

**Human Rights Council****Forty-third session**

24 February–20 March 2020

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Critical perspective on food systems, food crises and the
future of the right to food****Report of the Special Rapporteur on the right to food****Summary*

The present report marks the close of the Special Rapporteur's mandate and serves as her final presentation to the Human Rights Council in her official capacity. Over the past six years, Hilal Elver has gained a unique insight into the global state of the right to food. Such knowledge has led her to conclude that, despite the Sustainable Development Goal of "zero hunger" and malnutrition by 2030, the realization of the right to food remains a distant, if not impossible, reality for far too many. In the present report, the Special Rapporteur offers a critical perspective on the trends that have led to this reality and a review of new developments that have the potential to change the status quo. She also looks to the future, highlighting the roles and responsibilities of key players in advancing the right to food. The recommendations set forth in the report are intended to facilitate the work of subsequent Special Rapporteurs and contribute to the mandate's institutional memory. The Special Rapporteur therefore intends for the report to provide a foundation for those who wish to guarantee a world free from hunger and malnutrition for the next generation.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



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I. Introduction

1. Over the past six years, the Special Rapporteur has carried out the right to food mandate consistent with the guidelines of the Human Rights Council, as set forth in its resolution 6/2. She has submitted 11 thematic reports to the Human Rights Council and the General Assembly, addressing pressing issues relevant to the right to food, including the justiciability of the right to food, women's rights and empowerment, climate change, malnutrition, natural disasters and humanitarian assistance, conflict and famine, agricultural workers and fishery workers and the Sustainable Development Goals. Each report was informed by cooperation with States and consultation with international organizations, non-governmental organizations, academia and members of civil society. The Special Rapporteur also conducted missions in 11 countries, enabling her to witness the implementation, as well as violations, of the right to food on the ground.¹ She has issued numerous allegation letters and press releases, often coordinated with other Special Rapporteurs, reminding countries and key stakeholders of the importance of monitoring human rights.

2. The Special Rapporteur would like to take this opportunity to thank members of the Human Rights Council for giving her this privilege. She extends her appreciation to the administrators of the Special Procedures Branch and the human rights experts in the Office of the United Nations High Commissioner for Human Rights (OHCHR), who helped her at every stage and facilitated the resolution of the many logistical and substantive challenges that arose throughout her mandate. Without their valuable contributions and warm friendship, that work could not have been realized.

3. Over the course of her mandate, the Special Rapporteur has drawn attention to those populations living on the brink of famine and those subject to the starvation that threatens more than 113 million people worldwide.² She has critiqued the expansion of an international economic regime that promotes the unequal distribution of resources, the exploitation of agricultural workers, a rise in monocultural production and a lessening of diversity in food systems in times of climate emergency. She has demanded remedy for the most marginalized communities facing persistent inequality and discrimination based on their gender and/or ethnic identity and illustrated how these conditions were exacerbated in the wake of severe conflicts and emergency situations, including those linked to geopolitical tensions and climate change. She has concluded that, despite the goal of “zero hunger” and malnutrition by 2030, the realization of the right to food remains a distant, if not impossible, reality for far too many.

4. Nevertheless, the Special Rapporteur is committed to using the knowledge gained in her position to show the path forward and inspire collective action. A comprehensive review of the right to food cannot be undertaken within the scope of her final report. Instead, she assesses the relevant trends that have emerged during her mandate and offers a sobering and at times promising review, recalling past thematic reports, observations from country missions and findings from leading technical experts on global food and nutrition security. After providing a critical perspective on the remaining challenges and new developments, she looks to the future, highlighting the roles and responsibilities of key players in advancing the right to food.

5. The final report is intended to facilitate the work of subsequent Special Rapporteurs and contribute to the mandate's institutional memory. It also offers a foundation for those who wish to guarantee a world free from hunger and malnutrition for the next generation.

¹ The Special Rapporteur visited Argentina, Azerbaijan, Indonesia, Italy (in January 2020), Morocco, Paraguay, Philippines, Poland, Viet Nam, Zambia and Zimbabwe.

² See Food Security Information Network, *2019 Global Report on Food Crises: Joint Analysis for Better Decisions*, (September 2019).

II. Critical perspective: globalization and commodification of food systems

6. The current industrial agricultural model has serious disadvantages. It generates food loss and waste, mistreats animals, emits greenhouse gases, pollutes ecosystems, displaces and abuses agricultural and fishery workers, and disrupts traditional farming communities. Put simply, the human rights of food system actors, including agricultural workers, smallholder farmers and consumers, are often ignored or their rights violated. The following section provides a critical view of those trends and other obstacles to upholding the right to food. The discussion further assesses the progress made in addressing the challenges to achieving solutions and the remaining gaps.

A. Trade agreements, subsidies and neoliberalism

7. The globalization of food systems has the potential to support greater availability and diversity of food, thus addressing food insecurity and malnutrition. In practice, however, this phenomenon has perpetuated global inequality and undermined access to food for the most vulnerable populations. Today's food systems are dominated by trade agreements and economic policies that prioritize profits over the right to food. Power is concentrated in the hands of a few corporate actors that benefit from free trade rules and export-oriented agricultural policies. Such regimes privilege large-scale agribusinesses to the detriment of others, creating instability in the global food system.

8. Around the world, small producers are disappearing and local markets are collapsing. Rural producers, increasingly facing poverty, have been forced to respond to trade rules and production incentives (such as subsidies and tariffs), which have affected their ability to meet local food needs and participate in larger markets. Unilateral measures taken by countries under the guise of ensuring safety or protecting intellectual property rights often disproportionately disadvantage smallholders and producers who do not have the capital to implement the required measures and whose capabilities are therefore limited.

9. Fiscal policies that promote farm subsidies and other protectionist measures mostly benefit large multinational corporations and big landowners over the interests of local producers. The common agricultural policy of the European Union, which is one of the world's largest subsidy schemes (representing 40 per cent of the European budget),³ is intended to promote "farmers' food sovereignty" but is often subject to distortion and manipulation that threatens the livelihoods of local producers.⁴ The most heavily subsidized areas experience the worst pollution and a rise of greenhouse gas emissions from agriculture.⁵

10. Smaller producers in developing countries struggle to compete with subsidized products from developed countries.⁶ Subsidies saturate global markets with unhealthy food, as they promote major commodities, such as corn, soybeans, wheat, rice, sorghum, milk and meat, at the expense of diverse food systems and food security.⁷

11. Several States have adopted neoliberal reforms, including fiscal consolidation or austerity measures, and broader, structural reforms that liberalize, deregulate and privatize food markets to the detriment of smaller producers. For instance in Greece, such policies have generated favourable conditions for larger food retailers and private traders, but have contributed to a rise in rural poverty, unemployment and food insecurity (A/74/164, para.

³ See Matt Apuzzo and Salam Gebrekidan, "Who keeps Europe's farm billions flowing? Often, those who benefit", *The New York Times* (11 Dec. 2019).

⁴ Selam Gebrekidan, Matt Apuzzo and Benjamin Novak, "The money farmers: how oligarchs and populists milk the E.U. for millions", *The New York Times* (3 November 2019).

⁵ Matt Apuzzo and others, "Killer slime, dead birds, an expunged map: the dirty secrets of European farm subsidies", *The New York Times* (25 December 2019).

