
The Institutionalization of Food Sovereignty: The Case of the Dominican Republic Law 589- 16 about Food and Nutrition Security and Sovereignty

La institucionalización de la soberanía alimentaria: el caso de la Ley 589-16 de República Dominicana sobre Alimentación y Nutrición Seguridad y soberanía

L'institutionnalisation de la souveraineté alimentaire: le cas de la République dominicaine Loi 589-16 sur l'alimentation et la nutrition Sécurité et souveraineté

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Abstract

This study has two main objectives, first, to examine the process in which the law 589-16 of Food and Nutrition Security and Sovereignty was legislated and second, to define the main challenges and support factors that played a role in this process. To achieve the objectives of the study, 30 close-ended interviews were conducted with 30 respondents. The collected data were analyzed statistically using SPSS software R, version 3.6.0. The

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results show a significant difference between the frequencies of the answers provided by the different occupations in regards to the most crucial step of the legislation of the law, and the future achievement of food sovereignty.

Keywords: Food sovereignty; food security; Dominican Republic constitution; Law 589-16 Dominican Republic.

Resumen

Este estudio tiene dos objetivos principales, primero, examinar el proceso en el que se legisló la ley 589-16 de Seguridad y Soberanía Alimentaria y Nutricional y segundo, definir los principales desafíos y factores de apoyo que jugaron un papel en este proceso. Para lograr los objetivos del estudio, se realizaron 30 entrevistas cerradas con 30 encuestados. Los datos recopilados se analizaron estadísticamente utilizando el software SPSS R, versión 3.6.0. Los resultados muestran una diferencia significativa entre las frecuencias de las respuestas proporcionadas por las diferentes ocupaciones en cuanto al paso más crucial de la legislación de la ley, y el futuro logro de la soberanía alimentaria.

Palabras clave: Soberanía alimentaria; seguridad alimentaria; Constitución de República Dominicana; Ley 589-16 República Dominicana.

Résumé

Cette étude a deux objectifs principaux, premièrement, examiner le processus dans lequel la loi 589-16 sur la sécurité et la souveraineté alimentaires et nutritionnelles a été légiférée et deuxièmement, définir les principaux défis et facteurs de soutien qui ont joué un rôle dans ce processus. Pour atteindre les objectifs de l'étude, 30 entretiens fermés ont été menés avec 30 répondants. Les données collectées ont été analysées statistiquement à l'aide du logiciel SPSS R, version 3.6.0. Les résultats montrent une différence significative entre les fréquences

des réponses apportées par les différentes professions en ce qui concerne l'étape la plus cruciale de la législation de la loi, et la réalisation future de la souveraineté alimentaire.

Mots-clés: Souveraineté alimentaire; la sécurité alimentaire; Constitution de la République dominicaine; Loi 589-16 République dominicaine

Introduction

The concept of food sovereignty was developed by the transnational peasant movement La Via Campesina (LVC) as a rights-based approach¹. It was internationally introduced at the 1996 World Food Summit via LVC position paper titled «The Right to Produce and Access Land, Food Sovereignty: A Future without Hunger»². Since then, this concept gained much attention, especially by social movements, rural development groups, and non-governmental organizations. They considered food sovereignty a new framework for rural development, and a way to make a real change in the global food system³. LVC defined food sovereignty as «the right of each nation to maintain and develop its capacity to produce its basic foods respecting cultural and productive diversity. We have the right to produce our food in our territory. Food sovereignty is a precondition to genuine food security»⁴. Food sovereignty has six main pillars concerning the way the food is produced: Focus on food for people, value food providers, localized food systems, local control over natural resources, build skills and

1 Annette Desmarais, «The Gift of Food Sovereignty» *Canadian Food Studies* 2, no. 2 (2015): 154-63, <https://doi.org/10.15353/cfs-rcea.v2i2.115>.

2 Marc Edelman, «Food Sovereignty: Forgotten Genealogies and Future Regulatory Challenges», *Journal of Peasant Studies* 41, no. 6 (2014): 959-78, <https://doi.org/10.1080/03066150.2013.876998>.

3 Desmarais, «The Gift of Food Sovereignty».

4 Via Campesina, «Food Sovereignty : A Future without Hunger Food - a Basic Human Right Food Sovereignty : Protecting Natural Resources», 1996.

exchange of local knowledge, and work in harmony with nature⁵.

On the other hand food security was defined by FAO «Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life»⁶. Food security has four main dimensions: availability, access, utilization, and stability. The two concepts of food sovereignty and food security are not contradicting, yet are different in terms of including not only the right to food but also the right to have rights over food⁷. The concept of food sovereignty emphasizes the right of people to decide the way their food is produced and to choose the policies that control food chains. Furthermore, food sovereignty policies provide the legal framework to achieve and fulfill the right to food Republic⁸. As the Nyéléni definition of food sovereignty states:

Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their food and agriculture systems. It puts the aspirations and needs of those who produce, distribute, and consume food at the heart of food systems and policies rather than the demands of markets and corporations. It defends the interests and inclusion of the next generation. It offers a strategy to resist and dismantle the current corporate trade and food regime, and directions for food, farming, pastoral and fisheries systems determined by local producers and users. Food sovereignty prioritizes lo-

5 FAO, «World Food Summit - Final Report» (Rome, 1996); Nyéléni, «Nyéléni 2007 Forum for Food Sovereignty» *Encyclopedia of Governance*, 2007, 1-76, <https://doi.org/10.4135/9781412952613.n510>.

6 FAO, «World Food Summit - Final Report».

7 Karla Peña, «Institutionalizing Food Sovereignty in Ecuador» in *Food Sovereignty: A Critical Dialogue (International Conference)*, 2013.

