



**UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SECOND EXPERT CONSULTATION
ON THE RIGHT TO FOOD**

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OPENING STATEMENT BY

Mrs. Helga KLEIN-BIDMON

**Representative of the United Nations High Commissioner
for Human Rights**

Ladies and gentlemen,

The World Food Summit decided in November 1996 to entrust the United Nations High Commissioner for Human Rights with the mandate of better defining the rights related to food, as set out in Article 11 of the International Covenant on Economic, Social and Cultural Rights. This included the responsibility to propose ways to implement and realize these rights as a means of achieving the commitments and objectives of the World Food Summit, taking into account the possibility of formulating voluntary guidelines for food security for all. The Commission on Human Rights and the Economic and Social Council have endorsed this mandate.

The High Commissioner's first substantive step in the implementation of this important task was to convene in Geneva a two-day consultation on 1 and 2 December 1997. Representatives of the UN system, NGOs and experts participated in the consultation. The first day was devoted to a general discussion within the Committee on Economic, Social and Cultural Rights on the normative content of the right to food as set out in Article 11 of the International Covenant on Economic, Social and Cultural Rights. The second day was an expert meeting, which focused on the implementation of the right to food, that is to say the practical steps to be taken at the national and international level for the full enjoyment of this right.

The Commission on Human Rights discussed the report of this consultation and adopted on 11 April 1998 resolution 1998/23 on the right to food. By this resolution, the Commission reaffirmed that hunger constitutes an outrage and a violation of human dignity and, therefore, requires the adoption of urgent measures at the national, regional and international level for its elimination. It also reaffirmed the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger so as to be able fully to develop and maintain their physical and mental capacities.

Approximately 840 million people mostly in developing countries, subsist on diets that are deficient in calories. Roughly 96 per cent of food-insecure persons suffer from chronic deficiencies, and approximately 4 per cent experience temporary energy shortfalls caused by natural or human-induced events. Approximately 170 million children under 5 years of age are underweight, representing 30 per cent of the developing world's children. Regarding the number of people who are food-insecure due to specific nutrient deficiencies, 250 million children are deficient in vitamin A, over 800 million people suffer from iodine deficiency, and up to 2,000 million people are affected by iron deficiency and anaemia. The vast majority of them live in low-income developing countries.

The Commission also welcomed the initiative undertaken by our Office to convene the Consultation on the Right to Adequate Food, as a concrete and practical response to Objective 7.4 of the Rome Declaration and Plan of Action. The meeting concluded that the human right to adequate food is firmly established in international law, but its operational content and means of application are generally little understood.

A human rights approach to food and nutrition problems introduces a normative basis which is obligatory at the State level. It is fundamentally different from basic needs-oriented approaches to development. It also implies that “beneficiaries” of development are active *subjects* and “claim holders” and stipulates duties or obligations for those against whom such claims can be held. Finally, such an approach introduces an accountability dimension not present in basic-needs strategies.

A fundamental misunderstanding in the implementation of the right to food has been the notion that the principal obligation is for the State to feed its citizens (*fulfilling* the right to food), rather than *respecting and protecting* the rights related to food, as well as emphasizing the obligations of individuals and civil society in this regard.

In addition, the Commission requested that the Committee on Economic, Social and Cultural Rights draft, discuss and adopt a general comment on the rights related to food. Such a general comment would greatly enhance the common understanding of what the right to food means and give greater guidance for the State Parties to the Covenant in their reporting obligations on how they are implementing this right.

Our Office is therefore convening today this Second Expert Consultations, hosted by FAO, in Rome. It is our hope that this venue will facilitate an even stronger participation from the Rome-based food agencies; they are the ones in constant touch with the practical realities of the right to food, and the lack of it.

We would like to encourage FAO, WFP and IFAD to become more institutionally sensitive to the fact that they are dealing with aspects of the right to food as their main purpose, and more willing to take a rights-approach in their work, as well as taking part in the effort of the United Nations to integrate human rights in general into all aspects of its work.

There are indeed several actors that are relevant to the right to food. Apart from the Rome agencies mentioned above, the right to food is relevant to the mandate of WHO, ILO, UNICEF, UNHCR, UNDP, the World Bank and many others. We would like these organizations to achieve a common understanding and common direction for eliminating hunger and malnutrition and attach great importance to the dialogue between them and our own Office.

