



State of the

RIGHT TO FOOD AND NUTRITION

Report

2022

GLOBAL NETWORK FOR THE RIGHT TO FOOD AND NUTRITION

GLOBAL NETWORK FOR THE RIGHT TO FOOD AND NUTRITION



African Centre for Biodiversity (ACB)
South Africa



Asian-Pacific Resource and Research
Centre for Women (ARROW)
Malaysia



Association Paysanne pour le Développement
(Peasant Association for Development,
A.P.A.DE)
Togo



Association pour la protection de la nature
au Sahel (Association for the Protection of Nature,
APN Sahel)
Burkina Faso



Biowatch South Africa
South Africa



Brot für die Welt
Germany



Center for Food and Adequate Living Rights
(CEFROHT)
Uganda



Centre for Social Development (CSD)
India



Centro Internazionale Crocevia (Crossroad
International Centre)
Italy



CIDSE
(International Alliance
of Catholic Development Agencies)
Belgium



Coletivo de Entidades Negras
(Collective of Black Organizations, CEN)
Brazil



Convergence malienne contre
l'accaparement des terres (Malian Convergence
against Land Grabbing, CMAT)
Mali



Coordinadora Latinoamericana de
Organizaciones del Campo (CLOC)



Dejusticia
Colombia



Ecocene Foundation
Argentina



Feminist Dalit Organization (FEDO)
Nepal



FIAN International
Germany



Focus on the Global South
Thailand



FoodShare
Canada



Fórum Brasileiro de Soberania
e Segurança Alimentar e Nutricional
(Brazilian Forum for Food Sovereignty
and Food and Nutritional Security, FBSSAN)
Brazil



The Gaza Urban and Peri-Urban
Agriculture Platform (GUPAP)
Palestine



Habitat International Coalition-Housing and
Land Rights Network (HIC-HLRN)
Egypt



HEKS/EPER (Swiss Church Aid)
Switzerland



Independent Food Aid Network (IFAN)
United Kingdom



International Baby Food Action Network
(IBFAN)
Switzerland



International Indian Treaty Council (IITC)
USA



International Union of Food, Agricultural,
Hotel, Restaurant, Catering, Tobacco and Allied
Workers' Association (IUF)
Switzerland



Justicia Alimentaria (Food Justice)
Spain



KATARUNGAN (Justice)
Philippines



KHANI (Food Security Network)
Bangladesh

Maleya

Maleya Foundation
Bangladesh



Observatori DESC (Observatory of Economic, Social and Cultural Rights)
Spain



Pakistan Kissan Rabita Committee (PKRC)
Pakistan



People's Health Movement (PHM)
South Africa



Plataforma Interamericana de Derechos Humanos, Democracia y Desarrollo (Inter-American Platform for Human Rights, Democracy and Development, PIDHDD)
Ecuador

POSCO Pratirodh Sangram Samiti (Anti-POSCO People's Movement, PPSS)
India

REDSAN CPLP

Rede da Sociedade Civil para a Segurança Alimentar e Nutricional na Comunidade de Países da Língua Portuguesa (Regional Civil Society Network for Food and Nutrition Security in the Community of Portuguese-Speaking Countries, REDSAN-CPLP)
Portugal



Réseau africain pour le droit à l'alimentation (African Network on the Right to Food, RAPDA)
Benin



Réseau des organisations paysannes et de producteurs agricoles de l'Afrique de l'Ouest (West African Network of Peasant Organizations and Agricultural Producers, ROPPA)
Burkina Faso



Right to Food Campaign
India



Right to Food Network – Malawi
Malawi



Society for International Development (SID)
Italy



Solidaritas Perempuan (SP)
Indonesia



SOS Faim Luxembourg (SOS Hunger Luxembourg)
Luxembourg



Sustain
United Kingdom



Terra Nuova - Centro per il Volontariato ONLUS (TN)
Italy



URGENCI
France



WhyHunger
USA



World Alliance for Breastfeeding Action (WABA)
Malaysia



World Alliance of Mobile Indigenous Peoples (WAMIP)
India



World Council of Churches – Ecumenical Advocacy Alliance (WCC-EAA)
Switzerland



World Forum of Fish Harvesters and Fish Workers (WFF)
Uganda



World Forum of Fisher Peoples (WFFP)
Belize



World Organization against Torture (OMCT)
Switzerland



WUNRN (Women's UN Report Network)
USA



Zambia Alliance for Agroecology and Biodiversity (ZAAB)
Zambia



This is a publication by the Global Network
for the Right to Food and Nutrition, coordinated by
FIAN International

| Author

LL.M. Rosa Angélica Castañeda Flores

| Contributing Authors:

Ayushi Kalyan, Ana María Suárez Franco, Martin
Wolpold-Bosien, Sabine Pabst, Sofia Monsalve Suárez,
Stephan Backes, and Valentin Hategekimana.

| Acknowledgements:

This report results from a collective endeavor.
Special thanks to the members of the *Global Network
for the Right to Food and Nutrition*, other partner
organizations¹, and FIAN International national
sections for their support in compiling this report.
The author would also like to thank Sofía Monsalve
Suárez and Amanda Gonzales Córdova for their
support in conceptualizing this report, as well as
Sofía Monsalve Suárez and Martin Wolpold-Bosien for
reviewing it.

| Copy editing:

Tom Sullivan

| Financed by



FEBRUARY 2023

¹ Aarhus Center in Bosnia and Herzegovina, Centre for Social Concern in Malawi,
Kenya Parliamentary Human Rights Association in Kenya, and Mwatana for
Human Rights



War, systemic violence, and structural inequality impacting the Right to Food and Nutrition in times of multiple crises

*To those who
are always striving for life.
To those who are in the claws
of war, conflict, and occupation
To those who are always in the periphery
Striving for life
in the hardship of life*

- Angélica

CONTENTS

GLOBAL NETWORK FOR THE RIGHT TO FOOD AND NUTRITION	02
Acronyms & Abbreviations	07
KEY POINTS	08
INTRODUCTION	11
01 THE INCREASING PROLIFERATION OF CONFLICT, OCCUPATION, AND WAR DISRUPTS FOOD SYSTEMS	15
1.1 Russian invasion of Ukraine	16
1.2 Women in conflict in Burkina Faso	17
1.3 Middle East and North Africa	19
1.4 Challenges ahead for human rights	22
02 INTERNATIONAL DEVELOPMENTS	25
2.1 International responses to the global food crisis entrench unfair rules	26
2.2 Follow-up to the United Nations Food Systems Summit	28
2.3 Seeds, biodiversity, and climate change	29
2.4 The United Nations human rights system	30
03 REGIONAL OVERVIEW	32
3.1 Asia	33
3.2 The Americas	36
3.3 Africa	39
3.4 Europe	42

ACRONYMS & ABBREVIATIONS

VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
UNDROP	United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas
IDPs	Internally Displaced People
WFP	World Food Program
UNHCR	United Nations High Commissioner for Refugees
RBA s	UN Rome Based Agencies
FTA s	Free trade agreements
IFIs	International financial institutions
GMO	Genetically Modified Organism
ITPGRFA	International Treaty on Plant Genetic Resources for Food and Agriculture
LAC	Latin America and the Caribbean
MENA	Middle East and North Africa
NCD s	Non-communicable diseases
RtFN	Human right to adequate food and nutrition
SDG s	Sustainable Development Goals
SOFI	State of Food Security and Nutrition in the World
SUN	Scaling Up Nutrition
TNC s	Transnational corporations

UN	United Nations
UNSCN	UN Standing Committee on Nutrition
USA	United States of America
USDA	US Department of Agriculture
ACHPR	African Charter on Human and Peoples' Rights
AGRA	Alliance for a Green Revolution in Africa
BIPOC	Black, Indigenous, and other People of Color
CBD	Convention on Biological Diversity
CBO s	Community-based organizations
CFS	UN Committee on World Food Security
CSA	Community supported agriculture
CSM	Civil Society and Indigenous Peoples' Mechanism
CSO s	Civil society organizations
ECLAC	Economic Commission for Latin America and the Caribbean
FAO	Food and Agricultural Organization of the UN
GMO s	Genetically modified organisms
GNRtFN	Global Network for the Right to Food and Nutrition
HRC	UN Human Rights Council



The State of the Right to Food and Nutrition Report provides an annual snapshot of this key human right around the world, identifying national, regional and international trends. This year it is published to coincide with discussions on the Right to Food and Nutrition (RTFN) at the [United Nations Human Rights Council session](#) in March 2023.

Reflecting global developments from July 2021 to the end of 2022, the report focuses on the connection between war, systemic violence, and structural inequality. It examines how powerful economic actors, notably states and corporations, use conflict, occupation, and war to create and perpetuate their dominance over food systems and global efforts to address hunger and malnutrition.

The Russian invasion of Ukraine disrupted the global food system and added another layer to the multilayered global food crisis. However, despite dominating global headlines it was not the only conflict causing record levels of internally displaced people. As previous editions of this report have underlined, most undernourished people live in countries experiencing armed conflict such as Burkina Faso and parts of the MENA region, which go largely unnoticed by mainstream media.

Structural inequalities also remain a major driver.

Across Asia, home to half of all people facing hunger worldwide, deep-rooted inequalities and discrimination, landlessness, and poor wages have been exacerbated by poor implementation of anti-poverty schemes and programs. This has been compounded by increasing authoritarianism, coupled with shrinking space for civil society which continues to widen the gap between the poor and rich.

Private financial entities hold an increasing part of African countries' external debt, which has reduced the capacities of states such as Ghana, Zambia, Kenya, and Nigeria to adequately respond to the food crisis at the national level and implement their RTFN obligations.

Hunger increased by 30% in Latin America and the Caribbean in recent years and high dependence on fertilizer imports and rising food prices have impacted livelihoods and access to healthy diets. Some peasant communities have mitigated the impact of the crisis by recovering traditional agroecological practices and native seeds and supporting each other through solidarity initiatives.

