Human Rights and Right to Food

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ABSTRACT: Future demand for food will be driven by population growth and rising incomes; the latter increase the demand for meat, vegetables, fruits, and grains. At least four similar definitions of food security have been used by international organizations: 1. “Access by all people at all times to enough food for an active, healthy life.” 2. “All people at all times have both physical and economic access to the basic food they need.” 3. “Access by all people at all times to sufficient food and nutrition for a healthy and productive life.” 4. “When all people at all times have access to sufficient food to meet their dietary needs for a productive and healthy life.” Concern with food security can be traced back to the world food crisis of 1972-74 - and beyond that to the Universal Declaration of Human Rights in 1948, which recognized the right to food as a core element of an adequate level of living. The right of having enough food and well-being is recognized one of the principals in the Universal Declaration of Human Rights and Agriculture. Therefore in this article the principal elements in health food production and affecting factors are studied.

Keywords: agriculture, food security, human rights

Introduction

Future demand for food will be driven by population growth and rising incomes; the latter increase the demand for meat, vegetables, fruits, and grains (for animal feed). The population of the world is expected to exceed 8 billion by 2025, an increase of 2.5 billion. Given modest income growth, food needs in developing countries could nearly double. In the future, agricultural growth must come primarily from rising biological yields rather than from expanding cultivated areas or intensifying agriculture through irrigation, because fertile land and water are becoming increasingly scarce. Most fertile lands are already under cultivation, and most areas suitable for irrigation have already been exploited. And with population growth and urban expansion, there is rising competition for water from urban and industrial users. Recent financial and climatic events in Asia and the Pacific have emphasized the need for agricultural and rural development. The countries of the region share this view, as do key donor agencies such as the World Bank, the Asian Development Bank, the Food and Agriculture Organization and the World Food Program.

Definition of food security

Concern with food security can be traced back to the world food crisis of 1972-74 - and beyond that to the Universal Declaration of Human Rights in 1948, which recognized the right to food as a core element of an adequate level of living (UN 1948). Food security as a concept emerged at the United Nations Food and Agriculture Organization (FAO) World Food Conference in 1974.

At least four similar definitions of food security have been used by international organizations: 1. "Access by all people at all times to enough food for an active, healthy life." (World Bank) 2. "All people at all times have both physical and economic access to the basic food they need." (FAO Committee on World Food Security)
3. "Access by all people at all times to sufficient food and nutrition for a healthy and productive life." (The Agricultural Trade Development and Assistance Act of 1990)

4. "When all people at all times have access to sufficient food to meet their dietary needs for a productive and healthy life." (USAID Bureau for Africa, 1986)

Within the context of the food security definition, three distinct variables are central to the attainment of food security: availability, access and utilization. Food availability is sufficient quantities of appropriate, necessary types of food from domestic production, commercial imports or donors. Individuals have adequate incomes or other resources to purchase or barter to obtain levels of appropriate foods needed to maintain consumption of an adequate diet/nutrition level. Food is properly used; proper food processing and storage techniques are employed; adequate knowledge of nutrition and child care techniques exists and is applied; and adequate health and sanitation services exist (USAID policy determination definition of food security).

Measuring Food Security and Insecurity

There are a number of ways, and levels, at which food security and insecurity can be measured. These levels include: continental, regional, sub-regional and households levels.

- At the continental and sub-regional levels, food security can be measured by comparing regional nutritional requirements with availability of dietary calories per head. The ultimate goal is to meet the food requirements of the population at all levels. At the country level, the most widely used indicators are quantities of available food compared with needs, as well as import requirements compared with the country's capacity to import.

- At the household level, food security is measured by actual dietary intake of all household members using household income and expenditure surveys. It is important that changes in socio-economic and demographic variables be monitored continuously over time (Chen et al (1994)).

Researchers collect both quantitative and qualitative data to help national governments, donors, and NGOs to identify the vulnerability of poor households to all types of shocks and disasters. For purposes of quantitative analysis, researchers disaggregate existing data that were collected from groups of households and classify them by gender, age, access to resources, control over assets, and income.

