

Special Edition Policies against Hunger Conference 2024 / Berlin

Twenty Years of Action: Advancing the Human Right to Adequate Food

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Summary by Conference Chair (Michael Windfuhr)

20th anniversary of the Voluntary Guidelines on the Right to Adequate Food Experiences, Successes and Outlook

(I) Recognizing achievements

1. The conference celebrated the **Voluntary Guidelines to support the Progressive Realization of the Right to Food** in the context of national food security (Right to Food Guidelines), their richness and holistic approach. The Guidelines remain an instrument that still effectively address so many of today's challenges related to the realization of the right to adequate food.
 - Moreover, the Conference recognized the **rich and advanced normative framework** of additional instruments that have been inspired by the Right to Food Guidelines. The instruments developed and adopted by the [Committee on World Food Security \(CFS\)](#) in the last 15 years include policy guidance on [tenure of land, forests and fisheries](#), [agricultural investment](#), [social protection](#), [gender equality and women's and girls' empowerment](#), [water](#), [smallholders' access to markets](#), [protracted crises](#), among others. The Right to Food Guidelines also inspired and informed other normative documents adopted in other UN bodies, such as the [UN-Declaration on the rights of Indigenous Peoples](#), the [UN-Declaration on the rights of peasants and other people working in rural areas](#), [women's rights](#), [small-scale fishers](#) and [decent work of food and agricultural workers](#), among others.
 - The combination of these instruments provides comprehensive **and detailed guidance for states on how to implement the right to adequate food** as part of the right to an adequate standard of living, as recognized in the [International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#).
 - It must be underscored that the accurate and full understanding of the right to adequate food entails the **binding obligations** to respect, protect and fulfill this right through its progressive realization, by using the maximum of the available resources, and complying with the immediate obligation to guarantee freedom from hunger.

2. The legal authority of the **Voluntary Guidelines is based on the right to adequate food as laid down in the ICESCR as part of the right to an adequate standard of living.** The World Food Summit plan of action in 1996 had asked the [UN Committee on Economic, Social and Cultural Rights](#) (CESCR), the treaty body supervising the ICESCR, to provide guidance for the implementation of that right through the drafting of a General Comment. It developed and adopted in 1999 the [General Comment No. 12 on the right to adequate food](#). The Voluntary Guidelines are based on this normative ground, with full recognition of the right to food as enshrined in international human rights law.
3. The Right to Food Guidelines and the body of normative instruments that have later been drafted in the context of the CFS provide guidance on how to implement this right within a holistic approach. It is time to bring the richness of this implementation guidance to the attention of a wider audience in the United Nations and the international community. It will be particularly important that these developments are adequately reflected in Geneva in the Human Rights protection system, such as in the context of the Human Rights Council but also in the context of the three Rio Conventions. The guidance on the right to adequate food is a key element to ensure the indivisibility, interrelatedness, interdependency and universality of all human rights. This guidance can also help to address climate change, biodiversity loss and land degradation from a human rights-based approach (HRBA). The implementation of the right to adequate food requires **accountability and political will to do no harm and to advance the progressive realization and to stop impunity for violations of the right to adequate food.**

(II) Action at the level of CFS – Committee on World Food Security:

4. The **CFS is a decisive global forum where the future implementation of the Right to Food Guidelines and the normative instruments developed since can be promoted and coordinated** among Member States and all UN-System actors. The current Multi-Year Programme of Work of CFS (MYPoW 2024-2027) puts priority attention to the right to adequate food in the work of the Committee and the specific workstream for the enhanced awareness and uptake of CFS policy instruments can help to foster the knowledge and use of these policy guidance tools on all relevant levels, particularly at country levels.
5. The CFS in its role as global policy coordination platform shall start discussions and deepen the links to other UN-Fora to **further initiating exchange about issues** of high relevance for food security such as those related to
 - **Planetary environmental crises, especially** climate change; biodiversity loss; environmental pollution, the decrease of healthy soils, and desertification.
 - Other UN-Fora particularly in the area of economic development with high impact on the realization of the right to food, such as trade; external debt; and economic justice and taxation.
6. There is a need to address the issue of **conflicts and human rights** related to humanitarian standards as well as the right to adequate food. Beside the high correlation between conflicts and malnutrition and hunger, it is important to further elaborate the implementation of the CFS Framework for Action for Food Security and Nutrition in Protracted Crises, both in order to support the prevention of conflicts or their further aggravation, but also in order to ensure

