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**Interactive Thematic Dialogue of the U.N. General Assembly on
The Global Food Crisis and the Right to Food
Trusteeship Council Chamber**

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[Mr./ Ms.] Chairperson,
Distinguished delegates, ladies and gentlemen,

At last, the idea is gaining ground that the right to food, as an enforceable human right, should be at the centre of our efforts to reform the global food system – a system which the ‘global food crisis’ of 2007-2008 has shown to be fragile particularly in the face of shocks such as a peak in the prices of oil, a sudden shift in demand, or speculative behavior on the commodities markets.

The United Nations Organisation on Food and Agriculture (FAO) now considers adding governance and the right to food as a third track in their efforts to combat hunger, in addition to providing emergency help in times of crisis and to promoting investment in agriculture. The right to food was also central to the High-Level Meeting on Food Security for All, convened in Madrid on 26-27 January 2009 by Prime Minister Zapatero and Secretary General Ban Ki-Moon. In his closing remarks to this conference, which sought to assess the progress made seven months after the High-Level Conference on World Food Security held in Rome on 3-5 June 2008, the Secretary General pleaded for inclusion of the right to food in the work of the High-Level Task Force on the global food crisis, ‘as a basis for analysis, action and accountability’.

At its core, this reference to the right to food means that in order to effectively combat hunger and malnutrition, producing more or increasing aid will not suffice. It is equally important to ensure that those who are hungry or malnourished are identified, that they are specifically targeted by support agricultural and social schemes, and that no individual in need is left out. It is equally important that – as recommended by the FAO Voluntary Guidelines for the progressive realization of the right to food, which the 187 Member States of the General Council of the FAO have agreed to – States put in place national strategies mapping the groups which are most vulnerable, clearly allocating responsibilities across different branches of government, setting benchmarks and imposing timeframes, and empowering independent institutions, including courts, in order to enhance accountability.

Any hungry person is a person whose right to food has been violated. At least 20 States in the world today, including Brazil, India and South Africa, or more recently Ecuador (in 2008) and Bolivia (in 2009), recognize the right to food in their constitutions. A growing number of States also have adopted a framework law which protects the right to food. In April 2005, with the passing of a Food Security and Nutrition Law, Guatemala became the first country in Latin America to include such a law in its domestic legal system. In Brazil, the Federal Organic Law on Food and Nutritional Security (LOSAN) implements the national system of Food and Nutrition Security (SISAN), which brings together a number of policies aimed at combating hunger, including policies designed to support family agriculture, to improve access to food and water for those in need (for instance through a low-income restaurant programme, food banks, community kitchens, or cisterns), to feed children in schools, or to improve storage of food in rural areas. In Indonesia, the Food Law (7/1996) recognizes the right to adequate food for all, covers food security and food safety, and allocates institutional responsibility. In July 2008, Venezuela adopted the Organic Law on Food Security and Food Sovereignty, Article 8 of which recognizes the right to food. In addition a number of other countries, like Mozambique and Honduras, are in the process of elaborating and adopting legislation on the right to food.

These developments are not merely of symbolic value. Instead, they operate the shift from the proposition that ‘we need to have policies that achieve food security’ to the proposition that ‘each individual must be granted a remedy if his/her right to food is violated’. On 25 September 2008, following the example set a few years ago by the Indian Supreme Court, the Supreme Court of Nepal issued an interim order according to which the Government of Nepal had to supply immediately food to 12 food-short districts. This would not have been possible had the Interim Constitution not included a reference to the right to food. Guaranteeing the right to food turns beneficiaries of relief schemes into rights-holders, and those implementing public programmes into duty-bearers. Both the legitimacy

and the effectiveness of public programmes to tackle hunger are improved as a result.

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We should resist the temptation to reduce the ‘third track’ to improved governance – or to the removal of institutional obstacles to the implementation of strategies to achieve food security which would risk failing, for instance, because of corruption or because of an inability of the central government to monitor the implementation of such strategies at local level. This would be a serious mistake for two reasons.

