

10 December 1998

UNIVERSAL DECLARATION OF HUMAN RIGHTS

50th anniversary



What is the right to food?

Did you know that:

- the right to food is a basic human right as well as a basic human need?
- “freedom from want” (which includes the right to food) was first coined by United States President Franklin Delano Roosevelt in 1941?
- the right to food is recognized directly or indirectly by all countries in the world, to some degree or another?
- States Parties to the International Covenant on Economic, Social and Cultural Rights have a legally binding obligation to take steps to respect, protect, facilitate and fulfil the right to food?
- all human rights – civil, cultural, economic, political and social – are indivisible, interdependent, interrelated, mutually supportive and equally important?



Food
and
Agriculture
Organization
of
the
United
Nations

FAO Constitution

The Preamble to the FAO Constitution sets “ensuring humanity’s freedom from hunger” as one of its basic purposes.

Rome Declaration on World Food Security, 1996

The Heads of State and Government, gathered at the World Food Summit at the invitation of FAO:

- considered it intolerable that more than 800 million people throughout the world, and particularly in developing countries, do not have enough food to meet their basic nutritional needs. This situation is unacceptable;
- pledged their political will and their common and national commitment to achieving food security for all and to an ongoing effort to eradicate hunger in all countries, with an immediate view to reducing the number of undernourished people to half their present level no later than 2015;
- reaffirmed the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.



FAO/18436/P/CEMINI

World Food Summit Plan of Action

Objective 7.4 of the World Food Summit Plan of Action sets out to:

- clarify the content of the right to adequate food and the fundamental right of everyone to be free from hunger;
- give particular attention to the implementation and the full and progressive realization of this right as a means of achieving food security for all.



Universal Declaration of Human Rights

Article 25 of the Universal Declaration of Human Rights states:

“Everyone has the right to a standard of living adequate for the well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

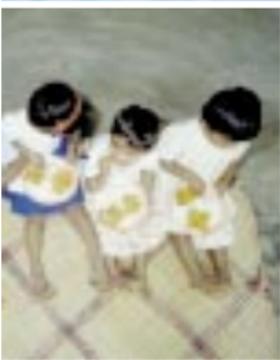
International Covenant on Economic, Social and Cultural Rights

Article 11 of the International Covenant on Economic, Social and Cultural Rights states:

“1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food.... The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed:

- (a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
- (b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.”



FAO / 17011 / G. BIZZARRI

FREQUENTLY ASKED QUESTIONS



FAO / 17239 / E. AMALORE

- **Is there a difference between civil and political rights on the one hand and economic, social and cultural rights on the other?**

Not really. Although, historically, they were split into two categories and treated differently, it is now increasingly recognized that both are equally indispensable for the protection of human dignity. Both require similar degrees of involvement and intervention from the state, whose primary obligation is to respect and not to interfere with its citizens' enjoyment of their rights. This negative obligation is backed up by the state's positive obligation to take action to protect rights when, for example, the freedom of some individuals is being compromised by others. In the past, attention has tended to be focused on civil and political rights, but this is mainly because violations of these rights are more clear-cut and attention-grabbing than those of economic, social and cultural rights – it is easier to identify a state that tortures and imprisons its citizens than one that fails in its obligations with regard to the right to food.

- **What is the difference between the fundamental right to be free from hunger and the right to adequate food?**

The right to freedom from hunger is fundamental, which means that the state has an obligation to ensure, as a minimum, that people do not starve. This right is closely linked to the right to life itself. In addition, however, states should also take all the necessary steps possible towards the goal of full enjoyment of the right to adequate food. This means that everyone must have physical and economic access at all times to food that is adequate in quantity and quality to allow for a healthy and active life. Adequate food must also be culturally acceptable, its provision must not interfere with the enjoyment of other human rights and it must be environmentally and socially sustainable.



FAO / 17305 / L. DEMANTIS



FAO / 17890 / A. CONTI



FAO / 19304 / R. FANDUTTI

● **Does the right to food mean that the state has a duty to hand out food to everyone? Can I go to court and claim my right to food if I am hungry?**

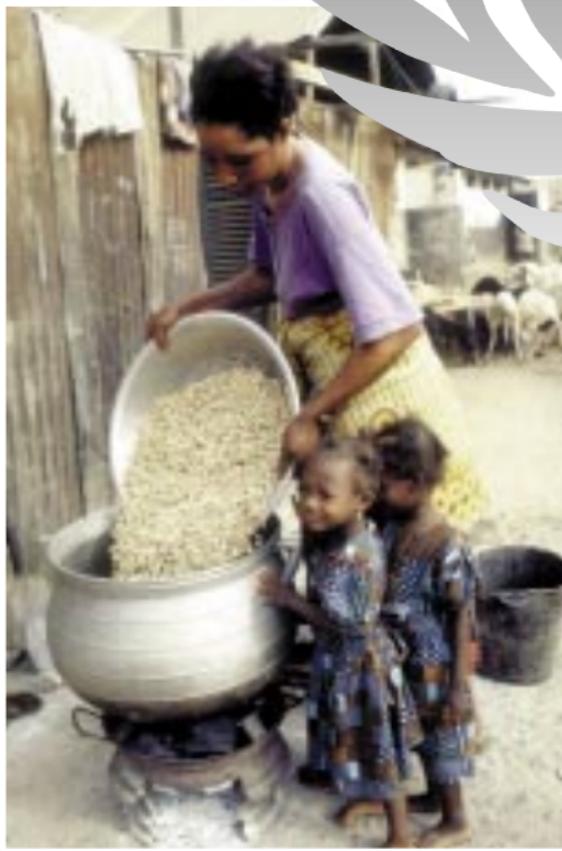
Only under exceptional circumstances is the state obliged to feed its citizens. It has a legal obligation to respect the right to food by not interfering with individuals' efforts to provide for themselves. In addition, the state must protect people from others' infringement of their rights and, finally, it should facilitate the efforts of and create opportunities for people who do not already enjoy the right to food. If these three types of action fail to secure adequate food for everyone, then the state is expected to provide, especially to those who for reasons of age or disability cannot fend for themselves. As for going to court to claim the right to food, that would not normally be possible, although it depends on the laws in force in the country concerned. In several countries social welfare and social security laws do allow people to invoke judicial remedies.

● **Is there an international complaints procedure against countries that do not respect the right to food?**

The Committee on Economic, Social and Cultural Rights oversees states' implementation of their obligations under the International Covenant on Economic, Social and Cultural Rights. The States Parties to the Covenant submit reports to the Committee, which has a right to request further information and clarification and may also receive reports from others, such as non-governmental organizations and United Nations bodies, in order to get a fuller picture of the situation. The Committee publishes its observations, including an assessment of the situation and recommendations for action. In the future, individuals or groups may be allowed to submit complaints directly to the Committee under specific circumstances, but this procedure is still under discussion. In the meantime, the Committee also adopts general comments on the various articles of the Covenant for the guidance of States Parties; a general comment on the right to food is forthcoming.



*Everyone
has the right to
adequate food
and the
fundamental
right
to freedom
from hunger*



FAO / 19847

**The World Food Summit
gave the High Commissioner for Human Rights
the mandate to define better and implement
the rights related to food.**

Look for more information about the right to food and other human rights
at the United Nations High Commissioner for Human Rights Web site:

www.unhchr.ch

FAO is publishing *The right to food in theory and practice* in 1998 to
commemorate the 50th anniversary of the Universal Declaration of Human
Rights. It is available from FAO, Rome or on-line at

www.fao.org/legal

This leaflet can also be downloaded from the same page.