8 Saulo Araujo, «The Promise and Challenges of Food Sovereignty Politics in Latin America» *Yale Human Rights and Development L.J.* 13, no. 2 (2010): 493-506, <https://doi.org/10.1525/sp.2007.54.1.23>; M Jahi Chappell et al., «Food Sovereignty: An Alternative Paradigm for Poverty Reduction and Biodiversity Conservation in Latin America», *F1000Research*, no. 1 (2013), <https://doi.org/10.12688/f1000research.2-235.v1>.

cal and national economies and markets and empowers peasant and family farmer-driven agriculture, artisanal - fishing, pastoralist-led grazing, and food production, distribution, and consumption based on environmental, social, and economic sustainability. Food sovereignty promotes transparent trade that guarantees just income to all peoples as well as the rights of consumers to control their food and nutrition⁹.

The neoliberal model of agriculture in Latin America has caused more rural poverty, environmental degradation, and discrimination against small farmers. Food sovereignty emerged as an approach to fight rural poverty and proclaim social justice and equality. It has pushed for political changes into long term food policies that have more focus on local food production and small scale farmers¹⁰. Especially that two-thirds of the rural population in Latin America are small farmers¹¹. Moreover, some Latin American countries made changes at the national level, recognized and legislate the concept of food sovereignty in their constitution, national laws and policies such as Bolivia, Nicaragua, Ecuador, Brazil, Venezuela and more recently the Dominican Republic¹².

In the Dominican Republic, the real problem of hunger and malnutrition is not the shortage of production, as much as it is an issue of access to food. Hunger and poverty are mainly related to social exclusion and unfair distribution of resources¹³. Nevertheless, the country has managed to achieve the Millennium Development Goals, as well as higher than the average

9 Nyéléni, «Nyéléni 2007 Forum for Food Sovereignty».

10 Araujo, «The Promise and Challenges of Food Sovereignty Politics in Latin America».

11 Miguel A. Altieri and Clara I. Nicholls, «Scaling up Agroecological Approaches for Food Sovereignty in Latin America», *Development* 51, no. 4 (2008): 472-80, <https://doi.org/10.1057/dev.2008.68>.

12 Araujo, «The Promise and Challenges of Food Sovereignty Politics in Latin America»; Chappell et al., «Food Sovereignty: An Alternative Paradigm for Poverty Reduction and Biodiversity Conservation in Latin America».

13 FAO, *Sistematización de Cómo Una Consulta Virtual Apoya Un Proceso de Construcción de Un Sistema Nacional de Seguridad Alimentaria y Nutricional: República Dominicana* (Santo Domingo, 2017).

progress in eradicating hunger and malnutrition in comparison to the whole region. The country halved the prevalence of undernourishment from 34.3% to 12.3% from 1990-1992 to 2014-2016, the proportion of underweight children under five years was also reduced from 10.4% in 1990 to 5% in 2013. Besides, the country has managed to reduce poverty from 54.4% to 40.7%, while extreme poverty fell by 8.8 percentage points between 2004 and 2013¹⁴. This paper examines the case of the Dominican Republic law 589-16 of food and nutrition security and sovereignty, a Law to create the National System for Food Security, Nutrition, and Sovereignty. The first proposal of the law was presented in 2011; it was approved in 2014 by the Chamber of Deputies (the first step of approval). In June 2016, the law collected the two endorsements of the Chamber of Deputies and the Senate and finalized as a Law on July 8th, 2016. This study has two main objectives, first, to examine the process in which this law was legalized and second, to define the main challenges and support factors that played a role in this process.

Methodology

Research Methods

Data was collected via two methods. The first method consisted of standardized, close-ended interviews with selected participants. The second method is data collection, including documents found through the research via the internet and visits to libraries, as well as documents suggested by the participants and documents collected while attending conferences and meetings. Interviews, as a method of research, have many advantages and values. The value of interviewing is in its holistic view for the topic of research and, more importantly, in its ability to allow the participants to express their thou-

14 Pavel Isa, «HAMBRE CERO Al Año 2030 En La República Dominicana Revisión Estratégica y Hoja de Ruta Para El Logro Del Objetivo de Desarrollo Sostenible 2 - HAMBRE CERO,» 2017, 1-139; IANAS, «Challenges and Opportunities for Food and Nutrition Security in the Americas. The View of the Academies of Sciences», 2017, 286-315.

ghts and opinions¹⁵. Furthermore, it is suitable for examining social changes, and complex processes which makes it more fitting to the study objectives¹⁶. Nevertheless, this method also has disadvantages. First, it is a time-consuming method; it takes a long time since the preparation till the concluding all of the interviews, but at the same time the researcher guarantees higher rates of replies and fewer unanswered questions. Also, there is a room for bias even if subconsciously, and the reliability of this method can sometimes be questioned¹⁷. The Structured interviews or standardized interviews are type of interviews with the main characteristic that it is based on a predetermined, identical set of questions, and are usually referred to as quantitative research interviews because it can easily collect quantifiable data. It is similar in form to a questionnaire, with the difference that the questions in the interviews are read out loud by the researcher, the questionnaire on the other hand is read by the respondent¹⁸.

In total, ninety interviews with another ninety participants were conducted, thirty respondents in each of Panama, Costa Rica, and El Salvador. The respondents were distributed equally into two categories, policymakers and family farmers. The sample size was a fixed number of thirty interviews for each country; this was highest feasible number that the time and resources' limitations allowed. There are many factors that play a role in deciding the sample size of interviews; the aim and the design of the study, the type of data collected and the nature of the studies issue. Still a sample size of thirty is considered an acceptable size¹⁹. The same sample size was

15 Bruce Berg, «A Dramaturgical Look at Interviewing» in *Qualitative Research Methods for the Social Sciences*. (Boston: Allyn&Bacon, 2009), 101-57.