First, it devalues the notion of the right to food as a human right. The right to food means that victims must have a right to recourse mechanisms ; that governments must be held accountable if they adopt policies which violate that right ; and that courts are empowered to protect this right. It is not about good governance. It is about empowerment and accountability. It is about participation of those directly affected in the design and implementation of the policies that affect them.

Second, in the current efforts to address the global food crisis, the right to food should not be simply a ‘third track’ supplementing the two other tracks. Instead, it should constitute an overarching principle : it should guide our efforts, whether these relate to short-term support measures (the first track) or to rural development and support to agriculture (the second track). In responding to the global food crisis, it is easy to move from the symptom – prices which have suddenly peaked – to the cure – produce more, and remove as soon as possible all supply-side constraints –. Once we define the objective, namely the realization of the right to food, we must ask a very different set of questions : will the measures we adopt to boost production benefit those who are food insecure, or will they simply mean a return to low prices, which will only further discourage smallscale farmers and marginalize them further ? are these measures addressing the needs of all those who are in a situation of food insecurity and vulnerability ? will these measures reduce, or instead increase, the dualization of the farming sector ?

The Comprehensive Framework for Action, the result of the cooperation of the UN executive agencies, working with the World Bank and the World Trade Organization under the leadership of the UN Secretary-General, is in many ways a remarkable document, listing a wide range of policy options which States are invited to explore in order to achieve improved food security. Yet, it could be built upon – and I believe, further improved – by using the right to food as a tool for analysis, as suggested by Secretary-General Ban Ki-Moon.

Such an analysis would start by exactly who the vulnerable are, and why they are food insecure. These one billion hungry people belong to three main categories: first, smallscale farmers and other self-employed food producers such as pastoralists, fisherfolk and persons living from the products of the forest (60% of the hungry) ; second, landless agricultural workers (20% of the hungry); and third, the urban poor (the remaining 20%). A rights-based approach to the global food crisis would require that we pay equal attention to all these categories, and that we ensure that their entitlements are adequately protected. Since hunger is not the result of too little food being produced, but rather of marginalization and disempowerment of the poorest, who lack the purchasing power they need to procure the food that is available, guaranteeing such a protection should be a top priority.

The first vulnerable group, smallholder farmers, is made up of approximately 500 million households (over 2 billion individuals). Reinvestment in agriculture has been on all lips since the food price crisis. But it is the need to protect their livelihoods that should inform our approaches to supporting agricultural production. Fifty-eight governments have approved the conclusions reached in April 2008 by the International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD). This review notes that ‘Technologies such as high-yielding crop varieties, agrochemicals and mechanization have primarily benefited the better resourced groups in society and transnational corporations, rather than the most vulnerable ones. To ensure that technology supports development and sustainability goals strong policy and institutional arrangements are needed (...)’.

The first Green Revolution – as developed in Latin America after 1943 and as launched in the 1960s in South Asia – was very successful in improving yields. This however sometimes came at a high social and environmental cost, and the productivity gains themselves were not always sustainable in the longer term. I am encouraged that much care is being taken to avoid repeating the mistakes of the first Green revolution, and the IAASTD conclusions are an indication of this new awareness. At the same time, less attention has been paid until very recently to the comparison between Green revolution concepts and alternative models of agricultural development. Failing to consider the diversity of models that can be supported could lead to miss great opportunities. As stated by the Windhoek High-level Meeting “African agriculture in the 21st Century: Meeting Challenges, Making a Sustainable Green Revolution” (Namibia, 9-10 February 2009) : ‘Governments, in cooperation with the research community and with support from the international donor community, should undertake rigorous comparative assessments of alternative agricultural models and cropping systems’. This should be seen as complementing the 2003 Maputo Declaration target of raising the share of national budgets devoted to agriculture and rural development to at least 10%. Indeed, the progressive realization of the right to food is not merely an issue of raising budgetary allocation for agricultural development. It also requires that Governments opt for the orientations more conducive to the realization of the right to food, by carefully balancing the existing options against one another.

