

WELCOME TO THE FIRST ISSUE OF THE FAO RIGHT TO FOOD UNIT'S, "THE RIGHT TO FOOD" NEWSLETTER.

Dear Friends,

The deprivation of the right to food, one of today's most serious human rights violations, is often overlooked. This newsletter aims to give a voice to the hungry and to all those who are involved in assisting their plight. It aims to strengthen governments in their efforts to make the right to food a reality for all. This newsletter will focus on putting the right to food into practice. A starving farmer is as much a human rights issue as a censored journalist – and there are significantly more of them. Yet, while oppressed journalists make headlines, hungry people are too often ignored. The world needs to get equally upset about the denied rights of these hungry millions. We want to make people listen to these silent voices. And act to make them heard.



Those promoting the right to food must be visionaries who think out of the box and have the capacity to mobilize others. They should also be realists, however, seeking pragmatic solutions, advancing step-by-step wherever there is an opportunity and consolidating achievements. Determination is fundamental to any effort.

The global theme for World Food Day 2007 is The Right to Food. The millions of hungry farmers may finally make headlines. This year is an opportunity to consolidate progress made, learn from successful experiences, and make headway towards ensuring that the right to food is realized for every person – be it man, woman or child. It gives me great pleasure to launch the first issue of this Right to Food Newsletter, which I see as a platform for information, empowerment, discussion and mobilization. Above all, I see it as an interactive opportunity to share FAO and Right to Food knowledge with you, AND, at the same time, an opportunity for you, specialists and practitioners, to share your thoughts, ideas, experiences and lessons learned.

The themes covered in the newsletter correspond to the main areas of action identified in the Right to Food Guidelines adopted by FAO in 2004: 1) Advocacy and training; 2) Information and assessment; 3) Legislation and accountability; 4) Strategy and coordination; 5) Benchmarks and monitoring. Starting with a look at legislation and at country strategies in the present edition, we will then continue in the next edition with a focus on advocacy and information – and, of course, World Food Day. Putting the right to food into practice requires concrete action in the legal, political, economic and social fields. You will discover that the expertise and services offered by FAO reflect this diversity of policies and areas of activity.

As Coordinator of the Right to Food Unit, I would like to personally thank you for your interest and commitment to this issue. I wish you interesting reading and look forward to our quarterly meeting.

Yours sincerely,

BARBARA EKWALL



**WORLD FOOD DAY 2007**

**THE RIGHT TO FOOD:**

*Make it happen*

# THE HUMAN RIGHT TO FOOD

## The right approach to food security

**D**espite significant growth in global food production, 850 million people – nearly one-sixth of the world's population – still suffer from chronic hunger.

These millions, generally among developing countries' most marginalized, do not have regular access to sufficient, nutritious food to support an active, healthy life. For them, food security is as scarce as their participation in political and economic decision-making, and their legal human right to food is far from being realized. The rights-based approach offers a development alternative that can improve food security while recognizing human dignity and the inherent worth of every individual. Fostering an enabling environment that empowers people to feed themselves and their families, can unlock human potential and move away from the benevolence model of food aid.

Starting at the grassroots level, with the assumption that every human being has the right and the responsibility to feed themselves and their family, a rights-based approach can find the reasons why communities do not have enough to eat.. Perhaps farm land is not available, or those who have land may lack seeds or water. Perhaps jobs are unavailable, the pay too low, or markets have little or no food for sale. A rights-based approach is as much about the outcome – ending hunger and malnutrition – as it is about empowering people and ensuring a fair and transparent policy-making process to achieve these goals. In 2004, the Right to Food Guidelines were adopted by FAO members to help realize this essential human right in their countries. While these guidelines provide an internationally accepted reference and checklist for government action, FAO's newly established Right to Food Unit has tools and ideas ready to assist all interested stakeholders. When it comes to food security, we must all be interested, each one of us, because every human being is a stakeholder and a right to food rights-holder.

Country work around the world has led to some key recommendations for an effective food security policy: (a) create awareness and commitment at the highest political level for food and nutrition issues, (b) generate and broaden the widest possible support for food and nutrition issues, (c) take concerted action for food security involving not only agriculture and production sectors, but all government entities and stakeholders. The Right to Food Unit has incorporated these recommendations into its work which it has centred on the following five areas of activity:

1. Advocacy and Training – to make all stakeholders aware of their rights and obligations and to lobby for a rights-based approach in all policy areas – from land titling to primary education, from disease control to regulating fisheries.
2. Information and Assessment – to identify the most vulnerable populations as well as what they require to establish food security for themselves and their communities
3. Legislation and Accountability – to establish transparency, recourse mechanisms and avenues of appeal to help rights-holders establish their rights
4. Strategy and Coordination – to bring policies and programmes affecting food in line with a people-centred and rights-based approach
5. Benchmarks and Monitoring – to evaluate how governments and other stakeholders are progressing toward human rights goals. Incorporating human rights principles into traditional development approaches may supply the “missing element,” which some claim, has prevented 50 years of humanitarian aid from establishing food security and overcoming poverty.

