ASAMBLEA NACIONAL

NICARAGUA

Act No. 693
LAW OF SOVEREIGNTY AND FOOD SECURITY AND NUTRITION

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Law No. 693

LAW OF FOOD AND NUTRITION SOVEREIGNTY AND SECURITY

(Published in La Gaceta, Official Bulletin No. 133 of July 16, 2009)

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Asamblea Nacional

PRESENTATION

The National Assembly of the Republic of Nicaragua presents to the Constituency, Act No. 693 **"Law of Food and Nutrition Sovereignty and Security" (S.S.A.N. for its Spanish acronym)**, approved by this Authority of the State last June 18 2009, published in La Gaceta, Official Bulletin dated July 16th of the same year.

Since 1997, when the drive for this law began and up to the present, diverse study processes began, particularly the diagnosis **"Food and Nutrition Insecurity: A Challenge for Nicaraguan Legislation".**

Furthermore, national and international documentation analyzed included measures and recommendations that governments assumed as a commitment in the Rome Summit, and specially recommendations made by FAO to our country.

Diverse parliamentary benches and organized sectors of civil society such as the Propositional Lobbying Group, the Interest Group on Food and Nutrition Sovereignty and Security (GISSAN for its Spanish acronym), the AGRICULTURE AND LIVESTOCK BOARD, COSEP, and government institutions such as MAGFOR, MINED, MINSA, among others, consulted.

The purpose of the law is to guarantee the right of all Nicaraguans to rely on sufficient, innocuous and nutritional food in agreement with their vital needs. These should be physically, economically, socially and culturally available in a timely and permanent manner; ensuring their availability, stability and sufficiency through development and governance by the state, through public policies linked to Food and Nutrition Sovereignty and Security.

To implement the object of the law and the right to food as a human fundamental right that includes the right to freedom from hunger and to protect against hunger with adequate food, as well as access to food and nutrition sovereignty and security, the National System for Food and Nutrition Sovereignty and Security hereby created, sets forth its regulations. This System incorporated a series of Public and Private Institutions and Civil Society Organizations with competence on Food Sovereignty and Security at national, departmental, regional and municipal levels.

Enforcement of this law will strengthen and institutionalize Food and Nutrition Security development in our country.

The current context presents us with an historical challenge to advance enforcement of the SSAN Law, to deal with the worldwide and national context of rising prices and food scarcity, climate change, economic and financial crises with devastating impacts in all emerging countries like ours; poverty, extreme poverty, food and nutritional insecurity. Its worst impact is in rural areas, among women and multiple ethnic communities, which compels us as a nation, to provide urgent structural responses to this severe situation and promote its resolution.

INGINER RENÉ NÚÑEZ TÉLLEZ

ASAMBLEA NACIONAL
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This is a publication within the framework of the XXV Anniversary of the National Assembly of the Republic of Nicaragua

Act No. 693

The President of the Republic, to its citizens, know all men by these present, that the **National Assembly of the Republic of Nicaragua**, by virtue of the powers conferred to it, issued the following **Law of Food and Nutrition Sovereignty and Security (Act No. 693).**

TITLE I
CHAPTER I
GENERAL PROVISIONS

Article 1 – Purpose of the Law

This law is of public order and social interest; its purpose is to guarantee the right of all Nicaraguans to rely on sufficient, innocuous and nutritious foods, in harmony with their vital need, that these be physically, economically, socially and culturally available in a timely and permanent manner. Food should be available in a stable and sufficient manner by means of State development and governance with public policies for the implementation of food sovereignty and nutrition.

Article 2 – Basic Definitions

For purposes of this Law and for a better understanding of it, the following basic concepts are herein set forth:

1. Food Sovereignty

The right of the peoples to define their own sustainable food production, distribution and consumption policies and strategies to guarantee the right to food for the entire population, centered on small and medium sized production. In addition, respect for their own cultures and diversity in the way of farmers, fisheries and indigenous manner of agricultural and livestock production, trading and management of rural spaces wherein women play a key role. Food Sovereignty guarantees food and nutrition security.

2. Food and Nutrition Security

Food and nutrition security hereby understood as the availability and stability in food supply, culturally acceptable so that all persons may enjoy access to food every

day and in a timely manner; the right to consume food in the amounts and quality, free of contaminants. It also represents the right to access other services such as sanitation, health and education that ensure nutritional wellbeing, allowing for proper biological use of food to reach their development without deterioration to the ecosystems.

3. Food and Nutrition Security Policy

The State assumes this policy by setting forth the governing principles and general guidelines that steer actions involving different institutions, sectors, civil society organizations, and private enterprise that develop activities to foster food and nutrition security. This comprehensive approach within the framework of defined poverty reduction strategies encompasses global, sector and regional policies coherent with national reality.

4. National Commission for Food and Nutrition Sovereignty and Security (CONASSAN for its Spanish acronym)

Series of persons appointed by law, to ensure food and nutrition sovereignty and security in a permanent manner and chaired by the President of the Republic.

5. Sector Technical Councils for Food and Nutrition Sovereignty and Security (COTESSAN for its Spanish acronym)

Bodies integrated by technical representatives of the members of the Commission, permanently appointed to provide technical recommendations to the Executive Secretariat for Food and Nutrition Sovereignty and Security.

6. Civil Society

Broad concept that encompasses all of the organizations and associations that exist outside of the scope of the State; it includes groups of interest, incidence groups, trade unions, professional associations, producers' associations, ethnic associations, women and youth, religious organizations, student, cultural and community associations and clubs.

7. Citizen Participation

Process that involves individual and collective social stakeholders for incidence and participation in decision making processes, management and design of public policies at diverse levels and manners of management of the national territory and public institutions to achieve sustainable human development in joint responsibility with the State.

Article 3 - Principles of the Law of Food and Nutrition Sovereignty and Security

The principles of the Law of Food and Nutrition Sovereignty and Security are the following:

a. Availability

By virtue of this principle, the State will promote the existence of the necessary resources in the country to guarantee permanent stability of quality food offer in sufficient amounts to satisfy the food and nutrition needs of the population.

b. Equity and Access

Based on this principle, the economic and social programs executed by government institutions will promote development of populations with high poverty indexes by undertaking measures to obtain resources

for production, access and/or availability of food. Likewise, and particularly for women that produce food, the government will facilitate measures for access to technical and financial resources, as well as access to available goods and services.

c. Consumption

By this principle, the State promotes the ingestion of healthy and innocuous foods in the necessary amounts and quality so that people have adequate and healthy food.

d. Biological Utilization

By this principle, the State promotes that the population makes maximum use of food nutrients consumed for physical wellbeing and better health, as well as healthy environments, genetically and immunologically.

e. Participation

The basis of this Law of Food and Nutrition Sovereignty and Security is the articulated participation of government institutions in charge of agricultural, livestock, fisheries and forestry development policies, as well as those in charge of health and nutrition, education, agro-industry, credit, technical and financial policies. The objective is that ministerial entities should harmonize food and nutrition policy actions and measures together with all sectors from civil society, private enterprise, and cooperation agencies to resolve the basic needs of the population living below the poverty line and that currently consume less than the required 2,250 kilocalories per day.

