

30 YEARS
SUPPORTING

THE STRUGGLE FOR THE RIGHT TO FOOD & NUTRITION



Future generations

The Right to Feed Off Today's Sustainability

Who are future generations?

Future generations are those who will succeed the currently living generations of humans. The Iroquois Confederacy's Great Law of Peace, the oldest constitution in the world that is still in operation, is based on the *Seventh Generation Principle* whereby the decisions leaders make need to be taken on behalf of seven generations into the future. Today's dominant policies disregard this rationale.

Despite sustainability being the mantra for decades (the latest example is the [2013 Sustainable Development Agenda](#)), we are witnessing the destruction of a climate conducive to agriculture and fishing, the loss of topsoil, depletion of water sources and water bodies, bulldozing of rural agricultural structures controlled by the people, biogeochemical flows (N, P) way beyond planetary borders, and biodiversity being wiped out at a rate 1000 times the normal rate of extinction. A truly sustainable approach needs to ensure the needs and rights of the present are met without compromising the ability of future generations to meet their own.

Do future generations have rights?

How can people who are not yet alive have human rights? As rights are essentially about remedy (about claiming and asserting them), one might wonder how rights-holders who are not yet alive should sue the duty-bearers (today's States) to get their rights realized. In principle, this does not entail any major legal problem as long as it is clear who will sue on their behalf.

Yet, for this to happen, human rights law would have to develop the details of representation (i.e. via guardianship, fiduciaries etc). Introducing these institutions requires great political and legal efforts that would, however, make a difference: it would give future generations a standing and would establish a fiduciary duty on their representatives to take legal action.

When making future generations' human rights operational, the corresponding States obligations need to be specified. A key principle should be *intergenerational non-discrimination*. It implies that the intended normative content of the right to food for future generations must not be smaller than our own. Today's normative content therefore cannot contain more than what can be sustained for future generations on the basis of current technologies and resources.

While sustainability invokes the image of "sustaining" our current way of life into the future, the rights of future generations force us to think differently. We have to replace our current paradigm and its consumption patterns with a new paradigm that is based on the protection and promotion of the rights of future generations. Another key element should be the *precautionary principle*, whereby the creation of real risk vis-a-vis future generations is acknowledged as a violation or as a crime against their rights with the respective legal consequences here and now.



The right to food of future generations

Sustainability is a key element of the human right to food. As stipulated by the UN Committee on Economic, Social and Cultural rights, under the sustainability rationale “food should be accessible for both present and future generations”. This means that present generations have an option to seek legal and other remedy for future generations. Under current human rights law, future generations’ access to food and resources thus depend on the willingness of the present generation to realize its own right to sustainability.

If present generations fail to claim and enforce sustainability, and do not put a stop to corporate agriculture and its growing control over lands, water, seeds and States, future generations’ food sovereignty will become difficult to attain. Intervention, here and now, is a States obligation under the right to food of future generations.

Challenges and required approaches

Human rights obligations carried out by today’s States towards future generations must include addressing the ecological harm caused by today’s actions. Industrial food systems are among the main contributors to this harm. These food systems are “loose cannons” and need to be replaced by agroecological systems.

Moreover current States must discourage excessive consumption of products that will not be viable for future generations on the basis of the agroecological technologies known today and with the resources available. A business and economic model based on economic growth is deadly for our future newcomers.

What comes next?

The next series will look into the challenges that workers face to meet their human right to food and nutrition.

In addition, future generations must be considered as human rights holders with current States as their duty-bearers. They need to become visible as members of a legal community, which includes their generations and ours. Recognizing that future generations have human rights would be a step towards strengthening their standing in today’s decision making.

For future generations’ human rights, including the right to food and nutrition, to become really effective, they must be fully integrated into constitutional and international law. On a similar note, the legal and political representation of future generations and their human rights should be institutionalized at all levels. This could contribute to a new paradigm which is needed for the survival of life and humanity.



Want to know more?
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