

## Nutrition, Health and Human Rights

by Monica Fish

The last half-century has seen the development of a range of international instruments whose chief concern is the declaration and codification of basic human rights norms as agreed upon by the international community. Collectively these documents provide a normative and legal foundation for the human right to adequate food and nutrition, and freedom from malnutrition. A brief sampling of relevant language from these documents follows:

- The Constitution of the World Health Organization (1946), commits the organization to the “promote... the improvement of nutrition” (Art. 2) as a means of achieving its fundamental objective: “the attainment by all peoples of the highest possible level of health “(Art. 1);
- The Universal Declaration of Human Rights (1948) claims “everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food ...” (Art. 25(1));
- The International Covenant on Economic, Social and Cultural Rights (1966) declares that “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...” (Art. 11);
- The International Code of Marketing of Breast Milk Substitutes (1981) recognizes “the right of every child and every pregnant and lactating woman to be adequately nourished as a means of attaining and maintaining health” (Preamble, para. 1).and emphasizes the provision of “safe and adequate nutrition for infants” (Art. 1);
- The Convention of the Rights of the Child (1989), states that “States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health ...” and shall take appropriate measures “to combat disease and malnutrition” through the provision of adequate nutritious foods, clean drinking-water, and health care; Furthermore, Article 27 (3) of the Convention says that States Parties “shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing, and housing”.
- The Rome Declaration on World Food Security (1996) reaffirms “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 most specific treatment of nutrition within the context of human rights is found in the World Declaration on Nutrition (1992). Resulting from a 1992 joint conference of the Food and Agricultural Organization and World Health Organization, the Declaration addresses nutrition largely through the lens of hunger eradication, concerning itself with the 780 million people who lack access to the foods necessary to meet basic daily nutritional requirements (para. 1). The Declaration grounds itself in language echoing found in the Universal Declaration of Human Rights that suggests parties to the convention should “[bear] in mind the right to an adequate standard of

living, including food...” and specifically refers to “access nutritionally adequate safe food” as a “right of each individual.”

What all of these documents make clear is that the link between nutrition and human rights is one standing explicitly on its own (everyone is entitled to nutritious food) and as a means towards the end of attaining an adequate standard of living. However useful these documents are for argumentative purposes, they do not address the practical issues (logistics, cultural appropriateness of nutrition sources, measurement of malnutrition, etc.) implicit in operationalizing such a right. Adequate, nutritious food is not universally available: international law has helped, but hasn't fully empowered people who need food the most. A myriad of factors including state disinterest, poverty, poor labor standards and the misallocation of resources keeps the full potential of full nutrition from being realized.

In addition to highlighting some key introductory [websites](#), this portion of the [bibliography](#) addresses some of the challenges noted above, and offers ways of resolving the issue of access to food and nutrition. Much of the literature urges an international and a multi-disciplinary approach. Other literature seeks pragmatic and concrete measures to lessen malnutrition by offering data or trend indicators to help create policies that respond to, or affect change.

## **Bibliography**

Academy for Educational Development. Profiles: When Numbers for Better.  
<http://www.aedprofiles.org>

This website gives nutrition advocates the ability to create realistic scenarios for proposing intervention policies for assessing the costs and benefits of improving nutritional status. (For more information about the AED see link above.)

Bekker, Gina (ed.). 2002. A Compilation of Essential Documents on the Rights to Food and Nutrition. Vol. 3, Economic and Social Rights. Pretoria: Centre for Human Rights

Bellows, A.C. and M. Hamm. 2003. “Community Food Security and Nutrition Educators.” *Journal of Nutrition Education and Behavior* 35(1): 37-43.

This article provides a background for a model of community food security. It addresses various approaches to this issue and considers some of the steps necessary to make community food security more successful.

Brundtland, Gro Harlem. 1999. ACC/SCN Symposium on “The Substance and Politics of a Human Rights Approach to Food and Nutrition Policies and Programmes.”  
[http://www.who.int/directorgeneral/speeches/1999/english/19990412\\_nutrition.html](http://www.who.int/directorgeneral/speeches/1999/english/19990412_nutrition.html).

