contracted in absolute terms at 4.59% compared to 2013; measured in value (at constant 1997 prices), did the same decrease in -2.54%, without taking into account the population's growth (at least 1.5%).

8. The decline of domestic production is explained, among other variables, as follows⁸:

a) price controls on many raw materials and finished goods agricultural and agri-food, in force since 2003, which discourages initiative of farmers and agribusiness (small, medium and large), because, with fixed prices over time, or whose settings by the government agencies are behind and untimely, result in lower income for those activities.

b) in contrast, must withstand rising costs in domestic raw materials as can be observed by inflation as measured by the Consumer Price Index of the Caracas Metropolitan Area, 29.0% in 2011; 19.5% in 2012; 52.7% in 2013; 68.5% in 2014; labor increasing costs, due to continued increasing minimum wage, in an "emotional way", therefore not negotiated with employers and unions. These were adjusted 2 times in 2011, 2 in 2012, 3 in 2013, 3 in 2014; and, 2, in just 4 months of 2015; all with their implications for payroll, eg, power bonus, vacation, benefits

c) exchange control rates, in force since 2003, continues to affect food producers: when their application before the National Foreign Trade Center (cadivi) are not processed and settled in accordance with the requirements of productive activities (planting cycles conditions of international providers, etc.) should pay its obligations at rates much higher exchange. While the Marginal System of Foreign Exchange (Simadi), created in 2015, at least offers them an alternative, often they must go through the black market, with the consequent cost overrun of materials / agri-food goods. This, in turn, affects inflation rates, particularly the food, which is traditionally higher than the general: 33.9% in 2011; 29.6% in 2012; 54.3% in 2013; 102.2% in 2015);

⁶ Gutiérrez S., A. (2015). El sistema alimentario venezolano (SAV): evolución reciente, balance y perspectivas. *Agroalimentaria*, 21(40), 17-57.

⁷ República Bolivariana de Venezuela, Ministerio del Poder Popular para la Agricultura y Tierras, RBV-MAT. (2015). Memoria y cuenta 2013 y 2014. Caracas: Ministerio del Poder Popular para la Agricultura y la Tierra.

⁸ Anido R., J. D. (2015). Demanda de energía alimentaria, abastecimiento e ingesta de nutrientes en Venezuela: principales cambios e implicaciones nutricionales. *Revista Española de Estudios Agrosociales y Pesqueros*, 240, 109-158, y Gutiérrez S., A. (2015). El sistema alimentario venezolano (SAV): evolución reciente, balance y perspectivas. *Agroalimentaria*, 21(40), 17-57.

d) the above two factors have altered the normal functioning of the market of commodities and materials for agricultural production, worsened by the nationalization of the main supplier of these items in the country (now called Agropatria). Domestic producers expressed difficulty accessing the amounts -and on time- seed, chemicals, machinery, equipment, spare parts and other supplies required for their activities, and to access them through other sources, is almost impossible (when they do, they must pay vastly inflated prices, often border);

e) in the case of agribusiness, absenteeism at work, the ban to fire people since 2001; electricity rationing, which has been exacerbated in the last months of 2015; difficult access to foreign exchange needed for new equipment, replacement or maintenance of existing industrial park, among other things, have limited the capacity of agricultural production, causing declines in domestic production of processed food and in many cases even leading to closure some industries. As an example, it is important to mention that the manufacturing GDP per capita (in which agribusiness included) decreased in the period 2008-2013 at an average annual rate of -2.5%. The numbers of the Venezuelan Chamber of Food Industry (CAVIDEA)⁹ show that regulated food production fell in 2012 and 2013, and continued to fall in 2014, and worsened by the difficulties of employers in accessing strategic raw materials for production (eg, plastic containers and glass), absenteeism, late deliveries currency, etc. In May 2015 the government has not made available 806 Billion Dollars, corresponding to imports by the industrial conglomerate foods: raw materials, supplies, spare parts, machinery and equipment, containers and packaging¹⁰.