⁶ Emmett Livingstone, "How EU milk is sinking Africa's farmers", *Politico* (8 April 2018).

⁷ Since 1995, the United States of America has provided farmers with nearly \$300 billion in agricultural subsidies for commodity crops.

19). Similarly, austerity measures have “ravaged” communities in the United Kingdom of Great Britain and Northern Ireland, leaving populations without access to basic services and vulnerable to human rights violations (see A/HRC/41/39/Add.1).

New developments

12. The Special Rapporteur has previously warned that these policies, in conjunction with cuts to fuel and food subsidies, rising food prices and corruption, exacerbate inequality and stir unrest, as seen in Haiti, the Sudan and the Bolivarian Republic of Venezuela. During the Special Rapporteur’s recent visit to Zimbabwe, she observed a dire situation of food insecurity and poverty throughout the country. Economic sanctions and conditionalities imposed by the United States of America and to a lesser extent by the European Union, as well as the austerity measures adopted by the Government have made these conditions worse.⁸

13. Globally, such policies are creating social and economic instability. In October 2019, the President of Ecuador came to an agreement with indigenous leaders to cancel an economic austerity package that had catalysed violent protests and attacks in Quito.⁹ There is growing social anger and support for strikes in France as a result of pension cuts and austerity measures. Demonstrations in Algeria, Chile, Iraq and Lebanon represent a broad international resurgence of the class struggle, driven by social inequality. States should reject neoliberal austerity measures before they ignite conflict or contribute to additional food crises.

B. Marginalization of smallholder farmers and peasants

14. Globalization and financialization of food systems has enabled big agricultural firms to dominate the market, unilaterally deciding what and how much to produce. That power imbalance leaves small and medium enterprises without food sovereignty and with almost no alternative but to accept the rules set by big agriculture. An estimated 80 per cent of the world’s poorest people live and work in rural areas,¹⁰ half of whom are small-scale and traditional farmers, 20 per cent are landless and 10 per cent subsist through fishing, hunting and herding activities.¹¹ Despite producing more than 70 per cent of locally consumed food, peasants and smallholders have become dispensable, experiencing displacement and facing barriers to markets as a result of technical trade requirements and infrastructural deficiencies.

New developments

15. While these challenges have persisted over the past six years, there have been significant advances in the legal protections afforded to small-scale producers and peasants. In 2018, the General Assembly adopted the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, reinforcing the obligation of States to provide inclusive, unobstructed access to productive resources for rural populations, including women, and the rights to decent work and livelihood. After a prolonged battle, the adoption of the Declaration represents an important step forward. Formal recognition of peasants’ rights aligns with target 2.3 of the Sustainable Development Goals, which promotes agricultural productivity and the incomes of small-scale producers, guaranteeing access to resources for women, indigenous peoples, family farmers, pastoralists and

⁸ See preliminary observations of the Special Rapporteur on the right to food, on her visit to Zimbabwe from 18 to 28 November 2019.

⁹ See José María León Cabrera and Clifford Krauss, “Deal struck in Ecuador to cancel austerity package and end protests”, *The New York Times* (13 Oct. 2019).

¹⁰ See Ana Paula De La O Campos and others, “*Ending Extreme Poverty in Rural Areas. Sustaining Livelihoods to Leave No One Behind*” (Rome, Food and Agriculture Organization of the United Nations (FAO)).

¹¹ See CETIM, “A UN Declaration on the rights of peasants”, available from www.cetim.ch/a-un-declaration-on-the-rights-of-peasants/.

fisherfolk. However, as the Special Rapporteur discussed in her report on the Sustainable Development Goals, States are not on track to achieve the Goals by 2030 (see A/74/164).

16. The Committee on World Food Security has developed important policy guidelines that support the Sustainable Development Goals, including voluntary guidelines on the responsible governance of tenure of land, fisheries and forests; voluntary guidelines for securing sustainable small-scale fisheries in the context of food security and poverty eradication; and policies on investing in smallholder agriculture for food security and nutrition; connecting smallholders to markets; and sustainable agricultural development for food security and nutrition.

17. In 2017, in resolution 72/239 the General Assembly proclaimed 2019–2028 the United Nations Decade of Family Farming. In 2019, the Food and Agriculture Organization of the United Nations (FAO) and the International Fund for Agricultural Development (IFAD) launched a joint global action plan to enable a better policy environment for family farmers, support youth and generational sustainability, promote gender equality, improve socioeconomic inclusion and safeguard biodiversity, the environment and culture. While these are laudable goals, implementation requires greater inclusivity, as global policy has favoured multinational agribusinesses and investment frameworks that undermine family farming.

C. Rush to land

18. Over 3.1 billion people worldwide rely on land use for their livelihoods, the majority of whom live in developing countries without official ownership. In the global South, natural resources such as water, forests, savannas and farming and grazing lands are often managed communally under customary laws. As market control has become increasingly consolidated, these lands have become subject to agricultural investment, as part of a “global land grab”.¹² This concept refers to the acquisition of large tracts of land by companies for investment purposes, often without the consent of or consultation with local communities. Between 2000 and 2016, foreign buyers acquired 42.2 million hectares of land, with Africa accounting for 42 per cent of all deals.¹³ Land-grabbing has also increased across Europe, where 2.7 per cent of farms over 100 hectares control over half of all arable land.¹⁴

19. Proponents of large-scale land acquisition frame these policies as beneficial for local employment and economic infrastructure. The World Bank claims that its project on enabling the business of agriculture protects land rights and promotes equitable access to land. In practice, the project has cast land as a marketable commodity sold to the highest bidder. Most acquisitions do not advance poverty reduction or development targets; instead such policies encourage export markets, increase the risk of price shocks and create a market for land rights with potentially destructive effects on the local livelihoods of family farmers, pastoralists and those without formal land grants.¹⁵

New developments

20. While land-grabbing persists, there have been gradual efforts by States to establish procedural rules to protect the tenure rights of local populations. In 2015, Poland adopted a land transaction law just after the Special Rapporteur had conducted a country visit (see A/HRC/34/48/Add.1). The law was intended to protect agricultural land from large foreign or domestic investors who would establish agribusinesses to the detriment of family farming. It also set out procedures that allowed individuals to appeal against administrative proceedings in the event that they were wrongly denied their right to purchase farmland.

¹² See Transnational Institute, “The global land grab: a primer” (2012).

¹³ Kerstin Nolte, Wytse Chamberlain and Markus Giger, “International land deals for agriculture. Fresh insights from the land matrix: analytical report II” (2016).

¹⁴ See European Coordination Via Campesina, “Toolkit on land grabbing and access to land in Europe” (April 2017).

¹⁵ See Olivier De Schutter, “How not to think of land-grabbing: three critiques of large-scale investments in farmland”, *Journal of Peasant Studies*, vol. 38, No. 2 (2011).

21. Movements led by civil society have had moderate success in opposing land-grabbing. In 2018, for example, farmers in Mozambique successfully fended off an attempted large-scale land grab by a Chinese company.¹⁶ Even so, against the backdrop of the 2030 Agenda for Sustainable Development, green-grabbing or land-grabbing, with the alleged purpose of mitigating climate change or promoting environmental conservation, has emerged as a major threat to local communities. In Ghana, efforts to attain energy efficiency and develop large-scale biofuel development have led to land-grabbing by both local and foreign entities.