that conflict solutions endeavours do adequately address root causes of hunger and malnutrition, which come from violations of the right to adequate food. More political attention is needed at the international level to be clear in the analysis and influence actors in conflicts where food and hunger are used as a method of warfare. Providing analyses and update on ongoing conflicts is also an issues to be followed by the FAO, the CFS and the Human Rights Council.

(III) Strengthening the Bridge between Geneva and Rome, and Synergies within UN and with international initiatives on the right to food

7. Use the reporting and monitoring function of the Human Rights protection system and their findings related to the right to adequate food in the CFS for its own monitoring work

- The right to adequate food is monitored regularly in the UN Human rights protection system in Geneva.
 - (a) In the **UN Treaty bodies** that supervise states parties' implementation of human rights treaties, including the ICESCR by the Committee on Economic, Social and Cultural Rights, the Convention on the Rights of the Child by the Committee on the Rights of the Child or the Convention to End all Forms of Discrimination against Women by the CEDAW Committee. These Committees receive individual communications looking into specific situations / cases.
 - (b) In the **Universal Periodic Review (UPR)** in the Human Rights Council. In all these fora, the richness of the implementation tools developed in the CFS can be used to analyse the states' engagement towards the full realization of the right to adequate food.
- Monitoring of state action with respect to the right to adequate food is partially done also in the **regional human rights protection systems of the African Union, the Council of Europe and the Interamerican human rights system.**

The CFS should make use of the results of these human rights monitoring institutions in order to identify trends and policies that can help to better implement the right to adequate food, to analyse those policies and measures that do harm to its implementation and to base its coordination role (CFS) for national and international policies on the evidence provided by that monitoring.

- ➔ The Office of the High Commissioner for Human Rights could summarise the results from the monitoring in the international human rights protection system related to the right to adequate food in a report presented regularly to the CFS.

8. The record of FAO in supporting the implementation of the Right to Food Guidelines over many years is widely acknowledged and appreciated. The 20th anniversary provides the opportunity for FAO to re-commit to the right to adequate food as a guiding priority for the entire organization, especially through enhanced technical support to countries in implementing national right to food legislation, policies and programs. Prioritizing the right to food within the institution will require transversal cooperation among different FAO policy areas, financial commitment from the regular budget and an explicit inclusion of the right to food in FAO's future Strategic Framework.

9. A more explicit and active engagement of the other Rome Based Agencies (RBAs) WFP and IFAD in supporting the promotion of the right to food within their policies and programs would enhance their effectiveness with regards to small-scale food producers and communities in crisis situations. The close collaboration of the RBAs in the uptake of CFS

policy instruments will be a crucial element of strengthening the effectiveness of CFS and the human rights-based approach to food security and nutrition.

10. The need to and potential in strengthening the links of the global right to food agenda between CFS, RBAs, other UN-agencies and Fora such as the ECOSOC, UNGA and especially the Rio Conventions can hardly be overestimated. The new **Brazilian initiative for a Global Alliance against Hunger and Poverty** could be an additional catalysator in galvanizing the synergies of more effective multilateral collaboration and national implementation efforts for the progressive realization of the right to food.