f. Efficiency

This act incentivizes use of human and technical resources by giving priority to productive capacity building and productivity performance for small and medium sized farmers as well as stable economic policies that guarantee financial resources by implementing development programs that seek higher levels of coverage and better quality basic services.

g. Non-Discrimination

This law will contribute so that no group or person is discriminated from access to resources or enjoyment of human rights for men and specially women, due to age, sex, ethnicity, religious or political creed, or disability, particularly the right to produce, obtain, have and access sufficient and nutritious food.

h. Solidarity

By virtue of this principle, the State must foster public and private policies conducive to the transformation of individual mentalities and attitudes, as well as the existing relations of social inequity in Nicaraguan society by increasing the possibilities for life and future of all socially disadvantaged persons. Actions aimed at food and nutrition sovereignty and security must prioritize the dignity of Nicaraguans.

i. Transparency

Officials entrusted with the execution of Food and Nutrition Sovereignty and Security policies must base their proceedings and actions on objective information and methodologies; they must rely on permanent monitoring and assessment mechanisms to foster transparency in public expenditures,

social audits associated to documents in areas subject to public opinion.

j. Custody

By constitutional mandate, the State must safeguard food and nutrition security for the population, giving precedence to food sovereignty and preeminence to the common wellbeing on the matter.

k. Equity

Regardless of gender, ethnicity, age, socioeconomic level and place of residence, the State must create conditions so that the population has safe and timely access to healthy, innocuous and nutritious food, prioritizing population sectors with the lowest economic resources.

l. Comprehensiveness

Policies must be of a comprehensive nature, including matters of availability, physical and socioeconomic access for consumption and biological use of food, within the framework of the Political Constitution, the laws and public policies of the Republic of Nicaragua.

m. Sustainability

The basis of Food and Nutrition Sovereignty and Security rests on a series of sustainable factors. These include use of technological improvements, training and education on their efficient management. Economic growth must articulate adequate productive models, social and cultural wellbeing, biological diversity and an improved quality of life. Protection of natural resources while recognizing the need to satisfy current requirements and respect for the rights

of future generations. Regulations, public policies and the necessary institutions furbished with the compulsory financial, technical and human resources will guarantee sustainability; alternatively, precautionary measures are set forth.

n. Decentralization

In accordance with their competence, the State will transfer decision-making capabilities, formulation and resource management to local governments. Local governments will implement national programs for food and nutrition sovereignty and security in articulation with territorial initiatives and citizen participation, pursuant to Act No. 475, "Citizen Participation Law", approved on October 22 of the year two thousand three and published in La Gaceta, Official Bulletin No 241 of December 19 of the same year.

1. Citizen Participation

The State promotes and guarantees citizen participation pursuant to Act No. 475, "Citizen Participation Law", and all those provisions that broadly and positively favor the incorporation of citizens in public decision practices.

Article 4 – The objectives of the Law of Food and Nutrition Sovereignty and Security

The objectives of the Law of Food and Nutrition Sovereignty and Security are the following:

a. Foster conditions that render improvement of internal food production to facilitate its availability for the Nicaraguan population; boost short, medium and long-term programs that improve food production and

productivity levels in harmony with sector policies entrusted to diverse institutions; promote small and medium sized national production to counter food imports by free market policies.

b. Alleviate poverty, hunger, marginality, abandonment and exclusion of the population that suffers from food and nutrition insecurity, improving conditions to access employment, productive resources, land, water and credit, among others.

c. Facilitate permanent access for people to innocuous and culturally acceptable foods to guarantee adequate nutrition in proper amounts and quality.

d. Set up an education based on the application of healthy and nutritious eating habits, recreation and care for the environment.

e. Reduce the index of deficient micronutrients and protein-energy malnutrition in children below five years of age.

f. Guarantee quality controls for food hygiene, sanitation and nutritional value.

g. Organize and coordinate efforts made by state institutions within budget allotments, as well as private national and international institutions toward food and nutrition sovereignty and security.

CHAPTER II
OTHER PROVISIONS

Article 5 – National Food and Nutrition Sovereignty and Security System

For compliance with the object of this Law, the National Food and Nutrition Sovereignty and Security System created to implement the right to food as a fundamental human right, includes the right to be free from suffering hunger and protected against hunger; the right to an adequate nutrition and to food and nutrition sovereignty. This law sets forth the regulations to the system.

Article 6 – On the Scope of the Law

This Law applies to all natural persons and legal entities, either private or public, which carry out activities related to food and nutrition sovereignty and security in all of the national territory, as set forth in Articles 30 and 31 of this Law.

Article 7 – Gender Equity

The National System for Food and Nutrition Sovereignty and Security must integrate the gender equity approach in terms of legislation, policy, strategies, plans, programs and projects that the State of Nicaragua formulates and applies on this subject matter.

Article 8 – Complementary Definitions

The following means:

a. Access to Food: The right that individuals or families have to acquire food through their capacity to produce or to purchase it, or through transfers or donations.

b. Food Consumption: The capacity of the population to adequately decide about the manner of selecting, storing, preparing,

distributing and consuming food at the individual, family and community levels. Food consumption intimately relates to customs, beliefs, knowledge, eating habits and the educational level of the population.

c. Right to Food: Basic human right, inherent to human dignity, of public order and social interest aimed at guaranteeing food and nutrition sovereignty and security with gender equity, which implies the right to access administrative or judicial mechanisms to obtain custody of this right and to reparation, if the case may be.

d. Food Availability: This refers to the amount and variety of foods that a country, region, community or individual has.

e. Poor Nutrition: Pathological condition resulting from excess, deficit or imbalance of nutrients in the diet that derives into

non-transmittable chronic diseases, such as cardiovascular; cholesterolemia or excessive presence of cholesterol; obesity; emaciation or morbid emaciation; growth retardation; underweight or low weight; reduced learning capacity; delicate health and low productivity, among others.

f. Food System: Food system, understood as a series of socioeconomic and technical-productive relations with direct incidence in primary production processes, agro industrial transformations, gathering, distribution, trade and consumption of food products.

g. Generalities: Without prejudice to the provision set forth in Paragraph 1, Article 2 to this Law on Food Sovereignty and the food system, there will be non-discriminatory policies aimed at the stakeholders in national food production.

h. Optimum Use or Attainment of Food: A person depends on the health conditions of his/her own body to make maximum use of all nutritious substances contained in food.

Article 9 – Complementary Principles to the Law of Food and Nutrition Sovereignty and Security.

a. Food Sovereignty: Without detriment to the definitions in Paragraph 1, Article 2 to this Law, food sovereignty is the right of the State to define its own sustainable food production, transformation, distribution and consumption policies and strategies to guarantee the right to food for all of the population. All of the above preferably aimed toward valuation and consumption of national products, without prejudice to the right to free enterprise and trade.

b. Precaution: This guarantees innocuous internal food production as well as for food imports and donations so that these do not harm national food production and human consumption.

c. Prevention: This refers to advanced preparation to avoid risks of serious or irreversible damage to food and nutrition sovereignty and security.

d. Inclusion: This seeks to avoid the existence of any type of social, economic or political discrimination arising from gender, ethnic, religious or territorial reasons.