This latest food crisis has not been met by a coordinated multilateral and human rights-based response prioritizing the voices of the most affected countries and peoples. Instead, there have been a plethora of overlapping and competing initiatives which hinder urgently needed coordinated actions. This could have been avoided because there is a UN body with a mandate to coordinate, give policy responses and provide for the official participation of the most affected groups: the UN Committee on World Food Security (CFS).

However, the mandate and role of the CFS has been undermined by powerful governments and corporations using the global food crisis to weaken inclusive global

food governance and promote multi-stakeholderism in initiatives such as the UN Food Systems Summit. They have introduced piecemeal and ineffective responses because they are unwilling to address the root causes of a failing system that serves their interests, including deregulated trade and financial markets, agricultural commodity speculation, tax and debt injustice, and ecological destruction.

This hijack of global food governance prioritizes keeping trade open without addressing the problem of unjust trade rules, inequalities of access through prices, or restrictions in public budgets due to indebtedness. This pseudo food security approach ignores the fact that food import dependency means vulnerability, especially for poor countries and peoples. Just eight countries account for 90% of the world's wheat exports, and just four companies control the vast majority of the global grain trade.

Long-term solutions to multiple global crises cannot be found under such conditions of unregulated power and control of dominant food systems by corporations and wealthy governments. Civil society, Indigenous Peoples and social movements are calling for a different approach which supports local food sovereignty and agroecology based on human rights and public interest.



INTRODUCTION

The State of the Right to Food and Nutrition Report 2022 covers the period from July 2021 to December 2022, and it is published when the Right to Food and Nutrition (RTFN) is on [the agenda of the Human Rights Council \(HRC\) session in March 2023](#). World events compelled us to focus this report on the connections between war, systemic violence, and structural inequality impacting the RTFN. Therefore, we dedicate this edition to people enduring the hardships of conflict, occupation, and war worldwide. This edition provides an annual overview about the situation of the RtFN, giving special attention to the connection between war, systemic violence, and structural inequality impacting this right in times of multiple crises. In doing so, the report focuses on how powerful actors (states and corporations) of the global economic system use conflict, occupation, and war as strategies to create and perpetuate ways of accumulation through food systems.

The Special Rapporteur on the right to food’s thematic report titled [“Conflict and the Right to Food”](#) highlights that “conflict and natural disasters alone cannot explain that global rates of hunger are expected to hit record humanitarian needs.”¹ It is crucial to understand the connection between systemic violence in food systems as part of the global economy: “Systemic violence and structural inequality in food systems are a central feature of a global economy that is supported by relationships of dependence among individuals, countries, international financial institutions and corporations.”² The Rapporteur’s main contributions in understanding such connection are the following: 1) the global economy is the continuation of a centuries-long process characterized by a dynamic of dependency and extractivism undergirded by international law at large and national legal regime,³ 2) it relies on extractive practices that disrupt people’s social and ecological relationships and undermine human and environmental health,⁴ and 3) in times of crisis, relationships of dependency quickly break down, while relationships of reciprocity stay resilient.⁵



THE GLOBAL FOOD CRISIS

There is currently no globally coordinated multilateral and human rights-based response to the hunger crisis that prioritizes the voices of the most affected countries and peoples. Instead, the initiatives described in section 2 of this report overlap and compete for visibility and resources, thereby hindering the urgently needed coordinated actions to respond to the crisis and avoid future food crises. The mandate and role of the CFS in coordinating policy responses has been undermined by powerful governments and corporations which are using the global food crisis to weaken inclusive global food governance and promote [multi-stakeholderism](#).

¹ Para. 7

² Para. 88

³ Para. 7

⁴ Para. 8

⁵ Para. 15

CONFLICT, OCCUPATION, AND WAR

The Russian invasion of Ukraine was omnipresent in the media as the war disrupted the global food system and added another layer to the already multilayered global food crisis. However, the war in Ukraine is not the only conflict going on in the world right now. Conflicts affecting non-food exporting countries and regions (such as in Burkina Faso and the MENA region) go largely unnoticed by mainstream media because, firstly, they are of no interest for global food system analysis, and secondly, due to geopolitical reasons. Those conflicts are undoubtedly about territorial control and reshaping extractive relations; i.e. who extracts what and for whom. By disrupting local and national food systems – which should still function during occupation and war – conflicts affect the RtFN of these countries' populations.

REGIONAL TRENDS

Deep-rooted inequalities and discrimination, widespread unemployment, landlessness, and poor wages are exacerbated by poor implementation of schemes and programs meant to alleviate poverty. This is compounded by increasing authoritarianism, coupled with a shrinking space for civil society and oppression of human rights defenders, which continues to widen the gap between the poor and rich in **Asia**.



Private financial entities hold an increasing part of African countries' external debt, which has reduced the capacities of states such as **Ghana, Zambia, Kenya, and Nigeria** to adequately respond to the food crisis at the national level and implement their RTFN obligations.

Peasant and Indigenous communities in **Latin America** have mitigated the impact of the food crisis by recovering traditional agroecological practices and native seeds and supporting each other through solidarity initiatives. States around the USA are leading the way and enshrining the right to food in law. In 2021, Maine became the first state to adopt a constitutional amendment enshrining the right to food in its constitution.

The European Green Deal and its central Farm-to-Fork Strategy aim at transforming food systems to make them resilient and fairer. However, EU institutions fail to approach food-related policies holistically and in line with international human rights standards.

ABOUT THIS PUBLICATION

The State of the Right to Food and Nutrition Report is a joint endeavor of the Global Network for the Right to Food and Nutrition (hereinafter Global Network or GNRtFN), supported by its secretariat, FIAN International. First published in 2019, it attempts to provide a yearly snapshot of developments at country and international level concerning the RtFN. It thereby complements the UN Food and Agricultural Organization's (FAO) State of Food Security and Nutrition in the World (SOFI) report from a human rights perspective that looks beyond the numbers and sheds light on the structural causes of hunger and malnutrition.

The publication is part of the GNRtFN's broader monitoring initiatives: [The Peoples' Monitoring Tool for the Right to Food and Nutrition](#) and [the feminist guide to Cooking up Political Agendas](#). Both aim mainly at supporting national level monitoring efforts by providing a framework, and relevant tools, to carefully analyze whether and how states are complying with their obligations relative to the RtFN. As both are the result of a collective exercise by members of the Global Network, they should be considered living documents that 'grow' with the evolving understanding of the RtFN, as well as with lessons learned from using them on the ground.

The content of this publication is based on inputs from members of the GNRtFN,⁶ complemented with information provided by other networks, as well as relevant surveys and reports,⁷ including those of the Civil Society and Indigenous Peoples Mechanism ([CSIPM](#)). The publication does not pretend to cover all countries nor situations but is focused on the countries and issues that Global Network members work on.

⁶ This includes their submissions to the latest Report of the Special Rapporteur on the right to food: "Conflict and the Right to Food".

⁷ [War in Ukraine: Recurring Food Crises Expose Systemic Fragility and Food Crisis Response Entrenches Corporate Influence, among others.](#)



01

THE INCREASING
PROLIFERATION
OF CONFLICT,
OCCUPATION,
& WAR DISRUPTS
FOOD SYSTEMS

Over the last few years, in a context of interconnected crises, the State of the Right to Food and Nutrition Report has reiterated that – further to the existing structural causes of hunger – conflict, occupation, war, and violence are increasingly proliferating and becoming drivers of hunger. In 2022, the Russian invasion of Ukraine was omnipresent in the media as the war disrupted the global food system and added another layer to the already multilayered global food crisis. However, the war in Ukraine is not the only conflict going on in the world right now. Conflicts affecting non-food exporting countries and regions (such as in Burkina Faso and the MENA region) go largely unnoticed by mainstream media because, firstly, they are of no interest for global food system analysis, and secondly, due to geopolitical reasons. In the framework of a dominant economic system that is white supremacist and hierarchical, these conflicts are treated as being commonplace for black, brown, and Indigenous Peoples.⁸ What's more, international support programmes for conflicts in the MENA region are chronically underfunded by the international community, in stark contrast to the outpouring of support towards the most recent war in Ukraine. This regionally selective allocation of funds contributes to the widespread hunger and food insecurity experienced by people in the MENA region who are suffering from conflicts that are undoubtedly about territorial control and reshaping extractive relations; i.e. who extracts what and for whom. By disrupting local and national food systems – which should still function during occupation and war – conflicts affect the RtFN of these countries' populations.

The most vulnerable sections of the populations affected by conflict, occupation, and war – i.e. International Displaced People (IDP), refugees, those living under occupation in areas of protracted crises, and women, particularly rural women and children – are impacted the most by the multilayered global food crisis. As previous editions of this report have indicated, most undernourished people live in countries experiencing armed conflict. According to the United Nations High Commissioner for Refugees (UNHCR), the number of displaced people globally is now roughly 80% higher than in 2010, while internal displacement has reached an all-time high. This section looks into the questions and challenges that the increasing proliferation of conflict, occupation, and war pose to the RtFN and human rights analysis in general.

1.1. THE RUSSIAN INVASION OF UKRAINE

Russian armed forces are responsible for the vast majority of war crimes and violations of human rights and international humanitarian law identified in Ukraine since February 24, 2022. The war has resulted in a **total damage of \$2.2 USD billion** to Ukraine's export-oriented agriculture sector. Russia has **deliberately attacked civilian agricultural infrastructure**, in contravention of international humanitarian law. However, there is no documentation of the damage to small-scale farming for local and national food systems which sustains the Ukrainian people. Small-



⁸ Section 1 instead of section 3 of the report covers and analyses the situation in the MENA region because this edition focuses on war and conflict.

Photo | Oleksandr Ratushniak / UNDP Ukraine

scale farmers are pivotal for “ensuring food security, incomes and livelihoods of rural populations and selling products locally, thus contributing to the local supply chain.” Ukraine’s agriculture sector is an essential source of livelihood for the roughly 13 million Ukrainians living in rural areas. Small-scale farmers in Ukraine contributed around 32% to agricultural production.