D. Worker exploitation and exposure to dangerous pesticides

22. Food workers continue to rank among the world's most food insecure. The agricultural sector alone employs an estimated 1.3 billion workers worldwide and the International Labour Organization (ILO) estimates that at least 170,000 of those workers are killed each year.¹⁷ Informality in the sector, which accounts for 60 to 90 per cent of all workers, especially women, children and migrants, means fewer protections and higher risks of poverty (see A/73/164 and A/HRC/40/56). Exposure to toxic pesticides through spray, drift and direct contact has contributed to shocking rates of acute pesticide poisoning among agricultural workers (A/HRC/34/48, para. 16).

23. Workers also experience debt bondage, exploitative "pay-by-piece" schemes, limited collective bargaining and a lack of social protections (nearly 80 per cent are without access to social security, health care and workers' compensation, see A/73/164). These violations have persisted as speculative finance has driven down the price of global commodities and farm owners have cut corners by eliminating adequate wages, safety protections and decent workplace conditions, such as access to clean water, food and basic sanitation.

24. Existing legal protections for such workers have proven insufficient, especially as supply chains continue to expand and cross jurisdictional boundaries. The Plantations Convention, 1958 (No. 110) and its Protocol of 1982 are only operative in 10 countries and ratification of other ILO conventions remains low. For fishery and agricultural workers who are formally employed, protections are set forth in a patchwork of fragmented legal frameworks that lack mechanisms for monitoring, enforcement and accountability (see A/73/164 and A/HRC/40/56).

25. Children remain insufficiently protected, as 71 per cent of child labourers work in the greater agricultural sector, an increase of 10 million since 2012. Various human rights and labour instruments, including the Convention on the Rights of the Child, the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention 1999 (No. 182), have not translated into meaningful improvements on the ground (see A/73/164). Addressing child labour requires an intersectional approach, focused on rural development and poverty reduction as the main drivers of food insecurity.

26. In addition, businesses are merely encouraged to adhere to the Guiding Principles on Business and Human Rights, with no binding rules underpinning due diligence mechanisms. Nor are there avenues that allow affected individuals and communities to hold supply chain enterprises that benefit from human rights abuses responsible.

¹⁶ See Timothy A. Wise, "Seeds of resistance, harvests of hope: farmers halt a land grab in Mozambique", *GRAIN* (30 Oct. 2018).

¹⁷ See ILO, "Agriculture: a hazardous work" (March 2015).

New developments

27. Efforts to change the status quo are under way at the international level, as a draft legally binding agreement on business activities and human rights is currently under negotiation.¹⁸ It is intended to prevent violations and abuses, ensure access to justice and remedies for victims, and promote and strengthen international cooperation. More than 400 civil society organizations support this initiative, but the developed countries have so far declined to do so. The European Union recently engaged more positively in response to pressure from civil society.¹⁹

28. Generally, States have been slow to adopt appropriate legal protections for workers. A recent wave of litigation focused on glyphosate, the active ingredient in the popular Roundup weed killer, finally catalysed State-implemented protection in the form of bans, restrictions and even monetary compensation for harm caused.²⁰ Nearly 20 countries have adopted or announced future safeguards since the International Agency for Research on Cancer reported that the chemical was “probably carcinogenic” in 2015.²¹ Despite this, glyphosate bans continue to be globally controversial.²²

29. FAO recently conducted a legislative study to identify problems in the agriculture, forestry and fisheries sectors and to offer guidance to States on applicable standards.²³ However, violations remain particularly severe: reports have exposed illegal wage deductions on Sri Lankan tea estates that had been certified as slavery-free by Rainforest Alliance and Fairtrade;²⁴ human rights violations on plantations certified as sustainable by the Roundtable on Sustainable Palm Oil;²⁵ and slave labour, trafficking, and human rights abuses that continue throughout the fisheries industry as well (A/HRC/40/56).

E. “Supermarketization” of food and rising rates of malnutrition

30. All forms of malnutrition continue to threaten the lives and livelihoods of populations around the world. Children remain the most vulnerable to malnutrition, as their right to food remains unrealized, despite added protections set forth in the Convention on the Rights of the Child and in national legal frameworks. According to the World Health Organization (WHO), malnutrition is the underlying contributing factor in approximately 45 per cent of all child deaths (A/71/282, para. 13).

31. As State policies promote commodity foods for export, local markets are flooded by subsidized, processed foods that contribute to the explosion of non-communicable diseases and malnutrition. Countries that embrace market deregulation experience a faster increase in unhealthy food consumption (A/71/282, para. 29), as unhealthy foods are more readily

¹⁸ See open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, “Revised draft of a legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises” (16 July 2019).

¹⁹ Lúcia Ortiz and Anne van Schaik, “Why does the European Union fear a binding human rights treaty on transnational corporations?”, Friends of the Earth International (11 July 2018).

²⁰ See Reuters, “Bayer expects significant surge in number of U.S. glyphosate cases” (16 October 2019).

²¹ See Sustainable Pulse, “Glyphosate herbicides now banned or restricted in 20 countries worldwide” (28 May 2019); and The Guardian, “Germany to ban use of glyphosate weedkiller by end of 2023” (4 September 2019).

²² Glyphosate is not currently banned in the European Union or by the United States Environmental Protection Agency and Roundup and other glyphosate-based herbicides are available throughout the United States.

²³ See Sisay Yeshanew, *Regulating Labour and Safety Standards in the Agriculture, Forestry and Fisheries Sectors* (Rome, FAO, 2018).

²⁴ See Lisa Fuller, “Exclusive: tea label giants vow probe after Sri Lanka labor abuse exposé”, Reuters (27 March 2019).

²⁵ See Rainforest Action Network, “Palm oil giant Indofood sanctioned over labor rights violations” (5 Nov. 2018).

available and less expensive than nutritious alternatives, particularly for the rural and urban poor.²⁶

32. That dependence has an impact on market stability: for example, between 2011 and 2017 the 50 countries most dependent on food commodities experienced rising undernourishment.²⁷ In 2018, an estimated 381 million undernourished people and 73 million stunted children under the age of 5 lived in low- and middle-income countries that were highly dependent on commodities.²⁸ Asia continues to show the highest prevalence of undernourishment, with more than two thirds of all wasted children under 5 living in Asia in 2018.²⁹ There is a “dire picture of undernourishment” in sub-Saharan Africa owing to the dependence on imported food, internal conflicts and droughts. Latin America and the Caribbean are experiencing a slow rise in undernutrition.³⁰

33. Meanwhile, for the first time in history, there are more obese than undernourished people in the world, with obesity rates having nearly tripled since 1975.³¹ Overweight adults are now increasing at 13.2 per cent per annum, compared to 11.7 per cent in 2012, leading to 4 million deaths globally. More than 40 million children worldwide are overweight, with Africa and Asia the most burdened.³² Those numbers have implications for individual health outcomes and the greater health-care landscape: the economic impact of obesity is estimated at \$2 trillion, or 2.8 per cent of the world’s GDP – roughly equivalent to the costs of armed conflict.³³

34. These alarming rates of obesity and diet-related diseases are associated with the “supermarketization” of food systems, especially in Africa. Studies have found that middle-class Africans are more likely to purchase highly processed foods rather than fresh foods.³⁴ These trends are also present in Latin America, where supermarketization and fast food chain diffusion have contributed to a rise in malnutrition and in particular obesity.³⁵ The food industry targets children, marketing highly processed, low-nutrient foods across multiple media, especially in urban areas.³⁶ If current trends continue, 70 million infants and young children will be overweight or obese by 2025 (A/71/282, para. 14).