TITLE II
NATIONAL FOOD AND NUTRITION SOVEREIGNTY AND SECURITY SYSTEM

CHAPTER I
CREATION AND STRUCTURE OF THE SYSTEM

Article 10 – Creation of the National Food and Nutrition Sovereignty and Security System

The National Food and Nutrition Sovereignty and Security System hereby created, hereinafter SINASSAN, will promote, protect and fulfill the right to food as a basic human right. This system, integrated by a series of public and private institutions as well as national non-government organizations, has competence and incidence in Nicaragua's food and nutrition sovereignty and security.

Article 11 – SINASSAN Structure

Sector and territorial organization of the SINASSAN structures at the national, regional, departmental and municipal levels will create and strengthen coordination, articulation and consensus building bodies

to guarantee food and nutrition sovereignty and security integrated by:

a. The National Food and Nutrition Sovereignty and Security Commission (CONASSAN);

b. The Food and Nutrition Sovereignty and Security Executive Secretariat (SESSAN);

c. The Sector Technical Councils for Food and Nutrition Sovereignty and Security (COTESSAN);

d. The Regional Commissions in the North and South Atlantic Autonomous Regions for Food and Nutrition Sovereignty and Security (CORESSAN);

e. The Departmental Commissions for Food and Nutrition Sovereignty and Security (CODESSAN); and

f. The Municipal Commissions for Food and Nutrition Sovereignty and Security (COMUSSAN).

CHAPTER II

STRUCTURE, COMPOSITION AND OPERATION OF THE NATIONAL FOOD AND NUTRITION SOVEREIGNTY AND SECURITY COMMISSION

Article 12 – National Food and Nutrition Sovereignty and Security Commission

The National Food and Nutrition Sovereignty and Security Commission, hereinafter CONASSAN, is the maximum decision-making, inter-sector and inter-governmental authority on a national scale. The President of the Republic chairs this Commission.

To fulfill its functions, CONASSAN will depend on the Food and Nutrition Sovereignty and Security Executive Secretariat (SESSAN), ascribed to the Planning Office of the Executive Branch of the Secretary of the Presidency.

Government sectors represented in CONASSAN will organize through Sector Technical Councils for Food and Nutrition Sovereignty and Security (COTESSAN).

Article 13 – Creation of CONASSAN

The heads of State sector institutions, the Regional Councils of the North and South Atlantic Autonomous Regions, municipal government representations through the Nicaraguan Association of Municipalities (AMUNIC) and civil society organizations with national representation and incidence in food and nutrition sovereignty and security integrate CONASSAN.

CONASSAN includes:

a. The Minister of the Ministry of Agriculture, Livestock and Forestry as representative of the rural, agricultural and livestock sector;

b. The Minister of the Ministry of Health as representative of the health sector;

c. The Minister of the Ministry of Education as representative of the education sector;

d. The Minister of the Ministry of Finance and Public Credit, as manager of the financial resources;

e. The Minister of the Ministry of Development, Industry and Trade as representative of the economic sector;

f. The Minister of the Ministry of the Environment and Natural Resources as representative of the environmental sector;

g. The President of the Nicaraguan Association of Municipalities as representative of the municipal governments;

h. A representative of the Regional Governments of the North and South Atlantic Autonomous Regions, alternately appointed for a two year term;

i. A representative of the National System for Prevention, Mitigation and Attention to Disasters;

j. The Executive Secretary of SESSAN;

k. A representative of the non-government organizations with national coverage, elected among those that enjoy permanent and well-recognized participation in the Sector Technical Councils for Food and Nutrition Sovereignty and Security;

l. A representative of the producers' guilds with national representation, elected among those that enjoy permanent and well-recognized participation in the Sector Technical Councils for Food and Nutrition Sovereignty and Security;

m. A representative of the private enterprise sector at the national level, elected among

the Private Enterprise Chambers that enjoy permanent and well-recognized participation in the Sector Technical Councils for Food and Nutrition Sovereignty and Security; and

n. A representative of the Indigenous Peoples organizations, elected among indigenous community organizations enjoying permanent and well-recognized participation in the Sector Technical Councils for Food and Nutrition Sovereignty and Security.

In the case of the last four subparagraphs, the appointment will last for up to one year.

The Regulations to this Law will define the procedures for electing and appointing the representatives.

A magistrate of the Supreme Court of Justice; a Delegate of the National Assembly and the Prosecutor General for the Defense of Human Rights participate in CONASSAN as invitees with voice and vote.

In the absence of the Ministers of State, the Deputy Ministers duly empowered will attend with full powers for decision-making.

In reference to subparagraphs k), l), m), and n), each representative will designate an alternate with the authority to make decisions.

CONSASSAN may incorporate other representatives of the State and Civil Society as guests linked to Food and Nutrition Sovereignty and Security matters.

Article 14 – CONASSAN Functions

CONASSAN has the following functions:

a. Assess and propose to the President of the Republic, the approval of the National Food and Nutrition Sovereignty and Security Policy.

b. Approve, assess and streamline strategies, plans, programs and projects on matters of food and nutrition sovereignty and security on a national scale.

c. Approve the design and functioning of the SINASSAN bodies and organs, as well as its internal bylaws, submitted by SESSAN.

d. Submit proposals to declare emergency areas or national emergencies on matters relating to food and nutrition sovereignty and security to the President of the Republic.

e. Annually approve and spread the National Report on Nicaragua's Status on Food and Nutrition Sovereignty and Security (INESSAN for its acronym in Spanish).

f. Perform other functions, as set forth by law.

To function, CONASSAN will hold two regular meetings per year and extraordinary meetings when the President of the Republic summons it. Its members will not receive remuneration for their participation.

CHAPTER III

STRUCTURE, COMPOSITION AND OPERATION OF THE EXECUTIVE SECRETARIAT FOR FOOD AND NUTRITION SOVEREIGNTY AND SECURITY

Article 15 – Structure of the Executive Secretariat for Food and Nutrition Sovereignty and Security

The Executive Secretariat for Food and Nutrition Sovereignty and Security will have the following structure in order to fulfill its functions:

a. Executive Secretariat;
b. Planning Unit; and
c. Monitoring and Assessment Unit.

The Executive Secretariat coordinates SESSAN.

Article 16 – SESSAN Executive Secretariat

The Executive Secretariat of SESSAN is the entity entrusted with the implementation of CONASSAN decisions and will have the responsibility for implementing inter-

sector coordination, as well as articulating programs and projects of diverse national and international institutions linked to the country's food and nutrition sovereignty and security.