Despite all the hardships, small-scale Ukrainian producers organized a forum to articulate their views and demands on wartime and post-war reconstruction. They called on the Ukrainian authorities, the FAO, and the EU to recognize their role. They also demanded “a new agricultural renovation policy that supports the traditional nutritional culture based on the nation’s health, and in which ecological responsibility and economic justice are of top priority in the modern systems of agricultural production.” Some of their main recommendations are:

- to alter the pre-war agricultural model into family-owned farming on the premises of sustainable development, taking into account the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), among other instruments;
- to include peasants’ and farmers’ organizations in the formation of the new rural policy and the policy of agricultural development in wartime and post-war period;
- to create a separate governmental body mandated with the post-war rural reconstruction to build the potential of family farms and farming households;
- to approve and guarantee: 1) a 10% quota in international grain trade for small-scale agricultural producers, 2) the creation of mechanisms of access and participation in the humanitarian program “Grain from Ukraine,”⁹ and 3) appropriate prices for their agricultural products;
- to suspend the market transactions of agricultural land turnover in wartime and in the post-war period; and
- to create mechanisms that protect public interests, and guarantee real opportunities for rural dwellers, farmers, small-scale agricultural producers, and youth to purchase agricultural land.

1.2. WOMEN IN THE INTERNAL ARMED CONFLICT IN BURKINA FASO

This section highlights the situation in Burkina Faso in order to draw attention to armed conflicts in non-food exporting countries that affect the RtFN and disrupt local and national food systems. The country has been experiencing an unprecedented security crisis since 2015, with a worrying situation of terrorism and violent extremism. The intensification of attacks against the civilian population

⁹ The President of Ukraine initiated the program, and it is in partnership with the World Food Programme.

is causing massive forced displacement. As of December 31, 2022, the number of IDPs in Burkina Faso was already 1,882,391, with **women and children making up 82.37% of them**. Of the priorities expressed by IDPs, **food needs accounted for 82.74%**, yet the humanitarian response is insufficient to meet the needs of the displaced population and host communities. The security crisis has led to political instability. Hence, Burkina Faso has experienced two coups in less than a year (the first in January 2022 and the second in September 2022). As a result, repeated administrative changes affected the technical services managing the food crisis.

The conflict has affected women in Kounkoufouanou and Essakane communities in the eastern and northeastern regions, respectively. Since 2019, the entire Kounkoufouanou community has been displaced. Unidentified armed individuals have murdered several members of this community. They have left behind all their means of production, including crops, seeds, animals, fields, houses, and other sources of income. An IDP woman said, “During the escape, children were crying from hunger, so twelve young people went to get food for the others. All twelve left on motorcycles, but they encountered unidentified individuals who killed them all, and none of them could escape. Women and children continued to Fada N’Gourma, some on foot, others in carts. In Fada, the population’s suffering increased: unable to pay for water or wood, women could not prepare food. Some women collected jerry cans and sold them at low prices to support themselves and their children. Regarding sanitation, with no place to sleep, women

slept outside under trees, which made children sick and caused deaths. At the school level, the students spent a year without school. Currently, the government hosts the people in reception sites, where they receive mats, blankets, and meals and try to cope. Despite the aid provided, life has become too expensive for these displaced people, and many have moved to Ghana and others to Cote D’Ivoire. Those who remained in Burkina Faso have also dispersed: some to Bogandé, others to Kouala. My wish is that peace returns to Burkina Faso.”¹⁰

CSOs in Burkina Faso are demanding all actors ensure the return of security in the country. They request the government and its collaborators to put all efforts together and develop agricultural production areas where IDPs are located. These efforts will allow them to undertake agricultural activities and be able to feed themselves and their families.



¹⁰ Interview conducted by FIAN Burkina Faso.

1.3. MIDDLE EAST AND NORTH AFRICA (MENA)¹¹

Situations of food insecurity are particularly noticeable in the MENA region due to several factors, including conflicts, social constraints and norms, political instability and (misguided) policies. Escalating food prices, lower food subsidies, food shortages, and undernourishment are all signs of the ongoing and looming health and hunger crisis. In January 2023, the results of a poll by a MENA regional news agency on food access were published. 4,435 respondents across Egypt, Turkey, Iraq, Tunisia and Yemen were surveyed, with 41% saying that they were somewhat concerned and 27% saying that they were very concerned about their household's ability to access food in the next six months. Regarding the food cost inflation, the majority of respondents said prices increased (46% said they got a lot higher and 36% said they were somewhat higher). Some 70% of respondents in Egypt said prices were a lot higher, while 25% said they were somewhat higher.

The impact of the Russian invasion of Ukraine has brought the fragility of food security in the MENA region to the surface. The joint FAO and World Food Program (WFP) report on acute food insecurity in 20 “hunger hotspots” worldwide shows that people in Yemen and South Sudan are among those suffering from the highest levels of hunger. Among other factors affecting the situation are conflict and political instability and the region's position as the largest food importer in the world, with each country importing, on average more than 50% of the calories it consumes. While Sudan and Syria are categorized as very highly concerned, Lebanon remains a hunger hotspot as it imports 80% of its wheat, among other commodities, from Ukraine. Egypt is the world's largest wheat buyer, supplying around 80% of its wheat needs from Ukraine and Russia. Tunisia and Libya both import nearly 50% of their wheat needs from Russia, while Iraq imports around 88% of its sunflower oil from Ukraine. The recent surge in food prices and the inflation rate in the region has accentuated the food crisis, and the future does not look bright.

The Russian invasion of Ukraine has revealed what it means for North African countries to lose their food sovereignty, become dependent on the supply of their food needs, and embrace international trade and export-oriented agriculture in an increasingly volatile foreign market. Some aspects that go against small food producers are: debt; investments by multinationals; acquisition of land and its wealth; elimination of family/subsistence farming; and commodification of local seeds. Given the dependence of many North African countries on food supplies, the war has also shown that the region can experience worsening food insecurity and hunger if the war expands or turns into a nuclear war.

Once again, the most vulnerable sections of the population are impacted the most by this multilayered food crisis: refugees, those living under occupation in areas of protracted crises, and women – mainly rural women and children, although the urban female population is not much better



¹¹ Inputs to this section were taken from a report written by Heather Elaydi, HIC-HLRN and Hala Barakat, HIC's representative in the CSIPM Coordination Committee, for a joint World Council of Churches (WCC) and CSIPM webinar “Global Crisis on Food and the Crisis Response”, held on December 14th, 2022. Additional information was provided by Gaza Urban Agriculture Platform (GUPAP).

off, particularly in crowded, polluted and conflict-ridden cities. Solutions for the food crisis in the region must therefore consider two significant aspects: a) the ongoing situation of crisis, and b) gender inequalities.

In order to halt the deterioration of the RtFN for some of the MENA region's most vulnerable communities – those living in conflict, women and girls – a just and sustainable transformation of food systems is needed. It is vital to consider the many underlying factors contributing to food insecurity in the MENA region, particularly when developing initiatives to restore food security and ensure people's RtFN.

The seven-year war in **Yemen** is largely considered a proxy war between Saudi-led and Iran-led coalitions. Even prior to the onset of the war in Yemen, the country had high levels of food insecurity and was highly dependent on imports for food. This was because its own food production system was severely hampered by water scarcity, largely due to the widespread cultivation of *qat*.¹² The situation quickly deteriorated with the onset of war, although famine was already present in parts of the country since 2017. The 2021 report [Starvation Makers - The use of starvation by warring parties in Yemen](#) concluded that “members of the Saudi/UAE-led coalition and Ansar Allah used starvation as a method of warfare.”¹³ It is estimated that [21.6 million people will need humanitarian assistance in 2023](#). Despite the acute need, this year the [WFP has had to cut food rations in Yemen](#) due to a combination of lack of funding to the country, global food price rises, and the impact of the war in Ukraine. [Nearly half of Yemen's wheat was imported from Ukraine and Russia in 2021](#). This means that 5 million people are now receiving less than half of their daily food requirements, while another 8 million are receiving just a quarter of their daily needs.

Early in 2022, the [UN reported that 12 million Syrians](#) – more than 60% of the population – are now considered food insecure, which is more than at any other point during the war. Despite this heightened need, UN agencies face an ongoing struggle to meet the humanitarian needs of people in Syria. This has been exacerbated by diplomatic tension around the war in Ukraine, given Russia's military involvement in the Syrian conflict since 2015. In the summer of 2022, [Russia was accused of plundering Ukraine's grain reserves](#) and sending it by ship to Syria.

Palestinians have been subjected to violence, dispossession of their land, and forced displacement since the creation of Israel in 1948. Those remaining in Palestine now live under military occupation, and have no sovereign ability to define their own food policies. A system of apartheid is in place in Gaza, the West Bank, and Israel. These conditions of vulnerability have deeply affected the food sovereignty of Palestinians, as opportunities to produce food locally and control trade are systematically obstructed. Palestinian farmers and fisherfolk living under occupation are frequently targeted by illegal Israeli settlers and the Israeli army, who [destroy crops, uproot trees, shoot at boats at sea](#), and block access to farmland and fishing waters. In May 2021 and again in August 2022, with Pales-

¹² Qat, or khat, is a water-intensive plant whose leaves, when chewed, cause mental stimulation and mild euphoria. Qat chewing is a traditional social custom in Yemen, as well as in the Horn of Africa, but the plant is classified as a narcotic in many Western countries

¹³ (P.17).

tine's food system already increasingly vulnerable to the impacts of the pandemic and rising food prices, Israel conducted two full-scale military attacks on Gaza. The former resulted in the **destruction of and significant damage** to land cover, crops, greenhouses, and other agricultural infrastructure. In this context, Palestine has also seen a **dramatic rise in food prices** over the past 2 years, prompting some countries to scale up their support to Palestine via the WFP. Despite this, **women in Gaza play a prominent role** in the agricultural sector and contribute to food sovereignty through local production. Reports suggest that **approximately 1,000 women led agri-enterprises are located in the Gaza strip**, representing a large cross section of the country's food system. These women-led farms and agri-enterprises maintain seed banks of locally cultivated crops and produce a great diversity of foodstuffs, namely fresh vegetables and fruit, herbs, poultry, eggs, mushrooms, honey and traditional ingredients such as *ajweh* (date paste), *maftool* (hand rolled couscous), jam and pickles.