9. With regard to agricultural imports, the trend between 2011 and 2013 grow: from 5.139 million US dollars (MM USD, nominal values) for the first year came to 8.122 MM USD in 2013 and 9,756 in 2013. Thus, throughout the period 1998-2013 grew by an average 12.3%, which demonstrates the emphasis on the external dependence of the country. This is explained by the high purchasing power of Venezuela, thanks to oil revenues that allows to buy and import the goods. It is important to note that exchange controls, in force since 2003, along with the high and persistent inflation rates of recent years, make the local currency to be overvalued. This encourages imports, since imported seeds, agrochemicals, machinery, and agricultural equipment and other inputs, as well as processed foods, are cheaper and profitable than to produce domestically. In addition, the overvalued exchange rate represents in practice a state subsidy (which the government stimulates), coupled with the growing role of the state as a direct importer (through Supply and Agricultural Services Corporation (CASA) and other corporations / public companies of Food Mission).

¹ CAVIDEA. (2013). Producción de alimentos regulados tiene casi dos años en picada. Recuperado de <http://www.consumid.org/detalle/20691/produccionde-alimentos-regulados-tiene-casi-dos-a>

¹ Mejías Zerpa, W. (2015). Industria de alimentos demanda plan de inversión agrícola. Recuperado de <http://www.eluniversal.com/economia/150315/industria-de-alimentos-demanda-plan-de-inversion-agricola>

10. However, our own estimates for 2014 placed imports USD 9,045 MM, representing a sharp decline, largely due to declining international oil prices. They show the same trend of total imports. Therefore, the volatility that historically had characterized the imports - and within them, agribusiness, will henceforth be similar to the present volatility in oil prices. Also taking into account that the population continues to grow each year, the per capita supply will be reduced in a stronger way. But it should be noted that this reduction in imports is also due to tightening of exchange control, which along with falling oil revenues, slow down the import process and affect the supply. On the other hand, when because of it longer occurs internally, many farms and firms reduce their production or even close their doors with a direct negative effect on supply, which is also reflected in rising unemployment and decline-in consequence- the purchasing power of workers.

11. Another limitation of the domestic food production is the accentuation of the process of expropriation and "rescue" of land within the framework of the Law on Land and Agricultural Development (LTDA) enacted in 2001. During the period 2003-2008, the government intensified its fight against large estates and expanded its role as a producer of goods and services; rescued and expropriated lands that were in full crop and livestock production, while expropriated and nationalized businesses of various kinds. Between 2001 and 2009 1,078 farms, equivalent to 639 252 ha, was affected by the different instruments LTDA. Despite the efforts of the national government, the concentration of land ownership remains high today¹¹, paradoxically to the objectives outlined in the LTDA and the situation worsened with a falling production in the expropriated land.

12. In paragraph 263 of its report, the State notes significant achievements in the area of subsidies, cheaper and easier access to food in low-income sectors, however the features described above make up a precarious situation, both in supply and in the adequacy of food to the needs of particularly pronounced in 2014 and 2015. Venezuelan population availabilities. Interestingly, the government has made significant efforts through the public supply networks, where heavy subsidies have encouraged -and therefore improving the consumption of key foods (chicken meat and chicken, among others, which are sources of protein) in the last decade. However, the effort begun in 2003 through the creation of networks of food subsidy, in particular the Red Mercal, which was launched to improve access to food for vulnerable groups, seems to lose significance in time. This was revealed by various signals when the food situation is analyzed, for the following reasons:

¹¹ Delahaye, O. (2013). Políticas de tierras en el Sistema Alimentario Venezolano. En Gutiérrez S., A. (Coord.), El Sistema Alimentario Venezolano a comienzos del Siglo XXI. Evolución, balance y desafíos (pp. 477-522). Mérida (Venezuela): Consejo de Publicaciones de la Universidad de Los Andes-Banco Central de Venezuela. Serie Mayor, Vol. 1.