The World Food Day 2007 theme “The Right to Food”, provides an opportunity to focus global attention on this often overlooked human right. We have the means to achieve full realization of the right to food for all. Now is the time to make it happen.

*“LET US FOSTER CONDITIONS SO THAT ALL PEOPLE  
IN OUR COUNTRY CAN EAT DECENTLY THREE  
TIMES A DAY, EVERY DAY, WITHOUT RELYING ON  
DONATIONS FROM ANYONE.”*

*LUIZ INACIO LULA DA SILVA,  
PRESIDENT BRAZIL*



**MORE ABOUT  
THE RIGHT TO FOOD?**

Visit our website <http://www.fao.org/righttofood>



# ACCESSIBLE JUSTICE:

## Legislation and Accountability

**I**n order to guarantee that every man, woman and child can realize their human right to adequate food, means must be available to hold states accountable for implementing policies that will progressively realize this right. All stakeholders must understand what the right to food means, and recourse mechanisms must be in place should the right be violated.

The Right to Food Guidelines (full text of the guidelines available on the Right to Food website) offer states practical guidance to develop effective institutional and legal frameworks to implement the right to adequate food and to establish independent monitoring mechanisms to implement these frameworks. In summary, the Guidelines recommend that states:

- ensure non-discriminatory physical and economic access to adequate food and to build an effective institutional framework to do so;
- review the legal framework for the progressive realization of the right to adequate food;
- establish independent and autonomous mechanisms to monitor the progressive realization of the right to adequate food.

Guideline 5 recommends that states assess the performance of public institutions to improve coordination of government agency efforts. Full and transparent participation of all relevant parties should particularly include representatives of groups most affected by food insecurity. This guideline also recommends that a state entrust a specific institution with the overall responsibility for implementing the Right to Food Guidelines and take measures to combat corruptive policies in the food sector, particularly with regards to emergency food aid. An adequate legal framework is essential if a state is to respect, protect and fulfil the right to adequate food without discrimination.

Guideline 7 recommends that states include provisions in their domestic law, possibly at the constitutional level, to facilitate progressive realization of the right to adequate food. Such legal mechanisms allow vulnerable individuals and groups to seek remedies for violations of their right before administrative, quasi-judicial and judicial bodies. States should also disseminate information about available entitlements and remedies and consider strengthening laws giving access to women heads of households, to poverty-reduction and nutrition security programmes and projects.



### Ms Margret Vidar

had been promoting the Right to Food concept long before FAO established its Right to Food Unit. The Icelandic Human Rights Lawyer has been active in these legal efforts since she joined FAO over ten years ago. "At the 1996 World Food Summit, many countries were telling us that they did not understand what the Right to Food meant." Individual countries certainly weren't alone in their ignorance. Over the next five years, the Office of the High Commissioner for Human Rights worked long and hard with FAO to hammer out legal definitions. They also had to clarify the obligations that would lead to the fulfilment of the Right to Food. "By issuing documents that clearly spelled out these concepts and responsibilities, countries are no longer able to say, 'we don't know what the term means'." At the following summit in 2002, world leaders gave FAO the mandate to lead right to food work. FAO's Intergovernmental Working Group on the Right to Adequate Food met for a series of four meetings to discuss how the right to food should be realized. Not all decisions were straightforward and negotiations did not progress without difficulties. "What would we do with the international level of responsibilities in terms of trade or agriculture subsidies? Should the guidelines incorporate elements of the laws of war? If we include the Geneva Convention provisions that prohibit starvation of civilians and protect humanitarian access to food, will we then seem to make this law voluntary?"

In a miraculously short time span by international negotiation standards, the Right to Food Guidelines were adopted in November 2004. This marked the completion of one task and the initiation of many more. Now that the Right to Food Guidelines exist, many governments and NGOs still don't know about them. "We want to see the Right to Food Guidelines applied by countries".

"Affecting changes at a national level requires action among government ministries, NGOs, UN organizations, bilateral donors and academics." The Right to Food Unit's Legal Specialists are preparing a guide on how to draft national laws to implement the right to food. In view of the fact that women make up the majority of the world's farmers, part of the legal review will include the status of women and their access to resources, inheritance and employment, factors which often affect family poverty and hunger. "Using human rights principles in your food security strategy is not just the right thing to do, but is also a way to improve the outcome. I'm hoping that World Food Day will give us momentum to spur discussion in countries all around the world".