Western Sahara, a former Spanish colony, has been under military occupation by Morocco since 1975. The sovereignty of the Sahrawi people over the land, waters, and food system of Western Sahara has been obstructed by Moroccan settlement and industry across the territory. In 2019, **Morocco exported €434 million worth of fish, tomatoes, and melons to Europe from Western Sahara** thereby contravening international law, which states that an occupying power cannot profit from the natural resources of a territory it occupies.¹⁴ In a gain for the Sahrawis, the General Court of the European Union struck down the trade and fisheries deals between the EU and Morocco in September 2021, arguing that the deals were agreed upon without the consent of the people of Western Sahara. Spain, however, chose in 2022 to support the Moroccan occupation of Western Sahara – ignoring the Sahrawis' legal rights to sovereignty – and **continues to trade food and agricultural goods stolen from the territory**. The occupation has displaced many Sahrawis who now reside in refugee camps on the Algerian side of the border. Like other communities displaced by occupation and conflict, high food prices have impacted the ability of humanitarian agencies to adequately respond to the needs of displaced Sahrawis, with the **WFP cutting its food rations to Sahrawi camps in Algeria by 50%**.

Even though war, occupation, armed conflict, and violence are increasingly becoming drivers of hunger, conflict alone cannot explain the fact that global hunger rates are expected to hit humanitarian needs.¹⁵ Therefore, “understanding systemic violence in food systems requires viewing them as part of the global economy. Today's global economy is the continuation of a centuries-long process characterized by a dynamic of dependency and extractivism undergirded by international law at large and national legal regimes.”¹⁶ In this line of thought, grasping the interconnections between resource extraction and exploitation, ecological collapse, precarious livelihoods, dispossession, inequalities, social exclusion, political instability and conflict, financialization, commodification, and crippling indebtedness will assist us in understanding the dynamics of multiple shocks and the deeper systemic forces shaping them. Especially critical is the in-

¹⁴ Hague Regulations, Article 55.

¹⁵ A/HRC/52/40 Parr.

¹⁶ Idem

terconnectedness between conflict, occupation, war, and systemic violence (such as accumulation strategies and structural inequality) as it shapes and disrupts food systems in the global economy.

1.4. THE CHALLENGE AHEAD FOR HUMAN RIGHTS ANALYSIS

Most analyses of the impact of the Russian invasion of Ukraine on food systems globally consider war as an exogenous shock and fail to understand the interconnections mentioned above. Indeed, questions of power, geopolitics, and governance are not exogenous to food systems but are very much part of them.¹⁷ Understanding them from a historical perspective is also crucial. In this sense, we are confronted with (old) new questions, which are also relevant to conflict, occupation, and war in non-food exporting countries, which are seemingly of no interest to global food system analysis. Still, the conflicts in Burkina Faso and the MENA region are about territorial control and reshaping extractive dynamics – who extracts what and for whom. In that sense, the lens of (neo)imperialism and (neo)colonialism can be applied. How can a human rights-based analysis and transformation of food systems fight against re-entrenching global geopolitical power imbalances? How can human rights-based analysis address imbalances between historically central or colonizing states and their one-time peripheries or colonies in the twenty-first-century food system? How can human rights address violence in food systems stemming from (neo)imperialism or (neo)colonialism as strategies of accumulation within the global economic system?

(Neo)imperialism and (neo)colonialism are not part of the conventional analytical categories of human rights analysis because the entire human rights framework does not address inter-state relations. However, the potential reasons and consequences of conflict, occupation, and war on the RtFN and related rights make it challenging for advocacy organizations and contemporary human rights-based analysis to grapple with those inherently violent and pervasive categories. By excluding (neo)imperialism and (neo)colonialism from human rights-based analysis, related violence is sidelined from the policy sphere and thereby normalized, going against the spirit of the UN Charter, the principle against the threat or use of force, decolonization efforts,¹⁸ and lastly, self-determination.¹⁹

For instance, just eight countries account for 90% of the world's wheat exports, and just four countries account for over 80% of the world's maize exports, while just four companies control the vast majority of the global grain trade. The dominant food system, with its neoliberal and neocolonial policies, global value chains, and corporate concentration, makes our societies vulnerable to food insecurity. The highly concentrated global food production division is contrary to local and national food sovereignty and, therefore, to resilience in times of crisis, with an even smaller number of big companies or traders. In 2021, Cargill, one of the world's largest food traders, made almost \$5 USD billion in net income, the biggest profit in its 156-year history, with even higher gains expected in 2022.²⁰

¹⁷ Please see these elements in the concept of food regimes. Friedmann, H. and P. McMichael (1989) Agriculture and the state system: the rise and decline of national agricultures. *Sociologia Ruralis* 29 (2) pp. 93-117

¹⁸ When the United Nations was established in 1945, 750 million people - almost a third of the world's population then - lived in Territories that were non-self-governing, dependent on colonial Powers

¹⁹ [Charter of the United Nations, Article 1 \(2\)](#), [Chapter XI](#), Articles 73 and 74, [Chapter XII](#) Articles 75-85, and [Chapter XIII](#) (Articles 86-91)

²⁰ A/HRC/52/40 Parr. 10

In many cases, states work hand in glove with global conglomerates/corporations to generate and perpetuate accumulation-related violence, which is even more of a threat to historically exploited regions. This needs urgent attention, especially given that remnants of a colonial past are significant in historically exploited places. The systemic and structural violence used by powerful actors of the global economic system – i.e. geopolitical powers (old and new) and corporations – to further accumulate from within our food systems was shaped and cemented during the colonial era.

For instance, the historical roots of dependency on imports of staple foods in many historically exploited countries date back to British-dominated colonialism. US-dominated strategies compounded dependency during the Cold War (e.g. export of ‘surplus’ food from the U.S. to postcolonial states as food aid to ensure loyalty, selective industrialization through the green revolution, structural adjustment programs). Since the 1990s, these strategies have become **heavily influenced by neoliberal policies**.²¹ At the same time, export policies based on exploitation inevitably lead to hunger. During colonialism in India, **through systemic exploitation and colonial policies**, food supplies and other goods were diverted to England while Indians were left to **starve**. And today, Zambia, for example, has more than enough production of maize, the primary staple food, for domestic consumption, but **exports of maize are rising strongly, while about 1.58 million people are estimated to face acute severe food insecurity**.



The challenge of how to integrate categories of (neo)imperialism and (neo)colonialism into human rights-based and food system analysis could be a way to switch “from oppressive and extractive relations among states and within countries towards reciprocal, non-dependent ones.”²² It is high time for the UN human rights system to look into the structural drivers fueling war, conflicts, occupation, and widespread violence. It has become urgent to reverse the dramatic erosion of the principle found in the UN Charter, which urges states to refrain from using force, and to take effective collective measures to prevent and remove threats to peace. The aggression of the Russian Federation against Ukraine is the latest breach of this principle, sadly preceded by other examples such as, inter alia, the Saudi Arabia and United Arab Emirates-led coalition in Yemen, and the United States of America’s intervention against Iraq.

Governments must take the necessary actions to end conflict, occupation, and war, and meet the humanitarian needs of communities facing hunger and famine through funding. Food sovereignty as well as people’s sovereignty overall should

²¹ Please see the different world food regimes in Friedmann, H. and P. McMichael,

²² Conflict and the right to food, A/HRC/52/40, Parr. 15 and 26 Report of the Special Rapporteur on the right to food, Michael Fakhri

be at the core of humanitarian interventions and recovery programs.²³

There is no doubt that peace-building initiatives can be led by small-scale producers. The ultimate goal is to transform food systems to prevent powerful actors from using conflict, occupation, and war as strategies of accumulation in today's global economy. To this end, it is crucial to place small-scale producers at the center of a transformation that upholds the principles of the sovereign equality of all UN Members, the non-use of violence, and people's self-determination.

²³ Report written by Heather Elaydi, HIC-HLRN and Hala Barakat, HIC's representative in the CSIPM Coordination Committee, for a joint World Council of Churches (WCC) and CSIPM webinar "Global Crisis on Food and the Crisis Response", held on December 14th, 2022. Additional information was provided by Gaza Urban Agriculture Platform (GUPAP).

A circular photograph of the United Nations Secretariat Building in New York City. The building is a large, light-colored stone structure with a central entrance. In front of the building, numerous national flags are flying on tall poles, arranged in two long rows that converge towards the center. The sky is blue with some light clouds. The text '02' is overlaid on the left side of the image.

02

INTERNATIONAL
DEVELOPMENTS

2.1. INTERNATIONAL RESPONSES TO THE GLOBAL FOOD CRISIS ENTRENCH UNFAIR RULES.

The world was still struggling to recover from the impacts of the Covid-19 pandemic on the enjoyment of the right to food and nutrition when food price hikes hit new record highs and the Russian Federation started a war and military invasion against Ukraine at the end of February 2022. The war has not caused a new global food crisis but exacerbated the structural failure of the dominant corporate-led capitalist economies and food systems. This failure becomes evident in continuing, multilayered and recurring crises such as the current food price crisis – the third in 15 years. But it also manifests in climate collapse, public health emergencies, and ever-rising levels of poverty and inequality.

The main impacts of the war are the acceleration of rising food prices, drastically inhibiting access to food, increasing inequalities within and between countries, and a push for a global food security strategy based on global trade and agroindustry, further discriminating against small-scale food production and agroecology.