New developments

35. Following the second international conference on nutrition in 2014, the United Nations declared the Decade of Action on Nutrition in April 2016, demonstrating a commitment to a coherent, inclusive, transparent nutrition policy (A/71/282, para. 4). However, only Brazil, Ecuador and Italy have made specific, measurable, achievable, relevant and time-based (SMART) commitments for action in the context of national nutrition-related policies.³⁷ Other countries (Argentina, Chile, Costa Rica and Mexico) have launched labelling regulations and practices to warn children and adolescents about unhealthy food and beverages, shielding them from targeted marketing.

²⁶ See High Level Panel of Experts on Food Security and Nutrition, *Report No. 12: Nutrition and Food Systems* (September 2017).

²⁷ FAO and others, *The State of Food Security and Nutrition in the World 2019: Safeguarding Against Economic Slowdowns and Downturns* (Rome, 2019), p. 64.

²⁸ *Ibid.*

²⁹ *Ibid.*, p. 28.

³⁰ *Ibid.*, p. 9.

³¹ See WHO, “Obesity and overweight” (16 February 2018).

³² United Nations Children’s Fund, WHO and the World Bank Group, “Levels and trends in child malnutrition. Joint child malnutrition estimates: key findings of the 2019 edition” (2019).

³³ United Nations Children’s Fund and Special Rapporteur on the right to food, “Protecting children’s right to a healthy food environment” (November 2019).

³⁴ See Kate Lyons, “Supermarkets are creating an obesity crisis in African countries, experts warn”, *The Guardian* (3 October 2017).

³⁵ See Barry M. Popkin and T. Reardon, “Obesity and the food system transformation in Latin America”, *Obesity Reviews*, vol. 19, No. 8 (April 2018).

³⁶ UNICEF, *The State of the World’s Children. Children, Food and Nutrition. Growing Well in a Changing World* (October 2019), p. 105.

³⁷ See WHO, “Global database on the implementation of nutrition action (GINA): commitments by country”, available at <https://extranet.who.int/nutrition/gina/en/commitments/summary>.

36. Most States remain reluctant to regulate the food and beverage industry with measures similar to the WHO Framework Convention on Tobacco Control, or to adopt national strategic plans with time frames and specifically tailored budgetary initiatives. Instead, States continue to rely on public-private partnerships that are beset by conflicts of interest and weak monitoring and accountability mechanisms.

37. The Committee on World Food Security is currently drafting voluntary guidelines on food and nutrition security, which has the potential to advance the right to food and nutrition over industry interests. Specialized agencies of the United Nations, particularly WHO, have also created platforms for States and partner organizations to engage in global nutrition monitoring activities, such as UN REACH (Renewed Efforts Against Child Hunger) and the National Information Platform on Nutrition. Also in 2019, in a joint advocacy brief with the United Nations Children's Fund (UNICEF), the Special Rapporteur called for the development of healthy food environments and the mobilization of support systems, including greater education and social protection systems, to uphold the right to food for children.³⁸

F. Loss of biodiversity and environmental degradation

38. Biodiversity is vital to sustainable agriculture and food production, but it is diminishing at unprecedented rates, threatening the world's food supply and global access to available, adequate and sustainable food. In its first ever report on the state of the world's biodiversity for food and agriculture, released in February 2019, FAO reported an alarming loss of biodiversity: fewer than 200 plant species make major contributions to food production and just 3 crops – wheat, maize and rice – account for more than half the world's plant-based calories. Nearly one third of fish stocks are overfished and nearly 26 per cent of the 7,745 local livestock breeds are at risk of extinction.

39. Nearly 20 years after the Millennium Ecosystem Assessment warned that biodiversity loss would undermine food security and poverty reduction, the Intergovernmental Panel on Climate Change has found with a high degree of confidence that climate change creates an additional stress on land, exacerbating threats to livelihoods, biodiversity, and human and ecosystem health and food systems. Studies by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and the United Nations Environment Programme (UNEP) have also found that sustainably increasing food outputs to meet the world's energy and nutritional needs requires new production methods that enhance, rather than degrade, biodiversity. Reducing meat in diets in developed countries could have important ecological benefits, as 70 per cent of the destruction of global forests is being carried out in order to grow animal feed.

40. Indigenous peoples are custodians of 80 per cent of the world's remaining biodiversity, but are facing severe food insecurity, extreme poverty and other human rights deprivations. Despite the protections set forth in the United Nations Declaration on the Rights of Indigenous Peoples, mining projects, hydroelectric developments, the creation of national parks and the designation of protected areas have compromised the rights of indigenous peoples in Argentina, Bangladesh, Botswana, Canada, Chile, Ecuador, Ethiopia, Namibia, the Russian Federation, South Africa, Uganda and elsewhere (see A/HRC/42/37).³⁹

New developments

41. States continue to invest in production practices and industrial agriculture that have detrimental environmental impacts. The palm oil industry is expanding, despite its links to the displacement of indigenous people and other rural communities, especially in Indonesia and South-East Asia (see A/HRC/40/56/Add.2). Cattle ranching and local and subsistence

³⁸ United Nations Children's Fund and Special Rapporteur on the right to food, "Protecting children's right to a healthy food environment" (2019).

³⁹ See also David Nathaniel Berger and others, eds., *The Indigenous World 2019* (Copenhagen, International Work Group for Indigenous Affairs, 2019), pp. 11–14.

agriculture are also associated with a loss of biodiversity and land degradation in parts of tropical Asia and Central and South America. More than 25 years after the adoption of the Convention on Biological Diversity, scientists have reported that countries are not on track to reach targets related to ocean acidification and health, including the targets of Sustainable Development Goal 14 and Aichi Biodiversity target 11.

42. Particularly troubling is the significant increase in fires burning in the Brazilian Amazon, following the promises made by the new Government to open indigenous lands for farming and mining. The Government has cast the indigenous peoples who oppose its policy as anti-development, messaging that was similarly used by the Government of Thailand to blame indigenous people using traditional land management techniques in the face of deforestation and rising temperatures.⁴⁰

43. A new Facilitative Working Group under the Local Communities and Indigenous Peoples Platform recently drafted a two-year workplan for the period 2020–2021, giving indigenous peoples greater representation in the climate change process.⁴¹ In 2018, the Green Climate Fund adopted an indigenous peoples’ policy to ensure that indigenous peoples are recognized, respected and promoted in climate-related funding. In 2016, in resolution 33/25, the Human Rights Council amended the mandate of the Expert Mechanism on the Rights of Indigenous Peoples to expand its capacity and impact. Those developments may help promote both the rights of indigenous peoples and protect biodiversity and ecosystem health.

