

VOLUNTARY GUIDELINES

to support the progressive realization of
the right to adequate food
in the context of national food security



VOLUNTARY GUIDELINES

to support the progressive realization of
the right to adequate food
in the context of national food security

Adopted by the 127th Session of the FAO Council
November 2004

The designations employed and the presentation of material in this information product do not imply the expression of any opinion whatsoever on the part of the Food and Agriculture Organization of the United Nations concerning the legal or development status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

ISBN 92-5-105336-7

All rights reserved. Reproduction and dissemination of material in this information product for educational or other non-commercial purposes are authorized without any prior written permission from the copyright holders provided the source is fully acknowledged. Reproduction of material in this information product for resale or other commercial purposes is prohibited without written permission of the copyright holders. Applications for such permission should be addressed to:

Chief

Publishing Management Service

Information Division

FAO

Viale delle Terme di Caracalla, 00100 Rome, Italy

or by e-mail to:

copyright@fao.org

© FAO 2005



Foreword

In 1996, at the World Food Summit, Heads of State and Government reaffirmed “the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.” The declaration of the World Food Summit: five years later, in June 2002, reaffirmed the importance of strengthening the respect of all human rights and fundamental freedoms and invited “the FAO Council to establish an Intergovernmental Working Group to develop a set of Voluntary Guidelines to support Member States’ efforts to achieve the progressive realization of the right to adequate food in the context of national food security”.

An Intergovernmental Working Group was established in November 2002 and working relationships, in particular with the Office of the High Commissioner for Human Rights and the Special Rapporteur on the Right to Food, were strengthened. After two years of intense and constructive negotiations and discussions among members of the Intergovernmental Working Group and its Bureau as well as representatives of stakeholders and civil society, the Voluntary Guidelines were adopted by the FAO Council in November 2004.

The Voluntary Guidelines represent the first attempt by governments to interpret an economic, social and cultural right and to recommend actions to be undertaken for its realization. The objective of the Voluntary Guidelines is to provide practical guidance to States in their implementation of the progressive realization of the right to adequate food in the context of national food security, in order to achieve the goals of the World Food Summit Plan of Action. Relevant stakeholders could also benefit from such guidance. The Voluntary Guidelines cover the full range of actions to be considered by governments at the national level in order to build an enabling environment for people to feed themselves in dignity and to establish appropriate safety nets for those who are unable to do so. They can be used to strengthen and improve current development frameworks, particularly with regard to social and human dimensions, putting the entitlements of people more firmly at the centre of development.

The Voluntary Guidelines represent a step towards integrating human rights into the work of agencies dealing with food and agriculture, such as FAO, as called for by the United Nations Secretary-General within his UN reforms. They provide an additional instrument to combat hunger and poverty and to accelerate attainment of the Millennium Development Goals.

FAO is committed to strengthening its capacity, with the help of Member States, to assist willing governments to implement the Voluntary Guidelines. The Organization looks forward to cooperating with governments and other key actors that wish to pursue rights-based approaches to poverty reduction and are interested in realizing the right to adequate food in the context of national food security by implementing the Voluntary Guidelines. Striving to ensure that every child, woman and man enjoy adequate food on a regular basis is not only a moral imperative and an investment with enormous economic returns; it also signifies the realization of a basic human right.