Its functions are:

a. Establish coordination between SESSAN and the Sector Technical Councils for Food and Nutrition Sovereignty and Security in order to:

i. Formulate and assess the National Food and Nutrition Sovereignty and Security Policy with gender and ethnic equity, for submission to CONASSAN and in turn forward it to the Presidency of the Republic.

ii. Formulate and assess the strategies, plans and programs on food and nutrition sovereignty and security, as instructed by CONASSAN.

iii. Upon request, provide advice and technical assistance to implement coordination of the Sector Technical Councils of food and nutrition sovereignty and security with the Regional Councils of the North and South Atlantic Autonomous Regions, the Departmental Councils and Municipal Governments for implementation of the National Food and Nutrition Sovereignty and Security System.

iv. Facilitate coordination between different sector entities at the SINASSAN national, regional, departmental and municipal levels with the National Disaster Prevention, Mitigation and Attention System to deal with emergencies.

v. Foster studies and analyses of the food and nutrition problems and their solution, guaranteeing the existence and effective operation of dialogue and communication channels and spaces, as well as consultation mechanisms and coordination between the government, civil society and international cooperation agencies.

vi. Propose to CONASSAN the declaration of emergency areas or national emergencies on matters of food and nutrition sovereignty and security.

b. Provide technical and educational information to the members of CONASSAN on matters relating to food and nutrition sovereignty and security.

c. Steer the auxiliary support bodies: Planning Unit, Monitoring, and Assessment Unit, in accordance with their functions.

d. Elaborate the Bylaws for the organization and operation of the Planning Unit and the Monitoring and Assessment Unit for submittal to CONASSAN.

The President of the Republic will appoint the Executive Secretary or Executive Secretariat.

To opt to the post of Executive Secretary of SESSAN, the following qualities are required:

a. Be a Nicaraguan national – those that acquired another nationality must renounce to it at least four years prior to the date of the appointment.

b. Have full enjoyment of the political and civil rights.

c. Have more than twenty-five years of age.

d. The candidate must have continuously resided in the country four years prior to the date of the appointment, unless during such period, the appointee fulfilled a diplomatic mission, worked with an international organization, or studied abroad.

e. The candidate must have a superior education academic title, preferably a Master's Degree related to food and nutrition sovereignty and security.

f. The candidate must have at least seven years' experience in matters relating to food and nutrition sovereignty and security.

Article 17 – SESSAN Planning Unit

The SESSAN Planning Unit has the responsibility to carry out the following functions in coordination with the Sector Technical Councils:

a. Based on the Sector Planning Systems, develop a National Planning System for Food and Nutrition Sovereignty and Security.

b. Support and provide technical assistance to implement the planning system in local bodies at regional, municipal and departmental levels.

c. Develop the Draft National Policy for Food and Nutrition Sovereignty and Security.

d. Prepare the Draft National Strategy on Food and Nutrition Sovereignty and Security with gender and ethnic equity for SESSAN.

e. Develop the SINASSAN Draft Financial Management Strategy for approval by CONASSAN.

f. Any other provisions set forth by this Law.

CONASSAN will appoint the Head of the SESSAN Planning Unit as proposed by SESSAN's Executive Secretary. The following are requirements to apply for the post: strategic planning studies, knowledge of the National Planning System, at least five years of technical expertise in the areas of food security and nutrition.

Article 18 - SESSAN'S Monitoring and Assessment Unit

SESSAN's Monitoring and Assessment Unit is responsible for implementing the following functions in coordination with the Sector Technical Councils:

a. Develop a National Monitoring and Assessment System for Food and Nutrition Sovereignty and Security based on the Sector Monitoring and Assessment Systems.

b. Elaborate the Draft Dissemination Strategy for SINASSAN, giving priority to the National Policy for Food and Nutrition Sovereignty and Security, the Law and its Regulations, as approved by CONASSAN.

c. Elaborate the Draft National Report on the Status of Food and Nutrition Sovereignty and Security (INESSAN), for approval by CONASSAN.

d. Monitor and assess, in coordination with COTESSAN's planning teams, the Status of the Nation on Food and Nutrition Sovereignty and Security and report to CONASSAN.

e. Support and provide technical assistance to the Sector Technical Councils for Food and Nutrition Sovereignty and Security in order to implement the sector information sub-systems for monitoring and assessment of Food and Nutrition Sovereignty and Security

Status in territorial entities at the regional, departmental and municipal levels.

f. Release and publicize the National Policy and Action Plan, approved by CONASSAN, through national mass media and in the autonomous regions, departments and municipalities of the country.

g. Any other provision set forth by this Law.

CONASSAN will appoint the Head of the SESSAN Monitoring and Assessment Unit as proposed by SESSAN's Executive Secretary.

The post requires having studies in monitoring and assessment systems of public policies and technical experience of at least five years on issues of food security and nutrition.

CHAPTER IV

STRUCTURE, COMPOSITION AND OPERATION OF THE SECTOR TECHNICAL COUNCILS FOR FOOD AND NUTRITION SOVEREIGNTY AND SECURITY

Article 19 - Sector Technical Councils for Food and Nutrition Sovereignty and Security (COTESSAN)

The Minister that coordinates the sector will also coordinate the Sector Technical Councils for Food and Nutrition Sovereignty and Security.

The following stakeholders linked to food and nutrition sovereignty and security will form the Sector Technical Councils:

a. The ministries and public institutions that make up the Sector;

b. A representative from non-government organizations with national coverage;

c. A representative of the trade unions with national coverage;

d. A representative from the private sector with national coverage;

e. A representative from indigenous peoples organizations;

f. A representative from the Universities appointed by the Inter-university Council of Food and Nutrition Sovereignty and Security.

The Sector Technical Councils for Food and Nutrition Sovereignty and Security (COTESSAN) may incorporate as guests other representatives from the State and the civil society on issues relevant to Food and Nutrition Sovereignty and Security.

Article 20 - Functions of the Sector Technical Councils for Food and Nutrition Sovereignty and Security

The following are functions of the Sector Technical Councils for Food and Nutrition Sovereignty and Security (COTESSAN):

a. Coordinate with the Regional Councils of the Atlantic Coast Autonomous Regions of Nicaragua, the departmental councils and municipal governments, the establishment and implementation of the Food and Nutrition Sovereignty and Security System in support of the respective incorporation of the respective Food and Nutrition Sovereignty and Security Commissions.

b. Develop the draft sector policy for Food and Nutrition Sovereignty and Security for approval by the Sector.

c. In coordination with SESSAN, support local entities of the regional, departmental and municipal levels for the implementation of the Food and Nutrition Sovereignty and Security Planning System within the framework of the National Planning System.

d. In coordination with SESSAN, support territorial entities at the regional, departmental and municipal levels for implementation of the Information System to monitor and assess the status of Food and Nutrition Sovereignty and Security.

e. In coordination with the SESSAN Planning Unit, prepare for SESSAN the draft Project for the National Policy on Food and Nutrition Sovereignty and Security, for submittal to CONASSAN.

f. Prepare for SESSAN, the strategies, plans, programs and sector projects on Food and Nutrition Sovereignty and Security with gender equity.

g. Participate, in coordination with the SESSAN Monitoring and Assessment Unit, the SINASSAN dissemination strategy for its submittal and approval by CONASSAN. The Food and Nutrition Sovereignty and Security, its law and regulations are a priority.

h. In coordination with the SESSAN Monitoring and Assessment Unit, participate in elaborating the National Report on the Status of Food and Nutrition Sovereignty and Security (INESSAN), for approval by CONASSAN.

i. Monitor and assess, in coordination with the SESSAN Monitoring and Assessment Unit, the sector status on Food and Nutrition Sovereignty and Security and update SESSAN.

j. Any other provisions set forth by this Law.