III. Severe food insecurity: hunger, starvation and famine

A. Conflict and food crises

44. Protracted conflict, local insecurity and violence disrupt agricultural production and threaten livelihoods, accentuating negative coping strategies and deepening vulnerability to shocks (see A/72/188). On average, there are 2.5–3 times more undernourished people living in low-income countries with a protracted crisis than in other low-income countries.⁴² Those who rely directly on the agricultural sector for their food and livelihood are particularly vulnerable and inequalities based on gender, age, location, race, ethnicity and migration status are accentuated. Conflict also drives migration, generating 70.8 million refugees and internally displaced persons by the end of 2018.⁴³

45. During the course of the Special Rapporteur’s mandate, the worst food crises have occurred in areas of active conflict, with over 113 million people affected in 2018.⁴⁴ Crises in Afghanistan, the Democratic Republic of the Congo, Ethiopia, northern Nigeria, South Sudan, the Syrian Arab Republic and Yemen account for two thirds of acute global food insecurity. In Yemen, for example, the World Food Programme has launched its largest ever emergency response as a result of the country’s ongoing civil war. However, 15.9 million people are experiencing hunger each day and this number could reach 20 million if humanitarian assistance is not delivered.⁴⁵ The conflict has pushed 9.65 million people into an emergency situation and internally displaced another 3.6 million as of August 2019.⁴⁶ Meanwhile, attacks on civilians continue.

46. In South Sudan, 1 million people have been declared food insecure as of January 2018 – a 40 per cent increase since the same time the previous year. The country has suffered from famine conditions and overall more than 7 million people will require food

⁴⁰ Ibid.

⁴¹ See United Nations Climate Change News “Indigenous peoples obtain stronger voice in climate action” (1 July 2019).

⁴² See FAO, *The Future of Food and Agriculture: Trends and Challenges* (Rome, 2017), p. xi.

⁴³ See <http://ida.worldbank.org/theme/conflict-and-fragility>.

⁴⁴ See FAO and others, *The State of Food Security and Nutrition in the World 2019*, p. 59.

⁴⁵ See World Food Programme (WFP), “Yemen emergency”, available from www.wfp.org/emergencies/yemen-emergency.

⁴⁶ Ibid.

assistance during the upcoming lean season.⁴⁷ Also in 2018, the United Nations reported that 68 per cent of households in the Gaza Strip, or about 1.3 million people, were severely or moderately food insecure as a result of protracted crises and a prolonged blockade.⁴⁸ Humanitarian assistance, and especially cash transfer programmes, has become increasingly critical, but is subject to political manipulation.

47. Despite these realities, international human rights law requires that in times of both peace and war, States bear the primary responsibility to protect civilians from hunger, shield productive resources essential to food systems and prohibit any attacks that target or interfere with the ability of people to access food. In 2018, the Assistant Secretary-General for Human Rights concluded that Myanmar had disregarded this obligation and resorted to “forced starvation” to carry out an ethnic cleansing campaign against the Rohingya people in Rakhine province.⁴⁹ This widespread and systematic violence produced massive numbers of deaths and forced displacements, leading more than 800,000 Rohingya to seek refuge in neighbouring Bangladesh. Two years later, the Rohingya minority continues to face food insecurity, poverty, malnutrition and severe health issues.

New developments

48. Although perpetrators of deliberate starvation continue to enjoy widespread impunity, the international community recently took steps towards holding States accountable for violations of the right to food during times of war: in 2018 the Security Council unanimously adopted resolution 2417 (2018) condemning the starving of civilians as a method of warfare, as well as the unlawful denial of humanitarian access to civilian populations. In its resolution, the Council highlighted the link between conflict-induced food insecurity and the threat of famine, and called for parties to armed conflict to comply with international humanitarian law. It also promoted early warning, timely action and investment in resilience by safeguarding agriculture-based livelihoods during times of conflict-induced hunger.

49. The Security Council has not yet implemented that landmark resolution to condemn those using hunger as a weapon of war or unlawfully denying humanitarian access to civilians in need of assistance. Nevertheless, it has been invoked in submissions to the investigation by the International Criminal Court into the alleged crimes of the Government of Myanmar against the Rohingya people. Organizations such as Action Against Hunger and Global Rights Compliance have also consistently called for the Security Council to implement resolution 2417 (2018) to address ongoing food crises in conflict-affected areas.⁵⁰

50. Prosecution of starvation remains nearly non-existent, as it is usually committed during internal conflicts. As a positive development, in January 2020 the Assembly of States Parties to the International Criminal Court unanimously voted to amend the Rome Statute to recognize the crime of starvation in non-international armed conflict.

51. The monitoring process of the Framework for Action for Food Security and Nutrition in Protracted Crises, to be undertaken in 2020 by the Committee on World Food Security, may generate additional guidance to States on how to address the structural causes of inequality and rights violations in the context of protracted crises. It needs to be understood that long-term agricultural and food system reforms are necessary to support a proactive rather than reactive approach to famine and food catastrophes (see A/72/188).

⁴⁷ See FAO, UNICEF and WFP, “Increasing number of people face severe food shortages in South Sudan” (22 February 2019).

⁴⁸ See Office for the Coordination of Humanitarian Affairs, “Food insecurity in the oPt: 1.3 million Palestinians in the Gaza strip are food insecure” (14 December 2018).

⁴⁹ See <https://news.un.org/en/story/2018/03/1004232>.

⁵⁰ See Global Rights Compliance, “Gambia argues use of forced starvation against the Rohingya in its ICJ submissions” (18 November 2019).

B. Climate change and natural disasters

52. The climate crisis is an existential threat to human survival, a key driver of hunger and malnutrition, and a violation of all human rights. The Special Rapporteur on extreme poverty and human rights has suggested that we are headed towards a “climate apartheid scenario in which the wealthy pay to escape overheating, hunger and conflict, while the rest of the world is left to suffer” (A/HRC/41/39, para. 51). Over the past half century, climate change has exacerbated global inequality between countries by 25 per cent, with vulnerable populations who contribute the least to climate change, suffering the most.⁵¹ Failure to act could push over 3 billion people into extreme poverty and hunger, with a possible increase in the total population at risk of hunger rising to 20 per cent by 2050.⁵²

53. The three post-2015 agendas for action, the 2030 Agenda for Sustainable Development, the Paris Agreement, and the Sendai Framework for Disaster Risk Reduction 2015–2030, should provide a foundation for sustainable, low-carbon and resilient development in a changing climate. Unfortunately, most State responses to the climate crises are either non-existent or ineffective. Existing commitments to the Paris Agreement will not prevent global temperatures rising less than 3°C.⁵³ If global temperatures keep rising to 2°C above pre-industrial levels, an additional 189 million people could become food-insecure.⁵⁴

54. Increased frequency and intensity of extreme weather forcibly displaced more than 20 million people in 2017⁵⁵ and severely endangered people’s livelihoods, particularly those who rely on the fishing and the agricultural sector for income and subsistence (A/HRC/37/61 para. 18). The Special Rapporteur observed these impacts during her visits to Indonesia, the Philippines, Viet Nam, Zambia and Zimbabwe. At the time of writing the present report, massive wildfires were raging in Australia, devastating the environment and threatening the lives and food security of its population.

55. Children are particularly vulnerable. UNICEF appropriately refers to the climate crisis as a child rights crisis. More than 500 million children live in areas which are at extremely high risk of flooding owing to severe weather events, while an estimated 160 million children live in areas experiencing high levels of drought. By 2040, an estimated 1 in 4 children will live in areas of extreme water stress.⁵⁶ These trends are contrary to the principle of intergenerational equity set forth in the Paris Agreement and the sustainability pillar of the right to food.