16 Sandy Q Qu and John Dumay, «The Qualitative Research Interview» *Qualitative Research in Accounting & Management*, no. May 2011 (2011), <https://doi.org/10.1108/11766091111162070>; Hamza Alshenqeeti, «Interviewing as a Data Collection Method: A Critical Review» *English Linguistics Research* 3, no. 1 (2014): 39-45, <https://doi.org/10.5430/elrv3n1p39>.

17 Alshenqeeti, «Interviewing as a Data Collection Method: A Critical Review».

18 Alshenqeeti; Qu and Dumay, «The Qualitative Research Interview».

19 Mark Mason, «Sample Size and Saturation in PhD Studies Using Quali-

applied in each country, so the data obtained can be more comparable and the results more reliable especially that the sample number is small.

The participants were chosen using purposive non-probability sampling. In the purposive or judgmental sampling technique the respondents are chosen freely by the interviewers according to specific criteria, commonly according to their knowledge and experience with the subject investigated in the study²⁰. Non-probability sampling is the most suitable sampling technique when conducting an interview, it is entirely non-random, and it has many advantages in comparison to the probabilistic sampling, these advantages include being less costly and much faster than other sampling techniques²¹. The respondents who met the criteria were contacted via telephone or email, after completing the interview each respondent was asked to refer another respondent who meets the criteria following the snowball sampling strategy. Snowball sampling is applied when the respondents are hard to access, it is a gradual multi-step process²².

Data Analysis

The data was analyzed statistically using the SPSS statistical package, software R, version 3.60. After coding the collected data (the answers of the interview questions), each question was treated as a variable, and each option for each question

tative Interviews», *FQS FORUM: QUALITATIVE SOCIAL RESEARCH* 11, no. 3 (2010), <https://doi.org/http://dx.doi.org/10.17169/fqs-11.3.1428>.

20 Etikan Iiker, Sulaiman Abubakar Musa, and Rukayya Sunusi Alkassim, «Comparison of Convenience Sampling and Purposive Sampling», *American Journal of Theoretical and Applied Statistics* 5, no. 1 (2016): 1-4, <https://doi.org/10.11648/j.ajtas.20160501.11>.

21 Mark Saunders, Philip Lewis, and Adrian Thornhill, *Research Methods for Business Students*, Pearson Education, 5th ed., 2009, <https://doi.org/10.1007/s13398-014-0173-7.2>.

22 Mahin Naderifar, Hamideh Goli, and Fereshteh Ghaljaei, «Snowball Sampling : A Purposeful Method of Sampling in Qualitative Research Snowball» no. December 2018 (2017), <https://doi.org/10.5812/sdme.67670>.

was given a number. We checked the frequencies of the results among all the data by using descriptive statistics for each question/variable. Finally we assessed the different frequencies of responses given by each occupation, by applying a Pearson chi-squared tested, $p > 0.05$, indicates that there is no enough information to reject the null hypothesis and there are no differences between the answers given by the respondents; they all have similar opinions. For the other scenario, $p < 0.05$ tells that there is a statistical evidence to reject the null hypothesis and say that from the three occupations categories, at least one has a different view on that question, and that can be seen by looking at the data and identifying the differences.

Results

The results of the interviews were summarized in Table 1 that shows the proportion of each category given for each one of the 16 questions by occupation, as well as the questions that have a significant difference in the frequencies between occupations.

Table 1. The proportion of each category given for each one of the 16 questions by occupation. P-values for the Pearson's Chi-squared test for independence < 0.05 show a significant difference within the answers of the interviewees from at least one of the three occupations. Questions #5 ($p < 0.001$), #6 ($p = 0.004$), #15 ($p = 0.010$), and #16 ($p = 0.002$) showed significant difference. Values followed by an asterisk (*) indicate the test was performed only considering the options that did not have a mean equal to zero, thus only comparing the answers that at least one individual had selected.

Question #	Definition	Category	Occupation			Mean	p-value
			Int Org	Gov Inst	Civ Soc		
#1	Occupation	International Org	100.00	0.00	0.00	33.33	-
		Governmental Instit	0.00	100.00	0.00	33.33	
		Civil society member	0.00	0.00	100.00	33.33	

#2	Gender	Male	100.00	30.00	90.00	73.33	0.001 ²³
		Female	0.00	70.00	10.00	26.67	
#3	Age Group	20-40	0.00	10.00	0.00	3.33	0.312
		40-60	80.00	40.00	70.00	63.33	
		60-80	20.00	50.00	30.00	33.33	
#4	Process	Conflict of interests	50.00	30.00	30.00	36.67	0.563*
		Inclusion problems	0.00	0.00	0.00	0.00	
		Normal time	0.00	0.00	0.00	0.00	
		Other	50.00	70.00	70.00	63.33	
#5	Steps	Initiative	60.00	10.00	0.00	23.33	<0.001
		Negotiations	40.00	40.00	100.00	60.00	
		Approval	0.00	50.00	0.00	16.67	
#6	Rejection	Not clear	30.00	70.00	0.00	33.33	0.004*
		FSV problem	0.00	0.00	0.00	0.00	
		Not realistic	0.00	0.00	0.00	0.00	
		Other	70.00	30.00	100.00	66.67	
#7	FSV	Committee for FSV	0.00	20.00	0.00	6.67	0.056*
		Parliamentary Front	0.00	30.00	0.00	10.00	
		International Org	0.00	0.00	0.00	0.00	
		Civil Society Org	80.00	40.00	70.00	63.33	
		Population	20.00	10.00	30.00	20.00	
		Other parties	0.00	0.00	0.00	0.00	
#8	Proposal	Yes	100.00	100.00	100.00	100.00	~1.000
		No	0.00	0.00	0.00	0.00	
#9	Negotiations	Yes	100.00	100.00	100.00	100.00	~1.000
		No	0.00	0.00	0.00	0.00	
#10	Approval	Yes	100.00	100.00	100.00	100.00	~1.000
		No	0.00	0.00	0.00	0.00	
#11	Opposed	Yes	0.00	0.00	0.00	0.00	~1.000
		No	100.00	100.00	100.00	100.00	
#12	Personalities	Yes	100.00	100.00	100.00	100.00	~1.000
		No	0.00	0.00	0.00	0.00	
#13	Challenges	Radical change	40.00	20.00	20.00	26.67	0.656
		Conflict of interests	40.00	50.00	40.00	43.33	
		Limited support	10.00	0.00	20.00	10.00	
		Other	10.00	30.00	20.00	20.00	
#14	Supported	Awareness	50.00	40.00	30.00	40.00	0.624
		Influence	50.00	60.00	60.00	56.67	
		Other	0.00	0.00	10.00	3.33	
#15	Experience		100.00	100.00	60.00	86.67	0.010
			0.00	0.00	40.00	13.33	
#16	Future scenarios	Achieved completely	0.00	0.00	0.00	0.00	0.002*
		Achieved partially	100.00	100.00	50.00	83.33	
		Not achieved	0.00	0.00	50.00	16.67	