CHAPTER V

STRUCTURE AND COMPOSITION OF THE REGIONAL, DEPARTMENTAL AND MUNICIPAL COMMISSIONS

Article 21 - Regional Commissions in the North and South Atlantic Autonomous Regions for Food and Nutrition Sovereignty and Security (CORESSAN)

The Regional Commissions in the North and South Atlantic Autonomous Regions for Food and Nutrition Sovereignty and Security (CORESSAN) are the highest levels of decision-making and inter-sector coordination at regional level. They ascribe to the Regional Council for Economic and Social Planning (CORPES). By resolution, the Regional Council in each of the two autonomous regions of the Atlantic Coast will create CORESSAN pursuant to the provisions set forth in the Regulations to this Law.

A delegate from the following entities will make up the Commissions of the Atlantic Coast Autonomous Regions:

a. Regional Government;

b. Local Governments;

c. Ministries that are part of CONASSAN; and

d. Civil society organizations that implement programs and projects in the region, aimed at promoting food and nutrition sovereignty and security in the region.

Article 22 - Departmental Commissions for Food and Nutrition Sovereignty and Security (CODESSAN)

Departmental Commissions for Food and Nutrition Sovereignty and Security (CODESSAN), ascribed to the Departmental Development Councils are the maximum bodies for decision-making and inter-sector coordination at the departmental level, and for monitoring and assessment of plans and

projects for the development of Food and Nutrition Sovereignty and Security.

A delegate from the following entities will integrate the Departmental Commissions:

a. A delegate elected from among the mayors of the respective department, who will coordinate it;

b. A delegate from among ministerial delegates from the Ministries that are part of CONASSAN; and

c. A delegate from Civil Society Organizations executing programs and projects in the Department, which promote Food and Nutrition Sovereignty and Security in the Department.

Article 23 - Municipal Commissions for Food and Nutrition Sovereignty and Security (COMUSSAN).

The Municipal Commissions for Food and Nutrition Sovereignty and Security (COMUSSAN) are the maximum bodies for decision-making and inter-sector coordination at the municipal level. They ascribe to the Municipal Development Councils chaired by the Mayor. The City Council integrates COMUSSAN and the Municipal Council Secretary will summon the meeting within a term of no less than ninety days from the entry into force of this Law.

The following integrate the Municipal Commissions:

a. The mayor or his/her delegate on behalf of the Municipal Council, who coordinates it;

b. A delegate to the Ministerial Delegations from the ministries that integrate CONASSAN; and

c. A delegate from Civil Society Organizations that are executing programs and projects designed to foster municipal Food and Nutrition Sovereignty and Security.

Article 24 - Invitees

The National, Departmental, Regional and Municipal Commissions may incorporate other representatives of the State and civil society as invitees on issues relevant to Food and Nutrition Sovereignty and Security.

CHAPTER VI

FUNCTIONS OF THE REGIONAL, DEPARTMENTAL AND MUNICIPAL COMMISSIONS

Article 25 – Functions of the Regional Commissions of the North and South Atlantic Autonomous Regions for Food and Nutrition Sovereignty and Security

Committees at all levels have the following responsibilities:

a. Coordinate in their respective scope, articulated efforts of public and private actions aimed to elaborate, implement and assess policies, programs, and projects, with gender equity, to ensure food and nutrition sovereignty and security in their communities.

b. Ensure effective planning and assessment mechanisms to develop actions that guarantee food and nutrition sovereignty and security in their communities, with the participation of various government institutions and civil society organizations

relevant to the issue of food and nutrition sovereignty and security;

c. Establish permanent coordination with Sector Technical Councils comprising CONASSAN to ensure the development of the food and nutrition sovereignty and security in their respective territories;

d. Request technical support from SESSAN to implement the National Food and Nutrition Sovereignty and Security System in their respective territories.

CHAPTER VII

ON THE INSTRUMENTS AND MECHANISMS OF THE SYSTEM

Article 26 - Financial Resources

a. Government institutions that are part of CONASSAN will prioritize resource allotments in their respective budget items from the General Budget of the Republic and contributions from international cooperation agencies associated to programs, projects and activities for Food and Nutrition Sovereignty and Security with gender equity.

b. Municipal Investment Programs will focus on developing strategies to foster Food and Nutrition Sovereignty and Security in coordination with other public institutions through programs and projects with institutional funds or with resources from the General Budget of the Republic.

c. The Ministry of Finance and Public Credit should incorporate a budget item in accordance with the instruments and mechanisms set forth in the General Budget of the Republic for application of this Law. Budget allotments will correspond with SINASSAN needs and requirements as well as the country's budget capacity.

d. In the process of approval of the General Budget of the Republic, the National Assembly of the Republic of Nicaragua will clearly identify expenditure items for allotment to each of the institutions responsible for implementing the measures derived from this law.

Article 27 – Prevention and Precaution

Commercial food import and export activities for human or animal consumption will rely on due risk management and assessment,

as well as animal health and vegetable sanitation, according to the legislation on the subject, in all cases having to apply the principles of prevention and precaution.

Article 28 – Incentives

CONASSAN will foster economic incentives to develop Food and Nutrition Sovereignty and Security, as well as moral incentives for natural persons or legal entities the stand out in promoting and fostering Food and Nutrition Sovereignty and Security. The Regulations to this Law will set forth the types of moral incentives, as well as criteria and requirements to grant these for purposes of fostering a food and nutrition culture.

Article 29 – National Emergency Fund for Food and Nutrition Sovereignty and Security

The National Emergency Fund for Food and Nutrition Sovereignty and Security herein created, denominated FONASSAN for its acronym in Spanish, for purposes of confronting food emergencies caused by natural disasters, economic or social crises.

a. Resources for FONASSAN will come from the General Budget of the Republic, donations from national and international organizations, private contributions or other funding that CONASSAN may propose to the Presidency of the Republic for its management and approval.

b. Funds allocated to FONASSAN will enter the Ministry of Finance and Public Credit, which will allocate the necessary items to

the budgets of government institutions that integrate CONASSAN, responsible for attending food emergencies, prior to the proposed action plan.

CHAPTER VIII

ON THE COMPETENCIES OF PUBLIC INSTITUTIONS IN THE FOOD AND NUTRITION SOVEREIGNTY AND SECURITY SYSTEM

Article 30 – On the SINASSAN Sector Objectives

Public institutions members to SINASSAN must strengthen the Food and Nutrition Sovereignty and Security System through:

a. A food and nutrition system that is capable of providing nutritious and innocuous food in a sustainable manner, culturally acceptable, framed within our cultural and environmental patrimony as well as the capacity of our national food production and transformation. The priority must be the gathering system and price management in an equitable manner to ensure availability, access, consumption and biological use of food for all Nicaraguans, providing an opportunity for development. The Ministry of Agriculture, Livestock and Forestry is responsible for the above within the frame of its Sector Technical Council.

b. A Nutritional System that fulfills the energy, nutritional and cultural needs, which guarantees health and wellbeing for our communities, the elimination of malnutrition, prioritizing pregnant and breastfeeding women, as well as eradication of chronic malnutrition in children. The Ministry of Health is responsible for coordinating the above through its Sector Technical Council.

c. An Education System that educates enterprising human resources, that develops attitudes, skills, capacities and knowledge among student populations and school communities allowing for better use of sustainable local resources, that strengthens production and consumption culture based on national cultural diversity and promotes changes in behavior to improve the food and nutrition status for Nicaraguan families.

