

Food sovereignty and Food Security

The idea of this paper is to concentrate to the concept of food security and food sovereignty and the straight relationship they have with rural policy and the present concepts around food and land issues.

Food security

Already in 2005 in Roros, we have sustained that the right to food is an individual right and the food security like its plural version¹ - e.x. as it appears in humanitarian law².

Food security appears in international law as a phenomenon stated or as a political notion.

The evolution is certain and the set of international voluntary guidelines to support the progressive realization of the right to adequate represents an important awareness and agreement of the international community. They are not compulsory, so the concrete and individual implementation of the right continues to be an ambitious objective.

It is worth to repeat that the World Food Summit, in 1996, defined the concept of food security and the right to adequate food on the definition of food security endorsed by the FAO/WHO International Conference on Nutrition held in Rome in December 1992: "access for all people at all times to enough food for an active, healthy life".

The Summit 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"³. It was declared that it was considerable "intorable that more than 800 million people throughout the world ... do not have enough food to meet their basic nutritional needs". It is considered particularly that the **food security exists** "when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life"⁴. We constate that the **right to adequate food** is realized when every individual "alone or in community with others, has physical and economic **access** at all times to adequate food or the means to procure it"⁵.

¹ Although being autosufficient in food, some countries people see their right to adequate food violated, e.x.: Argentina, Brasil among others.

² V.: Geneva Convenants, 12 August 1949, and its Additional Protocols to assure the civil populations life, 8 June 1977, in special: Protocol I, article 54, Protocole II, article 13, 14.

³ Declaration of Rome on world food security, 13 november 1996. The right to be free from hunger is the only one that has been problaimed in the ICESCR as fundamental.

⁴ World Food Summit, Action Plan, 1996, www.fao.org. IBRD, *Poverty and Hunger: Issues and Options for Food Security in Developing Countries*, The World Bank, 1986, Washington D.C. stated an accepted definition of food security at the individual level: "secure access by all the people at all times to enough food for a healthy, active life".

⁵ Italics are ours.

These concepts were then accepted by the Committee on Economic, Social and Cultural Rights (CESCR), supervisory body of the ICESCR, which, in 1999, adopted **General Comment No.12** (GC N°12)⁶ on the right to adequate food outlined in the article 11 and in response to objective 7.4 of the World Food Summit⁷.

From these statements, we are able to determine that the right in question is focused on the **access** to the food, which generates the character of the right itself; and the object that is going to satisfy that right is defined at the food security definition: food should be available, safe and acceptable. Today, we recognise there are four pillars, availability, access, utilization and stability.

Those characteristics are objective – available & safe – and the other subjective – acceptable to the physiological & psychological characteristics of the subject taking that food.

Concerning the right to food, it generates negative and positive actions from the State. The negative action is to respect the existing access. The positive actions are quite complex, because it means to adopt the measures necessary

- To facilitate and spread the conditions of accessibility – ordinary positive action -: the State should assure to put the individual in conditions to fulfill his right, encompasses both physically (disadvantage and vulnerable persons) and economic conditions to be able to acquire food.
and
- to substitute in cases of necessity – specially in catastrophic conditions/welfare/short term solutions.
- There is also an obligation of protection in a pre-factum way (prevention) by removing the possible obstacles to the exercise and in a post-factum way (remedy) by punishing the violations of the right.

The **positive** action of the State is quite complex, as it has different facets and different stages of action. Financial resources are needed to make market access possible. The financial and economic situation of an individual is actually due as a general obligation of the State. The macro and sectoral policies have a direct or indirect effect on most of the fundamental rights, which realization will engage also the right to food.

As it is stated at FAO – 2006 – “a peaceful, stable and enabling political, social and economic environment is the essential foundation that will enable states to give adequate priority to food security and the eradication of poverty”.

The access to food constitutes the action that links the food, object of the right and the subject entitled to the right. It is clear that the financial constraints are important as they

⁶ It was the response to the invitation stated in objective 7 of the Plan of Action, to the United Nations High Commissioner for Human Rights, “to better define the rights related to food in Article 11 of the Covenant” and to propose ways to implement the rights, including the possibility of formulating voluntary guidelines.

