**Response to the communication from the Office of the United Nations High Commissioner for Human Rights regarding the questionnaire in relation to Human Rights Council resolution 50/9 on human rights and climate change**

The Peruvian State, in accordance with the request made by the Office of the United Nations High Commissioner for Human Rights (OHCHR), provides the attached communication based on the information collected.

**I. Regarding concrete examples and stories of how climate change affects the full realization of the right to adequate food in the country**

1. Peru's National Climate Change Adaptation Plan: an input for the updating of the National Climate Change Strategy (PNACC) approved by Ministerial Resolution N° 096-2021-MINAM , describes that "the effects of climate change impact food production, so that families are affected by not being able to meet their food, nutritional and economic needs. Moreover, the gap in access to food will widen, especially for the most remote populations in urban and rural areas, mainly indigenous communities in the highlands and jungle".

2. The Plan has also identified that in agriculture there is a value chain from the production of the farmers to the value-added product that is bought by the final consumer.

3. Thus, agriculture is part of the objects of analysis of production systems that involve: (i) biophysical components (related to the ecosystem that supports productive activities, composed of soil, vegetation, microorganisms and animals); (ii) water component (related to water availability, infrastructure for its storage, conduction and distribution); and, (iii) goods and services component of the value chain (referring to access to climate information services, logistics and transport and agricultural extension, until reaching consumers, which are influenced by climate change) .

4. Furthermore, it has been noted that "[a]gricultural production is sensitive to changes in inter-annual and seasonal spatial-temporal variability of climate, as well as to changes in its averages. In Peru, due to the diversity of ecological zones and microclimates, climate change affects the different regions heterogeneously. This means that the performance of productive systems depends directly on the positive or negative effects of climate. Direct effects of climate change could mainly affect water availability, as more than 70% of the world's freshwater is used for agriculture (irrigation) and agricultural diversification.

5. In this sense, if the projections related to the dangers associated with climate change are maintained, "these will have devastating effects on agricultural production, since the production of certain crops would decrease (rice, maize, potatoes, barley, bananas, among others) and, consequently, the price of products and their production costs would rise, which would affect national and international food security".

**II. On relevant data capturing how climate change negatively affects the full realisation of the right to food, taking into account discrimination**

6. As noted in the NAPCR, climate change can have a gender-differentiated impact, which in turn can lead to unequal access to resources. For example, "women and girls traditionally manage water resources within the household, while men are the decision makers in relation to water management for agricultural, industrial and hydro-energy use. In the case of women and girls, access to water enables them to carry out subsistence, domestic and unpaid care work among children and older adults.

7. In addition, the PNACC recognises that the reduced availability of water resources as a consequence of climate change can generate migration in search of employment, which can have repercussions for women and girls, as they may spend more time in household provisioning, thus increasing the time spent on activities related to domestic chores and unpaid care work, thus increasing the gender gap in access to water-related services.

8. On the other hand, in nine out of ten households where older people live, nine out of ten use water from the public water supply. However, this ratio decreases to seven out of ten households in rural areas. Also, in 25 % of the households, older adults do not have an adequate sewage system, and this percentage increases in rural areas, where 78.6 % of the households of older adults do not have a public sewage system.

**III. Specific measures in compliance with applicable international human rights law, to promote an approach of mitigation and adaptation to climate change, as well as to loss and damage, which ensures the full and effective enjoyment of the right to food.**

9. Through Ministerial Resolution N° 096-2021-MINAM, the "Peruvian National Climate Change Adaptation Plan: an input for the updating of the National Climate Change Strategy" was approved.

10. Peru has a National Climate Change Commission (CNCC), led by the Ministry of Environment, whose functions are set out in Supreme Decree N°006-2009-MINAM , which were subsequently redefined with the enactment of Law No. 30754, Framework Law on Climate Change , which lead to the articulation and coordination of civil society and public and private entities, to monitor compliance with public policies on climate change.

11. The regulation of the climate change law was approved by Supreme Decree No. 013-2019-MINAM, for the planning, coordination, implementation, monitoring, evaluation, reporting and dissemination of public policies for the comprehensive management of climate change, aimed at serving citizens, which seek to reduce the country's vulnerability to the effects of climate change, take advantage of opportunities for low-carbon development and meet the international commitments made by the State before the United Nations Framework Convention on Climate Change.

12. Likewise, the Strategic Plan for National Development called BICENTENARY PLAN: Peru towards 2021, approved by Supreme Decree No. 054-2011-PCM and promoted by the National Centre for Strategic Planning (CEPLAN), establishes adaptation to climate change as one of its five priorities.