Table 1: Food Security Indicators (Richardson, and von Braun (1993))

<table>
<thead>
<tr>
<th>Resources</th>
<th>Production</th>
<th>Income</th>
<th>Consumption</th>
<th>Nutrition</th>
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<td><strong>Natural</strong></td>
<td>Farm</td>
<td>Farm</td>
<td>Food</td>
<td>Child M/F/age</td>
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<td>Rainfall levels,</td>
<td>Irrigated area</td>
<td>Crop income</td>
<td>Non-food consumer</td>
<td>Serum micro-</td>
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<td>Area in fallow</td>
<td>Livestock income</td>
<td>Prices</td>
<td>nutrient levels</td>
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<td>Soil quality</td>
<td>Access to and use</td>
<td>Wage income</td>
<td>Dietary intake</td>
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<td>Water availability</td>
<td>of inputs</td>
<td>Self employment</td>
<td>Meal frequencies</td>
<td>Mortality rates</td>
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<td>Forest resource</td>
<td>Number of cropping</td>
<td>Migrant income</td>
<td>per/day/over 2-3</td>
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<td>seasons</td>
<td>Producer prices</td>
<td>seasons</td>
<td>Access to health</td>
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<td>Fish and seafood</td>
<td>Crop diversity</td>
<td>Market, road</td>
<td>Composition of</td>
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<td>Crop yield</td>
<td>access</td>
<td>daily meals</td>
<td>Access to potable</td>
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<td><strong>Physical</strong></td>
<td>Food production</td>
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<td>Livestock ownership</td>
<td>Cash crop</td>
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<td>Access to adequate</td>
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<td>Infrastructure</td>
<td>production</td>
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<td>security</td>
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<td>Other physical assets</td>
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Universal Declaration and food security

On December 10, 1984, the United Nations General Assembly adopted the Universal Declaration of Human rights.

Few concepts are as frequently invoked in contemporary political discussions as human rights. There is something deeply attractive in the idea that every person anywhere in the world, irrespective of citizenship or territorial legislation, has some basic rights, which others should respect. The moral appeal of human rights has been used for a variety of purposes, from resisting torture and arbitrary incarceration to demanding the end of hunger and of medical neglect. (Sen, 2004)

Human rights are widely considered to be those fundamental moral rights of the person that are necessary for a life with human dignity. Human rights are thus means to a greater social end, and it is the legal system that tells us at any given point in time which rights are considered most fundamental in society (Forsythe, 2006)

We have claimed, however, that natural and/or human rights may be understood as (at least potentially) appropriate expressions of the claims that the human body has—and perhaps all living beings have—to life, shelter, food, appropriate liberties and/or immunities, and so on. (reed, 2007)

This Declaration came almost thirty-eight years after the adoption of the Universal Declaration of Human Rights, according to which human rights constituted both civil and political rights (Articles 1 to 21) and economic, social, and cultural rights (Articles 22 to 28). (Sengupta, 2000)

Basic human rights principles:
- Human rights are universal
- Human rights are inalienable
- Human rights are indivisible and interdependent (Nowak, 2005)

Right to food

Respect the authorities shall refrain from any measures that would prevent access to adequate Food (for instance, arbitrary eviction from land).

Fulfillment the authorities shall implement policies — such as agrarian reform — to ensure the population’s access to adequate food and the capacity of vulnerable groups to Feed themselves (Nowak, 2005)

The right to an adequate standard of living

Article 2 of UDHR

"(1) everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, 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.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection"

Article 11 of CESCR

"1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programs, which are needed:

(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;

(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need"

4-2-3- Private action for relief and development

As we have seen, the International Bill of Rights contains economic and social rights such as the rights to adequate food, clothing, shelter, and medical care in peace time. International humanitarian law contains
noncombatant rights to emergency assistance – referring to similar food, clothing, shelter, and medical care – (Forsythe, 2006)

Hunger and poverty in the world fly in the face of the right to an adequate standard of living. The right should therefore form the basis of all national and international hunger and poverty-reduction plans and strategies. (Nowak, 2005)

Millions of people suffer from famine caused by natural disasters, civil strife, wars and the use of food as a political weapon. Moreover, the CESCR Committee has observed that “malnutrition and under nutrition and other problems which relate to the right to adequate food and the right to freedom from hunger also exist in some of the most economically developed countries” (CESCR, 1999).