The Ministry of Education coordinates this within the frame of the Sector Technical Council.

d. A Natural Environment System that ensures the quality of water, soils and biodiversity within the framework of conservation and sustainable management of natural resources that guarantees food and nutrition, health, culture and wealth in our communities. The Ministry of the Environment and Natural Resources is responsible for coordinating this aspect within the framework of its Sector Technical Council.

e. An institutional environment where each Ministry representing its sector has the responsibility to internally coordinate, articulate and harmonize its sector competencies as well as with other sectors.

f. The State of Nicaragua is responsible for creating a political, economic and social environment that guarantees institutional and sustainable sector work within the framework of fair distribution of wealth to ensure Food and Nutrition Sovereignty and Security, as well as improve the quality of life of Nicaraguans.

Article 31 – On the CONASSAN Food Sovereignty Objectives

CONASSAN is the competent authority to ensure the following policy and strategy measures with gender equity, aimed at achieving a sustainable development model, through:

a. Promotion of substantive changes in the manner and means of production of the food system, prioritizing small and medium sized production to increase productivity

and diversification within an inclusive and fair market frame, steered to reach national food autonomy based on the national food culture.

b. Improved distribution and storage of innocuous and nutritious food that is culturally acceptable, with social equity, in coordination among public and private sectors.

c. Respect for the Nicaraguan population's cultural diversity of foodstuffs.

TITLE III

INFRINGMENTS, REMEDIES AND ADMINISTRATIVE CONFLICT RESOLUTION

CHAPTER I

CONTRAVENTIONS AND PENALTIES

Article 32 – Infringements

The actions and omissions by civil servants and other responsible persons that contravene this law and its regulations commit infringements against the provisions set forth in the Law of Food and Nutrition Sovereignty and Security.

Any action that contravenes this law and its regulations or the standards derived from these, will give rise to the imposition of penalties against civil servants or any other responsible persons according to the provisions set forth in the specific codes and laws on the subject matter.

Article 33 – Administrative Penalties

Infringement of the provisions set forth in this Law, through actions or omissions of civil servants or other responsible persons, is grounds for an administrative offense. The Regulations to this Law will set forth the application of administrative penalties for each case.

Article 34 – The Right to Legal Action

The legislation on the subject matter governs the exercise of civil or criminal action that may correspond.

CHAPTER II

ON ADMINISTRATIVE APPEALS

Article 35 – Administrative Appeals

Remedies for Review and Appeals on the grounds of administrative jurisdiction are herein set forth in favor of the rights of persons damaged by administrative acts emanating from diverse bodies of the public administration and on the grounds of the enforcement of this Law.

The term to file Remedies for Review is within fifteen working days as of the following day of notice of the act.

Appeals filed before the same body that ruled the act, must take place within a term of six days after receiving notice of the Resolution of the Remedies for Review.

Remedies for Review and appeals under administrative jurisdiction will be processed pursuant to the provisions set forth in

Articles 40, 41, 42, 43, 44 and 45 of Act No. 290, "Law of the Organization, Competence and Procedures of the Executive Branch", published in La Gaceta, Official Bulletin No. 102 dated June 3, 1998, and its Regulations.

With the filing and ruling of the remedies consigned in this Law, there are no further administrative channels.

CHAPTER III

ON CONFLICTS OF COMPETENCE

Article 36 – Conflicts of Competence

The procedures set forth in Articles 34, 35, 36, 37 and 38 of Act No. 290, "Law of the Organization, Competence and Procedures of the Executive Branch". , published in La Gaceta, Official Bulletin No. 102 of June 3, 1998 and its Regulations will apply in the resolution of conflicts of an administrative nature arising among diverse agencies of the public administration due to the enforcement of this law, will be solved pursuant to the procedures set forth in.

TITLE IV

FINAL AND TRANSITORY PROVISIONS

Article 37 – On Legislative Harmonization

The Board of Directors of the National Assembly will issue orders to the persons responsible for Nicaraguan Legislative Digest to prioritize the collection and organization of the legislation related to food and nutrition sovereignty and security, as well as suggest, when adequate, to carry out the pertinent reforms and repeals. The National Assembly will guarantee that future national legislation is coherent and in harmony with this Law.

Article 38 – Defense of Human Rights Related to this Law

In order to guarantee the rights of persons to food and nutrition sovereignty and security with gender equity, the Attorney General's Office for the Defense of Human Rights, must:

a. Appoint a Special Counsel for matters relating to Food and Nutrition Sovereignty and Security;

b. Include the current situation on the Right to Food and Nutrition Sovereignty and Security in its Annual Regular Report to the National Assembly and on progressive compliance with the right to food.

Article 39 – Institution of the SINASSAN Bodies

Within a term of no more than 90 days as of the entry into force of the Law, the President of the Republic will summon and install CONASSAN and SESSAN. The same term will also apply for the installation of CORESSAN, CODESSAN and COMUSSAN.

Article 40 – Dissemination and Disclosure of SINASSAN

CONASSAN must immediately enforce this Law and widespread dissemination and disclosure of this Law.

Article 41 – Regulations

The President of the Republic must regulate this law within the constitutional term.

Article 42 – Repeal

This Law repeals all of the standards of equal or lower rank that oppose it, particularly Executive Decree Number 40-2000, which creates the National Food and Nutrition Security Commission, published in La Gaceta, Official Bulletin Number 92, dated May 17, 2000 and its reforms.

Article 43 – Validity

This law will enter into force as of its publication in La Gaceta, Official Bulletin.

Given in the Sessions Room of the National Assembly, Managua, June 18, 2009, **Engineer Rene Nuñez Tellez**, and President of the National Assembly, **Attorney Wilfredo Navarro Moreira**, and Secretary of the National Assembly

Therefore, Accept it as a Law of the Republic, publish and execute it. Managua, July 9, 209, DANIEL ORTEGA SAAVEDRA, President of the Republic.

REGULATIONS TO THE LAW OF FOOD AND NUTRITION SOVEREIGNTY AND SECURITY (Act No. 693)

DECREE

REGULATIONS TO THE LAW OF FOOD AND NUTRITION SOVEREIGNTY AND SECURITY (Act No. 693)

CHAPTER I

GENERAL PROVISIONS

Article 1. The purpose of these Regulations is to set forth the provisions for the implementation of the "Law of Food and Nutrition Sovereignty and Security" (Act No. 693), published in La Gaceta, and Official Bulletin No. 133 of 16 July 2009.

Article 2. In addition to the terms used in this Law, the following terms will apply for purposes of the provisions set forth in these Regulations:

The National Food and Nutrition Sovereignty and Security System:

SINASSAN, hereinafter understood as the series of bodies and structures integrated by public and private institutions and non-governmental national organizations, comprised pursuant to Article 11 of the Law, has the mandate to organize, articulate, integrate and execute the necessary actions to accomplish food sovereignty and security.

Moral Incentives: herein understood as the actions of symbolic recognition granted to the subjects of this Law, to stimulate the actions they perform to achieve the country´s food and nutrition sovereignty and security.

Economic Incentives: constitute a series of benefits that the State may grant to the subjects of the Law pursuant to the provisions set forth in National Legislation.

