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RIGHT TO FOOD AND ACCESS TO NATURAL RESOURCES

Until recently, human rights issues have been the domain of lawyers and human rights campaigners while resource access issues were tackled by technical interventions and political mobilization. Today human rights principles and language are being used to support resource access claims as rights-based approaches empower individuals and groups to gain or maintain access to natural resources.

All human rights are interdependent and interrelated; consequently, realizing other rights may be instrumental in realizing the right to food. These include the freedom to hold property and to live free of discrimination.

Linkages

The linkages between the right to food and resource access hinge on the fact that securing access to natural resources – as the basis for food production – is a key element of realizing the right to food. Protecting access to resources is a means to an end – the production or procurement of food. This end may also be achieved through other means, such as through income from employment.

Right to Food Guidelines Provisions

Right to Food Guideline* 8 deals with access to “resources and assets” such as land, water and genetic resources. Guideline 2 contains a clause on “all productive resources”, so the provisions on natural resources in Guideline 8 should be taken to include forests and grazing land. Guideline 8 calls for measures to secure land rights and, “as appropriate”, for agrarian reform to enhance land access for the poor. The Guideline also calls for measures to promote employment and self-employment to enable food procurement.

Violations

Where access to natural resources is eroded, the right to food may still be realized if those who lost access to resources for direct food production are able to earn income that enables them to purchase food. Loss of resource access would constitute a violation of the right to food only if it is not compensated by improvements in access to other means of livelihood, such as income from employment, compensation schemes or safety nets; and if this undermines the availability and/or accessibility of food.

State Obligations

Regardless of the situation presented, states remain the primary duty bearers toward the right to food and where this human right intersects with access to resources, states must follow human rights principles.

Respect

States must respect every person's right to food by not restricting access to resource that in turn impairs access to food, especially when such practice is discriminatory, inadequately compensated or without due process

Protect

States must protect the right to food (and the right to property) by taking steps to ensure that action by private entities does not negatively affect resources access for others, and thereby impair their ability to gain access to food. The African Commission on Human and People's Rights found one African country liable for violating human rights, including the right to food, for not only the crop destruction it had directly caused, but also for the environmental degradation caused by private oil companies.

Fulfil

The obligation to fulfil the right to food requires states to take steps to improve access to natural resources. This may include securing existing access through improving protection (leaseholds or titles) of natural resource rights. It may also include increasing access to natural resources through restitution, redistribution or other programmes.

** The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by FAO Council in November 2004, are available for downloading on the right to food website: www.fao.org/righttofood.*