- a) **The Social Missions are not directed at the most vulnerable groups of the population:** Survey of Living Conditions 2014 ¹²Venezuela notes that 19% of the beneficiaries of the measures were "not poor"; Thus, the population in poverty covered by the Missions is only 11.7%. In addition, the target population was expected to attend (12,637,667 people), coverage was only 52%;
- b) **fewer Venezuelans buy their food at the Mercal network:** according to the Fourth National Survey of Family Budgets¹³, this network is losing importance in instances of marketing: 9.9% in 2005, spent 4.4 % in 2009-2010. In addition, food expenditures by Venezuelan households in 2009-2010 in the Mercal establishments (4.4%) and Petroleos de Venezuela SA food markets PDVAL (1.2%) made just a fraction of the rest of the market (94.4%). It thus follows that Venezuelan consumers prefer to shop in the supplies (eg: quartiles 1 and 2), supermarket chains unaffiliated (quartile 3) or large chains of supermarkets (quartile 4);
- c) **contributions of PDVSA (Petroleos de Venezuela SA) to the Mission tend to decrease over time** until 2012. While in 2007 were 1,969 million current bolivars, in 2008 fell to 456¹⁴. However, and according to the state oil company in 2013, these contributions apparently "grew significantly" when nearly quadrupled (rising from 317 million to 1.5 billion)¹⁵. This would explain the significant jump in agricultural imports that year. But also indicates in its 2014 report¹⁶, this year was devoted the same MM USD 1,607 (2.42% more than the previous, more than the population growth). This does not seem consistent with falls – already mentioned- of PIBA, of national production and agro-food imports this year.

13. It is also important to note the negative effects of shortages and food shortages on the Venezuelan population. Scarcity of Food Index (IEA released by the BCV) reports that as of first half of 2010 there was a growing trend, with some reductions recorded in 2012, and between July and September, and November), above 20% in almost every month of 2013 and close to 30% in the first quarter of 2014, when it stopped its publication. Unofficial numbers from a well-known pollster company¹⁷, located nationwide food shortages at the establishment level in 91%. Also, they highlighted that

¹² Landaeta- Jiménez, M. & Herrera Cuenca, M. (2015). *Encuesta sobre Condiciones de Vida Venezuela 2014-Alimentación*. Caracas: UCV-UCAB-USB

¹³ BCV, 2011.

¹⁴ Anido, 2015.

¹⁵ Armas, M. (2014). 21% se redujo el aporte de PDVSA a las misiones en 2013. *El Universal*, edición 01/07/2014. Recuperado de <http://www.eluniversal.com/economia/140701/21-se-redujo-el-aporte-de-pdvs-a-las-misiones-en-2013>

¹⁶ PDVSA. (2015). Balance de gestión social y ambiental PDVSA 2014. Caracas: PDVSA. Recuperado de <http://www.pdvs.com/interface.sp/database/fichero/free/9704/1690.PDF>¹

¹⁷ El Tiempo. (2014). Datanálisis: compra principal requiere visitas a cuatro negocios. *El Tiempo*, edición 26/11/2014. Recuperado de <http://eltiempo.com.ve/venezuela/economia/datanalisis-compra-principal-requiere-visitas-a-cuatro-negocios/163141>

consumers should halve the time it takes between the two main purchases (15 to 8 days on average) and incur high opportunity cost of their time to do it. On average, they require 8 hours and 4 visits to various outlets in one week, precisely because of this high shortages and long queues to access products.

14. All of the above, promote a perverse food demand-supply cycle¹⁸, in which price controls on a large amount of food is followed by shortages and rationing, which means that domestic food supply has to be covered by increasing imports. And so it begins the cycle again: a higher imports, lower domestic supply, less autonomy of supply and increased external dependence to achieve the objectives of food security. Obviously, the consequences are manifested in food consumption and nutritional status of consumers. But today, there are few official statistics to monitor consumption.