CHAPTER II

NATIONAL FOOD AND NUTRITION SOVEREIGNTY AND SECURITY SYSTEM (SINASSAN)

Article 3. The National Food and Nutrition Sovereignty and Security System structured through CONASSAN, SESSAN, COTESSAN, CORESSAN, CODESSAN and COMUSSAN.

Article 4. For the best performance of SINASSAN, the public institutions that comprise it must optimize the operation of the Food, Nutrition, Education, and Institutional Environment subsystems, as stipulated in Article 30 to the Law.

CAPÍTULO III

ON THE NATIONAL FOOD AND NUTRITION SOVEREIGNTY AND SECURITY COMMISSION (CONASSAN)

Article 5. The National Food and Nutrition Sovereignty and Security Commission, will appoint those responsible for the SESSAN Planning and Assessment Unit who fulfill the requirements for the position.

Article 6. The ex-position members of the Commission shall serve for the period in which they are in the position. The other members shall serve for a period of one year.

Article 7. CONASSAN will hold ordinary or extraordinary meetings. They will meet regularly every six months, and extraordinarily when convened by the President.

CHAPTER IV

ON SESSIONS OF THE COMMISSION

Article 8. Ordinary meetings will take place from March to September during the last week of each month. The Secretary of SESSAN will summon the meetings with fifteen (15) days advance notice, enclosing the agenda and the documents related to the issues addressed.

Secretariat of the Presidency of the Republic will summon extraordinary meetings without the need for advance notice, but must inform the reasons giving rise to urgent meetings by sending the relevant agenda documents for the meeting.

Article 9. When for any reason the President of CONASSAN is unable to attend meetings, he may delegate his/her representation in any member of the Executive Branch that are party to CONASSAN, prior written notice to all representatives of such entity.

Article 10. When for any reason the Secretary of CONASSAN is unable to attend meetings, he may delegate his/her representation in the Secretary of SESSAN, prior written notice to all representatives of such entity.

Article 11. There will be quorum when half, plus one of the members of CONASSAN is present at the convened hour and after verification by the Secretary of the SESSAN. If there is no quorum within thirty minutes of the hour scheduled in the notice for the start of the session, the meeting will take place with the members present, if the President and the Secretary of CONASSAN or their delegates that represent them are there and these will have full power for decision-making.

Article 12. Once there is quorum, the Secretary will open the work session and proceed to reading the agenda and the minutes of the previous meeting, and thus, the President will begin the meeting according to the anticipated order.

The members of the Commission may make observations relevant to the minutes and propose modifications to the minutes as deemed convenient, the Secretary (or the person taking the minutes) should take note for their later incorporation once approved.

Article 13. In cases where the issue is legally and technically complex or generates debate and controversy, and therefore prevents making an immediate decision, the Commission will designate a rapporteur to provide assistance to an ad hoc working team.

Article 14. The rapporteur or coordinator of the ad hoc working team, in the cases mentioned in the preceding article, must prepare an advice and will report on that at the next meeting to the members of the Commission for examination and the corresponding decision.

Article 15. During the course of the sessions of the Commission, any member may request the review of an issue included in the agenda and those that are not subject to submittal for a second review.

Article 16. Discussions and voting on specific issues for which the meeting was convened, will not be interrupted or cease to be completed when there is an eventual absence of one or more members of the Commission, if there is quorum.

Article 17. At extraordinary meetings, the issues that are not part of the convened agenda are not subject to discussion.

Article 18. The resolutions and decisions of CONASSAN require the affirmative vote of a simple majority of its members and disclosed within the Council itself.

The President or the Chairperson shall be entitled to two votes to decide a situation in a tie.

In case of concurring opinions, these appear in the minutes, signed by the originator of the vote. Likewise, when documents related to the subject under discussion in the meeting, the minutes must narrate these in the same manner as the votes.

Article 19. The duties of the members of the CONASSAN are:

a) Punctual attendance to regular and extraordinary meetings, and in case of absence, representation by their substitute.

b) Timely submission of all information related to the subject and required by SESSAN.

Article 20. The rights of CONASSAN members are:

a) To have voice and vote in Commission sessions.

b) To be informed of all activities of the Commission and its decisions.

c) To request the inclusion of items on the agenda of the next meeting of the Commission and to receive a response to such requests.

Article 21. All individuals and institutions specialized on the subject matter addressed, both public and private, may be invited to the meetings of the Commission, and will have a voice but no vote.

Article 22. the minutes must include issues discussed in the sessions of CONASSAN and endorsed by all participants in the session.

Article 23. SESSAN will monitor compliance of the guidelines, agreements and commitments of CONASSAN; the Secretary will submit reports in the ordinary session so that SESSAN can issue the pertinent corrective measures.

Article 24. The National Food and Nutrition Sovereignty and Security Commission will guarantee policy measures and strategies with gender equity under the model of sustainable development pursuant to Article 31 of the Law.

CHAPTER V

ON THE EXECUTIVE SECRETARIAT FOR FOOD AND NUTRITION SOVEREIGNTY AND SECURITY (SESSAN)

Article 25. The President will appoint the Incumbent Head of SESSAN, subject to compliance with the qualifications required for the post and duly stipulated in the Law on Food and Nutrition Sovereignty and Security.

Each sector represented in CONASSAN, will propose a candidate for the post in SESSAN to the President, and in due compliance with the requirements for the post, as set forth in Article 16 of the Law.

Article 26. The appointment as Incumbent Head of the Secretariat will terminate on any of the following grounds.

a) Resignation.

b) Destitution from the post made by the President of the Republic.

Article 27. The Executive Secretariat will enforce the decisions of CONASSAN and will be responsible for inter-sector coordination as well as the articulation of programs and projects executed by national and international institutions related to food and nutrition security in the country.

Article 28. In addition to the functions set out in Article 16 of the Law, the Executive Secretary of SESSAN, shall:

1. Summon the members of CONASSAN to regular and extraordinary meetings;

2. Elaborate the work agendas for the meetings;

3. Prepare the minutes of CONASSAN meetings, keep the records and file these;

4. Control and monitor the decisions emanating from CONASSSAN;

5. Pursue the instructions that integrate CONASSAN, request and instruct on the designation of representatives to the Commission pursuant to the provisions set forth in these Regulations;

6. Elaborate the Internal Bylaws for the organization and operation of CONASSAN and the Sector COTESSAN, for approval by the simple majority of members that integrate these commissions.

To fulfill his duties as Secretary of CONASSAN, the Secretary of SESSAN may draw on SESSAN staff for his support, as needed.

Article 29. SESSAN Planning Unit, together with the Sector Technical Councils, should elaborate contingency plans to address food and nutrition crises.

Article 30. SESSAN Monitoring and Assessment Unit, together with the Sector Technical Councils, must update the map of the country`s areas that are vulnerable to Food and Nutrition Sovereignty as well as create a Surveillance and Early Warning System for Food and Nutrition Sovereignty and Security based on indicators of sector surveillance.