There is a complementarity of labour between human rights institutions and development actors. At the international level this means that the UN human rights machinery is charged with monitoring the creation of conditions that enable governments to meet their international human rights obligations, while the development agencies provide technical, financial and food assistance.

For the food and development agencies, clarification of the right to food is essential for the operationalization of food security objectives. In this connection, the Maestricht Guidelines interpret the Covenant’s call for the *progressive* realization of economic, social and cultural rights as requiring States to achieve specific targets to satisfy a normative standard (“obligation of result”).

A significant milestone has been the UNDP policy document on “Integrating human rights with sustainable human development”. OHCHR is ready to support UNDP in developing a human rights-based approach to sustainable human development programming, thereby ensuring that human rights will be mainstreamed in UNDP activities. Special attention is paid to economic, social and cultural rights and to the human right to development, e.g. by developing indicators to measure progressive realization. UNDP’s human rights-based approach to poverty alleviation emphasizes empowerment, participation and non-discrimination and addresses issues of vulnerability, marginalization and exclusion.. The human rights approach of UNDP is universal and holistic, stressing the indivisibility and inter-relatedness of all human rights.

Ladies and gentlemen,

In resolution 48/141 of 20 December 1993, the General Assembly decided to create the post of High Commissioner for Human Rights. The General Assembly decided in this resolution that the High Commissioner should be guided by the recognition that all human rights - civil, cultural, economic, political and social - are universal, indivisible, interdependent and interrelated and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect human rights and fundamental freedoms.

Moreover, the General Assembly decided that the High Commissioner for Human Rights should be the United Nations official responsible for United Nations human rights activities under the direction and authority of the Secretary-General, and that within the framework of the overall competence, authority and decisions of the General Assembly, the Economic and Social Council and the Commission on Human Rights, the High Commissioner’s responsibilities should include coordinating the promotion and protection of human rights activities throughout the United Nations system.

One of the central objectives of the Office of the High Commissioner is the follow-up to the UN global conferences and the implementation of the right to development which in the words of the Secretary-General, Mr. Kofi Annan, must be construed as the “measure of the respect for all human rights”. The aim should be a situation in which all individuals are enabled to maximize their potential, and to contribute to the evolution of society as a whole.

The global development conferences of the 1990s have provided important guidance in this regard, by providing quantitative, time-frame development -including food and nutrition- targets. Within this framework, States can now set their own country-specific targets as a means for realizing the right to adequate food.

Of equal importance to the actors of the UN and intergovernmental system are non-governmental organizations. The human rights agenda is very much influenced by NOGS and civil society in general. NGOs are often able to be ahead of intergovernmental bodies in policies because of their particular nature. For instance, a network of NGOs is already lobbying for their own Code of Conduct on the Human Right to Adequate Food, a great working tool, even if it is not immediately adopted by the international community.

We are committed to giving equal importance to all human rights, civil, cultural, economic, political and social. Economic, social and cultural rights have received too little attention in the past, but, as was reconfirmed by the World Conference on Human Rights in Vienna in 1993, “all human rights are universal, indivisible and interdependent and interrelated.”

The international community must treat human rights in a fair and equal manner, on the same footing and with the same emphasis. Without prioritizing one set of rights, our Office has arrived at a point where it must seek to improve contacts in relation to the implementation process pertaining to economic, social and cultural rights.

In practice we have not yet achieved the universal, interdependent and interrelated protection and promotion of civil, cultural, economic, political and social rights. If one is to treat all human rights on an equal footing, more attention needs to be paid to clarifying the universal minimum core contents of economic, social and cultural rights.

In this respect, the World Food Summit Plan of Action must be warmly welcomed. Objective 7.4 of the Plan of Action creates the possibility for a substantive strengthening of the right to food as contained in the International Covenant on Economic, Social and Cultural Rights.

Ladies and gentleman,

Let me end by expressing to you our strong conviction that in the process of strengthening the United Nations system-wide, it is more and more emphasized that inter-agency cooperation is of vital importance. This is especially so for those working in the area of human rights such as the FAO, other international agencies, UN programmes and funds, and the Office of the High Commissioner for Human Rights. Human rights’ dimensions should be effectively integrated in the work of all agencies.

Thank you.