15. Although the State noted in paragraphs 449 and 452, that information is available to determine consumption patterns and nutritional status of the Venezuelan population, the Food Balance Sheets were published, with medium confidence and their complete applications until 2007. The figures for the period 2008-2010 have important errors and inconsistencies¹⁹, to the extent that the website of the National Institute of Nutrition (NIN) excluded those data and are not available now, similarly the Yearbook of System Food and Nutrition Surveillance (SISVAN) is not available either. So, to approach the measurement and analysis of food consumption at national level, it should be employed Tracking Surveys of Food Intake, the most current available for the first half of 2014²⁰.

16. Based on the analysis of statistics in these surveys, it appears that the most important contributors of energy and protein in the country (rice, pre-cooked corn flour, wheat bread, pasta, bananas, sugar, beans, banana, chicken, beef, eggs, canned tuna, canned sardines, whole milk powder, liquid whole milk, yellow cheese, white cheese, oil, margarine and soft drinks), but the consumption of bananas registered positive growth rates between 2011 and 2014. The detailed figures for item per item examination, reveals a clear downward trend in the consumption of the rest. This contraction is particularly marked between 2013 and 2014, partly due to declining oil revenues occurred in -translated in lower imports and lower subsidies as mentioned earlier-that the contraction of purchasing power of food and adds real wages, as the minimum wage decreed settings have not been sufficient to compensate for high inflation. The fall in consumption, despite the declarations and publications of government bodies and their officials who are unaware, is consonant with the fall in private consumption per

¹⁸ Gutiérrez, A. & Ordóñez, J. (2011). Evolución reciente y situación actual del Sistema Alimentario Venezolano (SAV). Mérida (Venezuela): CPTM-Universidad de Los Andes.

¹⁹ (Anido, 2013; Gutiérrez, 2015b)

²⁰ Instituto Nacional de Estadística, INE (2015). *Encuesta de seguimiento de consumo de alimentos*. Recuperado de http://www.ine.gob.ve/index.php?option=com_content&view=category&id=114&Itemid=38

capita reported by the BCV. **Projections for 2015 point to continued contraction in private consumption (-5.0%) and total imports (29.85%)²¹, so this year it would also be expected severe reductions in food consumption and, therefore, the nutritional status of the population.**

17. Although no updated figures are available, the diagnoses made both nationally and locally during the 2000-10 decade and in recent years allow noting that in the best of situations, overweight and undernutrition presence within certain population groups will be maintained, and even when the trend through 2014 was more towards overweight; evidenced starts showing increased hunger and undernutrition unless various policy measures, general economic, nutritional and food processing in particular are taken²².

18. Therefore, the previous review concluded that the Venezuelan Food System and hence its actors and its functions, has not achieved the objectives of government policies to provide food sovereignty and full and sustainable food security. Reaching them, requires the urgent adoption of a strategy of economic development to ensure sustained economic growth with greater equity and substantial poverty reduction. This involves the dismantling and gradual elimination of price controls and the exchange rate that have little or no impact in controlling food inflation and, on the other hand, generate imbalances by excess of demand over supply-in particular, induce the reduction of domestic production, pushing up prices and the emergence of shortages and rationing. Restructuring of public spending-through the targeting of subsidies, specifically designed to Food Mission will be necessary to induce greater efficiency in public spending, particularly necessary in the current situation of reduced oil revenues.

Recommendations

19. To introduce policy measures: general economic and agro / nutrition, to promote a free and open economy, to stimulate food production in accordance with the caloric and nutrient needs of the Venezuelan population

20. To check price controls, as producers must not sell their products at a loss.

21. Remove the expropriation of land, respect private property and diversify the industry, to be alternative to state owners.

22. Provide incentives to producers, and make efficient food imports in order to combat food shortages and prevent hunger in the future.

²¹ Banco Mercantil (2015). Informe mercantil 2015. Caracas: Banco Mercantil, Vicepresidencia para la Economía

²²Anido, 2015.