In response to food price increases, the FAO continued taking measures to attend to both the emergency in Ukraine and to a global response that focused on maintaining trade in food commodities and fertilizers. This trend did little to promote agroecology or a transition out of fossil-fuel based inputs.

The FAO is increasingly joining forces with the International Monetary Fund (IMF), World Bank Group (WBG), WFP, and World Trade Organization (WTO), as seen in their [Second Joint Statement on the Global Food Security and Nutrition Crisis](#). The statement's main recommendations are to keep trade open and to accelerate a market-based transformation of food systems through innovation, transparency, and investments. Furthermore, these organizations congratulate the UN Secretary General (UNSG)-Turkey initiated Black Sea Grain initiative, which facilitates exports of grains and fertilizers from Ukraine and Russia. This initiative ensures commercial agricultural exports but does not include a mechanism to intervene in the grain market, for instance, for re-directing a substantial proportion of these grains to the countries most in need. Instead, between August 1 and September 27, [the large majority of vessels \(182 out of 231\) went to the EU and Turkey. In contrast, countries such as Lebanon, Djibouti, Sudan, Yemen, Somalia, and Afghanistan accounted for only ten vessels](#). Several shipments to Turkey are likely to have been re-exported to other countries, though there is a lack of clear data on this.

The [Global Crisis Response Group \(GCRG\) on food, energy, and finance](#) is a major new initiative established by the UN Secretary-General. It is a high-level multi-stakeholder space to exchange information on the crisis and has issued three briefings that contain policy recommendations. However, the GCRG is not an intergovernmental space to discuss and change rules and policies and, therefore, cannot have a tangible impact on changing the root causes of the crisis. Support for the Black Sea Grain Initiative has been the main food activity of the group to date.

Furthermore, the Group of Seven (G7) Presidency and the WBG jointly initiated

a [Global Alliance for Food Security \(GAFS\)](#) at a G7 Development Ministers meeting on May 19, 2022, and held a [ministerial level conference entitled “Uniting for Global Food Security”](#) in Berlin on June 24. The GAFS, as a G-7 initiative, inherently lacks global legitimacy as less powerful countries are unlikely to oppose their initiatives. Furthermore, [it foresees a marginal role for the Committee on World Food Security \(CFS\) in this initiative](#) which risks undermining legitimate multilateral UN bodies.

In contrast, the United States of America convened a Global Food Security Ministerial Meeting at the UN Headquarters in May 2022, where they issued a roadmap entitled the [Global Food Security–Call to Action](#) in support of the GCRG, the GAFS, and the UN Food Systems Summit, which 102 countries have endorsed. At a Global Food Security Summit on September 20, 2022, leaders from the governments of Spain, and the United States of America, the African Union, the European Union, Colombia, Germany, Indonesia, and Nigeria renewed their support for the roadmap and urgent action in a final [declaration](#). The declaration also called for increased humanitarian support, open and transparent markets and higher fertilizer production along with a sustainable transformation of agriculture and food systems.

At the same time, China, which drives [worldwide demand for grain](#), presented a [Global Development Initiative](#) (GDI) during a CFS High-Level Intersessional Event on the food crisis on July 18, 2022 in New York aimed at supporting developing countries and small-scale food producers. China previously launched the initiative in 2021 in response to the pandemic and progress towards achieving the Sustainable Development Goals (SDGs). The China International Development Cooperation Agency (CIDCA) is the development institution for the initiative and counts on the support of the United Nations Industrial Development Organization (UNIDO). [China’s commitments](#) issued at the High-Level Dialogue on Global Development at the BRICS Summit on June 24, 2022, are within the framework of the GDI and include increased South-South cooperation. However, the GDI does not have a mechanism for meaningful participation of the people most affected by hunger. Although the initiative calls for multilateralism, collaboration, and consensus, it is another initiative creating parallel structures outside CFS decision making processes.

The food crisis was also debated at the **WTO Ministerial Conference** in Geneva in June 2022. However, long-standing issues such as the rights of developing countries to build public food reserves through public procurement and remunerative support prices were yet again postponed to the next meeting.

From October 10 to 13, the [CFS 50th](#) plenary session was held in hybrid format at FAO Headquarters in Rome and online. Hours that were supposed to have been dedicated to finding a solution to the systemic global food crisis were spent to find a compromise in a battle of words between two geopolitical blocs. At the end, the Plenary session had to be reconvened for December 19. The [Civil Society and Indigenous Peoples’ Mechanism](#) (CSIPM) had presented a new global report [Voices from the ground 2: transformative solutions to the global systemic food crises](#), after several months of consultations, demanding a globally coordi-

nated policy for the new layer of food crises. The Plenary Session of December 19 concluded after another round of difficult discussions. The final Plenary conclusions “called on leveraging the convening power of the CFS to strengthen coordinated policy responses to the multiple dimensions of the global food crisis, in line with the CFS reform document, including through, but not limited to, regular substantive items on the global food security crisis in the agendas of Bureau and Advisory Group meetings, as well as the engagement of the CFS Chairperson, HLPE-FSN, Secretariat and autonomous mechanisms of CFS within the UN Secretary General’s Global Crisis Response Group on Food, Energy and Finance”.

The CFS 50th Negotiations on Gender equality and women’s and girls’ empowerment could not be concluded in 2022. The CSIPM Women and Gender Diversity working group delivered their [collective statement](#), signed by more than 500 organizations and individuals, asking the plenary to continue with this key policy convergence process in 2023 and to organize special sessions with experts on key gender transformative approaches and on UN agreed language. The CFS 50th Negotiations on Youth were concluded in 2022. The CSIPM Youth supported the endorsement of the [CFS Policy Recommendations on Promoting Youth Engagement and Employment in Agriculture and Food Systems for Food Security and Nutrition](#). However, they also issued a strong explanatory statement expressing the [CSIPM’s reservations](#) on the final text of the policy outcome, and succeeded in December in having this reservation acknowledged in the final CFS Plenary Report.

2.2. FOLLOW-UP TO THE UN FOOD SYSTEMS SUMMIT (UNFSS)

The UNFSS took place in September 2021, and the follow up process in 2022 showed that the deep concerns expressed by civil society and Indigenous Peoples’ organizations opposing the summit had been justified and accurate. The outcomes of the UNFSS continue to be institutionalized in the UN’s Rome based agencies (RBAs), with FAO in the lead, as well as through national and regional processes and various multi-stakeholder coalitions and a new Science-Policy Interface. The [UNFSS Coordination Hub](#) was established in FAO in 2022 as the core mechanism to continue the UNFSS and advance its narrative and outcomes. Although the UN’s leadership had claimed that the UNFSS would not create parallel structures, it is difficult to deny that such duplication has been effectively institutionalized. A first UNFSS “Stocktaking Moment” has been scheduled for late July 2023.

A [2022 Analysis Report](#) drafted by the Liaison Group of those organizations that facilitated the global countermobilization against the UNFSS, describes in detail the follow-up to the summit and the risks and threats associated with these developments. The UNFSS and its follow-up enhanced and consolidated corporate influence over global food governance, aimed at replacing multilateralism with [multi-stakeholderism](#). Moreover, the UNFSS and its follow-up advances a corporate vision for food systems transformation rather than one based on human rights and public interest as demanded by civil society, Indigenous Peoples and social movements. This vision emphasizes a further strengthening of industrial food systems and the global value chain model that has dominated agricultural policies over the past decades, instead of strengthening resilient local food sys-

tems, promoting agroecological transitions and reducing food and fertilizer dependencies in times of crises.

2.3. SEEDS, BIODIVERSITY, AND CLIMATE CHANGE

The **International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)** approved the outcomes of its ad-hoc technical expert group (AHTEG) on farmers' rights, namely an inventory containing existing measures in support of these rights as well as a set of so-called options, which are intended to guide states' implementation of the treaty. However, no agreement was found on the legal measures that states are required to put in place in order to comply with their obligations, mainly due to irreconcilable positions among parties, the seed industry, and peasant organizations regarding the hierarchy between farmers' rights and intellectual property rights. The ITPGRFA's Governing Body also could not agree to collect a legal opinion on the binding nature of the treaty's provisions on farmers' rights. The issue will remain on the agenda in 2023, particularly in the context of an International Symposium on Farmers' Rights as well as ongoing deliberations on the ITPGRFA's applicability to digital sequence information (DSI).

In December 2022, governments adopted a new **Global Biodiversity Framework under the Convention on Biological Diversity (CBD)**. The so-called Kunming-Montreal Global Biodiversity Framework contains a set of four goals and 23 targets that are supposed to guide the implementation of the CBD until 2030. Despite it being a voluntary agreement, it is important that the new framework calls for a human rights-based approach to biodiversity protection and reaffirms the rights and primordial role of Indigenous Peoples and local communities as stewards of ecosystems. It also contains a specific target for the sustainable use of biodiversity in the context of agriculture and fisheries, which mentions agroecological approaches as a key pathway in this regard. However, the framework also contains targets for the expansion of protected areas and promotes so-called "nature-based solutions" as well as private finance as a main source of funding for its implementation, which entail serious risks of dispossession of communities as well as further financialization of nature. It furthermore fails to increase the protection of communities' and people's rights in the context of biotechnologies. Organizations of small-scale food producers, Indigenous Peoples, communities, and civil society will have to accompany and monitor the implementation of the new Global Biodiversity Framework at country level to ensure that it respects and advances the RtFN and other human rights.

From November 6 to 18, the **27th World Climate Conference 2022**, the COP27, took place in Sharm El-Sheikh, Egypt. Alongside the strong suppression of civil society was the participation of a record number of fossil fuel lobbyists. In a historic decision, after 30 years of delay and inaction, COP 27 established a Damage and Loss Fund, a first step towards reparation and accountability for the human rights violations suffered by millions of people on the front lines of climate impacts. The fact that there is a fund at all is a testament to the immense collective



power of the unity of social movements and Indigenous leaders, civil society activists, and the G77 plus China, building on decades of tireless efforts and fending off intransigent initiatives by countries like the USA and some EU states that sought to block the fund from the beginning. The final declaration includes the right to a healthy environment, and recognizes the vulnerability of food production to climate change. It also “recognizes that climate change exacerbates global food crises and vice versa, particularly in developing countries.” However, a phase-out of fossil fuels went unmentioned.