23 There is only one female respondent, and 29 male respondents, which makes the statistical significance between the different occupations statistically irrelevant

Discussion

The Dominican Republic was one of the 193 nations that signed that they are committed to achieving sustainable development goals under the agenda of 2030. Especially the commitment to Zero Hunger, SDG 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture, with its eight targets. Moreover, the President of the Republic issued the decree that created the High-Level Inter-Institutional Commission for Sustainable Development, with the primary objective of integrating the SDGs into the national agenda established in the National Development Strategy (NDS). On the other hand, the Social Policy Coordination Cabinet (GCPS) has taken the lead in the management of efforts to advance in the fulfillment of SDG 2²⁴.

Furthermore, the Constitution includes the rights to life, to human dignity, and equality in articles 37, 38, 39, and 40. These rights can be linked directly to the right to food, which in turn are associated with goals 2.1, 2.2, and 2.3 of SDG 2. Article 61 about the right to health includes the right to have access to potable water and the improvement of nutrition. Likewise, article 67 sets out the collective and environmental reasons, which are associated with goals 2.4. Besides, an article about food safety states, «The State shall promote the research and transfer of technology for the production of food and raw materials of agricultural origin, to increase the productivity and guarantee food security». In this way, the rights stipulated in the Constitution have a broad scope, linking to almost all the goals of SDG 2. This gives robust constitutional support to the effort to fulfill the objective of «Zero Hunger» and to reach the goals of feeding, nutrition, and promotion of sustainable agriculture²⁵.

24 Consejo Nacional, «Dec. No. 23-16 Que Crea e Integra La Comisión Inter-institucional de Alto Nivel Para El Desarrollo Sostenible. G. O. No. 10830 Del 26 de Febrero de 2016», no. 23 (2016): 83-89. For more details please go to <http://extwprlegs1.fao.org/docs/pdf/dom163791.pdf>

25 The Constitution of the Dominican Republic, «Constitución de La República Dominicana», no. 10561 (2010). For more details <https://www.ifrc.org/docs/idrl/751ES.pdf>

Moreover, many laws and strategies are connected to SDG2. The law for the National Development Strategy 2010-2030 (Law No. 1/2012), was approved on January 25th, 2012. This law is considered a milestone for the country in the political way as it includes a guideline for designing medium and long term public policies it has the vision to create a transparent and democratic state that ensures the safety and equality for its citizens:

The Dominican Republic is a prosperous country, where people live with dignity, attached to ethical values and within the framework of a participatory democracy that guarantees the social and democratic State of law and promotes equity, equal opportunities, social justice, which manages and uses its resources to develop an innovative, sustainable and territorially balanced and integrated way and is competitively inserted in the global economy²⁶.

This strategy was complemented by the Strategic Agricultural Development Plan 2010-2020, which was launched by the Ministry of Agriculture. This strategy is more oriented towards policies that aim to achieve food security, support family farmers, rural development, and agriculture sustainability. This strategy is linked to the SDG2 and all its targets²⁷. In 2013, the Ministry of Public Health launched the National Strategic Plan for Nutrition 2013- 2016. This plan provides guidance on health and nutrition for public policies²⁸. In 2014, Dominican Republic adopted the National Strategy for Climate Change Adaptation in Agriculture 2014-2020. This

26 Congreso Nacional, «Ley No. 1-12: Ley Organica de La Estrategia Nacional De Desarrollo De La Republica Dominicana 2030», 2012. For more details, please go to <http://economia.gob.do/mepyd/wp-content/uploads/archivos/end/marco-legal/ley-estrategia-nacional-de-desarrollo.pdf>

27 Ministerio de Agricultura Republica Dominicana, *Plan Estratégico Sectorial de Desarrollo Agropecuario 2010 - 2020*. (Santo Domingo, 2011).

28 Ministerio de Salud Publica Panama, *Plan Estratégico Nacional de Nutricion 2013-2016*, 2013. For more details; please go to <https://extranet.who.int/nutrition/gina/sites/default/files/DOR%202013%20Plan%20estrategico%20de%20nutricion.pdf>

strategy aims to increase resilience against climate change and to have sustainable agriculture, through identifying and adopting different policies and strategies related to climate change and expanding the research in this field²⁹.

Besides, several laws has directly addressed for agriculture development, such as the Laws of Agrarian Reform (Law 5879), the Law on Agricultural Insurance in the Dominican Republic (Law 157-09), the Law on Agricultural Development (Law 6186), the Law on Agricultural and Livestock Promotion (Law 532), the Law of Incentive and Protection of Agribusiness (Law 409), the Law that creates the Dominican Institute of Agricultural and Forestry Research -IDIAF- (Law 289) and the Law that creates the National System of Agricultural and Forestry Research - SINIAF- (Law 251-12)³⁰.

