

The Human Right to Adequate Food as a Basis for Good Governance towards Nutritional Wellbeing

Dedicated to the Memory of the late Professor Lucie Malaba, Institute of Food, Nutrition and Family Sciences, University of Zimbabwe

Session Description

All human beings have human rights directly pertaining to nutrition security, through their rights to adequate food, to the highest attainable health, to water, to adequate housing, etc. as laid down in international human rights law. An equally important dimension is what can, and should, be expected from agencies of the state, with support from civil society, to meet those rights, and how the state could best concretise and execute its obligations. These, too, are laid down in international human rights law in very general terms in relevant human rights conventions that are 'binding' for states that have ratified them (an overwhelming majority of the countries in the world have done so). Furthermore, it is becoming increasingly clear that "good governance" is necessary for the successful implementation of goals and policies of a state towards the realisation of these rights and thus nutrition security, although this needs to be done "progressively" and "to the maximum of its available resources".¹

In an attempt to define what is "good governance", the Office of the United Nations High Commissioner for Human Rights expressed in 1996:

"Governance is the process whereby public institutions conduct public affairs, manage public resources and guarantee the realization of human rights. Good governance accomplishes this in a manner essentially free of abuse and corruption, and with due regard for the rule of law. The true test of "good" governance is the degree to which it delivers on the promise of human rights: civil, cultural, economic, political and social rights. The key question is: are the institutions of governance effectively guaranteeing the right to health, adequate housing, sufficient food, quality education, fair justice and personal security?"

Pursuing the role of good governance specifically in relation to the right to adequate food, the most authoritative interpretation of the legal provisions on this right in international human rights law, is the "General Comment No. 12 on the right to adequate food" issued by the UN Committee on Economic, Social and Cultural Rights in 1999², which says in relation to implementation at the national level:

"The formulation and implementation of national strategies for the right to food requires full compliance with the principles of accountability, transparency, people's participation, decentralization, legislative capacity and the independence of the judiciary. Good governance is essential to the realization of all human rights, including the elimination of poverty and ensuring a satisfactory livelihood for all" (paragraph 23).

Even more recently, the Voluntary Guidelines on the right to food worked out by FAO Member States in 2003-2004 and adopted by the FAO Council in November 2004³, states in "Guideline 1 on Democracy, good governance, human rights and the rule of law":

1.2 States should promote democracy, the rule of law, sustainable development and good governance, and promote and protect human rights and fundamental freedoms in order to empower individuals and civil society to make demands on their governments, devise policies that address their specific needs and ensure the accountability and transparency of

¹ International Covenant on Economic, Social and Cultural Rights, Article 2 www.unhcr.ch/html/menu3/b/a_ceschr.htm

² <http://www.unhcr.ch/tbs/doc.nsf/0/3d02758c707031d58025677f003b73b9?Opendocument>

³ Full name: *Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food.*

governments and state decision-making processes in implementing such policies. States should, in particular, promote freedom of opinion and expression, freedom of information, freedom of the press and freedom of assembly and association, which enhances the progressive realization of the right to adequate food in the context of national food security. Food should not be used as a tool for political and economic pressure.

1.3 States should (also) promote good governance as an essential factor for sustained economic growth, sustainable development, poverty and hunger eradication and for the realization of all human rights including the progressive realization of the right to adequate food.

Purpose

The symposium would:

- Provide insight into progress with the human right to adequate food movement;
- Explain its linkages with good governance towards nutritional wellbeing and the need for capacity development;
- Allow young researchers to present their ideas and data related to the theme.

Session Chair:

Professor Arne Oshaug (PhD), Akershus University College, Norway

Session Topics and Speakers:

Introductory words: *Dr. Lucie Malaba in memoriam.*

By Professor Tola Atinmo, President of the Federation of African Nutrition Societies (FANUS)

Topic 1: *Framing Nutrition Policies and Action through Governance based on Human Rights Norms and Principles: Achievements and Progress*

Speaker: Wenche Barth Eide, Assoc. Professor, University of Oslo, Norway

Topic 2: *The Right to Food in Vulnerability: Roles and Capacity of Uganda's State Actors*

Speaker: Peter Milton Rukundo, Lecturer, Kyambogo University, Uganda

Topic 3: *Right to Food in Politically Sensitive Situations? A Case Study among West Saharan Refugees*

Speaker: Ingrid Elisabet Barikmo, Research Fellow, Akershus University College, Norway

Topic 4: *A Curriculum for the Human Right to Adequate Food*

Speaker: Mauricio Rosales, Right to Food Capacity Adviser, Food and Agriculture Organization of the United Nations (FAO), Rome

Discussion and summing-up by the Chair