

**The right to Adequate Food Event**  
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**Written text of the video message from Hilal Elver, Special Rapporteur on  
Right to Food**

Dear distinguished participants and dear friends, I wish I would be with you there physically to discuss last 20 years of development in the area of right to food and accountability mechanism.

The human rights agenda was in forefront in two distinct periods during the 20<sup>th</sup> century. The first one was after WWII, when grim memories were fresh of catastrophic denial of human rights in Nazi Germany, Imperial Japan, and Fascist Italy. The 1948 Universal Declaration of Human Rights, followed by two legally binding Covenants (civil and political rights and economic, social and cultural rights) were major positive results of these years.

The second period was in 1990s when the Cold War ended and human rights again became prominent on the global policy agenda. Several high profile UN Global Conferences were held, the International Criminal Court was established, many other normative global initiatives took place.

One of the notable highlights of this period was the Vienna World Conference on Human Rights in 1993 where the assembled governments endorsed the universality, indivisibility, interrelatedness and interdependence of all human rights. After that, at the 1996 World Food Summit these principles were endorsed, this time with respect to the right to adequate food.

More than 20 years ago it was widely acknowledged that the production oriented agricultural policies underpinned by the Green Revolution dramatically increased food production around the world, but this result was achieved at the expense of environmental degradation. Although over production period has credited with avoiding predicted famines in some parts of the world, it did not solve the problem of global hunger.

The reason that hunger and malnutrition persists is not because there is not enough food for everyone. Hunger persists because of poverty, social and economic inequality and inaccessibility to vital resources, as well as adverse impact of trade rules in developing countries and the predatory character of economic globalization. Many of the root causes of world hunger cannot and will not be overcome without the existence and implementation of normative principles of human rights.

Unfortunately, 20 years after the World Food Summit the recognition of the right to adequate food, is declining. It is becoming more difficult to embed the right to food

concept in global regulatory frameworks than two decades ago. I will give two examples on that:

The first one was the failure to include the right to food in the 2015 Paris Climate Change Agreement, and the second one was the ignoring of the right to food language in the 2030 Sustainable Development Goals.

In relation to the Paris Climate Change Agreement we might refer to the “glass half empty, half full” metaphor. Because, the human rights approach was first time affirmed in a climate change agreement but only in the Preamble, and then only after a long fight waged by the NGO community with the support of a few sympathetic States. This is a positive side.

On the down side, there was no mention of human rights in the operational provisions in the agreement. Moreover, regrettably, there was actually strong opposition to the inclusion of the right to food in the Paris text unlike some other rights that were explicitly mentioned in the Preamble.

This result was neither an accident nor an oversight. Rather it reflected the view that the right to food approach was perceived as hostile to the interests of the big agro businesses. The agricultural lobby successfully excluded the right to food from the text. Instead, the production approach to food security was explicitly repeated as it was in Article 2 of the UNFCCC. What I would consider, the international preoccupation with climate change has transferred the focus of concern to functional and quantitative solutions at the expense of normative and equity considerations. While climate justice played some role at the Paris Agreement, unfortunately food justice was ignored.

However, recognition of the human rights based approach is very important in climate change policies as many of the clean development mechanisms of the UNFCCC could have an adverse impact on the right to adequate food and the livelihood of many people, such as REDD+ about reforestation projects in order to reduce Green House Gas emissions with the expense of local communities.

Similarly, biofuel is a poster child of benevolent climate change policies that is threatening peoples' right to food. It is important to insist on a human rights approach in response to climate change mitigation and adaptation policies and make a greater effort to protect access of all people to sufficient, healthy, and affordable food, while responding to climate change.

However, there are further concerns relating to the application of new technologies to agriculture to eradicate hunger in time of climate change. For instance, efforts to increase food production by way of biotechnology and reliance on pesticides could have detrimental, sometimes unintended long-term consequences for the fulfillment of the right to adequate food and human health.