**The Universal Declaration of Human Rights** adopted in 1948 (Article 25.1) dictated that, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food...and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control."

Nearly two decades after this declaration was made, the right to food became binding international law with the *International Covenant on Economic, Social and Cultural Rights* (ICESCR, entered into force in 1976). It was only, however, when the Right to Food Guidelines were adopted in 2004, that nations agreed on concrete guidance regarding how to proceed in realizing this essential human right.



# EFFECTIVE ACTION: STRATEGY AND COORDINATION

**T**aking the Right to Food from the halls of diplomacy into every corner\* of the world – moving it through legislatures and courtrooms and out into the fields and factories – is the mission of the FAO Right to Food Unit. The Right to Food team sees information and awareness raising as one of its main tasks. A good understanding of the right to food and access to information about right to food issues are fundamental for the development of instruments needed for the implementation of the right to food. Only through effective human rights-oriented policies and coordinated rights-based strategies can duty-bearers fulfil their obligations to enable rights-holders to feed themselves in dignity.

The following examples of country experiences illustrate what different right to food activities can look like:

- Coordinator Marcela Libombo of the Food Security and Nutrition Technical Secretariat (SETSAN) recently requested the Unit's assistance when Food Security Strategy shortcomings were identified; Mozambique had previously been reacting only to emergencies. "Food security requires a multi-sectoral approach. One sector cannot do it alone." Ms Marcela Libombo noted that when growers produce a variety of products, "they need to know how to eat them and to clean them well; that is the job of the Ministry of Health." Similarly, if Mozambique grows enough food for export but some areas within the country still suffer shortages, the country remains food insecure.
- In June 2007, government, civil society and international observers commented on the final revision of Mozambique's food security strategy before submitting it for government approval. A Brazilian right to food expert participated in the process and shared the lessons learned. The strategy received Government approval in September 2007.
- In Brazil, government support and the mobilization of more than 800 NGOs have led to a successful "public-private partnership" for social inclusion, food security, and realizing the right to food. The policies rely on human rights-based accountability and recourse mechanisms for the individual. Advances in right to food implementation also concern the establishment of food security nets.
- Mr Noel de Luna, with the Philippines Ministry of Agriculture, gives an interesting example of private sector involvement

in a school feeding programme: Many private companies have joined in the, "adopt a school programme," effort to supplement government school meals in the Philippines. "Once children are in school, they get two meals a day; sometimes they can even bring rice home to their families."

- Kenya, has also taken a new anti-hunger measure: The country produces 290,000 metric tons of maize annually, and is committed to holding 36,000 metric tons in their strategy food reserves. "We have established a hunger safety net," explained James Okoth Oduor, Drought Management Coordinator, "to help the very poor, orphans, widows, and the disabled."

Understanding the weaknesses in a food security strategy from the point of view of the vulnerable themselves is one of the first steps in refining measures and strategies. The Right to Food Unit has recently completed a "Guide to Conducting a Right-to-Adequate Food Assessment". This guide has been elaborated to assist countries in undertaking a right-to-adequate food assessment as a first step in the process of developing a right to adequate food strategy and implementing specific measures in compliance with their obligation to progressively realize this human right.

*\*As of 20 July 2007, 156 countries have ratified the International Covenant on Economic, Social and Cultural Rights recognising the legal status of the right to food*

**FAO** wants to do its part. In cooperation with individual states, FAO works to develop capacity in the areas of legislation, policy, assessment, monitoring, and accountability. Incorporating human rights principles into traditional development approaches may supply the "missing element," which some claim, has prevented 50 years of humanitarian aid from overcoming poverty. Empowerment is a key to moving away from the benevolence model of food aid to an enabling environment in which people can feed themselves. A rights-based approach can help not only achieve food security, but also to meet international poverty reduction goals, while simultaneously recognizing human dignity and the inherent worth of every individual. We have the means to achieve full realization of the right to food for all.

**NOW IS THE TIME TO** *Make it happen.*

## FAO's Right to Food Unit wants to hear from you.

Whether you are with an NGO or government organization, whether you work on a farm or at a university, whether you are a rights-holder or a duty-bearer, we want to hear about your right to food experiences. Not only do your efforts deserve recognition, they may assist others struggling in their own nations towards achieving this goal. Please write and share your experiences with the Right to Food Unit – and with committed people around the world.



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