While some developing countries have succeeded in reducing hunger steadily, the overall picture remains grim. According to FAO estimates, although the proportion of people who are chronically undernourished continued to fall slowly between 1995-1997 and 2000-2002, the number of undernourished people actually increased by 18 million. In the period 2000-2002, it was estimated that some 852 million people were undernourished worldwide (9 million in industrialized countries, 28 million in countries in transition and 815 million in developing countries) (FAO, 2004).

A framework law on food

While under CESCR States have an obligation to ensure the exercise of the right to food and must legislate to that effect, hungry citizens may seek redress only if the Covenant can be directly invoked before the national courts — which is rarely the case — or has been incorporated into the national laws. Therefore, the Committee which monitors implementation of the Covenant has insisted that countries should pass laws protecting the right to food, and has recommended in particular that States consider the adoption of a framework law ensuring, inter alia, that redress is provided for violations of the right to food (Nowak, 2005).

High-Level Task Force on the Global Food Security Crisis

- Food and Agriculture Organization (FAO)
- International Fund for Agricultural Development (IFAD)
- International Labour Organization (ILO)
- International Monetary Fund (IMF)
- Office of the United Nations High Commissioner for Refugees (UNHCR)
- Organization for Economic Cooperation and Development (OECD)
- Special Adviser on Millennium Development Goals (MDGs)
- United Nations Children’s Fund (UNICEF)
- United Nations Conference on Trade and Development (UNCTAD)
- United Nations Department of Economic and Social Affairs (DESA)
- United Nations Department of Peacekeeping Operations (DPKO)
- United Nations Department of Political Affairs (DPA)
- United Nations Department of Public Information (DPI)
- United Nations Development Program (UNDP)
- United Nations Environment Program (UNEP)
- United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
- United Nations Office of the High Commissioner for Human Rights (OHCHR)
- United Nations Office of the High Representative for the Least Developed Countries Landlocked Developing Countries and Small Island Developing States (OHRLLS)
- World Bank (WB)
- World Food Program (WFP)
- World Health Organization (WHO)
- World Trade Organization (WTO)

World Declaration on Nutrition

6-1- RESPONSIBILITY FOR ACTION
The goals of the World Declaration on Nutrition as well as the recommendations of the Plan of Action for Nutrition need to be translated into priority actions in accordance with the realities found in each country and must be supported by action at the international level. Taking these into account, governments should prepare national plans of action, coordinated as appropriate with follow-up activities related to the World Summit for Children, establishing priorities, setting up time frames and, where appropriate, identifying
the resources needed and those already available. The strategies for achieving the objectives may vary from country to country, and the responsibilities rest with a variety of agents, from government institutions to individuals.

6-1-1- at the national level

(a) All governments should establish appropriate national mechanisms to prioritize, develop, implement and monitor policies and plans to improve nutrition within designated time frames, based both on national and local needs, and provide appropriate funds for their functioning.

(b) Within the context of the national plans of action, governments should formulate, adopt and implement programs and strategies to achieve the recommendations of the Plan of Action for Nutrition, taking into account their specific problems and priorities. In particular, in countries where it is appropriate to do so, ministries of agriculture, fisheries, food, health, social welfare, education and planning, as well as other concerned ministries, should formulate concrete proposals for their sectors to promote nutritional wellbeing.

(c) Governments at the local and provincial levels, as well as NGOs and the private sector, should be encouraged to participate in the process.

(d) All sectors of society should be encouraged to play an active role and to assume their responsibilities in implementing related Components of the national plan of action, with appropriate mechanisms for coordination. Households, communities, NGOs, private institutions – including industry, small-scale producers, women farmers and trade and services, as well as social and cultural associations - and the mass media should be mobilized to help individuals and population groups achieve nutritional wellbeing in close association with government and technical service sectors.

(e) Programs aimed at improving the nutritional well-being of the people, in particular that of the groups at greatest risk, should be supported by the allocation of adequate resources by the public and the private sectors so as to ensure their sustainability.

(f) Governments, academic institutions and industry should support the development of fundamental and applied research directed towards the improving the scientific and technological knowledge base against which food, nutrition and health problems can be analyzed and solved, giving priority to research concerning disadvantaged and vulnerable groups.