(IV) At the national level:

11. **Principles:** The Right to Food Guidelines gave new impetus to the implementation of ESC-rights at national level. The introduction of the right to food into constitutions and legislation in many countries has been an area of major achievements during the past two decades. However, there is still a long way to go to replicate this process in many other countries. It is key to make **more space, getting more political will** for the improved implementation of the right to adequate food at the national level:

- The Right to Food Guidelines and the additional normative instruments can be a **good guidance for public policies,**
- They can **inspire legislation at the national level** – using particularly the power of the broader normative framework
- They can encourage and help **focus the implementation of policies towards those marginalized persons and groups suffering most from hunger and malnutrition, following the principle to leave no-one behind,**
- **They emphasize the need to strengthen gender equality and women's and girls' empowerment**
- They specifically indicate how to make sustainable both the access to as well as the production, distribution, and use of adequate food. At the same time it is essential to better plan the maintenance of the shared national resources (soils, seeds etc.) – keeping in mind the planetary boundaries.
- They link food security and nutrition aspects with climate resilience, biodiversity protection and soil health through agroecological approaches.
- They point to policy measures to reduce food waste, tackling the excessive overuse of scarce resources in several contexts for fuel, animal feed, etc.
- The advanced normative framework can guide transformational policies towards more sustainable, equitable and resilient food systems.

12. **Specific ideas** and issues to be respected in the implementation at the national level

- Use and strengthen the role of National Human Rights Institutions (NHRIs): States should make use of the expertise and experience of their NHRIs in protecting and promoting human rights, for example with regard to capacity development, policy advice, and human rights monitoring. It is crucial that NHRI's mandates include ESC-Rights in general and the right to food in particular.
- Social participation and adequate space for civil society and Indigenous Peoples' organisations must be guaranteed for their effective and meaningful involvement in policy deliberations, based on the respect of their autonomous and self-organized representation.

- Local, subnational and national food policy councils can be an effective instrument for designing integrated food policies based on the needs and experiences of the concerned social constituencies, improving participation, transparency and accountability of public policies.
- Multi-stakeholder engagement is recommended to develop policies based on the experiences and knowledge of different stakeholders, including civil society, scientific institutions and business.
- States need particularly reliable and disaggregated data on hunger and malnutrition and about the effectiveness of different policy measures to combat hunger and malnutrition. Having a reliable overview and knowledge on all groups that face challenges in the implementation of their right to adequate food or that face hunger and malnutrition is part of State Parties' human rights obligations under the right to adequate food. Without that knowledge, States cannot design adequate policy responses.
- Better communication about the right to adequate food in accessible languages for all parts of the population.

13. Importance of applying a human rights-based approach.

- Huge achievement: A human rights-based approach makes it clear that **more is needed than just increased production and benevolent support by states → it is first and foremost the right to feed oneself**, the right of everybody to own production facilities or decent jobs that will guarantee access to available food. The government has also the legal duty to protect and fulfil / guarantee the right to food.
- The HRBA stresses the legal entitlements of rights-holders and the corresponding binding obligations of States as duty-bearers, applying an HRBA therefore requires both enabling rights-holders to know and claim their rights, and supporting State actors in carrying out their human rights obligations. Capacity development for both rights-holders and duty-bearers is key.
- **Procedural elements** of a human rights-based approach are relevant for effective policy development: (a) transparency and accountability, (b) non-discrimination and (c) participation: Following these procedural elements creates **trust in the political system, promotes agency and reduces inequality. It can help changing power dynamics inside societies.**

14. Conflictual Issues, uphill struggles etc. that need to be analysed permanently in all countries because they are particularly relevant for the realisation of the right to adequate food in close to all countries

- (1) the user conflicts about the scarce natural resources, particularly on land, water, and other natural resources (forests, nature restoration etc.)
- (2) How to guarantee good nutritional regulations, quality of food and how to influence eating habits,

(V) National implementation is also an issue in Germany

15. The right to adequate food is an issue in all countries. The conference underlined the need to also assess and address the situation in Germany

- It discussed the need to have adequate data about malnutrition and the different social groups in vulnerable situations also in Germany
- Several areas of concern were raised by participants, among them:
 - Amount and missing knowledge on food insecurity/food poverty;
 - situation of peasants and small-scale food producers
 - access to land and land concentration dynamics;
 - access to healthy and nutritious diets and food environment related issues;
 - social participation in food governance/food councils
- The 20th anniversary of the Right to Food Guidelines was seen as an opportunity to kickstart a process of analysis and debate about the progressive realization of the right to adequate food in Germany.

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