Jacques Diouf

Director-General

*Food and Agriculture Organization
of the United Nations*

Contents


Foreword	iii
I PREFACE AND INTRODUCTION	1
Preface	1
Introduction	3
Basic instruments	3
The right to adequate food and the achievement of food security	5
II ENABLING ENVIRONMENT, ASSISTANCE AND ACCOUNTABILITY	9
GUIDELINE 1 Democracy, good governance, human rights and the rule of law	9
GUIDELINE 2 Economic development policies	10
GUIDELINE 3 Strategies	11
GUIDELINE 4 Market systems	13
GUIDELINE 5 Institutions	14
GUIDELINE 6 Stakeholders	15
GUIDELINE 7 Legal framework	15
GUIDELINE 8 Access to resources and assets	16
GUIDELINE 8A Labour	17
GUIDELINE 8B Land	17
GUIDELINE 8C Water	17
GUIDELINE 8D Genetic resources for food and agriculture	17
GUIDELINE 8E Sustainability	19
GUIDELINE 8F Services	19
GUIDELINE 9 Food safety and consumer protection	19
GUIDELINE 10 Nutrition	21
GUIDELINE 11 Education and awareness raising	23
GUIDELINE 12 National financial resources	24
GUIDELINE 13 Support for vulnerable groups	25
GUIDELINE 14 Safety nets	25
GUIDELINE 15 International food aid	27
GUIDELINE 16 Natural and human-made disasters	28
GUIDELINE 17 Monitoring, indicators and benchmarks	30
GUIDELINE 18 National human rights institutions	31
GUIDELINE 19 International dimension	31



III	INTERNATIONAL MEASURES, ACTIONS AND COMMITMENTS	33
	International cooperation and unilateral measures	33
	Role of the international community	33
	Technical cooperation	34
	International trade	34
	External debt	35
	Official development assistance	36
	International food aid	36
	Partnerships with NGOs/CSOs/private sector	37
	Promotion and protection of the right to adequate food	37
	International reporting	37

Preface

- 1.** The eradication of hunger is clearly reflected in the target set at the World Food Summit to reduce the number of undernourished people to half their present level no later than 2015 and as agreed by the Millennium Summit to “halve the proportion of people who suffer from hunger” by the same year.
- 2.** In the Rome Declaration on World Food Security, Heads of State and Government “reaffirm[ed] the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.” Objective 7.4 of the World Food Summit Plan of Action established the task: “to clarify the content of the right to adequate food and the fundamental right of everyone to be free from hunger, as stated in the International Covenant on Economic, Social and Cultural Rights and other relevant international and regional instruments, and to give particular attention to implementation and full and progressive realization of this right as a means of achieving food security for all.”
- 3.** The Plan of Action “invite[d] the UN High Commissioner for Human Rights, in consultation with relevant treaty bodies, and in collaboration with relevant specialized agencies and programmes of the UN system and appropriate intergovernmental mechanisms, to better define the rights related to food in Article 11 of the Covenant and to propose ways to implement and realize these rights as a means of achieving the commitments and objectives of the World Food Summit, taking into account the possibility of formulating voluntary guidelines for food security for all.”
- 4.** In response to the invitation by the World Food Summit, and following several international consultations, the Committee on Economic, Social and Cultural Rights adopted General Comment 12, which provided its experts’ views on the progressive realization of the right to adequate food.
- 5.** In Paragraph 10 of the Declaration adopted at the 2002 World Food Summit: *five years later*, Heads of State and Government invited the Council of the Food and Agriculture Organization of the United Nations to establish at its 123rd session an Intergovernmental Working Group (IGWG), in the context of the World



Food Summit follow-up, with the following mandate: “to elaborate, with the participation of stakeholders, in a period of two years, a set of voluntary guidelines to support Member Nations’ efforts to achieve the progressive realization of the right to adequate food in the context of national food security”.

6. The objective of these Voluntary Guidelines is to provide practical guidance to States in their implementation of the progressive realization of the right to adequate food in the context of national food security, in order to achieve the goals of the Plan of Action of the World Food Summit. Relevant stakeholders could also benefit from such guidance.

7. The Voluntary Guidelines take into account a wide range of important considerations and principles, including equality and non-discrimination, participation and inclusion, accountability and rule of law, and the principle that all human rights are universal, indivisible, interrelated and interdependent. Food should not be used as a tool for political and economic pressure.

8. In developing these Voluntary Guidelines, the IGWG has benefited from the active participation of international organizations, non-governmental organizations (NGOs) and representatives of civil society. The implementation of these Guidelines, which is primarily the responsibility of States, should benefit from the contribution of all members of civil society at large, including NGOs and the private sector.