New developments

56. Since the start of the Special Rapporteur’s mandate, the impact of climate change on global food systems have become more widely believed by the general public. Media coverage and civil society organizations have called for drastic changes to agricultural production and consumption habits, recognizing that food systems are a considerable source of greenhouse gas emissions. If the business-as-usual scenario continues, agriculture will generate about 70 per cent of human-generated emissions.⁵⁷ In its special report on climate change and land, the Intergovernmental Panel on Climate Change recognized that

⁵¹ See Noah S. Diffenbaugh and Marshall Burke, “Global warming has increased global economic inequality”, *Proceedings of the National Academy of Sciences of the United States*, vol. 116, No. 20.

⁵² See Intergovernmental Panel on Climate Change, “Climate change 2014: impacts, adaptation and vulnerability”, summary for policymakers of the contribution of Working Group II to the fifth assessment report of the Panel.

⁵³ See Intergovernmental Panel on Climate Change special report, *Global Warming of 1.5°C* (2019).

⁵⁴ WFP, “What a 2°C and 4°C warmer world could mean for global food insecurity: based on research on extreme climate projections for food security” (2016).

⁵⁵ Tim McDonnell, “The refugees the world barely pays attention to”, National Public Radio (20 June 2018), available at www.npr.org/sections/goatsandsoda/2018/06/20/621782275/the-refugees-that-the-world-barely-pays-attention-to.

⁵⁶ See UNICEF press release (6 Dec. 2019), available at www.unicef.org/press-releases/fact-sheet-climate-crisis-child-rights-crisis.

⁵⁷ Tim Searchinger and others, *Creating a Sustainable Food Future: a Menu of Solutions to Feed Nearly 10 Billion People by 2050* (Washington, D.C., World Resources Institute, 2019).

climate change creates additional stresses on land, exacerbating existing threats to livelihoods, biodiversity and food security.

57. Youth are leading the call for change, as demonstrated by protests and engagement at the Climate Action Summit, held in New York in September 2019, and at the twenty-fifth Conference of the Parties to the United Nations Framework Convention on Climate Change, held in Madrid in December 2019. For the first time, “radical transformational change” of food systems was on the agenda at the Madrid conference. The Rome-based agencies organized more than 20 food-related events, including several that promoted agroecology and considered the role of agribusiness, which is responsible for emitting 1.3 billion tons of greenhouse gas emissions (the world’s third largest emitter). In discussions a shift from unsustainable consumption patterns, such as meat-centric diets, and a reduction in food waste were also called for.

IV. Looking to the future: recommendations for key actors to support the realization of the right to food

58. Recognizing the progress achieved and the shortcomings that remain in addressing the barriers to the right to food tells only half the story. Eliminating hunger and malnutrition for all will require the active participation and engagement of a range of stakeholders, predominantly States as the primary duty bearers of the right to food. That requires a holistic, coordinated and rights-based approach to the elimination of hunger and malnutrition with increased attention given to future generations and the planet. The following section highlights the necessary and reasonable expectations of the most influential actors in modern food systems and the steps that must be taken to advance the right to food.

A. Formally recognize economic, social and cultural rights in times of peace and conflict

59. States continue to neglect economic, social and cultural rights, particularly the right to food. There are 170 parties to the International Covenant on Economic, Social and Cultural Rights, but only about 30 countries have explicitly recognized the right to food in their national constitutions. In countries that explicitly or implicitly recognize the right to food, there is a significant gap between law and implementation. In the United States, which does not formally recognize economic, social and cultural rights, the Government has introduced aggressive roll-backs and cuts to its supplemental nutrition assistance programme over the past year, thus threatening national food security.

60. States are duty bearers and all persons are rights holders, not passive recipients of charity. There exists a fundamental difference between a legal entitlement and a generalized affirmation of charity or moral responsibility. Accordingly, States must ensure that adequate institutions and avenues exist, so that rights holders can hold them accountable for rights violations and secure remedial relief for themselves. The Covenant sets forth certain procedural rights, including participating in decision-making, accountability, transparency and the rule of law, as part of the implementation process.

61. National human rights institutions should be financially well-resourced and have an independent monitoring body. Brazil created a great example of establishing a well-developed institutional structure under the rubric of Zero Hunger.⁵⁸ Unfortunately, this good practice was nearly lost in 2019, when the National Council of Food and Nutrition Security was dismantled.

62. States must also recognize those rights in times of conflict, which are currently driving the most severe food crises. A mandatory approach is necessary to ensure recognition: international legal standards should be developed to reinforce the delineation

⁵⁸ See Jose Graziano da Silva and others, *From Fome Zero to Zero Hunger: a Global Perspective* (Rome, FAO, 2019).

of deliberate starvation as a war crime or a crime against humanity. The most serious alleged violations should be referred to the International Criminal Court for investigation and prosecution. Formal recognition of famine as a crime will discourage the tendency of Governments “to hide behind a curtain of natural disasters and state sovereignty when using hunger as a genocidal weapon” (A/72/188, para. 92).

63. The Special Rapporteur reiterates her call for a global convention that gives States and the international community clear legal mandates to prevent famine and protect the right to adequate food before situations reach a critical stage (see A/72/188). A binding agreement should cover the essential elements of conflict prevention, prohibition and post-conflict rehabilitation of the agricultural sector, prioritizing local producers and women farmers. Steps should be taken to maximize local and regional sourcing of food for aid, including increasing developmental assistance for long-term recovery.

B. Implement a human rights-based approach

64. Effectively implementing the right to food requires adopting a human rights-based approach to governance. Such an approach reinforces the concept that all human rights are interdependent, interrelated and indivisible. Human rights should always be interpreted and applied holistically. The International Covenant on Economic, Social and Cultural Rights recognizes that it is impossible to advance the right to food without addressing the rights to housing (art. 11), health (art. 12) and social security (art. 9). Instruments that advance the human rights of specific groups, such as the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities, also need to align with the right to adequate food.

65. Accepting that the right to food is inseparable from other human rights has been overwhelmingly adopted by Member States, but the principle has failed to be implemented. A human rights-based approach reminds States to focus on the most marginalized, excluded or discriminated-against segments of the population and to account for power imbalances that undermine governance. The Covenant insists that States should exercise rights “without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” and calls on States to take account of the needs of the poor and vulnerable.

C. Monitor rights and guarantee access to justice for extraterritorial violations

66. It is critical that States adopt the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to ensure that avenues to justice are available and known, especially in relation to the most vulnerable populations. Holding States and transnational corporations accountable for violations of economic, social and cultural rights must also extend beyond national borders (see A/73/164). In 2017, the Committee on Economic, Social and Cultural Rights confirmed in its general comment No. 24 (2017) on State obligations under the Covenant that States parties are required to take the necessary steps to prevent human rights violations abroad by corporations domiciled in their territory and/or jurisdiction without infringing the sovereignty of other countries. The Extraterritorial Obligations Consortium, a global network of over 140 civil society organizations and academics, has produced several reports on and raised awareness of the extraterritorial obligations of States, including those arising from the Covenant.⁵⁹

67. Owing to the unrestrained power of corporate actors in the global food chain, voluntarism does not work. Businesses are merely encouraged to act according to “corporate social responsibility”, without providing accountability and monitoring mechanisms. Voluntary guidelines, including the Principles for Responsible Investment in

⁵⁹ The main terms of reference are the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights.

Agriculture and Food Systems of the Committee on Food Security and the Guiding Principles on Business and Human Rights, have no binding legal authority. Failure to adhere to these principles carries no adverse legal consequences for investors.