⁷ It is an authoritative interpretation of the right to adequate food at least for the states parties to the ICESCR.

limit the purchasing power. If the food is available in quantities and of acceptable quality, but the person has no possibility of purchase, he has no possibilities of access to it and he is evidently unable to satisfy his right. This is the point of the crossroads of right to food and food security, and the reason to support the idea that the sustainable policies and commitments needed must aim to build up sufficient structures to create an environment able to eradicate poverty.

To achieve food security as an objective, the State counts with all its means. The concept of food security is related to all the issues aiming to assure the access and the characteristics of the food. One important aspect is to have food available. It is a matter of quantity given by **commerce** and production.

There are countries that are main or net food importer⁸. Nevertheless, importing food does not always implies food insecurity and it happens that many of the largest food importing countries are wealthy or have the potential to become completely food sufficient. The risk for food security relies on the capacity to be dependant on importing food or food from outside sources to avoid starvation, and in those countries water or land limitation may be determinant⁹. Besides, in a multilateral and interconnected world, the policies on one country may affect another one, especially those net importer of food. In this context, a fair trade is considered as the key element to achieve at national level food security¹⁰ and development¹¹.

The WTO texts aim to improve the trade relations by a multilateral integrated system¹², based on the progressive reduction of tariffs, the establishment of specific rules and the diversification of commercial flows, in accordance with the free trade, having as objective the augmentation of members prosperity¹³. Precision of rules induces trade intensification, this produces development. So, food security in its quantitative terms is guaranteed by the improving trade that generates prosperity and facilitate acces to food.

It must be recognized that at the global level food security is quite the orphan of a system that really manages urgent or non-urgent food situations with global or one-state consequences. Existing programs or systems are neither fast nor presented as effective over the long term. In a way, the WTO is largely trying to manage the quantitative problem of

⁸ V.: Ng, Francis & Aksoy, M.. (2008). Who Are the Net Food Importing Countries?. 10.1596/1813-9450-4457. Also: www.worldatlas.com: There are countries that are food importers – China, Germany, USA, UK – but others that are unable to produce food – Chad, Ethiopia, Yemen, among others. See also: <https://data.worldbank.org>

⁹ In the same sense, being main food producer country does not guarantee food security: countries like Brazil or Argentina have large nutrition concerns.

¹⁰ Declaration of Rome on world food security, 13 november 1996. V.: Préambule, Accord instituant l'Organisation Mondiale du Commerce. Antécédent : la Déclaration de Tokyo, in GATT Activities in 1973, GATT, Geneva 1974, p.5.

¹¹ We recommend the analysis on the equitable trade.

¹² Il faut se souvenir ici de l'importance du règlement des différends qui donne son efficacité à tout le système et qui le différencie du système antérieur du GATT.

¹³ Préambule, Accord instituant l'Organisation Mondiale du Commerce. Antécédent : la Déclaration de Tokyo, in GATT Activities in 1973, GATT, Geneva 1974, p.5.

food security, although it treats it according to the free trade logic that has been fairly despised by certain groups in the food sector.

Developing countries and LDCs are demanding long-term solutions that enable them to overcome their deficits.

But not everybody read the text in the same manner, and they have been quite strongly criticized. In these sense, it appears the necessity to assure the possibility of intervention, notably for developing countries or countries with principal harvest. WTO different agreements contain measures that take into consideration those circumstances and among those, measures are admitted when based on food security reasons.

Because of the intervention of other organisms like the IMF or companies or the reactions of NGOs and the agreements of free trade, the idea of food sovereignty appears to some groups as a main reason to face a plain application of commercial rules. As far as food security is concerned, it should be noted that trade is only one aspect of the problem. Several internal factors are also decisive. This is the case with economic issues, legal structures such as ownership or contracts that can influence as much as other policies and infrastructure.

It is clear that food sovereignty appears also to strengthen the **production** aspect and, in consequence, the regulation or safeguards for access to land.

Food sovereignty

Food sovereignty has been raised in a confrontation to trade liberalization, more from a defensive position than in an integrating one.

Some concepts used at global level and at certain time is a result of an accumulation of different circumstances. The Agreement of Agriculture (AA) established at the WTO seems to have generated some confrontative reactions. In some way, one of the main effects was to appeal food sovereignty in order to halt trade liberalization.

Poor countries have raised claiming their food sovereignty against the threat of imported products at lower prices than local ones, with the risk of some local production disappearance or the risk of monoculture or of conversion in a raw material producer. Sometimes developing countries should face trade or economic policy reforms that may provoke much concern. At the same time, agricultural modernization poses enormous economic, social, political and technological challenges.