9. These Voluntary Guidelines are a human rights-based practical tool addressed to all States. They do not establish legally binding obligations for States or international organizations, nor is any provision in them to be interpreted as amending, modifying or otherwise impairing rights and obligations under national and international law. States are encouraged to apply these Voluntary Guidelines in developing their strategies, policies, programmes and activities, and should do so without discrimination of any kind, such as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Introduction

Basic instruments

10. These Voluntary Guidelines have taken into account relevant international instruments,¹ in particular those instruments in which the progressive realization of the right of everyone to an adequate standard of living, including adequate food, is enshrined.

Universal Declaration of Human Rights, Article 25:


1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

International Covenant on Economic, Social and Cultural Rights, Article 11:

1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international cooperation, the measures, including specific programmes, which are needed:

¹ References in the Voluntary Guidelines to the International Covenant on Economic, Social and Cultural Rights and other international treaties do not prejudice the position of any State with respect to signature, ratification or accession to those instruments.

-
- 
- (a) to improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;
 - (b) taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.


**International Covenant on Economic, Social and Cultural Rights,
Article 2:**

1. Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.
 2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- 11.** Among others, Articles 55 and 56 of the Charter of the United Nations are relevant to these Voluntary Guidelines.

UN Charter, Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;

-
- 
- b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and
 - c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

UN Charter, Article 56

All Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

12. Other international instruments, including the Convention of the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women, the four Geneva Conventions and their two Additional Protocols also contain provisions relevant to these Voluntary Guidelines.

13. These Voluntary Guidelines have taken into account the commitments contained in the Millennium Declaration, including the development goals, as well as the outcomes and commitments of the major UN conferences and summits in the economic, social and related fields.

14. The IGWG has also taken into account several Resolutions from the United Nations General Assembly and Commission on Human Rights and the General Comments adopted by the Committee on Economic, Social and Cultural Rights.

The right to adequate food and the achievement of food security

15. Food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. The four pillars of food security are availability, stability of supply, access and utilization.


16. The progressive realization of the right to adequate food requires States to fulfil their relevant human rights obligations under international law. These

Voluntary Guidelines aim to guarantee the availability of food in quantity and quality sufficient to satisfy the dietary needs of individuals; physical and economic accessibility for everyone, including vulnerable groups, to adequate food, free from unsafe substances and acceptable within a given culture; or the means of its procurement.

17. States have obligations under relevant international instruments relevant to the progressive realization of the right to adequate food. Notably, States Parties to the International Covenant on Economic, Social and Cultural Rights (ICESCR) have the obligation to respect, promote and protect and to take appropriate steps to achieve progressively the full realization of the right to adequate food. States Parties should respect existing access to adequate food by not taking any measures that result in preventing such access, and should protect the right of everyone to adequate food by taking steps so that enterprises and individuals do not deprive individuals of their access to adequate food. States Parties should promote policies intended to contribute to the progressive realization of people's right to adequate food by proactively engaging in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. States Parties should, to the extent that resources permit, establish and maintain safety nets or other assistance to protect those who are unable to provide for themselves.

18. States that are not Parties to the International Covenant on Economic, Social and Cultural Rights (ICESCR) are invited to consider ratifying the ICESCR.

19. At the national level, a human rights-based approach to food security emphasizes universal, interdependent, indivisible and interrelated human rights, the obligations of States and the roles of relevant stakeholders. It emphasizes the achievement of food security as an outcome of the realization of existing rights and includes certain key principles: the need to enable individuals to realize the right to take part in the conduct of public affairs, the right to freedom of expression and the right to seek, receive and impart information, including in relation to decision-making about policies on realizing the right to adequate food. Such an approach should take into account the need for emphasis on poor and vulnerable people who are often excluded from the processes that determine policies to promote food security and the need for inclusive societies free from



discrimination by the State in meeting their obligations to promote and respect human rights. In this approach, people hold their governments accountable and are participants in the process of human development, rather than being passive recipients. A human rights-based approach requires not only addressing the final outcome of abolishing hunger, but also proposing ways and tools by which that goal is achieved. Application of human rights principles is integral to the process.