



*State of the*

# RIGHT TO FOOD AND NUTRITION REPORT

*Executive Summary*

2020

Without a doubt, 2020 will be remembered for the impact of the COVID-19 pandemic and subsequent crises. As large swathes of the population in all regions of the world plunge even further into a state of food insecurity, the most marginalized and vulnerable who live on the fringes of society are hit the hardest. The pandemic has exposed the results of decades of failed policies that cut people's social and labor rights, leaving them at the mercy of food banks and other charities. But COVID-19 is also a symptom of a broader problem: the ailing industrial food system destroys the environment and creates the conditions for the propagation of zoonoses, whilst producing ultra-processed foods that put people's health at higher risk of non-communicable diseases such as obesity and diabetes, which in turn make them more vulnerable to the SARS-CoV-2 virus.

The structural causes of hunger and malnutrition, however, predate the COVID-19 pandemic. Attacks on human rights, including on the right to adequate food and nutrition (RtFN) by authoritarian governments across regions continued during the second half of 2019 and earlier this year. The 2020 *State of Food Security and Nutrition (SOFI) report* confirms that hunger continues to be on the rise. The number of additional undernourished people is up by 10 million in the past year and by 60 million since 2014. After revising China's undernourishment estimates of the past two decades, there is a downward shift in the estimated global hunger figures to 690 million people, but this does not change the upward trend observed during the past years, SOFI insists. The consequences of the COVID-19 pandemic could push an additional 83 to 132 million people into hunger. However, SOFI makes clear that even without the negative effects of COVID-19, the Zero Hunger by 2030 target of Sustainable Development Goal (SDG) 2 is an illusion. These



figures only confirm the pressing need to protect human rights at a time when accountability mechanisms are gravely undermined, and transnational corporations (TNCs) continue to capture governance spaces. This has been emphasized by a [recent report of the High Level Panel of Experts \(HLPE\) of the UN Committee on World Food Security \(CFS\)](#), calling for food security and nutrition thinking to urgently prioritize the right to food and a food systems analytical framework in the context of the SDGs 2030 Agenda.



“There is no going back to normal” is the strong converging claim from civil society, social movements and communities worldwide. As this report illustrates, they have already started organizing for the transformation of food systems, which implies claiming and strengthening the rights of small-scale food producers who produce most of the food we consume. In the face of a looming food crisis, the UN CFS has a vital role to play; it has produced [key instruments on the realization of the right to adequate food and nutrition](#), which States now need to urgently implement.

The manner in which hunger and malnutrition is monitored also needs an overhaul. Monitoring needs to include a RtFN- and food sovereignty-based approach that looks at issues pertaining to different forms of discrimination and disenfranchisement, which is absent from SOFI (see [2019](#) and [2020](#) critiques). As in the previous edition, this *State of the Right to Food and Nutrition* report seeks to complement SOFI by providing a human rights analysis of policies and laws that respect, protect, and fulfill the RtFN. The aim is to look beyond the numbers, by taking a moment to consider insights from struggles on the ground across regions, a perspective too often left out from discussions on food insecurity.

This is a publication by the [Global Network for the Right to Food and Nutrition](#) (GNRtFN), supported by its secretariat [FIAN International](#). It focuses on developments taking place between approximately July 2019 and July 2020. However, where relevant and left out from last year's edition, certain events prior to July 2019 have also been included. The report does not claim to be exhaustive, but rather covers countries, regions, and cases from which input was received, and where the GNRtFN members are active.

## **STRENGTHENING THE RIGHT TO FOOD AND NUTRITION AT THE INTERNATIONAL LEVEL**

Human rights continue to be under attack by States throughout different regions. As states of emergency were declared almost worldwide to contain the pandemic, some countries witnessed many more setbacks for human rights. Some States have used this as an opportunity to take disproportionate measures that restrict human rights, which led UN Secretary-General (UNSG), António Guterres, to speak about a [“human rights crisis”](#). At a time when the international human rights system represents the only avenue for accountability, the Office of the High Commissioner for Human Rights (OHCHR) suffered [further budgetary constraints](#), which affected some of the Treaty Bodies and Human Rights Council activities throughout 2019 and 2020. The [strategic partnership agreement signed between the World Economic Forum \(WEF\) and the UN](#) for the implementation of the 2030 Agenda for Sustainable Development is an especially worrisome illustration of the increasing corporate capture of the UN.

Despite this situation, hope in human rights multilateralism has



been upheld by CSOs and movements converging from all sectors at the Human Rights Council to draft *a treaty on TNCs and other business enterprises with respect to human rights*. The 5th session of negotiations surprisingly saw fewer attacks from EU States, although it is still difficult to engage many industrialized States that oppose binding regulations for TNCs.



Today, the intergovernmental process that is most relevant to the RtFN remains the *Draft Guidelines on Food Systems and Nutrition* and the policy recommendations on agroecological and other innovative approaches for sustainable food systems within the context of the CFS. Both documents, which will guide governments regarding the much-needed transformation of the industrial food system, represent to date the most important process in the context of the *UN Decade of Action (DoA) on Nutrition (2016-2025)*, which is still lacking momentum and meaningful actions. *The* Civil Society and Indigenous Peoples' Mechanism (CSM) of the CFS and the *International Planning Committee for Food Sovereignty (IPC)* continue to play a key role in pushing for agroecology as a way to transform food systems. CSM and IPC will continue to advocate this paradigm shift also in the context of the *2021 Food Systems Summit* announced in December by the UNSG.