68. Ongoing efforts to convert the Guiding Principles on Business and Human Rights into a binding international treaty that establishes the legal liability of big business are supported by some countries, but remain controversial.⁶⁰ The draft treaty includes neither direct corporate human rights obligations, nor corporate criminal responsibility under international law. Instead, it covers only the international obligations of States previously established in general comment No. 12 (1999) of the Committee on Economic, Social and Cultural Rights on the right to adequate food.

69. The emergence of public-private partnerships has also reinforced power asymmetries, exacerbated conflicts between public and private interests and otherwise unduly influenced decision-making and policies in the global food system. As the Special Rapporteur has previously explained, these partnerships are less likely to transform extraterritorial corporate practices if there are no monitoring mechanisms and corporations enter partnerships mainly to reaffirm their underlying economic interests (A/74/164, para. 69).

D. Finance human rights institutions and remove the silos separating international organizations

70. In recent years, human rights have been under attack due to emerging nationalism, populism and predatory global capitalism. Unfortunately, world powers are retreating in their historical commitment to human rights and United Nations institutions are consequently experiencing extreme financial shortfalls, especially OHCHR and regional human rights mechanisms such as the inter-American human rights system. Those shortfalls need to be addressed immediately.

71. There is no shortage of international organizations committed to promoting a world of zero hunger and malnutrition in their mandates, such as FAO, WFP, the Committee on World Food Security, IFAD, the World Bank, the International Food Policy Research Institute, UNICEF, WHO, UNEP, the Intergovernmental Panel on Climate Change and, of course, OHCHR. However, there is generally a disconnect and lack of coordination between them.

72. Institutional fragmentation and silos within and between the Rome-based organizations and the Geneva-based human rights mechanisms, in particular, have further weakened efforts to mainstream human rights into food policy agendas (A/74/164, para. 52).⁶¹ More cohesive, coordinated action between New York, Rome and Geneva that builds upon the findings of the Human Rights Council, the special procedures, the treaty bodies and the universal periodic review is vital for the effective promotion of the right to food. Those organizations cannot adequately address the right to food in isolation, and doing so is not only contrary to the prevailing consensus in the United Nations system, but diminishes their organizational impact. Such influential, expert-rich organizations can much better address the root causes and consequences of food insecurity if they adopt a human rights-based approach to assessing food insecurity, taking into account socioeconomic, gender and ethnic discrimination and inequalities.⁶² That will also lead to greater policy coherence throughout the United Nations institutions.

⁶⁰ See, for example, Human Rights Council resolution 26/9.

⁶¹ See also Carolin Anthes, *Institutional Roadblocks to Human Rights Mainstreaming in the FAO. A Tale of Silo Culture in the United Nations System* (Wiesbaden, Germany, Springer, 2020).

⁶² See Global Network for the Right to Food and Nutrition, "People's monitoring for the right to food and nutrition: political manifesto" (2017).

E. Adopt economic reform to address the poverty and inequality of marginalized populations

73. As has been addressed in previous thematic reports, poverty, inequality and the inequitable distribution of food and productive resources remain a significant barrier to the right to food, particularly for populations that have faced historic and pervasive discrimination. As a result of inequality, reaching zero hunger extends beyond production-oriented approaches, the paradigm in which Sustainable Development Goal 2 is rooted. States should invest in social protection mechanisms and inclusive policies rather than place excessive reliance on the supply-oriented solutions that gained support and influence following the food price crises in 2008 and 2011.

74. Rather than relying exclusively on the food aid promoted by the Group of Eight countries and on the World Bank and the International Monetary Fund to address socioeconomic inequality and food insecurity, the international community should address the deeper structural causes of poverty in the global South. That includes inequities in the rules governing international trade, ill-advised economic reforms imposed by international financial institutions, financial speculation on global commodity markets, biofuel policies, the dominance of transnational corporations in global food markets and the imposition of economic sanctions.⁶³

75. Realizing the right to food requires States to transform the promise to “leave no one behind” into concrete policies aligned with human rights obligations; demonstrate the political will and financial commitment to implement the Sustainable Development Goals; and prioritize solutions to the global drivers of hunger and malnutrition in ways that counter nationalist policies.

F. Empower women and girls and promote gender diversity

76. International organizations are affording increased attention to gender discrimination, yet women and girls continue to face disproportionate discrimination in the form of regressive social and economic policies. Women and girls of colour, migrants, refugees, indigenous and non-middle-class women experience increased vulnerability while, the “gender empowerment” discourse promoted by States and many corporate actors is being used to cover up exploitative practices and dispossession of the commons.⁶⁴ Women comprise almost half of the agricultural force in developing countries, yet own less than 13 per cent of agricultural land. They are instrumental in securing food for others but have precarious food security for themselves.

77. The Committee on World Food Security forum on women’s empowerment has highlighted significant policy implementation gaps: in 155 countries there is still at least one law on the books that limits women’s economic opportunities. Efforts that emphasize gender equality, such as the Group of 20 (G20)-World Bank agricultural assistance fund and the United States “Feed the Future” initiative, still have limited impact because they focus on “market-ready” farmers, who are usually male.⁶⁵ Mainstreaming a gender perspective into food and agricultural policies will help ensure that women and girls are guaranteed the right to education, are no longer victims of early and forced marriage, are not subject to violence and are otherwise protected from human rights violations.

⁶³ See Carmen Gonzales, “International economic law and the right to food” in *Rethinking Food Systems*, Nadia C.S. Lambek and others, eds. (Springer, 2014).

⁶⁴ See Global Network for the Right to Food and Nutrition, “State of the right to food and nutrition report 2019”.

⁶⁵ See Hélène Botreau and Marc J. Cohen, “Gender inequalities and food insecurity”, (Oxfam, July 2019).

G. Promote youth in farming

78. The average age of farmers worldwide is rising at an alarming rate, threatening the future of family farming. Children engaged in agriculture are often victims of child labour, while youth populations legally permitted to work in the sector are abandoning agriculture, forestry and fisheries owing to poor access to information, a lack of key services (education, health care, transport and communications) and markets, as well as the perception that agriculture is unprofitable and unstable.⁶⁶ To counter this narrative, States should provide essential services and improve technical knowledge and skills, and incentivize access to land, credit and other productive resources for youth populations. States should also adopt mechanisms and policies that transform agricultural work into decent employment with robust social protections.

79. Increasingly, public-private partnerships are emerging to address entrepreneurial needs and are advocating stronger innovation policies that will benefit youth populations. In 2017, for example, the G20 announced its initiative for rural youth employment to train 5 million young people and provide jobs for another 1 million by 2020. FAO has also promoted four major pathways for creating employment for rural youth: full-time work on family farms; part-time farm work combined with off-farm household enterprises; agricultural wage-earning employment; and full-time off-farm household enterprises.⁶⁷ Additionally, the Committee on World Food Security has introduced a workstream on youth employment, rural transformation and territorial approaches as part of its multi-year programme of work for the period 2020–2023. All these new initiatives should, however, be critically evaluated and carefully monitored to avoid creating further inequalities among non-privileged youth.

