

Focus:

How to speed up Implementation of the Right to Adequate Food at the International Level?

Selected Papers from the Expert Seminar held at the Max Planck Institute for Comparative Public Law and International Law, 11-12 September 2006.

Food and Agriculture Organization of the United Nations

Max Planck Institute for Comparative Public Law and International Law

FIAN International (FoodFirst Information and Action Network)

“The Special Rapporteur on the right to food is gravely concerned to report to the Human Rights Council that global levels of hunger continue to rise. The number of people suffering from hunger has increased to 854 million people and has been rising every year since 1996.

Virtually no progress has been made in reducing hunger, despite the commitments made by Governments in 1996 at the first World Food Summit and again at the Millennium Summit in 2000. More than 6 million children still die every year before their fifth birthday.

This is unacceptable. All human beings have the right to live in dignity, free from hunger.”

Special Rapporteur on the Right to Food, Jean Ziegler

Doc. A/HRC/4/30

Introductory Remarks

Article 25 of the Universal Declaration of Human Rights of 1948, article 11 of the International Covenant on Economic, Social and Cultural Rights of 1966 and some regional instruments¹ have recognised the Right to Food as a human right.

Moreover, international legal standards regarding this right have been developed *inter alia* by the UN Committee on Economic, Social and Cultural Rights, especially through its General Comment No. 12 (Right to Adequate Food),² and by the FAO, through the Voluntary Guidelines to Support the Progressive Realisation of the Right to Adequate Food in the Context of National Food Security, adopted by the 189 Member States of FAO in 2004. These instruments and other hard and soft law sources establish different parameters for the national implementation of the Right to Food.

Still the latest estimates of the FAO, issued in 2006, show that the number of undernourished people has grown from 854 to 869 million³ during the last few years. The vast majority of them are peasants, small farmers, landless farmers, indigenous peoples and traditional populations (80 per cent); however, the proportion of urban malnourished people is growing the fastest. Close to 70 per cent of all malnourished people are women.

This critical situation with regard to the Right to Food has been highlighted again by the UN Special Rapporteur on the Right to Food, Jean Ziegler in his last report presented to the Human Rights Council in June 2007.⁴ Ziegler stated that virtually no progress has been made in reducing hunger. Despite the commitments made by governments in 1996 at the first World Food Summit and again at the Millennium Summit in 2000, more than 6 million children still die every year before

¹ Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, Protocol of San Salvador of 1988, OAS Treaty Series 69, article 12.

² UN Committee on Economic, Social and Cultural Rights, General Comment No. 12 (1999), Doc. E/C.12/1999/5 of 12 May 1999.

³ FAO (ed.), *The State of Food Insecurity in the World – SOFI 2006*, FAO 2007. Full text available under: <<http://www.fao.org/docrep/009/a0750e/a0750e00.htm>>.

⁴ Doc. A/HRC/4/30.

their fifth birthday. Ziegler expressed his concern regarding so-called “Refugees from hunger”, people leaving their countries looking for a solution for the hunger they and their families are suffering.

Aware of this critical situation and the necessity to translate the international developments on the Right to Food into national reality, the FAO, the Max Planck Institute for Comparative Public Law and International Law and FIAN International (FoodFirst Information and Action Network) invited in September 2006, knowledgeable international experts and recognised practitioners on the Right to Food to respond collectively to the question:

How to speed up Implementation of the Right to Adequate Food at the International Level?

During the seminar, participants: 1.) Analysed the *status quo* of the Right to Adequate Food at the international level, focusing on the role of international organisations, 2.) explored the opportunities available which could be taken advantage of and the challenges still to be faced at the national level, especially taking into account the role of civil society and 3.) identified which steps should be taken in order to reach a more effective implementation of the right to adequate food in line with the Voluntary Guidelines, especially with regard to human rights based monitoring, follow-up of cases and justiciability strategies for the adequate implementation of international standards.

In the following articles, some of the participants present their analysis of the diverse issues presented and discussed during the event.

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