In July 2016, the Law of Food and Nutrition Security and Sovereignty (Law 589-16) was approved and considered as a law against hunger. This law came as a result of several considerations, beginning with the consideration that adequate food and nutrition is a fundamental human right that must be met, mainly that the accelerated population growth, combined with low food production, market defecates and changing the patterns of consumption has caused food deficiency in the country.

Furthermore, following the state commitment to guarantee food security in the constitution of 2010 article 54, the state has reaffirmed its commitment and acknowledged its responsibility in coordinating policies and taking the actions that will guarantee food and nutrition security and sovereignty in the light of the right to adequate, healthy, nutritious food for all the citizens. Moreover, since the food crises in the world

29 PLENITUD et al., *Estrategia Nacional de Adaptación al Cambio Climático en el sector Agropecuario de la República Dominicana 2014-2020* (Dominican Republic, issued 2014). For more details, please go to <http://www.lse.ac.uk/GranthamInstitute/wp-content/uploads/2018/10/8733.pdf>

30 Isa, «HAMBRE CERO Al Año 2030 En La República Dominicana Revisión Estratégica y Hoja de Ruta Para El Logro Del Objetivo de Desarrollo Sostenible 2 - HAMBRE CERO».

are increasing due to inadequate public policies, increasing the food prices, and the effects of climate change, this law can be a strategic initiative towards the nation's food sovereignty through sustainable management for its resources. Finally, the country has sufficient resources to fulfill the food and nutrition needs of the nation, and the state has started the efforts to achieve food and nutrition security since 2008, by creating the Council for Food Security (Decree No.243-08)³¹, which is responsible for the design and implementation of public policies to supply food for the country. A broader legal framework is required to enhance the efficiency of the National System for Food and Nutrition Security and Sovereignty³².

This law is consistent with six chapters and 56 articles. The first chapter includes two sections; the first one is consistent with articles 1-5 explaining the objective, the reach, the scope of application, principals, and definitions. The main aim of this law is to inaugurate the institutional framework for the creation of the National System for Food and Nutrition Security and Sovereignty; this system will be in charge of the preparation, designing, and developing the public policies needed to achieve food and nutrition security and sovereignty. These policies will be tools to practice and facilitate the right to adequate food and nutrition for all the citizens of the country³³. In addition, there are several principles to be followed and respected in the interpretation and application of the law: Consumption, human dignity, availability, efficiency, gender equality, integrality, no discrimination, social participation, protection of the market and national production, food sove-

31 For more details, please go to <https://extranet.who.int/nutrition/gina/sites/default/files/DOR%20Decreto%20243-08.pdf>

32 Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana», 2016, 54-80; Congreso Nacional, «Dec. No. 243-08 Que Crea e Integra El Consejo Para La Seguridad Alimentaria de La Republica Dominicana», no. 301 (2008): 111-14; The Constitution of the Dominican Republic, «Constitución de La República Dominicana».

33 Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana».

reignty, solidarity, economic sustainability, environmental sustainability, transparency, guardianship, and universality. Furthermore, the body of the law included definition to some significant concepts such as family agriculture, adequate nutrition, complete diet, food availability, food and nutrition security, food sovereignty, malnutrition, food safety policies and SINASSAN which is the National System of Food and Nutrition Security and Sovereignty³⁴.

The second section includes article 6, explaining the rights of people in the aspect of food security and sovereignty. The first right is the right to adequate food: people have the right to adequate food without discrimination and their right to live in condition where they can feed their selves, have the financial capacity to access sufficient food in quantities and qualities and to satisfy their basic needs, can be protected from any unexpected crises that can affect their access to food. They can have access to healthy food, healthy clean water, and sanitation, and have the nutrition information that helps them choose the proper food from health and cultural aspects. The second right is to be protected against hunger: everyone has the right against hunger; vulnerable people have the right for food assistance. The third right is children's right to protection: every child has the right to an adequate diet that is suitable for his age and gender; it is the state's responsibility to ensure food and nutrition for children in the first 1000 days of their life. The fourth right is women's right to nutrition while they are breastfeeding. The fifth right is the right to special attention for vulnerable population: if any person due to a particular economic situation or physical disability, unemployment or age, are unable to feed themselves, they have the right to food assistance³⁵.

34 Congreso Nacional.

35 FAO, *RESUMEN DE LA LEY 589-16 SOBRE SEGURIDAD Y NUTRICION-AL ALIMENTARIA EN LA REPÚBLICA DOMINICANA UNA LEY CONTRA EL HAMBRE* Or (Santo Domingo, 2017); Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana».

The second chapter has five sections; the first section includes articles (7-11) about the creations, the objectives, and the interventions. The law calls for the creation of the National System of Food and Nutrition Security and Sovereignty (SINASSAN). This system has the functions of accumulating and directing the nation's effort to guarantee the right to food and the right to food and nutrition security and sovereignty ensure sufficient food production, fair distribution, and accessibility to food. Promote the actions to eradicate malnutrition and reduced the diseases related to it. Support the objectives of policies related to food and nutrition security and sovereignty in the national strategic plans. Promote food production in the country while protecting the national genetic diversity. Monitor food safety and progress in the state of food security and sovereignty. Support the collaboration between the national effort and the international efforts in this regard. Finally, (SINASSAN) has the duty of developing the four years National Plan of Food Sovereignty and Food and Nutritional Security³⁶.

The second section includes articles (12-23) about the creation of The National Council for Food and Nutrition Sovereignty and Security (CONASSAN), as the coordinating body of (SINASSAN) and as the responsible for the National Plan of Food Sovereignty and Food and Nutritional Security. CONASSAN has two main objectives: 1. To design the necessary policies to have sustainable production to sufficient amounts of food that is distributed fairly among the population, and that satisfies the domestic demand for food. 2. To strengthen the social protection system in the country and guarantee the fulfillment of the right to food and nutrition for the poorest and the most vulnerable³⁷. The third section includes articles (24-31) about the technical secretariat for food and nutrition

36 Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana».