Dr. Gro Harlem Brundtland, the Director -General of the World Health Organization, discusses the connection between nutrition and human rights. She draws the link between access to nutrition on the one hand and environmental sustainability and accessibility on the other hand. She draws out these connections and offers ways of solving the problem.

Dowler, Elizabeth and Catherine Finer (eds.). 2003. Welfare of Food: Rights and Responsibilities in a Changing World. MA: Blackwell Publishing Company.

The essays in this book argue for the need to form good and inclusive food policies for the welfare of all peoples. Food patenting, food safety, food security, food aid and regulated food provision are addressed from the perspective of individuals and groups from both wealthy and poor countries.

Eide, Asbjørn. 2001. "The Right to an Adequate Standard of Living including the Right to Food." in Asbjørn Eide, C. Krause, and A. Rosas (eds.). Economic, Social and Cultural Rights, A Textbook. Dordrecht: Martinus Nijhoff Publishers.

The second section of this collection considers the core economic, social, and cultural rights. Each of the chapters focuses on a separate right, such as the right to an adequate standard of living and the right to food. The relevant international standards are explored and state obligations are explained.

Florencio, CA. 2001. "Rights-based food and nutrition perspective: 21st Century Challenge for Dietetics." *Journal of human nutrition and dietetics: The Official Journal of the British Dietetic Association* 14(3): 169-83.

This article includes a short description of the world food and nutrition situation with a presentation of some selected concepts on human rights pertinent to food and nutrition. It also includes a summary of the most important events in the right-to-food program and the particularities of rights-based approaches to food.

Food and Agricultural Organization. 1998. The Right to Food in Theory and Practice. <http://www.fao.org/Legal/rtf/bkl.htm>.

This publication examines the right to food and the obligations that it entails for governments, civil society and the international community. It discusses different approaches to solving the problems of hunger and summarizes specific measures undertaken by governments, international bodies and non-governmental organizations to ensure food for all.

Kunnemann, Rolf. The Right to Adequate Food: Violations related to its Minimum Core Content. [http://www.gtz.de/right-to-food/download/KM\\_adequate\\_f.pdf](http://www.gtz.de/right-to-food/download/KM_adequate_f.pdf).

Kunnemann surveys the wealth of international documents that respond to the problem of lack of food. Noting the minimum requirements of states to supply food, he argues that if states fail to comply with minimum basic standards, they should incur legal consequences. (For more information about the publisher of this paper, Deutsche Gesellschaft für Technische Zusammenarbeit, see links section above.)

Kunnemann, Rolf. 1999. Food and Freedom: A Textbook for Human Rights Education. Heidelberg: Fian International Secretariat.

This book provides definitions of human rights with a summary of what constitutes civil, political, economic, social and cultural rights. It also considers the practical dimensions of

advocating food as a human right; including practical advice on how participate in the United Nations system and some suggested tools for human rights training.

Marcus, David. 2003. "Famine Crimes in International Law." *The American Journal of International Law* 97(2): 245-281.

This article demonstrates how international criminal law applies to governmental responsibility for famine. It argues for codified, formal recognition of famine crimes in international law so that governments may not manipulate the present, vague, and insufficient body of international famine law.

Runge, C.F.; B. Senauer; P.G. Pardey; and M.W. Rosegrant. 2003. Ending Hunger In Our Lifetime: Food Security and Globalization. Baltimore: The John Hopkins University Press.

This book gives ideas, arguments, facts, and figures on ending hunger. It complements the work done by the International Food Policy Research Institute's 2020 Vision initiative (for more information on the IFPRI see links section above). The texts gives actions that can and should be taken showing how food security is a public and private endeavor that must be connected to health and the environment.