In that spirit of controversy, food sovereignty is given as the right of a State to organize its policy concerning agriculture and food systems. The neutrality in terms of power relations that seems to have the notion of food security, does not appears in that of food sovereignty.

The asymmetry of powers in markets or related to food that allows the intervention in name of food sovereignty.

Nowadays, we may enumerate some factors that give content to the concept of food sovereignty, like: the difference of development between some countries, dispair models of agriculture (smallholders, women and family farming) or methods of production (industrial agriculture, biological agriculture, organic agriculture), effects of climate change at home and at in producers countries, need of food security (nutrition considerations, short trade circuits, bio/ecoproduction, waste and loss of food).

In this order of idea, as it has been stated (The Six Pillars of Food Sovereignty, developed at Nyéléni (2007) and then Food Secure Canada, 2012¹⁴), the concept includes some notions that go beyond the simply conception as the capacity of a State to decides on the protection of its potential capacity of production. Nyéléni determines to focuse on food for people – excluding to treat it as an ordinary commodity, to value food providers, to localize food systems (reducing distance, rejecting dumping and inappropriate food aid, resisting dependence on remote corporations, places control al local level, promotes knowledges and skills, works with nature (maximizing ecosystems, improving resilience, rejecting intensive, monocultural, industrialized and destructive production methods, rejecting the privatization of natural resources, promote knowledge and skills.

In certain sense, it is recognised that this concept of food sovereignty focuses more on production aspect than that one of food security, and it is “the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems. It puts those who produce, distribute and consume food at the heart of food systems and policies ... It defends the interests and inclusion of the next generation. promotes transparent trade that guarantees just income to all peoples and the rights of consumers to control their food and nutrition. It ensures that the rights to use and manage our lands, territories, waters, seeds, livestock and biodiversity are in the hands of those of us who produce food.”

At many stages, the food sovereignty is evoked in the sense to focused primarily on small-scale agriculture, family based, of a non-industrial nature and mainly agro-ecology. In some regions, it also evokes the indigenous (Bolivia) and traditional systems. But what represents is to recognise the State power to intervene, because agriculture is not a mere economic activity, land is not a mere production property and food is not a mere good. Their special characteristic is that their final target is to nourish people and we face an area of resources shortage.

Nowadays, advanced concepts of collaborative economy seems to go in the direction of reinforcing the ideas states behind the notion of food sovereignty.

¹⁴ Originated on the rejection of diversers ONG at the World Food Summit in 1996 Declaration, which represents convalidation of policies that leads to hunger and support liberalization for the South.

It seems that food sovereignty is like a plural version of the right to food. As many groups demands, it seems to be the right of the states to instore the necessary policies to assure the food security of its nation and in last but not least the individual right to food.

Land tenure issue and food sovereignty

Land tenure becomes part of food sovereignty targets.

Nevertheless, it is one point to achieve also a balanced development in rural areas – CEDR – RUMRA – Rural, montaneous and remote areas.

Also, there is the need to tackle with the different regimes of land tenure – dirigiste or not. There some shadow of expropriation under populists regimes that pretend a distribution of land parcels that represent only a threat to development. Programmes of distribution has no success on long terme – ejido in Mexico

The problem that has in an original way now the EU is that it has a supranational regulatory possibility. Is it time for European countries to halt the Union or to advance for a chart of principles?

Conclusions

It is clear that the two concepts, food security and food sovereignty seems to be complementary.

At negotiations on trade rules, concepts as food security or food sovereignty may be use as an instrument to excuse protectionism. In any case, it is certain that those concepts touch several sensitive issues, and this happens in particular when we talked basically about agricultural products and economic topics.

Climate change makes people concerned about effects at producers countries. The ODS impose produce and consume sustainably. The Council of Europe claims for the social responsibility of European companies/investors beyond European frontiers, and this gives us the key of our work.

The CEDR has done a magnificent work dealing with multifonctionnality of agriculture. All what is now claimed, in some way, it has been anticipated by that European model of agriculture.

We are obliged to contribute to achieve a clear definition of food sovereignty, in order to not leave the term free to the ideological manipulations and disputes or to obstacle commerce. It must incorporate social requirements, farmers needs and other concerns like resilience and transparency in policies in order to respect human rights and protect great values like environment, .