Article 11.2. The right of citizens to be protected against hunger

23. The first months of 2015 were characterized by an acute crisis in the already existing instability of food supply. As food availability has decreased due to the rate of exchange control and the control to provide foreign exchange to import food, and the sharp decline in national food production, food shortages has been on the rise, generating anxiety in the population. In response to the shortage, the government has implemented mechanisms to ration existing foods. One is the requirement that both public and private supermarkets sell subsidized controlled items like sugar, corn flour (the idiosyncratic Venezuelan –Food) which can only be purchased on the day assigned to each Venezuelan citizen according to the last digit of Venezuelan identity document, meaning that foods such as milk, sugar, corn flour, meat, and chicken among others can only be bought one or two times a week in limited quantities per person.

24. This situation is very serious in the case of children as by restricting access to food, it is not guaranteeing adequate nutrition during the period of growth and development. In addition, due to the increased prevalence of obesity in Venezuela, there have been concerns about the quality of food most consumed by most Venezuelans. The INE shows a pattern of consumption which is mainly composed of cheap caloric-dense foods such as pre-cooked flour, pasta, bread, rice, margarine, mayonnaise, sugar, beef and chicken (less consumption of these proteins). Mercal network basically provides these foods, when available²³.

25. An initiative taken by the academic sector which includes three large and prestigious universities: Universidad Central de Venezuela (UCV), Andrés Bello Catholic University (UCAB) and Universidad Simón Bolívar (USB), have joined efforts in order to obtain nationally representative data in several areas: poverty, access to health, food and nutrition, housing, resilience to natural disasters, education, employment and crime and violence. This initiative is called ENCOVI 2014²⁴ by the Spanish acronym corresponding to: Living conditions of Venezuelans 2014²⁵. The results are as follows: according to the poverty line a total of 48% of households live in poverty, compared with 45% of households living in these conditions in 1998 (according to the same methodology used by the Center for Economic and Social Studies of the UCAB, Social Survey, 1998). Furthermore, 80% of those interviewed expressed difficulties for purchasing food, because they feel their income is not enough, regardless of social stratum and 11.2% reported eating two or fewer meals a day.

²³ Instituto Nacional de Estadística. - Encuestas Nacionales de Consumo Alimentario (ENCA), [sitio web] citada el 07 de mayo 2015 a través de URL: <https://www.ine.gov.ve/consumo/seleccionconsumo.asp>

^{24/25} Encuesta sobre Condiciones de Vida de Venezuela 2014 (ENCOVI). Pobreza y Programas Sociales. Luis Pedro España. [sitio web] citada el 19 de abril de 2015 a través de URL: <http://www.rectorado.usb.ve/vida/sites/default/files/pobreza.pdf>

26. Moreover, in Venezuela, social programs for the food and nutritional care, called "Mission Food", particularly the most important called Red Mercal (already mentioned in this report) based on heavily subsidized food, universally, has no criteria selection of candidates for subsidies. The State says in several paragraphs of the report on the right to food, particularly in paragraphs 442 and 443, that subsidy programs in low-income sectors "prioritize vulnerable groups", but in truth an objective and methodological assessment of the beneficiaries of this program does not exist formally, since there is no database that identifies what happened in this program over the last decade. Mercal network, has reduced its presence in local markets, both small outlets, as open markets and is being replaced by Abastos Bicentenario (a network of supermarkets of subsidies), which intends to provide food at low cost.

27. In contrast to the government's propaganda, which says that most Venezuelans are served by food missions, ENCOVI 2014 study reports that the beneficiaries of the social missions are 11.7% of the people who classify as living in poverty. Those covered by missions living in extreme poverty are only 8.4% and 10.8% respectively. This means that within this total universe of individuals covered by all of the missions, the number of beneficiaries of the mission supply is less. The number of beneficiaries of the Mercal mission, according to this research is 1,923,323, in contrast to the more than 17 million beneficiaries in the past announced through the website of the Mercal network.