37 Congreso Nacional; FAO, *RESUMEN DE LA LEY 589-16 SOBRE SEGURIDAD Y NUTRICIONAL ALIMENTARIA EN LA REPÚBLICA DOMINICANA UNA LEY CONTRA EL HAMBRE* Or.

security and sovereignty. This secretariat manages the national plan, through the articulation of all parties and institutions involved, as well as other social actors and international organizations. The fourth section includes articles (32-37) about the National Network for Food and Nutrition Security and Sovereignty. This network is composed of government institutions and civil society organizations that work on the design and execution of the national plans at the local level, monitor the implementation of the plan, and provide critical information on the food security situation and nutrition in the country. It has a participatory nature and is established to coordinate the efforts and activities in the formulation, implementation, and evaluation of the National Plan of Food and Nutrition Security and Sovereignty. The fifth section includes article 38 about institutional support³⁸.

The third chapter includes articles (39-43) about the National Plan of Food Sovereignty and Food and Nutritional Security (National Plan SAN)³⁹. It is defined as a standard set of actions that includes integrating all parts of the system with defined deadlines and budgets. This plan will consider a work proposal by regions, provinces, and municipalities, taking into account the characteristics of each territory. Besides, this plan takes into consideration specific criteria, yet not in a constricting manner. These criteria include democracy and shared responsibility between all the involved sectors, public, private, and social; Strategic approaches; continuity; short, medium, and long term objectives; constant updates and transparency. The main aim of this plan is to deliver effective analysis, design, implementation, and evaluation of the public policies that are related to food security and sovereignty

38 Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana»; FAO, *Resumen de la Ley 589-16 sobre Seguridad Alimentaria y Alimentaria en la República Dominicana. Una ley contra el hambre.*

39 For more details be to go to <http://economia.gob.do/wp-content/uploads/drive/DIGEDES/Plan%20Nacional%20para%20la%20Soberan%C3%ADa%20y%20Seguridad%20Alimentaria%20y%20Nutricional/Plan%20SSAN%202019-2022%20VF%20WEB.pdf>

in the country. In an attempt to eradicate hunger and malnutrition for all the population especially the least privileged⁴⁰.

The fourth chapter includes articles (44-46) about infractions and sanctions. The fifth chapter contains articles (47-56) about general disposition. The sixth and last chapter consists of the final and transitional provisions⁴¹.

The first step in the process of formulating the law was initiated by The Inter-institutional Committee on Food and Nutrition Security and the Parliamentary front against hunger in the Dominican Republic. Only 23.3% of our respondents choose this step as the most crucial step, while all respondents agreed that there are public personalities/ events/ or organization that played a decisive role in this step, mainly the deputies of the parliamentary front against hunger⁴². Furthermore, in 2010, a set of Public Ministries (Ministry of Agriculture and Ministry of Health) and United Nations Organization (FAO, WFP, and UNDP), gathered and agreed on the importance of having comprehensive, inclusive dialogue about malnutrition, in order to tackle the problem of food insecurity in Dominican Republic, especially in the light of the absence of a public participation in the dialogue related to this matter. A series of forums followed this (4 local and one national). These forums

40 Ministerio de la Presidencia Republica Dominicana, *Plan Nacional Para La Soberanía y Nutricional Alimentaria y Seguridad 2019-2022* (Santo Domingo, 2018); Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana». The National Plan for Food and Nutritional Security and Sovereignty (National Plan SSAN) 2019-2022 has been formulated by the National Council for Food and Nutritional Sovereignty and Security (CONASSAN), with the support of the United Nations System through the United Nations Food and Agriculture Organization (FAO) and the World Food Program (WFP).

41 Congreso Nacional, «Ley No. 589-16 Que Crea El Sistema Nacional Para La Soberanía y Seguridad Alimentaria y Nutricional En La República Dominicana».

42 The process for the preparation of this legislation was supported by ambassador Mario Arvelo, in his capacity as president of the Committee on World Food Security; of the Zero Hunger Special Ambassador for Latin America and the Caribbean, Guadalupe Valdez, and the members of the Congress of the Parliamentary Front against Hunger in Latin America and the Caribbean in the Chamber of Deputies of the Dominican Republic

were focused on the debate of the population's right to food and nutrition security. The input collected in these forums was used in the future in the preparation of the first draft of Food and Nutrition Security Law. The result of these meetings was the creation of the Inter-institutional Committee on Food and Nutrition Security. This committee has the main objective of coordinating the actions in the process of food security in the country, as well as promoting the process of inclusive, integrated dialogue (ministries, social organizations, community, non-governmental organizations, private and public sector), in order to build a inclusive institutional framework for food and nutrition security. Furthermore, this committee has the objective of preparing the draft for the Food and Nutrition Security Law and the preparation of the National System for Food and Nutrition Security. This committee concluded many actions in this regard, including eight forums of dialogue, including Civil Society, government technicians, and local authorities in 25 provinces with a total of 453 participants, as well as workshops and virtual consultations⁴³.

On the other hand, in 2011, the deputies and senators met in the National Congress of the country to approve the emergency of the Parliamentary Front against Hunger in the Dominican Republic (FPH-RD)⁴⁴. This parliament focuses on supporting the local production, commercializing, and consumption of food through designing and promoting the proper public policies. It also gives priority to small family farmers in an attempt to achieve equity and protection for the vulnerable groups. The front sought to create a legal framework and to strengthen the institutional framework to address food security and sovereignty and developed the right public policies⁴⁵.

43 FAO, *Sistematización de Cómo Una Consulta Virtual Apoya Un Proceso de Construcción de Un Sistema Nacional de Seguridad Alimentaria y Nutricional: República Dominicana*.