An analytical framework grounded in the right to food can guide such choices. Greater attention should be paid in the future to public policies which may significantly increase yields, thus increasing the incomes of farmers, without further dualizing the farming system, and without contributing further to soil depletion. In Tanzania, the western provinces of Shinyanga and Tabora, were used to be named “The Desert of Tanzania” by President Julius Nyerere. Yet, starting in the late 1980s, the use of agroforestry techniques and participatory processes allowed some 350,000 hectares of land to be rehabilitated. The agroforestry system (Ngitili) led to an increase in incomes of USD500 to each household every year, a large sum in rural Tanzania. The increased use of trees in agroforestry schemes thus improved farmers’ access to food and the resilience of farming systems, especially important in the context of climate change. In Malawi, in 2005, some 100,000 smallholders benefitted to some degree from the use of fertilizer trees. Where maize is intercropped with a nitrogen-fixing tree, an average 3.7 tonnes a hectare can be produced – compared to just 1.1 tonne on plots without such trees ; yields could further reach 5 tonnes with small additions of mineral fertilizer. This successful experience led in 2007 the Government to launch Malawi’s Agroforestry Food Security Programme, funded by Irish Aid, and targeting over 42,000 farming households. This programme now benefits around 1.3 million of the poorest people in Malawi whose ability to produce food has increased with a minimal investment of financial resources.

Similar examples exist for the many other types of sustainable agricultural practices that are commonly referred to as agroecological farming approaches. The UNEP, the FAO and UNCTAD as well as other agencies have all recently published reports that demonstrate how these models should and could be scaled up. In many cases, they are less costly and more sustainable, less risky and more productive than fertilizers. Moreover, the relationships between these agroecological approaches and the human right to food have been established. First, these sustainable farming approaches are adapted to the complex environments where some of the most vulnerable groups live. Secondly, the management processes that lead to them are most often participatory processes, which involve the affected vulnerable groups in order to guarantee sustainable results, a strategy consistent with a rights-based approach. Third, these techniques improve the resilience of farming systems to climate change and to peak oil – two developments which, as we know, will directly impact those who are already most vulnerable today.

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The right to food should not only guide strategies at national level which are empowering, improve accountability, and ensure adequate targeting of public policies, including agricultural policies. It also should help us establish an international framework which enables such national efforts to realize the right to food. As we all know, the current multilateral trading system is heavily skewed in favor of a

small group of countries, and is in urgent need of reform. In agriculture, in particular, trade-distorting measures – obstacles to market access for developing countries, domestic support schemes for OECD countries' farmers, and export subsidies – have led many governments and most development agencies to neglect agriculture. The world is now paying the price for this neglect.

Yet, simply removing the existing distortions will not suffice. I have recently returned from a mission to Benin, a country in which 80 percent of the population depends on agriculture, and where the main export crop is cotton. The difficulties smallholders in Benin face result from insufficient storage facilities ; poor access to markets, due to a lack of infrastructures ; insufficient rural extension services ; almost no access to credit ; and, for many, insecure rights on the land they cultivate. These farmers are far less competitive than OECD producers before Doha ; they will remain so after Doha. A country such as Benin must be allowed to protect itself from import surges, which in the past had damaging impacts on the viability of agriculture and the agro-food sector in Sub-Saharan Africa, and which will continue to have damaging impacts in the future if countries, such as Benin, cannot shield their farmers from international trade competition. Benin, like many other countries of the region, has for too long been encouraged to sacrifice its long-term interest in building a robust and diversified agricultural sector able to feed its population, for its short-term interest in specializing in cotton production, in a context in which it could procure low-priced food on the international markets.

The Government of Benin has now shifted its efforts in order to diversify agriculture. Will this be sufficient ? Benin has a population of 8.5 million, the regional integration in the CEDEAO and in the UEMOA is making slow progress, and in the industrial sector, other countries have achieved economies of scale in specific lines of production before Benin was able to achieve this. It is therefore likely that, as a result of the emerging international division of labor, Benin will have no choice but to remain locked into the production of raw commodities from agriculture, and will have to buy from abroad the manufactured products it needs. We all know that such a strategy enables a country neither to capture a fair share of added value in the food chain, nor to create a sufficient number of jobs. Yet, both are necessary for any State aiming to realize the right to food for urban poor, firstly through the development of robust social protection schemes, and secondly, through the building of an industrial sector that provides job opportunities with decent wages. In other words, if the current trading system is not reformed, trade will remain asymmetrical and work against the long-term interests of countries such as Benin ; the terms of trade will continue to fall ; and dependency on foreign aid will persist.