28. There is also the School Feeding Programme (PAE), to which the State refers in paragraph 444 of its report; 97 and 136 of the response to the list of issues. In theory, this program must attend public schools basic education system, the numbers reported in the program's attention are huge, but the reality in schools is quite another. These programs depend on the Mercal network and suffer from the same shortcomings. The quality of food is poor in quantity and quality. From 2009 to date there have been hundreds of complaints ²⁶related to the status of food or supplies. The food preparation takes place in unsanitary conditions. PAE is suffering a severe paralysis as a result of non-payment to suppliers and therefore the lack of supply to food processors mothers. On September 16, 2014 it was announced the creation of the National School Food Corporation to attend public schools and strengthen the system of school feeding. However, the report on failures in the program's attention, has been on the table until now²⁷.

²⁶ Observatorio Educativo de Venezuela. (2011). El PAE falló en 22 de las 24 entidades federales del país. Disponible en: (<https://observatorioeducativo.wordpress.com/2011/06/20/el-pae-fallo-en-22-de-las-24-entidades-federales-del-pais/>)

²⁷El Universal. (2014). Maduro crea Corporación Nacional para la Alimentación Escolar. Disponible en: <http://www.eluniversal.com/nacional-y-politica/140916/maduro-crea-corporacion-nacional-para-la-alimentacion-escolar>

29. With regard to the nutritional situation in the country we are dealing with a double burden, which is apparent in the increase of child undernutrition, child morbidity and mortality, increased teen pregnancy and iron deficiency (anemia)²⁸. Since 2007 the System for Food and Nutrition Surveillance (SISVAN) does not publish information on the nutritional status of the population, but reported the increase in childhood obesity and a chronic deficit of 8%²⁹. Between 2008 and 2010 the National Institute of Nutrition (NIN) studied 10,000 children in the country, aged between 5 and 16 years and found that 20 and 22% was overweight / obese and between 14 and 16% had undernutrition³⁰.

30. **SISVAN, has not published recent data** on the prevalence of low birth weight, only data reported to international organizations about the prevalence of deficits in infants and preschool children, where an accelerated reduction of malnutrition weight is shown by age. A plausible explanation is these data is projected from previous sources. An additional fact is the increase of teenage pregnancy and the high probability that the newborn will be underweight, with malnutrition and will die prematurely. To this it should be added that according to data from INN weight by age deficit is reduced but malnutrition is doubled by the height-age indicator. It is a paradox that creates reasonable doubt. Venezuela was declared free of iodine deficiency, long ago, thanks to the program of salt iodization. Monitoring data from this program are not published with due regularity. It is noteworthy that detailed studies are used, but the monitoring systems and nutritional status surveillance programs, breastfeeding, anemia, flour fortification, are not published.

²⁸Instituto Nacional de Nutrición (INN) Anuario del Sistema de Vigilancia Alimentaria y Nutricional (SISVAN) Información preliminar, Caracas 2008

²⁹Instituto Nacional de Nutrición. (INN) Primer estudio Nacional: Prevalencia de sobrepeso, obesidad y factores exógenos condicionantes en la población de 7 a 17 años. Venezuela 2008-2009. Resultados Preliminares Caracas. Segundo encuentro para la Nutrición Social. 2012

³⁰e SISOV 2008-2011 INE 2008-2011. Anuarios de Epidemiología del MPPS y datos demografía. INN Alimentación de niños y niñas en los dos primeros años de vida, 2009. Disponible en: <http://www.inn.gob.ve>

Recommendations:

31. Revise the food subsidy programs to ensure that they attend more specifically the needs of the population. Obese people need help to get healthy food, population undernourished should receive nutritional quality recovery and the normal population should be provided with healthy foods that allow to continue in this condition.

32. Evaluate the PAE, as inconsistencies in the delivery and dispatch of the meals have been serious and, for a permanent assessment is necessary for this program to have indicators like height for age to validate the adequacy of intake of children and ensure that the needs of the growing process are covered.

33. Ensure public access to food and nutrition information and generate reliable and detailed data, so that academic and independent research groups are able to conduct research to validate the official data, as well as open scientific discussion and include industries in socially responsible actions to strengthen the nutritional status and Venezuelans.