CHAPTER VI

ON THE SECTOR TECHNICAL COUNCILS FOR FOOD AND NUTRITION SOVEREIGNTY AND SECURITY (COTESSAN)

Article 31. The Minister that coordinates the sector will be in charge of coordinating the Sector Technical Council for Food and Nutrition Sovereignty and Security and integrated by the members indicated in subsections a, b, c, d, e and f of Section 19 of the Law.

Article32. The Sector Technical Councils must submit the SSAN Sector Plans to the SESSAN Planning Unit during the last week of March.

Article 33. In order to operationalize the National Emergency Fund for Food Sovereignty and Security, the Sector Technical Councils for Food and Nutrition Sovereignty and Security must prepare and establish a Sector Contingency Plan to respond to nutritional food crises caused by natural phenomena or social or economic crises.

Article 34. Sector Technical Councils for Food and Nutrition Sovereignty and Security should generate the information to build sector indicators for surveillance and early warning.

Article 35. The Sector Technical Councils will hold regular and extraordinary meetings. They will meet regularly every three months and extraordinarily when summoned by the Minister for each sector or his Deputy Minister, if the case may be.

Article 36. The request for regular meetings must be reasoned and submitted in writing, forty-eight hours in advance by at least six of its members to the Minister or Deputy Minister, if the case may be; for the latter to issue the corresponding call to each of the members of the Commission.

Article 37. There will be quorum with the presence of seven of its members. COTESSAN (sector) recommendations or decisions require the affirmative vote of a simple majority of its members.

Article 38. Sector COTESSAN will rely on a Secretary appointed by the Minister from among its members, who will be in charge of the Book of Minutes and its custody as well as the official documentation.

Article 39. All personalities and institutions specialized in the subject matter, both public and private, depending to the topic at hand, invited to the meetings of the Commission, will have a voice but no vote.

CHAPTER VII

ON THE REGIONAL, DEPARTMENTAL AND MUNICIPAL COMMISSIONS

Article 40. Local authorities should create and organize CORESSAN, COMUSSAN and CODESSAN respectively, observing the provisions set forth by jurisdictional laws governing them, for due implementation of Act No. 693, Law of Food and Nutrition Sovereignty and Security, at the regional, departmental and municipal level.

Article 41. Local Authorities, Public Institutions and Social and Non-Government organizations that integrate CORESSAN, COMUSSAN and CODESSAN, must ensure strict compliance with the functions set forth in Article 25 of Act No. 693, Law for Food and Nutrition Sovereignty and Security.

CHAPTER VIII

ON THE FINANCIAL RESOURCES

Article 42. Public institutions that are part of SINASSAN should incorporate into their annual budget plan, the resources required to implement the programs and actions related to Food and Nutrition Sovereignty and Security within their scope of competence and jurisdiction. These resources may come both from the General Budget of the Republic and International Cooperation through specific agreements.

Article 43. Local authorities must include in their annual and multiple-year plans, all the resources necessary to ensure the strategies and mechanisms for the promotion of Food and Nutrition Sovereignty and Security at sector and territorial levels.

Article 44. The programs and projects related to Food and Nutrition Sovereignty and Security carried out in the respective regions, departments and municipalities

may receive budget allocations from their own resources and funds from the General Budget of the Republic through:

a) Municipal transfers

b) Cooperation agreements with national and international organizations with incidence on the issue; and

c) Private Sector Contributions to specific programs and projects.

CHAPTER IX

ON THE INCENTIVES

Article 45. The promotion and provision of economic and moral incentives to natural persons and legal entities aims to invigorate the four components of Food and Nutrition Sovereignty and Security: food availability, food access, food consumption and biological utilization of food and their contribution in terms of production, research, transfer, dissemination and education.

Article 46. The following moral incentives are set forth to foster Food and Nutrition Sovereignty and Security:

a. Award or Orders granted by the President of the Republic.

b. Parchment or Plaque awarded by the President of the Republic.

c. Scholarships on Food and Nutrition Sovereignty and Security.

Article 47. The following categories are hereby created for the moral incentives above stated:

a) Research Category: granted to the person, institution or research center that conducted research on Food and Nutrition Sovereignty and Security, with incidence in the country's sustainable development.

b) Education and Food Culture Category: granted to educators, education centers, community groups that carried out campaigns, programs and projects that generate healthy practices in food and nutrition.

c) Health and Safe Food Production Category: granted to persons or companies, whether farmer, agricultural and livestock producer or agricultural and/or fisheries cooperative to encourage the production of healthy and safe food with a sustainable approach.

d) Municipal Government Category: Municipal Governments fostering the formulation and implementation of legislation, policies, strategies, plans, programs and projects on Food and Nutrition Sovereignty and Security. These municipal governments must also stand out within their territorial circumscription for involving widespread participation and gender equity on food and nutrition sovereignty and security in order to receive this award.

e) Social and Non-Government Organizations Category: organizations that excel in the promotion, support and management of programs, plans and projects on Food and Nutrition Sovereignty and Security will also receive these moral incentives.

Article 48. The Ministry of Finance and Public Credit will establish the procedures and requirements to which the beneficiaries of Economic Incentives are subject, as set forth by the Law of Food and Nutrition Sovereignty and Security.

CHAPTER X

ON THE NATIONAL EMERGENGY FUND FOR FOOD AND NUTRITION SOVEREIGNTY AND SECURITY (FONASSAN)

Article 49. FONASSAN aims to capture financial resources from the General Budget of the Republic, donations from national and international organizations, private contributions or other financing, to develop preventive, precautionary measures to ensure efficiency and effectiveness in addressing food and nutrition emergencies arising from natural disasters, economic or social crises.

Article 50. The Ministry of Finance and Public Credit will annually allocate in the General Budget of the Republic, the resources for Food and Nutrition Sovereignty and Security to each government institution that form part of CONASSAN to address and deal with emergency food and nutrition situations caused by disasters natural, economic or social crises.

Article 51. To manage FONASSAN, the Ministry of Finance and Public Credit, in coordination with relevant ministries and previous information to CONASSAN, will:

a) Implement public investment operations and other financial auxiliary actions within its object and programs of action as approved by CONASSAN.

b) Develop, adopt and implement the FONASSAN budget, based on available sources in accordance with its annual operating plan.

c) Manage finances for the cycle of programs and projects.

d) Create and manage FONASSAN patrimonial account.

e) Manage FONASSAN physical and human capital

CHAPTER XI

ADMINISTRATIVE PENALTIES

Article 52. Public officials and responsible persons who commit a breach to the Law for Food and Nutrition Sovereignty and Security and these Regulations, will be punishable under the provisions set forth in Act 476 "Law of Civil Service and the Administrative Career".

CHAPTER XII

Final Provisions

Article 53. This Decree will enter into force upon its publication in La Gaceta, Official Bulletin.

Given in the City of Managua, at the Government House, on the ninth day of September of the year Two Thousand and Nine, **Daniel Ortega Saavedra,** President of the Republic of Nicaragua, S**alvador Vanegas Guido,** Office Manager of the Private Secretariat for National Policy.

This publication responds to the Framework Convention for Collaboration between the Food and Agriculture Organization of the United Nations (FAO) and the National Assembly of the Republic of Nicaragua, with technical assistance provided by the Special Food Security Program (PESA for its Spanish acronym) and funding from the Spanish Agency for International Development Cooperation (AECID)