2.4. THE UN HUMAN RIGHTS SYSTEM

The UN [Human Rights Council](#) held the [eighth session](#) of the [Intergovernmental Working Group to elaborate the TNC & OBEs](#) binding treaty to regulate the activities of transnational corporations and other business enterprises, including agro-food industries. After no public news for almost a year, three weeks before the session the Ambassador of Ecuador, Chair Rapporteur of the Group, unilaterally issued a new document with [informal proposals](#), rejected by many civil society organizations and representatives of affected communities as they almost dismantled the most relevant elements negotiated in the [third draft](#). While the participation of industrialized countries is starting to become more

active, several countries from historically exploited regions, the main ones affected by corporate crimes and corporate abuse in general, participated actively during the session. The major challenge according to civil society is the risk of corporate capture of the process. Affected communities, victims, independent trade unions, and other rights holders need to participate in an effective and transparent manner. States must lead the negotiations, participate fully in the discussions and adopt and ratify a strong text that ensures compliance with their obligations to protect human rights.



The [Special Rapporteur on the right to food](#), Michael Fakhri, has been accomplishing his mandate not only through his [thematic reports](#), but also [connecting the UN Human Rights System with the work of the Committee on World Food security](#). In this work, his critical [contributions during the UN Food Systems Summit](#) were key. His 2021 “[Seeds, Right to Life and Farmers’ Rights](#)”, points out that seeds are central to people’s cultures and food systems, and that to control seeds is to control life. It proposes a framework for the advancement of farmers’, Indigenous peoples’ and workers’ rights using the ITPGRFA, and agriculture and human rights law. The 2022 report “[The Right to Food and the Covid 19 Pandemic](#)” states that while during the pandemic communities have been adapting to survive, most national governments have not come together with a substantive, international response to the food crisis. The rapporteur outlines how a just transition to agroecology provides the way forward. Also relevant for the right to food are the reports of the [Special Rapporteurs on Human Rights and the Environment, on Toxics and Human Rights](#), “[Healthy and sustainable food: reducing the environmental impacts of food systems on human rights](#)” and on “[Non toxic environment to live, work, study and play](#)”.

THE WORK OF THE UN COMMITTEE ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS - CESCR

The [CESCR](#) adopted the [General Comment No. 26 on Land and Economic, Social and Cultural Rights](#). It clarifies states' obligations relating to the impact of access to, use of and control over land on the enjoyment of the rights enshrined in the covenant. The CESCR announced also its work towards a [General Comment on Sustainable Development](#). The aim is to explore overarching topics, in considering sustainable development and the covenant.



03

REGIONAL OVERVIEW

In Asia, 425 million people have been suffering from hunger in [2021](#) constituting more than half of all people worldwide who are facing hunger. Among Asian countries, South Asia is the region particularly affected which, apart from numbers of affected people, has the world's highest rates of stunting and wasting. Deep-rooted inequalities and discrimination, widespread unemployment, landlessness, and poor wages, exacerbated by poor implementation of schemes and programs meant to alleviate poverty, as well as increasing authoritarianism, coupled with a shrinking space for civil society and oppression of human rights defenders are continuing to widen the gap between the poor and rich. Existing access to natural resources is increasingly jeopardized by infrastructure and development projects, which are often implemented without free, prior and informed consent and adequate compensation and rehabilitation for those negatively impacted.

In **Pakistan**, the number of food insecure individuals is increasing, coinciding with nutrition-related difficulties such as child stunting and anemic development, particularly among women. The [study by IFAD and WBG](#) in April 2022 voiced serious worries about Pakistan's food security situation. Pakistan's agricultural resources are continually stressed due to demographic pressure, non-agriculture activities, the effects of climate change, encroachment on arable areas, soil degradation due to excessive use of agrochemicals, water scarcity and declining freshwater availability, and a lack of attention on production. In light of the aforementioned structural challenges, [the recent floods](#) have considerably impacted not only Pakistan's agriculture sector, but the economy as a whole.

Hunger Watch surveys conducted by the Right to Food Campaign (RTFC) showed a worsening right to food situation (in availability and adequacy) for many (41%) in **India**, compared to the pre-COVID period. However, the [Union Budget 2022-23](#) has reduced government spending on the social sector considerably. Also, India had started scaling up its rice fortification intervention before adequate evaluation and ignoring numerous scientific, holistic and community-controlled approaches to tackling malnutrition (see Fact Finding Reports by RTFC and Alliance for Sustainable and Holistic Agriculture (ASHA) [Jharkhand](#) and [Chhattisgarh](#)). In spite of strong disagreement by experts, the Family/Food Safety and Standards Authority of India (FSSAI) plans to go ahead with the contested "Health Star Rating" related to the Front of Package Labelling. In addition, the central government is delayed in complying with the Supreme Court (SC) directions of June 2021, while disposing of the [migrant workers' case](#), which calls for the revision of the coverage of the total number of persons to be covered under the Public Distribution System (PDS) of the National Food Security Act (NFSA). Peasant communities in Jagatsinghpur, Odisha, continue to face evictions, demolition of houses, loss of livelihood, police violence, arbitrary arrests and criminalization, while peacefully [resisting the illegal decimation of their livelihoods](#). On the positive side, while a proposal to offer breakfast in government schools along with the mid-day meal is still being discussed by central government, the State Government of Tamil Nadu, has launched a [breakfast scheme for school children](#) from class 1 to 5.

In **Indonesia**, the government continued promoting the establishment of “Food Estates” as a response to the food crisis (see also the [State of the Right to Food and Nutrition Report of 2021](#)). A [study](#) conducted by FIAN Indonesia on a food estate in North Sumatra highlights several challenges for local food producers: decreasing rice production (less availability of rice for own consumption), a push for market-oriented high value commodities (e.g. potatoes, onions and garlic), lack of participation by farmers, less control over land and less autonomy over crops. In relation to law, [civil society organizations and people’s movements are challenging](#) the Regulation in Lieu of Law (Peraturan Pemerintah Pengganti Undang-undang or “Perppu” in short) No. 2 of 2022 on Job Creation released in December 2022. It is feared that Perppu opens the door for food imports, to the detriment of domestic food producers, in particular, small-scale food producers. Additionally, the government envisions becoming a member of the 1991 UPOV Convention which has the potential to [criminalize seed breeders](#).

In **Nepal** the implementation of the Right to Food and Food Sovereignty Act is progressing with the Right to Food Regulation supposed to provide respective guidance on the process of approval. Various provinces have been developing progressive legislation and policies, e.g. in Bagmati Province the pro farmer/peoples “Agriculture Development Ordinance 2079 (2022)” was approved and the establishment of a Province Food Council is under way. Likewise, in Karnali Province the provincial “Right to Food Sovereignty Act 2077 was approved along with the respective regulation for implementation. A number of local governments are implementing food security strategies. In spite of the increasingly positive and conducive legal and policy framework in the country there are still many challenges regarding implementation to realize the right to adequate food and nutrition. This is particularly the case with regard to marginalized groups like women, smallholder farmers, Dalits and indigenous peoples and people with disabilities. The development of [hydropower](#) and other forms of infrastructure development and the related deprivation of people from their livelihoods is also a matter of concern.

In the **Philippines**, the new government will most likely continue the path of populism and authoritarianism and the march towards full liberalization of the economy that has already tremendously hurt the rural poor. Farmers continue to suffer from [rice trade liberalization](#), allowing an influx of highly subsidized rice. Soaring rice prices are putting the staple product beyond reach for poor consumers, while farmers are facing huge income losses due to low farmgate prices. Aside from rice, unhampered smuggling of agriculture products from abroad has also resulted in record highs in prices of onion and meat products. Small farmers and agricultural producers are also [opposing the integration of the Philippines into the Regional Comprehensive Economic Program \(RCEP\)](#) as it is expected to further undermine local food production. Today, food inflation is among the [highest](#) in Southeast Asia (around 10 %). There is ongoing resistance against reversals of agrarian reform (e.g. threatening to return land to former land owners (e.g. [Sariaya](#)), retaining areas already issued with land ownership certificates (e.g. [Tarlac](#)) or farmers who were identified as beneficiaries but later disqualified (e.g. Carballo estate in Negros Oriental). Potential and actual land grabbing (driven

by proposed projects such as [special economic zones](#), [solar farms](#), tourism) and [criminalization of peasants land rights movements](#) are also intensifying. The lack of support services for agrarian reform beneficiaries resulted in the bankruptcy of many beneficiaries, which forced them to give up their lands (e.g. Hacienda Luisita).

As part of the government response to the [food crisis](#) in **Bangladesh**, the Ministry of Agriculture has adopted 17 plans to achieve food security in the country. These plans are prominently focused on technical, financial and loan approaches to food production and agriculture. Additionally, the Ministry of Food is providing food assistance to low income people to prevent a potential famine. The war in Ukraine disrupted the [market for fertilizers](#) on which Bangladesh is dependent. The country imports over 1.2 million tons annually, including a large proportion from Russia and Belarus. [Climate-related disasters](#) severely threaten the livelihoods of millions of people in Bangladesh. Floods in May and June 2022 caused damage to crops, property, houses, and livestock affecting around 7.2 million people. Food production in 2022 was 4.4 percent lower than in 2021 due to floods and lack of rain. Indigenous peoples are especially vulnerable. Beside natural disasters, [several incidents of land grabbing](#) are taking place through state acquisition and private encroachment.



