**Comments of the NHRC, India on the “Concept Note for Preliminary Study on the Right to Food of Rural Women” (Resolution No. 16/27) of the Advisory Committee, Human Rights Council, UN**

1. **The International Legal Framework Applicable to Rural Women**

In addition to studying/discussing the international legal instruments and their provisions which apply to rural women, which have been outlined in the ‘Concept Note for the Preliminary Study on Rural Women and the Right to Food’, the Study must also focus attention on the provisions of the *Convention on the Rights of Persons with Disabilities (CRPD)*.

Rural women and girls with disabilities are at a high risk of marginalization and exclusion. For these women, challenges owing to their limited physical mobility are compounded by a lack of educational, recreational, and other social inclusion and developmental options. It is therefore, important to understand the limits that disability imposes on rural women in their access to resources, employment opportunities and the realization of their Right to Food.

1. **Pattern of Discrimination of Rural Women**

In addition to the elements listed in this section, which impact the livelihood of rural women and the realization of their right to food, the Study must also focus on the role that ‘displacement’ (whether environmental or development-induced), especially in the absence or lack of effective rehabilitation programmes, plays in adversely impacting women’s access to livelihood/employment opportunities and consequently their Right to Food.

There should also be a focus on the various means of empowerment of rural women based upon local conditions through capacity building, provision of financial resources, credit and removal of other discriminatory hurdles, if any.

1. **Strategies and Policies for the Legal Protection for Rural Women**

As stated above, in addition to the international instruments listed in the Concept Note, the Study must also include an examination of the *Convention on the Rights of Persons with Disabilities (CRPD)* to ascertain the provisions that may relate to rural women and girls with disabilities, and consideration of its ratification by member states.

It is also important to recognize that often it is not an absence of appropriate legal provisions, but a lack of effective implementation of existing laws that may result in unequal livelihood opportunities for rural women. The Study therefore, must also attempt to examine the reasons for the poor implementation of existing legal provisions in member states for the empowerment of rural women and how the implementation of these may be made more effective.

1. **Best Practices**

The Study should include available best practices which have proven to support rural women in the realization of their Right to Food and in improving their livelihoods. It is desirable that the study should suggest specific strategies for countries in accordance with their level of development and local conditions. Besides, developing countries should be encouraged to conduct such studies.

The Government of India has several schemes for augmenting agricultural production and ensuring adequate availability of food for different segments. It is also in the process of enacting a national legislation on ‘Food Security’, especially for the marginalized sections of society.

As regards the best practices of the National Human Rights Commission of India, a *Core Group on the Right to Food* has been constituted by the Commission. On the basis of the discussions held in its various meetings, it was decided to strengthen the local administration to ensure easy availability of food grains, especially in remote areas, especially the least-developed rural areas.

The NHRC, India has also been monitoring the working of the Public Distribution System (PDS) and the general availability of food to the people, especially in the Koraput, Bolangir, and Kalahandi (KBK) districts (on a remit by the apex court – the Supreme Court of India) in the state of Orissa from where starvation deaths and incidence of widespread malnutrition have been reported in the past.

The NHRC, India, after detailed consultations with the members of its *Core Group on the Right to Food*, sent its views and comments on the Draft *Food Security Bill* for the consideration of the Government of India.