13. The Plan for Risk Management and Adaptation to Climate Change in the Agricultural Sector 2012-2021 (PLANGRACC) and the National Strategy for Food Security 2013-2021, both developed by the Ministry of Agrarian Development and Irrigation of the Government of Peru (MIDAGRI), have also been elaborated.

**IV. On mechanisms to measure and monitor the impacts of climate change on the realization of the right to food**

14. The System for the Monitoring of Adaptation and Mitigation Measures is a mechanism created by the Regulation of the Framework Law on Climate Change, approved by Supreme Decree No. 013-2019-MINAM, and its purpose is to monitor and report on the level of progress in the implementation of adaptation and mitigation measures, as well as on their financing, access to payments for results, transfers of greenhouse gas (GHG) emission reduction units and the monitoring of Nationally Determined Contributions.

15. This system has the following components: i) Measurement, reporting and verification of GHG emissions, removals, emission reductions and enhancement of removals; ii) Monitoring and evaluation of adaptation measures; and iii) Monitoring and reporting of financing of adaptation and mitigation measures.

16. The High Level Commission on Climate Change (CANCC) was also created in 2020, whose functions are to: (i) Propose and recommend, within the framework of the National Climate Change Strategy, actions to neutralise GHG emissions and adapt to climate change by 2050; (ii) Supervise the elaboration and/or propose the updating of methodologies for the elaboration of GHG emission reduction projections, which contribute to the decision-making process on the Nationally Determined Contributions (NDCs); (iii) Propose climate change adaptation and mitigation measures contained in the Nationally Determined Contributions (NDCs); iv) Propose the progressive increase of the proposed adaptation and mitigation targets, considering the proposals elaborated by the Regional and Local Governments, as appropriate; v) Issue the corresponding technical reports every five (5) years starting with the first report in 2020, which will be submitted to the focal point of the United Nations Framework Convention on Climate Change (UNFCCC); and vi) Evaluate the recommendations of the National Commission on Climate Change (NCCC) and the Indigenous Peoples' Platform to address climate change and agree on measures for their implementation.

**V. On promising practices and challenges in promoting, protecting and fulfilling the right to food in the context of climate change**

17. The right to food, although not specifically mentioned in the Peruvian Constitution, has been recognized by the Constitutional Court in case No. 01470-2016-PHC/TC . The Court even delimited the constitutionally protected content of this right based on 3 thresholds: i) subsistence food, ii) programmatic food supplementation policies, and iii) satisfaction of individual food-related goals.

18. Along these lines, taking into account that climate change is expected to have consequences for food security, measures have been adopted to mitigate these effects. Thus, the Framework Law on Climate Change, in its tenth final complementary provision, establishes that the Executive Branch must issue an action plan to promote food security, giving priority to medium and small-scale agricultural production, in order to increase resilience to risks and disasters in the country.

19. In addition, in 2012 the Plan for Risk Management and Adaptation to Climate Change in the Agricultural Sector. Period 2012-2021 (PLANGRACC-A) whose overall objective was the reduction of climate risks, vulnerabilities and reduction of the negative effects of Climate Change in the Agricultural Sector, through strategies, policy guidelines and actions agreed with the regions.

20. In 2015 the National Strategy on Climate Change was approved, whose Objective 1 implies that the population, economic agents and the State increase awareness and adaptive capacity for action in the face of the adverse effects and opportunities of climate change, for which it has among its services technical assistance for the prevention of the proliferation of diseases and pests in crops that put food security at risk at the national level, as well as promoting the development and application of technologies that incorporate ancestral and traditional knowledge, as well as local capacities for the management of natural resources as a measure of adaptation to CC, guaranteeing food security.

21. Specifically, with regard to food security, the Food and Nutritional Security Law currently establishes the legal framework for the development of public policies on food and nutritional security in Peru. Its guidelines for action include: i) encouraging sustainable and diversified food production, boosting productivity, combating pests and conserving natural resources; ii) adopting measures against threats to food and nutritional security, such as droughts, desertification, pests, erosion of biological diversity, land and water degradation, among others.

22. In 2012, the food and nutritional security of the national population was declared of national interest and of public necessity, and the Multisectoral Commission on Food and Nutritional Security was created, whose functions included proposing the National Food Security Strategy for the period 2012 - 2021.

23. In 2013, the National Strategy for Food and Nutritional Security 2013-2021 was approved, which had among its specific objectives to ensure adaptation measures to climate change manifestations and prevention and contingencies against events such as pests and diseases, market factors, conflict situations and others that could generate food insecurity crises. The strategies for this are: i) Strengthening institutional capacities for planning, prevention and management of food insecurity crisis situations at national, regional and local levels; and ii) Developing a system for monitoring food security crises in the face of climate change manifestations and events such as pests and diseases, market factors, conflict situations and others that could generate food insecurity crises.

