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RIGHT TO FOOD AND INDIGENOUS PEOPLES

Indigenous peoples are among the world's most vulnerable groups and poorest socio-ethnic populations. They make up a significant percentage of the food insecure, often facing chronic hunger and malnutrition. Paradoxically, due to a growing dependency on fast food, obesity is also on the rise among some groups.

Human Rights

Individuals belonging to indigenous peoples have the same human rights as other individuals. In reality, however, they often suffer from extreme marginalization. Equality and non-discrimination are therefore two of the most important rights in the indigenous peoples' context. Equality does not mean being treated identically to others. True equality involves recognizing differences and treating diverse groups differently. Positive measures should be implemented to eliminate existing discrimination and establish equal opportunities. Traditionally, human rights are considered to be individual rights even though they are often exercised in community with others. Many indigenous peoples view their human rights as collective rights. In fact, indigenous peoples do enjoy certain rights as a group; these rights relate to indigenous peoples' traditional way of living and the special relationship they enjoy with their land and natural resources. In this regard, land rights are of crucial importance and so is the right to enjoy one's culture.

Indigenous Peoples' Right to Food

Article 11.1 of the International Covenant on Economic, Social and Cultural Rights, recognizes the right of everyone – including indigenous peoples – "to an adequate standard of living for himself and his family, including adequate food..." The right to food of indigenous peoples is closely linked to cultural rights with regard to food choices, food preparation and food acquisition. In an effort to have the right to food recognized as a collective right, indigenous peoples groups met at the 2002 Global Consultation and signed the Declaration of Atitlán, stating that they were: "... in agreement that the content of the right to food of indigenous peoples is a collective right". The UN Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in September 2007, is a key instrument and tool for raising awareness on indigenous peoples' situations and indigenous peoples' rights. It contains provisions on land, natural resources and subsistence activities relevant for the realization of their right to food. The Declaration is the result of collaboration among indigenous peoples, individual experts and governments. It recognizes indigenous collective rights and stresses their cultural rights.

The Right to Food Guidelines* refer to indigenous communities in the context of access to resources and assets. In addition, provisions relating to vulnerable groups and disaggregation of data are of particular relevance to indigenous peoples.

Land and Natural Resources

Access to land and other productive resources (forest, fishing, water, etc.) are of vital importance for indigenous peoples' right to food. The cultural identity and heritage of indigenous peoples is inseparable from their traditional lands. Indigenous peoples obtain food directly from their lands by hunting, gathering or cultivating; they may also acquire food indirectly by marketing their produce.

Indigenous women

Women are exposed to discrimination all over the world but indigenous women are discriminated against twice, once for being indigenous and again for being women. Indigenous women may also suffer from discrimination within their own communities. In many instances, they are the primary producers of food in their communities and the keepers of agricultural technology. They have the primary responsibility for food processing, preparation and distribution in the household. Yet, they may have little or no control over natural resources and may not be able to participate fully in community decisions.

State Obligations

States have particular obligations concerning the right to food of indigenous peoples. These include respecting indigenous peoples' traditional way of living, strengthening traditional food systems and protecting subsistence activities such as hunting, fishing and gathering. States are also responsible for ensuring the application of general human rights principles to indigenous peoples, both in their food and nutrition security policies and policies that may affect their access to food. These human rights principles include participation, accountability, non-discrimination, transparency, human dignity, empowerment and the rule of law. In practice, this means that indigenous peoples as a vulnerable group must be engaged in the adoption of national strategies to ensure food and nutrition security and in the setting of verifiable targets and benchmarks for subsequent monitoring and accountability. With regards to non-discrimination, governments should ensure that data is disaggregated by age, sex and ethnicity or indigenous status. This information should then be used for the development, design, implementation and monitoring of food and nutrition policies.

The Right to food is an important tool for indigenous peoples to bring about real change in their lives and for the motivation to negotiate power structures.

** The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by FAO Council in November 2004 are available for downloading on the right to food website: www.fao.org/righttofood.*