



HOW TO



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LEGISLATE FOR THE RIGHT TO FOOD

Legislative measures for the implementation of the human right to adequate food are highlighted both in the International Covenant on Economic, Social and Cultural Rights, and in the Right to Food Guidelines*. There are three distinct legislative areas to consider: constitutional provisions, framework law and sectoral legislation.

Constitutions

Most constitutions in the world have a human rights chapter that sets clear limits and direction for state legislation and policies. Incorporating the right to food into the constitution gives courts and human rights institutions a standard with which to measure government action. Most often, constitutional provisions mirror the language of human rights treaties, stating rights and freedoms in broad terms.

Framework Law

A framework law lays down broad principles that outline state obligations to immediately ensure that every person is free from hunger and to progressively realize every person's right to food. It does so in more detail than constitutional provisions and lays down more precise obligations and institutional arrangements for the implementation of the right to food.

Key Provisions

A framework law should cover the whole spectrum related to the right to food, but remain at the general level. It is the umbrella beneath which institutions can be built, systems created and relevant secondary legislation implemented. Key provisions of framework law include:

- † Uj_ZZ_`VeVT_e`VeVcZYee WUR_UT cVa`_UZ_X`SjZZ_dWc public authorities
- † ac`YSZZ_`WZZCZ_ZRZ_R_UcVZZR^VRfcdWc`gf`_VBS]Va`af]RZ_ groups
- † ^VRfcd`e`_V_YR_TVcZYee`WUZ`a]V`_eRZ`_d`TYRdVf`ZZ_XRcZYee` food impact assessment or education and information measures
- † Z`dzf`e`_R]dVeZ`XWc`ZdZ`a]V`_eRZ`_LZ`Tj`UZ`X^`VIYR`Z`_dWc`TZZ society participation
- † ac`TMf`dR`UcV`UZZdWc`a`d]S]VcZYee`W`UgZ`]RZ`_d
- † }_R`ZZR`USf`UX`Rj`RcR`X^`V`ed
- † ac`gZZ`_d`_Z`a]V`_eZ`X]VZZRZ`_R`UT`^`a]R`TV

Legislative Process

A participatory drafting process is as important for an effective framework law as TY`_d`XeYVcVZZ`TVV`_V`edeYRehZ]`SVRUU`dV`UZZ]]`dV`e`cd`V`TZZ`LZ`Tj`UZ`X government, civil society and private sector, should be involved. The process should