24. Likewise, in 2015, the National Plan for Food and Nutritional Security 2015-2021 was approved, whose general objective is "To ensure that the population is able to meet its nutritional requirements at all times" and has as specific objective 4 "To ensure adaptation measures to climate change manifestations and prevention and contingencies in the face of events such as pests and diseases, market factors, conflict situations and others that could generate food insecurity crises". The strategies for achieving this objective include: i) Strengthening institutional capacities for planning, prevention and management of food insecurity crisis situations at national, regional and local levels; and ii) Developing a system for monitoring food security crises in the face of climate change manifestations and events such as pests and diseases, market factors, conflict situations and others that could generate food insecurity crises.

25. Peru also has a set of social food programmes for the benefit of vulnerable and poor people. Thus, since 1985 there has been a Glass of Milk Programme run by the provincial municipalities and aimed at the maternal and infant population at the levels of children from 0 to 6 years of age, pregnant and breastfeeding mothers, with the right to daily provision by the State at no cost.

26. In addition, the Food Supplementation Programme provides food support to its users through the various types of care centres, such as canteens, shelters, homes, people at risk, community work, and the Food and Nutrition Programme for Tuberculosis Patients and their Families (PANTBC).

27. The canteens are grassroots social organisations made up of people whose main activity is the preparation of food and social support. In the modality of canteens, the Care Centres receive a subsidy destined exclusively to the preparation of food.

28. The homes-shelters are organisations with legal status that take in children, adolescents and victims of moral or physical violence, in a state of abandonment, providing protection and shelter.

29. People at risk is a modality that consists of organisations with legal status that take in and provide protection to children, adolescents, young people, women, men and elderly people who are victims of moral or physical violence, and/or have some kind of physical or mental disability.

30. Community work involves a group of people who organise themselves to do voluntary work for the benefit of their community.

31. Whereas PANTBC provides users with a basket of raw food, which constitutes a food supplement that contributes to their full recovery.

**VI. On international and multilateral cooperation for the realisation of the right to food**

32. In the year 2020, Peru reached USD 417 million in the execution of International Technical Cooperation, resources that were mainly oriented to issues related to counteracting the negative effects of the pandemic in the areas of health, labour, poverty, food security, among others, without prejudice to its contribution in others of equal relevance such as environment and institutional strengthening.

33. The cooperation provided by the Food and Agriculture Organization of the United Nations (FAO) in Peru is part of the Country Programming Framework 2018-2021 and has food and nutritional security of the population as one of its priority areas.

34. Within this framework, for example, in 2020, interventions such as "Sustainable and resilient food systems in a COVID-19 context" were implemented in the departments of Junín, Lima, Piura and Loreto .

35. Likewise, the intervention "Reducing the vulnerability of rural women and their livelihoods for resilient agriculture in a context of climate change" was carried out in Junín and Lima with the objective of incorporating climate change analysis and adaptation measures in the formulation of public policies, programmes and projects related to the issue of women producers.

36. On the other hand, the cooperation provided by the World Food Programme (WFP) is governed by the Country Strategic Plan 2018-2022, which contributes to: 1) eradicate hunger and malnutrition by 2030; 2) improve the nutritional status of vulnerable groups most at risk of malnutrition in Peru; and 3) strengthen capacities to manage food security, social protection policies and programmes and, disaster preparedness, of national and subnational institutions .

37. In 2020, interventions such as "Cooking with a cause (at home)" were generated with the aim of generating social mobilisation through the dissemination of information on the value of nutrition and healthy eating, recipes and hygiene tips, in order to safeguard the health of families in the context of the health and economic crisis in Peru caused by COVID19 .

38. In addition, in compliance with the 2030 Agenda for Sustainable Development and the corporate priorities of the International Fund, work is being carried out to promote sustainable agriculture, linking small-scale agriculture with markets, improving nutrition levels, empowering rural women farmers, and adapting their land to climate change.

39. Thus, in 2020, interventions such as the "Project for the conservation and sustainable use of high Andean ecosystems in Peru through the payment of environmental services for the alleviation of rural poverty and social inclusion (GEF MERESE)" were carried out with the objective of guaranteeing the sustainable management of natural resources of high Andean ecosystems through the implementation of subprojects by associations or communities to conserve and sustainably use these ecosystems, including relict forests, wetlands and other wetlands and pastures, in addition to improving the institutional framework for environmental services .

40. And the "Project for the development of a geo-referenced socio-economic data and information system for effective rural planning and development in isolated regions of Peru" with the aim of providing Peru's national and sub-national governments with a system of micro-regional data and information for effective rural planning and development to address the needs of the most vulnerable and poorest.