44 For more details, please go to http://parlamentarioscontraelhambre.org/file/frentes/dom/do_01.pdf

45 Camara de Diputados de la Republica Dominicana, «Res. Mediante La Cual La Camara de Diputados Saluda La Conformacion Del Frente Parlamentario de Lucha Contra El Hamber-Cpitulo Republica Dominicana», 2011.

As a result of the elaboration between the Inter-institutional Committee on Food and Nutrition Security and The Parliamentary Front against Hunger in the Dominican Republic, under the support of FAO, the first draft of the Law was prepared in October 2011⁴⁶. The first decision was to share this draft with the public, for this purpose, the Inter-institutional Committee on Food and Nutrition Security and The Parliamentary Front against Hunger in the Dominican Republic seek for the assistance of FAO technicians, which in turn started a consultation process with the population of the country through 2 ways, first via a virtual consultation online, and second via a face to face consultation. Furthermore, FAO started the «The Hunger-Free Latin America and the Caribbean Initiative», and the project to strengthen collaborations between civil society and FAO⁴⁷.

The second step includes the face to face consultations and virtual consultation. The majority of the respondents choose this step as the most crucial in the development of the law, mainly since it included a broad platform of local associations and grassroots communities, local authorities; social movements; NGOs, and platforms or networks. Moreover, 16 areas of action were defined: Afro-descendants, farmers and commercial producers, subsistence and landless farmers, local and government authorities, research and academic centers, education, youth, environment, migrants, women, religious organizations, fishermen, urban dwellers, health; unions, childhood⁴⁸. Also, all of the respondents agreed that there are public personalities/ events/ or organization that played a decisive role in this step. Moreover, in this step, the draft of the law changed to include the concept of food sovereignty. When the respondent was asked about the party that was mostly involved in this change,

46 FAO hired an individual consultant who after analyzing similar legislation in the region developed the first draft of the law.

47 FAO, *Resumen de la Ley 589-16 sobre Seguridad Nutricional y Alimentaria en la República Dominicana. Una ley contra el hambre*; Ministerio de la Presidencia Republica Dominicana, *Plan Nacional Para La Soberanía y Nutricional Alimentaria y Seguridad 2019-2022*.

48 FAO, *Sistematización de Cómo Una Consulta Virtual Apoya Un Proceso de Construcción de Un Sistema Nacional de Seguridad Alimentaria y Nutricional: República Dominicana*.

the majority said that it is the civil society organization, fewer respondents choose a public population, the Parliamentary Front against Hunger, the Inter-institutional Committee on Food and Nutrition Security. While in the previous step, the Parliamentary Front against Hunger, and the Inter-institutional Committee on Food and Nutrition Security were leading the process, in this step the Civil Society Organization and the public were more involved through the face to face consultations as well as the virtual consultations, which give them more capacity to induce the change⁴⁹.

In regards to the face to face consultations, in total, 12 forums, in the form of group discussions, were conducted in 25 provinces of the country and included 543 participants of civil society, local authorities, and governmental technicians. These discussions resulted in a set of data useful for adjusting the draft of the bill, defining the guideline for the values and principles that the law should respect, including transparency, equity, respect, and honesty. More importantly, all the participants were encouraged to consider food as a human right for everyone⁵⁰. Moreover, FAO has been carrying much virtual consultation on the internet, mainly through the framework of the Global Forum on Food and Nutrition Security. This forum is a community of professionals, was first initiated in 2007 with 300 members under the management of the Development Economy Division (ESA), with the main target of communication with academics and different FAO offices. Within the years the number of members has increased to reach 4000 members at the moment. Also, the diversity of the members has increased as well.

Furthermore, the forum focuses on five main aspects (content, communication, membership, funding, and infrastructure), to strengthen the interaction between all the participants and the policymakers via conducting inclusive online consultations⁵¹. It was to have proper management of the meetings

49 FAO.

50 FAO.

51 FAO, *The Global Forum on Food Security and Nutrition. Online Discussions*

and the data obtained in these consultations; it was essential to define previously the Civil Society Organizations' participants, the areas of action, and the geographical scope. For that, it was decided to establish four types of organizations in the consultation: local associations and grassroots communities, local authorities; social movements; NGOs, and platforms or networks. Moreover, 16 areas of action were defined: Afro-descendants, farmers and commercial producers, subsistence and landless farmers, local and government authorities, research and academic centers, education, youth, environment, migrants, women, religious organizations, fishermen, urban dwellers, health; unions, childhood. Finally, it was decided to consider the provincial level, to have more representation for the whole country⁵².

The third step is the approval; very few respondents choose this step as the most crucial step, and all of the respondents agreed as with the previous actions that there are public personalities/ events/ or organization that played a decisive role in this step. Both the virtual and face to face consultations provided the data to adjust and prepare the final draft of the law, this draft was signed and proposed by 66 members of the parliament in March 2013, yet it was rejected in January 2014⁵³. In February 2014, the draft was re-proposed and signed by 96 deputies, and it was unanimity approved by the deputies' chamber on the 10th of September 2014⁵⁴. However, it was rejected again by the Senate. On the 21 of April 2015, the Chamber of Deputies resents the proposal to the Senate an emergency proposal. Finally, it was approved by the Senate on the 2nd of June 2016, and the law was officially formulated on the 8th of July 2016⁵⁵.

That Make a Difference (Rome: FAO, 2012).

52 FAO, *Sistematización de Cómo Una Consulta Virtual Apoya Un Proceso de Construcción de Un Sistema Nacional de Seguridad Alimentaria y Nutricional: República Dominicana*.

