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RIGHT TO FOOD AND GENDER

All over the world, unequal access to power and resources is central to discrimination against women in the community, market, state and even within their own households. Correcting this inequality is vital to realize women's right to food. Unequal distribution of food leads to increased malnutrition, which can reduce learning potential, increase reproductive and maternal health risks and lower productivity. These factors diminish women's economic abilities, undermining gender equality and trapping women in a vicious circle of poverty and under-nutrition.

Human Rights Law

The International Covenant on Economic, Social and Cultural Rights recognizes the right to adequate food and the fundamental right to be free from hunger (art. 11), which are to be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". Furthermore, States will ensure "...the equal right of men and women to enjoy all economic, social and cultural rights..." (arts. 2,3) The Convention on the Elimination of All Forms of Discrimination Against Women specifies that "....States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation" (art. 12), and that "States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications" (art. 14).

Women's Rights or Mother's Rights?

Protection of women's right to food is often interpreted at the national level as protection of mothers' or children's right; such categorization ignores the role and entitlements due to every woman – as a human being. In order to enhance their right to feed themselves in dignity, women must have equal access to economic resources, including the right to inheritance and the ownership of land and other property, credit, natural resources and appropriate technology, as well as measures to respect and protect self-employment and work which provides a decent living for wage earners and their families.

National Implementation

Constitutions and legislation on the equal rights of men and women, as well as judicial decisions declaring discrimination unlawful have improved women's legal status. Implementation in many countries, however, is constrained by entrenched cultural practices, lack of legal awareness, limited access to courts and lack of

resources. Bridging the gap between law and practice is even more difficult in rural areas. In some countries, discrimination is reflected in customary law and in others the existence of a pluralist legal system challenges women's right to food. Efforts should be made at the national level to build the legal capacity of right-holders to demand that their rights be respected and, at the same time, to build the capacity of duty-bearers to fulfil their obligations.

Links to Other Human Rights

"All human rights are universal, indivisible, interdependent and interrelated," states the Vienna Declaration adopted at the World Conference on Human Rights in 1993, and "the interaction of all rights may be crucial to the achievement of any."

Health and Education

Food is essential for health and survival, but food that is not nutritionally adequate and free from adverse substances, can severely affect one's health. Since women play a vital role in food security, it is widely recognized that the health of women is crucial for the health of societies as a whole. "Improving education can be one of the most effective ways to reduce hunger and malnutrition," according to the 2004 State of Food Insecurity in the World. "Malnutrition rates decline with increased literacy, especially female literacy". Educational discrimination can hinder the realization of the right to food.

Property Rights

Married women's capacity to administer property may be limited by family law while succession laws often restrict women's inheritance rights. As inheritance is the main method of acquiring land, in many developing countries, discriminatory succession hampers women's land rights. Even in agrarian reform legislation, land entitlements often go only to adult men, while women do not qualify unless they head households. In rural areas, poverty and hunger are largely due to lack of access to resources and assets.

The Right to Food Guidelines* address all the above mentioned issues and in particular Guideline 8.6 affirms that, "States should promote women's full and equal participation in the economy and, for this purpose, introduce, where it does not exist, and implement gender-sensitive legislation providing women with the right to inherit and possess land and other property. States should also provide women with secure and equal access to, control over, and benefits from productive resources, including credit, land, water and appropriate technologies."

** 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.*