This, I believe, is not acceptable. Individuals and peoples have a right to development. Agriculture itself can only flourish if, in the same country, workers in the urban centres can receive high wages in the secondary or the tertiary sector – not only to absorb workforce, but also to constitute a market for the agricultural products on a national and regional basis. The 1.2 billion slumdweller are among the worst affected by high prices of food, since they buy all the food they consume, and their situation will only be addressed by coherent long-term development policies. The right to food, in its international dimension, should lead us to recognize this basic fact : without development – and locking countries into agriculture only runs against development –, countries will be subjected to a new form of colonialism some refer to as 'welfare colonialism', in which they are aided to produce for the global markets, but in which they are not allowed to imitate the paths others have followed towards industrialization.

Finally, it must be reminded that, today, trade is mostly done not between States, but between transnational corporations. If our collective aim is a trading system that works for development, including the human right to food, the role of these actors also must be considered. The expansion of global supply chains only shall work in favor of human development if this does not pressure States to lower their social and environmental standards in order to become 'competitive States', attractive to foreign investors and buyers. All too often, at the end of supply chains, agricultural workers do not receive wages enabling them their right to adequate food. The ILO estimates that the waged work force in agriculture is made up of 700 million women and men producing the food we eat but who are often unable to afford it. The vicious circle created by the current globalized competition must consequently urgently be addressed both at the global level and the national level. We should ask

ourselves, for instance, how the relevant ILO conventions could be better implemented in the rural areas – which all too often labor inspectorates are unable to monitor effectively – and how those working on farms, often in the informal sector, can be guaranteed a living wage, and adequate health and safety conditions of employment.

Distinguished delegates,

It is very likely that in November 2009, a Summit on world food security will be convened in Rome. The stakes are considerable, and so are the hopes raised. We should not measure its success by the amounts of funds committed to supporting agriculture. Although aid is hugely important in the current context, the massive violations of the right to food are not caused by the lack of aid. They are caused, at their root, by a system which is unfair both to developing countries, which for too many years have been hurt by an inequitable international economic system, and to smallscale farmers in these countries, forgotten from public policies, and unable to secure remunerative prices from their crops even when they manage to move beyond subsistence farming. Yet, I am hopeful that things will change significantly in the next few months. Bold and innovative proposals have emerged in the public debate. The November Rome Summit should examine these proposals carefully. It should go beyond aid, and address explicitly a number of questions which, we now have learned the hard way, we cannot ignore further :

- First, how can States be supported in the design and implementation of national strategies for the realization of the right to food, including through the adoption of framework laws ensuring accountability of governments to those whose rights are violated ?
- Second, which assessment can be made of different models of agricultural development, as regards their impact on the right to food ?
- Third, how can trade be redesigned in order to ensure that it will serve development, as a condition for the full realization of the right to food ?
- Fourth, how can the situation of agricultural workers be improved, particularly as regards their right to a living wage and social protection ?
- Fifth, which incentives or regulations are needed to ensure that transnational agri-food companies contribute to the development of the countries they source their supplies from, and to the realization of the right to food?

The daily and massive denial of the right to food has its source, not in an insufficient quantity of food produced, but in a system of production whose limits have now become clear. The temptation of return to business as usual is as strong today as it has been when, in the past, we have been confronted to similar crises. This means more food, and lower prices ; but it also means unsustainable inequalities both between and within countries, with the impoverished countryside providing cheap food to the cities, and massive rural exodus as a result. That temptation must be resisted. Instead, a new system should be put in place, building on the ruins of the old. I look forward to working with all governments and other stakeholders to that end.