## THE RIGHT TO FOOD AND NUTRITION: WHERE AGRARIAN, CLIMATE AND ENVIRONMENTAL JUSTICE MEET

The outbreak of zoonoses, such as SARS-CoV-2, has further highlighted the intrinsic link between the predominant industrial food system, climate change, and eco-destruction. This year's report includes a spotlight which focuses on Environmental and Climate Justice, mirroring the theme of the 2020 issue of the *Right to Food and Nutrition Watch* (the flagship publication of the GNRtFN). It explores the convergence between agrarian justice and climate justice, with established agrarian movements such as La Via Campesina and more recent climate movements like Extinction Rebellion and Fridays for Future joining forces in calling States to take immediate action. In this scenario, the RtFN constitutes a place of convergence for these movements, as well as a powerful tool to address the climate crisis. Increasingly, the right to adequate food and nutrition and other related rights, are being included in environment and climate instruments and vice-versa; the Convention on Biological Diversity (CBD) and the Intergovernmental Panel on Climate Change (IPCC) both recognize the importance of protecting seed and land tenure security of small-scale food producers for the climate and environment. Likewise, the CFS Tenure Guidelines and the recent UN Declaration on the Rights of Peasants and Other Peoples Working in Rural Areas (UNDROP) are essential for the effectiveness and legitimacy of climate protection measures. The interconnectedness between environmental and climate justice and the RtFN is illustrated by the case of coastal communities in Las Barras in Honduras, who lost their food sovereignty due to rising sea levels, and subsequently face malnutrition.



## “HUMAN RIGHTS CRISIS” EXACERBATED BY COVID-19 PANDEMIC

In all regions, government lockdown measures to contain the COVID-19 pandemic have had dramatic consequences, leading to a global food emergency. Vulnerable populations have been hit particularly hard. Informal labor workers, who account for a large proportion of the workforce in the world, saw their sources of income disappear overnight, with little or no social protection to fall back on. With the closure of schools, the World Food Programme (WFP) estimates that 310 million children missed out on daily school meals which they depend on. Europe, home to some of the supposedly wealthiest cities in the world, has not been spared by this sudden increase in food insecurity. In Geneva, Switzerland, unprecedented staggering waiting lines at food banks exposed gaps in the social protection system, and the vulnerability of the large undocumented migrant population. Rural populations, such as peasants, small-scale fishers and Indigenous Peoples have also suffered disproportionately from government containment measures. Closing farmers’ markets among

others, whilst large supermarkets remain open, is a discriminatory measure against these communities as well as against many consumers who can no longer access fresh, diverse and healthy food. In India, fisherfolk have been left out of the government’s relief package to the profit of the prawn farming and fisheries export sector, and in Uganda, farming activities continue yet fishing has been restricted, thus challenging the right to food and nutrition.



Against this backdrop, the trend of authoritarianism observed especially in India, the Philippines and Malawi, continues to restrict civil society

and public participation in human rights accountability. Progressive constitutional reforms enabling the justiciability of economic, social and cultural rights (ESCR) were slowed down in Sri Lanka due to the difficult political scenario following last year's elections. Authoritarian and anti-RtFN decisions were also observed in Brazil, which will most probably [return to FAO's Hunger Map](#) after leaving it in 2014. Killings of human rights defenders continue to be rampant in Colombia, Mexico, Honduras and Brazil, which are the [deadliest countries in the world for environmental and land rights defenders](#). Protests against austerity measures and claims for social justice were observed in Ecuador, Chile as well as in countries from the Middle East and North African (MENA) region. Additionally, the MENA region still faces structural challenges to the realization of the RtFN, such as conflicts, occupation, displacements, blockades and water scarcity.



## **OVERVIEW OF POLICIES AND LAWS BORN OUT OF STRUGGLES ON THE GROUND**

Despite these difficult times for the realization of the right to adequate food and nutrition, the report shares stories of how communities in all regions refuse to be passive victims, and are organizing and contributing to the adoption of policy and legal frameworks that support the RtFN. In the midst of the COVID-19 pandemic, people have been developing both solidarity and RtFN accountability actions. In South Africa, the [C19 People's Coalition](#) – a civil society collective – has emerged to protect vulnerable communities during the pandemic by linking small-scale food producers with urban communities facing difficulties in accessing food. In [Mexico](#) and [Nepal](#),



rural communities undertook legal actions to claim their RtFN and demand food relief from their authorities, given that these are times of emergency. For some communities who have been enduring quasi-lockdown situations prior to the outbreak of COVID-19, it is imperative to develop resilient and local food systems. The report presents the case of urban and peri-urban agriculture in Gaza, Palestine, as a strategy to strengthen people's food sovereignty in light of climate change and military occupation. Conscious of the structural violence and discrimination faced by rural women, an international working group comprising feminist organizations and peasants, fisheries and indigenous movements was launched in mid-2019, producing a useful tool to advance the rights of rural women.



The report additionally highlights the positive decisions supporting the RtFN that arise from regional human rights systems. The Africa Commission on Human and Peoples' Rights has adopted a resolution on the RtFN, which strongly reaffirms the importance of national legal frameworks and calls for the banning of genetically modified organisms (GMOs). In a historic decision, the Inter-American Court of Human

Rights (IACtHR) declared for the first time violations of the RtFN (among other rights) of the Indigenous communities of Lhaka Honhat Association by Argentina. At the national level, Togo has become one of the rare countries in the world to ban the import and use of glyphosate or agrochemicals containing this compound, as a measure to protect the environment and public health. In Nepal, organizations have been strengthening local accountability mecha-

nisms for the rights enshrined in the national constitution, in particular the right to food sovereignty. Additional positive national developments include Paraguay's *Law on the Defense, Restoration and Promotion of Peasant Family Farming*, and the inclusion of agroecology, food and the promotion of native seeds in Honduras' national climate adaptation plan.



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

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| **Financed by:** Swiss Agency for Development and Cooperation (SDC)

**JULY 2020**

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