In **Sri Lanka** the [economic crisis](#) has been exacerbated by a huge [drain on foreign exchange reserves](#) caused by a decline in exports and tourism during the COVID-19 pandemic and severe government mismanagement. This combination has had a [catastrophic impact](#): More than 80 percent of families have been forced to restrict their diet and even skip meals altogether. Climate havoc which affects South Asia most severely has also intensified Sri Lanka's food crisis. [Climate change](#) is severely impacting the monsoons, and with it agricultural production. The [sudden and unplanned nationwide ban on the import and use of synthetic fertilizers and pesticides](#) in 2021 led to massive crop failures. Farmers, the majority of whom favored such a switch, as well as scientists and environmentalists, had argued for a gradual transition and support to make the switch. Moreover, due to the debt crisis, there is a danger that the argument of biodiversity and climate crisis will be used to further [financialize nature](#) in Sri Lanka (e.g. in the form of [Debt-for-Nature-Swap DFNS](#)), threatening national sovereignty and the rights of the population to natural resources. Furthermore, the health condition [Chronic Interstitial Nephritis in Agricultural Communities \(CINAC\)](#) affects over 60,000 individuals annually with 20,000 deaths every year.

Latin America has not been exempt from the new layer of the global food crisis. The 12-month regional food price index reached 11.7% in September 2022. The FAO for Latin America and the Caribbean recalled that hunger increased in the region by 30% between 2019 and 2021. High dependence on fertilizer imports and rising food prices has a negative and unavoidable impact on livelihoods, mainly on the rural population, and on access to a healthy diet. However, peasant communities have mitigated the impact of the crisis by recovering traditional agroecological practices and native seeds and supporting each other through solidarity initiatives. More than 34 million people in the **United States of America**,²⁴ including 9 million children, are food insecure.²⁵ The pandemic has increased food insecurity among families with children and communities of color, who already faced hunger at much higher rates before the pandemic. Not one county in the USA is hunger-free, but rural communities are particularly impacted. Many households that experience food insecurity do not qualify for federal nutrition programs and visit their local food banks and other food programs for extra support. In terms of national realities in the Americas, we can highlight the following:

Authoritarianism and neoliberalism worsened class, race, and gender inequalities in food systems and the environmental crisis in **Brazil**.²⁶ Today, 33 million Brazilians are hungry, and more than half of the population – 125 million people – live under food insecurity. Groups such as black women and Indigenous Peoples have been the most affected. Examples of this trend are violence against the Guarani and Kaiowá people and the extreme hunger that affects the Yanomami people. Congress is discussing bills to disenfranchise territories, expand the use of pesticides, and the corporate capture of the National School Feeding Program (PNAE in its Portuguese acronym). Civil society halted part of these bills, achieved an increase for the PNAE budget, and held a session of the Permanent Peoples' Tribunal. Last but not least, the result of the last presidential elections brings hope for the realization of the RtFN.

The fight against hunger and the defense of food sovereignty took a central role in a public debate with the new government, aiming at future governmental actions. However, so far In **Colombia**, no publicly known plan or policy shows how the state intends to confront structural determinants of right to food violations, including hunger, and to make progress towards food sovereignty. Some civil society groups have doubts as to whether the new National Development Plan truly reflects proposals that have emerged in the country for the defense of the RtFN and food sovereignty, as well as for the fight against hunger.

In **Ecuador**, during the second half of 2022, RtFN-related conflicts increased within the framework of the dialogue process between the Indigenous and peasant movements and the government. Some civil society groups described the dialogues in negative terms because no concrete results were achieved. This is due to

²⁴ USDA

²⁵ University of Miami – Human Rights Clinic submission to the Special Rapporteur on the Right to Food

²⁶ FIAN Brazil recorded in the Right to Food Report 2019 and 2021

the government's parallel commitment to signing free trade agreements (FTAs) with various countries and regions, where investment policies are given priority over human rights. Another decisive point has been the issuing of a series of agribusiness-friendly laws and regulations that aim to dismantle advances in food sovereignty and the rights of nature.

Food in **Guatemala** is based on Indigenous Peoples' cultural practices and biodiversity that has historically generated production capacities and broadly strengthened the peasant family economy. However, government measures to guarantee the RtFN focus on food assistance and undermine local alternatives. Over the last two years, **this has led to an increase in malnutrition and hunger**, resulting in 20,000 cases of acute malnutrition and the death of 68 children.

In **Haiti** the RtFN of 4.7 million people has been violated: more than one in three Haitians are in urgent need of food assistance.²⁷ This situation is worsening by the day due to several years of political instability, natural disasters, climate change and trade policies that undermine agricultural production, such as the Agricultural Development Policy (PDA2) of 2010-2025. The parliament had to be replaced by the Chamber of Deputies in February 2020 and two thirds of the senate in February 2021. However, these changes did not happen, leading to parliament becoming dysfunctional. Therefore, there was no legislative process to address the food crisis during the last five years.



The most recent official data from the **Honduran** government indicates that between December 2021 and February 2022 at least 2.2 million people (24% of the population) faced a food crisis. The main causes of the worsening food situation according to the government are food shortages caused by crop failures following extreme weather events; rising food prices and production inputs; and fuel prices, which have also been on an upward trend. The projections state that the trend for the following periods of analysis is that more people will find themselves in a critical situation of food access. So far, government institutions have not presented actions to address the crisis, nor have they presented long-term strategies to help bring about structural changes in national food systems.

Mexico continues to be one of the most unequal countries in the world, where poverty and social exclusion are increasing, without any real tax reform. There has been an increase in inflation, so food prices rose by around 30% in 2022, according to newspaper reports, which increased food insecurity especially in the cities. Organized crime has taken over territories and economic activities related

²⁷ According to the FAO report published on 7 December 2022

to the right to food at municipal level, such as gas provision, distribution of chicken, and management of local councils themselves. Femicide and disappearances have not diminished given the generalized violence.

Poverty in **Paraguay** increased by 26.9% and extreme poverty by 3.9% in the last year, especially among the rural population. According to the National Institute of Statistics, approximately 41% of the rural population lives in inter-sectional poverty.²⁸ This, coupled with rising food prices and prolonged drought, has increased food insecurity. The consolidation of an economic production model based on agribusiness, with a high degree of land concentration, generates major negative impacts on the territories, such as deforestation, soil contamination, destruction of biodiversity, as well as displacement and impoverishment of the population. At the end of 2021, Paraguay passed a law that establishes a prison sentence of up to 10 years for those who invade private property.²⁹ Since then, **13 cases of forced evictions have been registered**, affecting more than 5,000 people.

In the **USA**, hunger in African American, Latino, and Native American communities is higher³⁰ due to systemic racism that results in higher levels of poverty, disinvestment in access to healthy foods or quality education, wage discrimination, and other root causes of hunger. Despite the federal government's lack of recognition of the international RtFN, states, municipalities, and cities around the USA are leading the way and enshrining the right to food in law. In 2021, Maine became the first state to adopt a constitutional amendment enshrining the right to food in its constitution.



²⁸ The National Institute of Statistics uses the Multidimensional Poverty Indicator to analyze the deficiencies of the population from four dimensions, access to work and social security; housing and services; health and environment, and education. <https://www.ine.gov.py/>

²⁹ Law 6.830, known as the Zavala-Riera Law, which modifies article 142 of the criminal Code

³⁰ 21.7% of Black households and about 17.2% of Latinx households experienced food insecurity in 2020, compared to 7.1% of white households

One of the biggest challenges in ensuring the realization of the RtFN in Africa is land grabbing. In most cases this leads to forced evictions of small-scale food producers. Some examples include the destruction of homes in the Kaweri coffee plantation case in Uganda, the army-led violence against fisherfolks around Lake Victoria, Uganda, and the fishing restrictions imposed on women in Uganda. Additional challenges include: ecosystem degradation and destruction stemming from the extraction of natural resources (e.g. mining activities in Essakane); monoculture (i.e. palm oil plantation in Sierra Leone); climate change caused by global warming; and violent conflicts, such as the one in Burkina Faso.

Furthermore, the COVID-19 pandemic and the global food crisis exacerbated an already severe debt crisis in **Ghana, Zambia, Kenya, and Nigeria**. Debt significantly impacts these states' capacity to adequately respond to the food crisis at the national level and to implement their RTFN obligations. In the face of this situation, social movements in the region are uniting to demand the cancellation of African states' public and private debt.

In December 2022, **Ghana** suspended payments on most of its external debt. 70% to 100% of the government's revenue goes towards servicing external debt, and the country's inflation shot up to as much as 50% in November 2022. In 2020, **Zambia** became the first African country since the start of the pandemic to default on restructuring its external debt, which amounted to more than \$17 billion USD at the end of 2023. In 2021, Zambia's overall debt burden reached 123% of the country's GDP, according to the International Monetary Fund. Consequently, over the past two years, the Zambian government had to cut its health and social protection spending by 20%. Moreover, **Kenya** and **Nigeria** are at serious risk of default due to the high proportion of government revenue used to pay interest on loans.

In response to the difficulties faced by many countries during the pandemic, lenders agreed to suspend debt payments. Defaulted countries such as **Ghana** are currently in negotiations to restructure their debt. More importantly, as is the case in other regions of the world, private financial entities hold an increasing part of African countries' debt, in addition to states, international financial institutions (IFIs), and development banks (IMF, WB, and the African Development Bank).