H. Invest responsibly in technology and regulate innovation

80. Innovative technologies have been lauded as a potential solution to food insecurity, eliminating inequalities and barriers to food. Given that it is estimated that 60 per cent more food will need to be produced by 2050, biotechnology may offer a critical toolbox of both low-tech solutions (such as biopesticides and biofertilizers) and high-tech solutions (such as those involving advanced genomics). However, as the “green revolution” has taught, an excessive focus on increasing production encourages a reliance on technology that inflicts major environmental damage and exacerbates social inequalities. Currently, increasing digitalization and dematerialization of agriculture has the potential to dispossess local knowledge, workers and production processes, with the effect of concentrating power in the hands of large corporate agribusiness operations, while disempowering local producers and consumers.⁶⁸

81. Biotechnologies, mostly developed and owned by the private sector, are protected by patents and intellectual property rights. For instance, because of corporate oligopoly, four multinational agrochemical firms control over 60 per cent of global seed sales. Rather than being respected as belonging to a shared commons, patents are restricting farmers’ freedom to preserve and exchange seeds and interfering with breeders’ rights to use the seeds for research.

82. Corporate agribusinesses have also increased investment in biotech and plant-based meat alternatives, demonstrating that there is a profitable market in food that does not contribute to climate change or environmental destruction. However, such technologies are often exclusionary, as they are not affordable for much of the world’s population. Such “future of food” innovations should be developed so that all relevant actors have an equal opportunity to use and benefit from them.

⁶⁶ See FAO, *The Future of Food and Agriculture: Trends and Challenges*, p. 100.

⁶⁷ *Ibid.*, p. 96.

⁶⁸ See Global Network for the Right to Food and Nutrition, “Right to food and nutrition watch. When food becomes immaterial: confronting the digital age” (2018), p. 11.

83. States should develop adequate legal frameworks that are based on the “precautionary principle” to regulate such innovations. That principle is intended to help reduce the potentially harmful, unintended consequences and side effects of innovations, but several countries do not recognize, much less apply, that key principle of international law. Tools to enhance the sustainability and productivity of food systems are necessary, but not to the extent that they infringe upon or impede access to productive resources and the realization of human rights.

I. Invest in agroecology and traditional knowledge

84. Investment should be diversified and reconciled with more responsible and sustainable food system methodologies, such as agroecology, as well as traditional knowledge. That requires a well-conceived shift away from industrial agriculture, which constitutes the main driver of the climate emergency, coupled with the promotion of transformative, resilient and sustainable practices. Agroecology avoids the use of dangerous biochemicals and pesticides; supports the local food movement; protects smallholder farmers, including women, and small fisheries; respects human rights; enhances food democracy, traditional knowledge and culture; maintains environmental sustainability; and helps to facilitate a healthy diet (see A/70/287).

J. Protect scientific integrity

85. There is a lesser known, but indisputable, human right to enjoy the benefits of scientific progress. That right is not only fundamental in itself, but is critical to the enjoyment of the human rights to life, health, adequate food and the environment. Recognizing the vital role of science in our food systems, the Special Rapporteur has spoken out on unfathomable, insidious attacks on scientific integrity.⁶⁹ Scientific discoveries concerning the threats posed by climate change, pesticides and sugar consumption to human and environmental health are most often caught in the crossfire. States should not allow government agencies and research institutes to become corrupted by short-sighted corporate interests. Global citizens must also call out those who threaten to silence the voices of scientists, academics and researchers, and condemn any threat of violence against those fellow citizens. Realizing the right to food requires the collective rejection of false claims and belief in the truth of well-founded science. It is important to recognize that States are responsible for protecting scientific integrity.

K. Enhance the role of civil society and protect human rights defenders against violence

86. We have entered a new era for human rights, one that is dominated by populist governmental regimes spewing hateful rhetoric and promoting nationalism, authoritarianism and xenophobia over liberty and freedom. In that environment, fighting for human rights is becoming dangerous. In recent years, violent atrocities committed against human rights defenders, including those fighting for land rights and environmental conservation, have significantly increased. The United Nations verified 431 killings of human rights defenders, journalists and trade unionists in 41 countries between 2017 and 2018 (see E/2019/68). Civil society cannot allow impunity for human rights violations committed against human rights defenders and cannot shy away from fighting for rights in fear of retaliation (see A/74/159). Rather, civil society must seize every opportunity available to ensure that States fulfil their obligations to advance human rights and hold States accountable when they fail to act.

87. That is particularly true in the case of economic social and cultural rights, which continue to be too frequently cast aside as less important than others. Indeed, while the

⁶⁹ See Hilal Elver and Melissa Shapiro, “Scientific integrity: the next battleground for human rights”, *The Hill* (29 March 2019).

Special Rapporteur has had the pleasure of working with several civil society organizations, she has seen that there is a need for a greater mobilization of civil society on behalf of the right to food. The Special Rapporteur on extreme poverty and human rights has also raised concerns in the Human Rights Council about the lack of civil society organizations devoted to economic, social and cultural rights (see, for example, A/HRC/32/31).

L. Promote food citizenship in times of urbanization

88. While States bear the primary obligation to realize the right to food, food is inherently local and individual, as well as communal. Rural populations play a critical role in the realization of the right to food, but cities are also major drivers of socioeconomic transformation and the epicentre of food markets. By 2050, 68 per cent of the world's population is expected to live in cities.⁷⁰ Changing demographics and urbanization bring new challenges to and opportunities for global food policies. Consumers should carefully make food choices that respect the human rights of workers, protect future generations and promote the sustainability of the planet, instead of becoming disconnected from food systems (see A/73/164 and A/HRC/40/56). That comprehensive responsibility extends beyond the role of “consumers”, and can be most appropriately described as behaving as “food citizens”. Food citizens around the world are already calling for a new integrated food system between cities and rural communities based on democracy, participation and ecological principles. This positive trend is growing fast.

89. Embracing “food citizenship” may take many forms, including support for greater urban-rural engagement, collective procurement and participation in food policy councils.⁷¹ Such community-based movements are taking control of local and regional food systems with the goal of promoting “bottom-up” change. For instance, the Toronto Food Policy Council, which has existed since 1991, convenes members of the food, farming and community sector to advise the City of Toronto on food policy matters.

90. Food policy councils provide a platform for individuals to assert food system preferences by way of civic engagement. They are also educating newcomers about conscientious choices in the context of active food citizenship that is extending its reach beyond the confines of neighbourhoods, cities, States and regions to encompass the world as a whole. As an example, the city of Milan took this initiative to a global level introducing the Milan urban food policy pact that was signed by more than 100 cities in 2015.

V. Conclusion

91. **As the Special Rapporteur recognizes in her final report, eliminating hunger and malnutrition and realizing the right to food for the world's citizens is a substantial undertaking. It is a goal that is particularly difficult to achieve in the light of the legal, political, economic and environmental conditions in the current world order. However, with a demonstration of political will and the transformation of aspirations into action, it is not unreachable. States must implement human rights instruments, ensuring that all players, not just powerful ones, are included in the decision-making process. Those who disproportionately suffer from hunger must be represented and afforded the opportunity to advocate for their rights. The world must remember that the human right to food is not unattainable, only unrealized. The Special Rapporteur thanks all the members of the Human Rights Council for lending her this platform and the opportunity to amplify the voices of the world's hungry and food-insecure.**

⁷⁰ See Department of Economic and Social Affairs, “World urbanization prospects 2018: highlights” (2019).

⁷¹ See, for example, Europe Now, “Food citizenship? Collective food procurement in European cities” (September 2018).