53 (Frente parlamentario contra el hambre, 2013)

54 Cámara de Diputados de la República Dominicana, «Año de La Superación Del Analfabetismo», 2014.

55 Senado de la República Dominicana, «AÑO DEL FOMENTO DE LA VIVIENDA», 2016.

It is essential to say that there was a significant difference between the provided answers concerning the most crucial step of the process, between the three groups of occupation, (International organization, governmental institute, and civil society organization), $p < 0.00$. Even though all of the three groups acknowledged the importance of the second step of the process (the consultation), yet each group tended to recognize the stage that they are more involved in as the most crucial step.

When the respondents were asked about the reasons for the multiple rejections of the proposal in the Senates, some of the respondents answered that the draft was not clear, however when comparing the two drafts, the first rejected one and the second approved one they were precisely the same⁵⁶. The rest of the respondents choose that it is other reasons like the change of the governments during this period, and another political reason, including some personal political interest in delaying the approval by one of the senators. In regards to this question, there is a significant difference between the three occupations ($p = 0.004$).

None of the respondents believed that there was any opposition to the inclusion of the concept of food sovereignty. On the other hand, all of the respondents agreed that there was a support to the concept from public personalities. Furthermore, some of the respondents added that there was a speech of the president of the country that included and supported the idea of food sovereignty, which in turn prompted the acceptance of this concept⁵⁷.

In regards of the respondents' opinions about the main obstacles into including the concept of the food sovereignty, the majority said the reason is this concept can represent a conflict of interest, some of the respondents considered that this concept includes a radical change in the food system and that is the main challenge. In Latin America, the majority of the

56 Senado de la Republica Dominicana.

57 This information was obtained during some of the interviews.

economic policies focus on the big industrial farms and gives privilege to the agribusiness system instead of investing in small local farms, and supporting the rights of peasants and indigenous farmers. Moreover, free trade agreements are a huge obstacle to the fulfillment of peasants' right to food and to food sovereignty. In the case of the Dominican Republic, the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) has extended the inequality between small farmers and big industrial producers and challenged the local efforts to achieve food sovereignty. Furthermore, the fulfillment of the right to food sovereignty requires a change in the free trade agreements, so it does not only benefit international agribusiness by reducing the tariffs on all imported agricultural products⁵⁸.

More than half of the respondents considered increasing the activity of civil society organizations as the most important factor that supported the inclusion of the concept of food sovereignty. Furthermore, social mobilization and connecting farmers with other different social classes are crucial in order for food sovereignty to succeed. All policies supporting this concept need to include and involve all policymakers at all levels, civil society organizations need to be involved in the policymaking process to ensure a democratic and transparent process⁵⁹.

The vast majority of the respondents said that the experience of the Dominican Republic could be used for better understanding and improving food sovereignty policies in other countries of the region. In fact, during the first step of formulating the process, the Parliamentary Front against Hunger conducted a study to analyze 4 Laws, a project of Law and a regulation on Food and Nutritional Security of Central and South American Countries, with the objective exploring the experiences of other countries in the region in formulating food policies and

58 Araujo, «The Promise and Challenges of Food Sovereignty Politics in Latin America».

59 Sylvia Kay et al., «Public Policies for Food Sovereignty. Think Piece Series Food for Thought No.1», *TNI*, no. 1 (2018): 1-12.

choosing the most suitable example for the case of Dominican Republic to be used in the preparation of the draft of the (Law 589-16). This study included the Law to create the National System of Food and Nutrition Security (2006) in Brazil, the Law on Food and Nutrition Security and Sovereignty (2009) in Nicaragua, the Organic Law of the Food Sovereignty Regime (2009) in Ecuador, the Food and Nutrition Security Law (2011) in Honduras, and the Regulation of the Law of the National System of Food and Nutrition Security (2006) in Guatemala⁶⁰. Regarding this question, the occupation group of civil society answered significantly different than the other two groups. While the rest of the group agreed that this experience could be used for future adventures in other countries of the region, some of the respondents in the civil society group said that the knowledge of their country could not be applied on other countries due to the specific social and economic conditions for their country. This was the opinion of only a few respondents, while the other majority agreed that it could be used. There is a significant difference between the three occupations in the answers provided to this question ($p = 0.010$).

Finally, almost all of the respondents agreed that food sovereignty could be partially achieved after ten years, very few respondents (in which all are from the civil society group) said that food sovereignty would not be achieved at all. That can be because this group, including small farmers and workers, is the most connected to the reality of the situation of food sovereignty in the country. In regards to this question, there is a significant difference between the three occupations ($p = 0.002$).

Conclusion

The Dominican Republic has followed several nations in Latin America that included food sovereignty in their cons-

60 Guadalupe Valdez, «ANÁLISIS DE 4 LEYES, UN PROYECTO DE LEY Y UN REGLAMENTO SOBRE SEGURIDAD ALIMENTARIA Y NUTRICIONAL DE PAÍSES DE CENTRO Y SURAMÉRICA», 2011, 1-25.

titutions and laws. The process of the legislation of the law (589-16), began in 2011 through the efforts of the Inter-Committee on Food and Nutrition Security and The Parliamentary Front Against Hunger in Dominican Republic that worked hand in hand with some of the international organization (FAO, WHO, UNDP) in order to prepare the first draft of the law. This was followed by an essential step of face to face and virtual consultations that involved local associations and grassroots communities, local authorities; social movements; NGOs, and platforms of networks. This step was considered as the most crucial step by the majority of the respondents of this case study. Later on, began the process of introducing the draft to the Chamber of Deputies to be approved and to the Senates that have approved the law after several rejections that were mostly related to changing governments according to the respondents of the study. The Law was finally approved and formulated on July 8th, 2016, to complete five years in this process. This law is considered as an excellent achievement for the country in the fight against hunger and poverty and a confirmation of the country's commitment to the 2030 Sustainable Development Goals agenda. Finally, the implementation of this law through the work of The National Council for Food and Nutrition Sovereignty and Security (CONASSAN), and its implications on the state of food sovereignty in the country is yet to be explored in future studies.

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