(g) In most countries, high priority should be given to the development of human resources and training of personnel needed in all sectors to support nutrition-related activities.

(h) National governments, in cooperation with local authorities, NGOs and the private sector, should prepare periodic reports on the implementation of national plans of actions, with clear indications of how vulnerable groups are faring.

6-1-2- at the international level

(a) International agencies - multilateral, bilateral and nongovernmental - are urged to define, in the course of 1993, steps through which they can contribute to the achievement of those goals and strategies set out in the World Declaration and Plan of Action for Nutrition, including the promotion of new partnerships of economic and technical cooperation among countries.

(b) The governing bodies of FAO, WHO, UNICEF, the World Bank, UNDP, Unesco, ILO, WFP, UNFPA, UNHCR, UNU, IFAD and other concerned international organizations should, in the course of 1993, decide on ways and means of giving appropriate priority to their nutrition-related programs and activities aimed at ensuring, as soon as possible, the vigorous and coordinated implementation of activities recommended in the World Declaration and Plan of Action for Nutrition. This would include, as appropriate, increased assistance to the member countries. FAO and WHO, in particular, should strengthen within available resources their programs for nutritional improvement, taking into account the recommendations put forth in this Plan of Action.

(c) Regional offices of UN organizations and regional intergovernmental organizations are requested to collaborate on and to facilitate the implementation and monitoring of the Plan of Action for Nutrition by supporting horizontal and interregional cooperation, especially among developing countries. In particular, this would involve collaboration based on the aims and principles of the Plan of Action for Nutrition for the formulation of overall regional strategies for improved nutrition and, when requested, for assisting governments in formulating national plans of action.

(d) Regional institutions for research and training, with appropriate support from the international community, should establish or reinforce collaborative networks in order to foster the human resource development needed – particularly at the national level – to implement the Plan of Action for Nutrition, to promote inter-country collaboration and to exchange information on the food and nutrition situation, technologies, research results, the implementation of nutrition programs and resource flows.
(e) As leading specialized agencies of the UN system in the fields of food, nutrition and health, FAO and WHO are requested to prepare jointly, in close collaboration with UNICEF and other UN entities, a consolidated report on their implementation of the World Declaration and Plan of Action for Nutrition and also on its Implementation by their member countries and other international organizations for review by their governing bodies by 1995. The governing bodies can then make decisions on the timing of future reports.

(f) UN agencies have a special responsibility for follow-up. All concerned agencies and organs of the UN system are urged to strengthen their collaborative and cooperative mechanisms in order to fully participate at international, regional, national and local levels in the achievement of the objectives of the Plan of Action for Nutrition. The ACC/SCN should facilitate coordination of these efforts and, in close collaboration with its participating agencies, prepare periodic reports on their activities in implementing the World Declaration and Plan of Action for Nutrition for consideration by the ACC for submission, through ECOSOC, to the UN General Assembly.

Results

Future demand for food will be driven by population growth and rising incomes; the latter increase the demand for meat, vegetables, fruits, and grains (for animal feed).

Concern with food security can be traced back to the world food crisis of 1972-74 - and beyond that at least to the Universal Declaration of Human Rights in 1948, which recognized the right to food as a core element of an adequate level of living. Food security as a concept emerged at the United Nations Food and Agriculture Organization (FAO) World Food Conference in 1974. There are a number of ways, and levels, at which food security and insecurity can be measured. These levels include: continental, regional, sub-regional and households levels.

On December 10, 1984, the United Nations General Assembly adopted the Universal Declaration of Human rights. This Declaration came almost thirty-eight years after the adoption of the Universal Declaration of Human Rights, according to which human rights constituted both civil and political rights (Articles 1 to 21) and International Covenant on Economic, Social and Cultural Rights (Articles 22 to 28). The Right to food is evaluated in the Universal Declaration of Human Rights and International Covenant on Economic, Social and Cultural Rights and world Declaration on Nutrition. Recent financial and climatic events in Asia and the Pacific have emphasized the need for agricultural and rural development. The countries of the region share this view, as do key donor agencies such as the World Bank, the Asian Development Bank, the Food and Agriculture Organization and the World Food Program.

References

CESCR (1999) general comment No. 12.
The Universal Declaration of Human Rights