

UN Special Rapporteur on the Right to Food Michael Fakhri

RIGHT TO FOOD FOR FOOD SYSTEM RECOVERY AND TRANSFORMATION September 2023

Even though the COVID-19 pandemic formally ended, the world is still mired in a food crisis that started in 2020 and is getting worse. The [Special Rapporteur's latest report](#) responds to the General Assembly's request that he provide a way to respond to and recover from the COVID-19 pandemic and ensuing food crisis.

If the story of the COVID-19 pandemic was about an avoidable tragedy, the story emerging from the pandemic is about people's courageous struggle and political victories. Despite high rates of sickness and death, people expressed their right to food when they organized themselves and took care of each other. They exercised their right to food when they pushed their governments to ensure that they had access to good food. And they deployed the right to food when they resisted against corporations' attempts to dominate food systems.

The Challenge

To recover from the current food crisis, and with an eye to the future, States face three issues. They must:

- (a) Respond to the food crisis with national plans;
- (b) Develop an international coordinated response to the food crisis;
- (c) Transform their food systems to make them more resilient to climate change and prevent biodiversity loss.

States must address all three issues as interdependent. If they do not cooperate and develop an international coordinated response, their national plans to recover from the food crisis will fail. At the same time, how they respond to the multiple crises at hand will significantly affect the nature of their food systems for decades to come.

Immediate Response

The majority of measures deployed by governments during the pandemic that have effectively enhanced the right to food should not be treated as temporary responses. Drawing from different national examples, the report details how many of these measures can be considered as proof of what is possible to transform a food system. Member States should not end these policies but instead should convert them into permanent programmes. These include programmes such as:

1. Direct cash transfers;
2. Universal school meals;
3. Support for territorial markets;
4. Support for Indigenous Peoples, together with peasants, pastoralists, fishers and other small-scale food producers, especially their access to inputs, territorial markets and public procurement programmes;
5. Protection of the right of workers to association, enforcement of labour laws and enhancement of worker protection;
6. Social protection to mitigate negative market impacts;
7. Recognition of and support for the role of local and regional governments in meeting needs related to the right to food.

Food System Transformation

For all the discussions around food systems transformation, the UN Food Systems Summit did not clarify what is the problem and nor did it provide a clear sense of what needs to be transformed or how. In the report, the Special Rapporteur outlines the structural constraints of debt, the WTO, and corporate power. He then provides a political and legal agenda for food systems transformation.

The right to food provides a legal framework that cohesively responds to the three interdependent issues facing States. The right to food is unique within the International Covenant on Economic, Social and Cultural Rights because article 11 (2) obliges States to adopt specific programmes in order to eliminate hunger and fulfil the right to food. As a result, the right to food comes with an international legal framework that guides States and people. Given the current acute need for international cooperation in coordinating a response to the food crisis, it is worth highlighting the fact that the right to food is the only right under the Covenant that includes international cooperation as an explicit obligation.

Framing the problem: relationships of dependency and extractivism

Food crisis, debt crisis, inflation, climate change, pollution, biodiversity loss – framing problems as a crisis can leave people feeling overwhelmed and powerless. The Special Rapporteur details how structural inequality and systemic violence are the underlying cause of all these intersecting crises. The conditions that enable structural inequality and systemic violence are relationships of dependency and extractivism.

Relationships of dependency mean that one party relies heavily on the other party, and the other party can more easily walk away from the relationship at any point. Extractivist economies imagine nature as a source of resources and rely on the extraction and export of these so-called natural resources. The assumption is that exploiting nature is worth it because the ensuing revenue will be shared and benefit the public at large. Extraction from nature and the exploitation of people are, however, inherently linked, since you cannot separate how you treat nature from how you treat people.

Framing the solution: relationships based on care and reciprocity

When people were struggling and hunger was on the rise, people took care of each other in profound ways. By taking care of their kin, friends and neighbours, people ensured that someone was strong enough to take care of them in their own time of need. Relationships of reciprocity were key to ensuring that people were resilient during the pandemic.

Food is at the centre of the economy of care. Care is not just about attending directly to people's emotional and physical needs. It includes all activities that nourish and nurture, all the elements that are necessary for people's welfare and for them to flourish. Understood in that way, care captures the needs of individuals in vulnerable situations, the social capacity to care through institutions, and the needs of people who are care workers and are essential for humanity's well-being.

Recovering from the pandemic and transforming food systems: a matter of power and not just policy

The challenge with trying to transform food systems does not lie in a scarcity of solutions. Policy solutions abound. To say that there is a lack of political will for change is not enough. What should be done is reconfigure power in food systems to ensure that relationships are based on care and reciprocity so that meaningful change can occur.

People and governments are already building the future they want. While the pandemic exacerbated inequality, people survived by deepening their relationships with each other and the land. The Special Rapporteur outlines in his report the practices that should end and the policies with which they should be replaced. Namely, with policies based on existing practices that would enable both recovery and transformation and that would reconfigure power in food systems in a way that fulfils the right to food. These are the following:

1. Moving away from industrial agriculture towards agroecology
2. Moving away from giving priority to global markets towards supporting territorial markets
3. Depending less on corporations and strengthening social and solidarity economy entities
4. Reinvigorating multilateralism to become a multilateralism anchored in food sovereignty

Global Governance

Given the institutional landscape and the lack of concerted multilateral action during the food crisis, international food security policy has been slow and inconsistent. The three issues facing governments – namely, national responses to the food crisis, international coordination and food system transformation – are spread across various international forums. The report summarizes the state of the right to food in the context of the UN Food Systems Summit, UN Framework Convention on Climate Change, Convention on Biodiversity, and the WTO. All these forums come up short when it comes to respecting and protecting the right to food, much less fulfilling this right.

Yet, over the last year, the right to food has been recognized by a growing number of states as reflected by strong right to food resolutions at the UN General Assembly and Human Rights Council, accompanied by the right to food being part of a number of multilateral political declarations. A number of active and powerful countries are making the right to food central to their domestic and international policy. And countries are starting to develop new relationships with each other around the right to food.

The Special Rapporteur strongly recommends that States build on this momentum and focus their efforts at the UN Committee on World Food Security to address the three issues. The fact that the Committee on World Food Security is poised to devote a workstream to the right to food as part of its 2024-2027 can be the opportunity the world needs in order to develop an international coordinated response to the food crisis.