The second example of the strong resistance against human right language is the 2030 Sustainable Development Goals (SDGs). What would have been more appropriate to affirm the right to food in Goal No. 2 if the world really wants to “**end hunger, achieve food security and improved nutrition and promote sustainable agriculture?**” Unfortunately it was an organized effort not to use clear human rights language and inventing some other concepts such as “no one left behind” and weakened the monitoring mechanism. These examples, among many, shows that we have entered a period in which supporting the right to food approach is becoming an uphill battle everywhere. The widespread rise of the chauvinistic nationalism, and the influence market driven thinking is making it unfashionable these days to support human rights.

**The Committee of Food Security (CFS)** is a unique international institutional framework within which civil society is strongly represented after revolutionary restructuring in 2009. But CFS is too young and in some senses too fragile to confront these problems directly. Meaningful participation in decision-making must be struggle against very powerful private sector mechanisms and big governments. The civil society mechanisms that exist need continuous support and vigilant attention. Repeating a commitment to a human rights approach needs to be foregrounded in every document released by the CFS. Without an accountability mechanism, there is no way to protect peoples right to adequate food, and access to food it will be treated as a charity demeaning to those who become dependent. Charity cannot realistically hope to prevail against big business. Only a vigorous program of human rights can have such a hope.

**Finally there is also some good news to report.** As we know, more than 25 countries now have implicit or explicit norms in their constitution dedicated to the protection of the right to adequate food, and many states have framework laws. Latin America is the leader of this trend, but we also see encouraging developments in Europe and other continents. Belgium presently has a right to food bill in its Parliament, I believe we should thank Olivier De Schutter for this achievement. In Italy, the Lombardy Region is championing the right to food. The cities of Milan and Torino are the leaders of this development making right to food a law. Additionally, Scotland is preparing a right to food bill soon to be put before lawmakers. Unfortunately, the European Convention of Human Rights, unlike some other regional human rights mechanisms (such as Americas, and Africa) does not have a provision affirming the right to food. This needs to be discussed publicly especially Europe while the Continent is struggling with ongoing refugee crises.

However, at sub-national levels in many cities throughout Europe, as well as in the United States and Canada there are signs that communities are beginning to appreciate the right to food, local food movement, as well as food sovereignty and democracy. There are growing efforts to mobilize people around these moral and normative ideas, which is enjoying some success despite strong resistance by many national governments and corporations. These political and economic actors do not like to impose legal accountability. They greatly prefer to rely on voluntary code of conduct to achieve corporate social responsibility. So far, with rare exceptions this reliance on voluntary compliance has been ineffective.

I would like to mention here the Peoples’ Tribunal that took place last October in the

Hague against Monsanto, one of the Big 6 pesticides and seed companies that is now really even bigger Big 3 due to recent mergers. At the tribunal, NGOs and human rights advocates listened to testimonies from experts and peoples from all over the world who described many human rights violations by big corporations. The distinguished European Court of Human Rights judge Tulken eloquently articulated the view that the progressive development of international human rights principles depend on their repetition and acknowledgment at various policymaking platforms. Therefore, as the Special Rapporteur part of our responsibility is to stress the necessity of the right to adequate food in all of our thematic reports and in every country visits, especially when we have opportunities to talk with government officials who are responsible for food policy.

Human rights principles became an important and powerful tool for victimized people after civil society organizations started to take them seriously in their efforts to oppose government actions. It was a difficult struggle at first. Many governments cynically considered that these principles of human rights would be just empty words that could be endorsed without any expectation that they would held accountable for their implementation. Unfortunately, influential Western based human rights NGOs such as Amnesty International and Human Rights Watch still do not fight hard or often enough, for economic, social and cultural rights.

**But we are not discouraged, nor passive.** We have very powerful right to food and food sovereignty civil society network around the world, wherever we go they are our partners, our ears, and our eyes. They teach us, remind us, and direct us to wherever the human rights violations occur. We need to respect their voices in all of our deliberations and work. Taking this opportunity thank you all being there and keeping human rights agenda alive in this very difficult time.