There are ongoing RtFN legal framework processes in **Kenya, Malawi, Niger, and Sierra Leone**. The Food and Nutrition Bill in **Malawi** enshrined a provision on food reserves, as these are key to ensuring food security during a food crisis. The Bill also contains provisions on access to justice, on establishing a National Food Security Council, and on creating a Food Security Fund. The Kenya Parliamentary Human Rights Association (KEPHRA) has been working with community leaders to develop county specific RtFN policies towards binding RtFN bills at county level,³¹ as well as a national bill. An ongoing process for drafting the Right to Food Bill in Niger builds on the 2010 constitutional recognition of the RtFN. The

³¹ For example, Muranga County adopted a Right to Food policy in April 2022.

constitutional recognition of the RtFN in **Sierra Leone** dates back to the constitutional review process of 2015. However, despite advocacy efforts of the **Sierra Leone Network on the Right to Food (SiLNoRF)** and other CSOs, the government whitepaper did not take on board the Constitutional Review Committee's recommendation to enshrine the RtFN in the constitution. The parliamentary right to food group and SiLNoRF, along with other actors, have initiated a process to draft a RtFN bill. The result will depend on the outcome of the elections slated to take place on June 24, 2023. Meanwhile, in **Burkina Faso**, a national referendum to adopt the new constitution that recognizes the RtFN in Article 29 was stalled due to the security situation and military coups.

In addition to the above, there are efforts in Mali and **Guinea** to promote and protect peasant seed systems and farmers' rights. In **Mali**, the government is in the process of adopting a new national seed policy. Peasant organizations and CSOs developed this policy through the platform "Seeds, Norms, Peasants" (Semences, Normes, Paysans), which is co-chaired by the Malian Ministry of Agriculture and the National Platform of Peasant Organizations (CNOP). The document, which is pending approval by the Council of Ministers, contains a chapter on peasant seed systems, thus recognizing their importance for food security and biodiversity protection. It includes specific measures to protect peasant seeds and communities' collective management practices. Additionally, peasant and grassroots organizations have continued to support the implementation of **Mali's** Agricultural Land Law (Loi sur le Foncier Agricole, LFA), which provides protection to communities' customary and collective tenure rights since its adoption in 2017. This law is important as it provides for the creation of village land commissions (commissions foncières villageoises, COFOV) mandated to draft regulations that define the rules for the use and management of community lands. These regulations are then submitted to local authorities to be legally enforced. The Union of Associations for the Development and Defense of the Rights of the Defenseless (UACDDDD in its French acronym) and the Malian Convergence Against Land Grabbing (CMAT in its French acronym) have accompanied 308 communities in this process since the adoption of the law.³²

The **Republic of Guinea** is at an advanced stage of adopting an Agricultural Framework Law (Loi d'Orientation Agricole, LOA). Organizations of small-scale food producers and civil society have provided proposals of provisions for the protection of customary and collective tenure rights as well as the promotion of peasant seeds. The LOA further mentions food sovereignty as a core objective of Guinea's agricultural policies (along with food security). Unfortunately, some of the draft LOA's provisions aim to promote industrial, large-scale agriculture.



³² Information received by CMAT and UACDDDD.

Farmers/peasants and civil society organizations in **Ghana** and **Kenya**, along with other actors, are fighting against the introduction of commercial seeds/GMOs into the African continent, including through legal cases in national courts. **Ghana** adopted the [Plant Variety Protection Act 1050](#), which criminalizes farmers who save and sell patented seeds, threatening draconian jail sentences of up to ten years. The grassroots movement [Food Sovereignty Ghana \(FSG\)](#) has [challenged the law in the Supreme Court](#) and the undue protection it gives to genetically modified (GM) seeds, notably G.M. versions of the country's staple cowpea crop. In October 2022, the Cabinet of the President of **Kenya** lifted the ban on GMOs, allowing their import and distribution. On October 13, 2022 and November 2022, Mwangi & Makaba advocates LLP and Kenya Peasants League submitted petitions to the High Court of Kenya against the government's decision to lift the ban on GMOs. In **Burkina Faso**, in 2021, the government passed a decree to implement farmers' and peasants' rights that are recognized in the law on access to plant genetic resources for food and agriculture and the sharing of benefits resulting from their use.³³

The African Union Commission (AUC)'s African Seed and Biotechnology Program is undertaking a process to develop African Continental Guidelines for the Harmonization of Seed Regulatory Frameworks. The guidelines will be developed in the spirit of the [African Continental Free Trade Area \(AfCFTA\)](#), which targets the continental cross-border trade and commodity movements including those of crops and animals. Hence, [African civil society organizations](#) representing small-scale farmers from across the continent have urged the AUC to use the Guidelines as part of the AfCFTA to promote African interests over those of global commodity value chains and corporations. Africa can lead the way in redefining the future of agriculture, built on dignified livelihoods, ecological integrity, and African unity.



³³ Article 48 of Law No. 020-2019/AN of May 7, 2019

The **European Union (EU)** is racing to transform food systems to make them more resilient and fairer, as it aims to reach the climate neutrality goal set in the **European Green Deal**. Nevertheless, EU institutions fail to approach food-related policies in a holistic perspective that guarantees social, economic, climate-related, and ecological conditions for present and future generations to have “access at all times to adequate food or its means for its procurement.” The EU’s main human rights instrument, the **Charter of Fundamental Rights of the European Union**, does not explicitly mention the RtFN. The Treaty on the Functioning of the European Union (TFEU) sets the legal basis for EU-related policy interventions on food from a food safety and consumer protection perspective.

The **European Green Deal** aims to address the multiple facets of the climate crisis. Its central strategy is the **Farm-to-Fork Strategy (F2F)** which should work towards “a fair, healthy and environmentally friendly food system”. A package of 27 new and revised legal initiatives are setting the direction for the EU to transform the way Europeans produce and consume food sustainably. Since the **public consultation** held between April and July 2022, the main lever driving this strategy’s implementation is the **legislative Framework for Sustainable Food Systems (FSFS)**, due at the end of 2023.

The EU’s flagship policy to transition towards **sustainable food systems** sets the ground for disputing interests. The political battle to derail the reform’s ambition for transformation brings together different food system actors in an ongoing confrontation. The **conservative bastion of the Directorate-General of Agriculture** at the European Commission and **large-scale farming lobbies** have regularly argued that the strategy will impose an uneven compliance burden across member states. More recently, **16 agricultural ministers from EU countries** publicly expressed dissatisfaction with legislative proposals to meet sustainability objectives. In obstinate defense of the productivity delirium previously set by the Green Revolution, this block has used the pretext of the food and energy crisis inflamed by the Russian invasion of Ukraine to bolster an apocalyptic vision of shrinking yields driving food insecurity in the continent.

The F2F Strategy recognizes that food systems should be steered to ensure healthy people and a healthy planet, now and in the future. Nonetheless, a human rights perspective enabling that transition is recurrently omitted in the law-making process. The EU has to consider food as a human right instead of as a commodity, and put the rights of peasants and rural workers at the core of the food systems transformation.

Regarding RtFN legal frameworks at the national level, in November 2020, civil society organizations tabled **a bill** to enshrine the right to food in the Constitution of the **Canton of Geneva, Switzerland**. On September 23, 2022, the parlia-



ment accepted the draft constitutional law. As this is a constitutional change, it must pass through a referendum and thus in June 2023, the citizens of Geneva will vote on whether to include the right to food in the cantonal constitution. The goal is to develop a real public policy on food that goes beyond food aid management, and that considers local production, purchasing power and public health issues.

In **Portugal**, in July 2022, one of the political parties with a parliamentary seat presented a new [proposal for a Framework Law on the Right to Food](#). The discussion on **the Portuguese Constitution** began in November 2022, when two parties – [including the current executive party – presented proposals to create a specific article on the right to food](#). Experts questioned the pertinence of such an article and argued that the RtFN is part of the right to health, thus demonstrating an outdated view of this right.

Food became a central issue for the Portuguese government following the 2022 elections, when the new [Ministry of Agriculture and Food](#) was created. It launched the [National Plan for Healthy and Sustainable Food](#) aiming to: generate initiatives to stimulate national production at the local level; promote the adoption of more sustainable production and distribution systems (based on short supply chains and local food systems); value endogenous quality products; value and safeguard the Mediterranean diet; and raise awareness and advise consumers and the general population on adopting a nutritionally balanced and informed diet.



In **Bosnia and Herzegovina**, the surroundings of [Tuzla](#) showcase the negatives effects of a coal power plant in local food systems. The area is characterized by one of the largest coal basins in the country. This area is home to one of the largest coal power plants, the Tuzla Thermal Power Plant. Coal combustion has grave impacts on the environment, firstly through the coal exploitation itself, subsequently through the emission of toxic gases, and finally due to the disposal of slag and ash. The many slag and ash disposal sites have never been secured nor sealed in a way that prevents the toxic disposal from leaking into the ground water. Today, the [soil as well as surface and groundwater are contaminated](#). In some areas groundwater contains high levels of nitrates, iron, manganese, or heavy metals. The soil close to the disposal sites currently used for

agriculture contains high concentrations of nickel, as well as high contamination levels of chromium and cadmium. These **chemicals were also found in locally produced and marketed food** such as eggs, as well as vegetables (e.g. onions, garlic, herbs). Moreover, tested hair samples of local inhabitants showed the presence of highly toxic heavy metals, resulting most probably from food intake (nutrition), and from exposure to the living environment (anthropogenic sources), leading to the conclusion that heavy metals found in the soil have entered the local food chain. The thermal plant has failed until today to report hazardous activities to the competent national food safety and quality inspection. Furthermore, the public inspection authority has never identified such activities during its regular monitoring. More generally, the responsible authorities failed to warn the villagers living close to the different slag and ash disposal sites.

The **Aarhus Center in Bosnia and Herzegovina** filed a criminal report against the thermal plant for not taking concrete measures to ban the cultivation of agricultural crops, as it constituted a criminal offense of negligence as per federal criminal law. However, the authorized prosecutor's office rejected the possibility of starting an investigation because it could not personally determine who were the locals who sowed agricultural crops, nor did the police report that such actions were ever carried out.

Published by the Global Network for the Right to Food and Nutrition, with the support of its secretariat FIAN International, the report seeks to complement and create a dialogue with FAO's *State of Food Security and Nutrition in the World (SOFI)* report. It sheds light on the structural causes of hunger and malnutrition that are often rendered invisible when the focus is merely on numbers.

Visit the Global Network for the Right to Food and Nutrition website:
www.righttofoodandnutrition.org