South African Human Rights Commission. 1999. "International Consultative Conference on Food Security and Nutrition as Human Rights."  
[http://www.sahrc.org.za/food\\_security\\_report\\_final\\_with\\_cover.PDF](http://www.sahrc.org.za/food_security_report_final_with_cover.PDF).

This report focuses on the experiences of governments and non-governmental organizations as they grapple with the implementation of food security programs. It argues from the perspective of a right to food both trying to add substance to the right while also to emboldening international initiatives on its behalf.

Sphere Project. 2004. "The Humanitarian Charter and Minimum Standards," in A. Borrel, Disaster Response, Revised Edition. Sphere Project 2000.  
[http://www.sphereproject.org/handbook/hdbkpdf/hdbk\\_c3.pdf](http://www.sphereproject.org/handbook/hdbkpdf/hdbk_c3.pdf).

This particular chapter, part of the larger Sphere Handbook, and reflective of the philosophy of the Sphere Project (for more information on the Sphere Project see links section above), is divided into four sections: food security, nutrition assessment and analysis standards; food security standards; nutrition standards; and food aid standards. While food security and nutrition standards are understood to be a practical expression of the right to food, the treatment of food aid standards is more operationally focused. These standards contribute to the achievement of both the food security and nutrition standards.

United Nations Standing Committee on Nutrition, March 2004. Fifth Report on the World Nutrition Situation.  
<http://www.unsystem.org/scn/Publications/AnnualMeeting/SCN31/SCN5Report.pdf>.

This is the fifth report from the Standing Committee on Nutrition (for more information on the SCN see links section above), and addresses the situation of worldwide food poverty and famine from the perspective of the Millennium Development Goals (MDG). Divided into several sections, nutrition trends and implications for attaining the MDG; governance and human rights;

health sector reform; poverty reduction strategies; and trade liberalization, the report presents a highly useful statistical overview of food and poverty indicators and addresses the question of what the world community must do in order to meet development goals promulgated by the Millennium Assembly.

Also, <http://www.unsystem.org/scn/Publications/html/scnnews.html> contains the e-news letter of the SCN (for more information on the SCN see above links section). The SCN News is a periodic review of developments in international nutrition compiled from the most recent research and writing. SCN News aims at the dissemination of nutrition information for involved stakeholders.

## Websites

The Academy for Educational Development Global Health, Population, and Nutrition Group  
<http://www.aed.org/aedgroups/globalhealth/index.html>

The Academy for Educational Development provides research and consultation services in the areas of health, education, youth, and the environment. The Global Health, Population, and Nutrition section includes the Center for Nutrition which highlights the Academies work on public nutrition programs in developing countries. The sight contains areas dedicated to both policy and technical assistance. The publication section ([http://www.aed.org/health/health\\_publications.html](http://www.aed.org/health/health_publications.html)) is extensive and useful with a section dedicated to nutrition related research texts.

The Alan Shawn Feinstein International Famine Center  
<http://famine.tufts.edu/>

Bridging the gap between theory and Practice, the Center works to prevent and mitigate famine, resolve local conflicts and develop responses that contribute to durable survival strategies for people coping with crisis. Key to the Center's work is building strong partnerships with international, national and local private, governmental, and non-governmental organizations, and providing training in capacity building and humanitarian intervention. The Center is a product of public health and medicine with contemporary studies of international conflict, and the administration of humanitarian aid. The dynamic nature of the Center makes it a useful first stop in researching humanitarian issues concerning conflict, famine, nutrition, and humanitarian aid

Centre for Human Rights: Socio-Economic Rights Project  
[http://www.chr.up.ac.za/centre\\_projects/socio/socio.html](http://www.chr.up.ac.za/centre_projects/socio/socio.html)

A project of the Centre for Human Rights at the University of the Western Cape, the project researches and publishes in the general area of Social and Economic Rights. Much of the information relates to South Africa or the African Union.

Deutsche Gesellschaft für Technische Zusammenarbeit  
<http://www.gtz.de/right-to-food/english/publications/publications.htm>

This German based development NGO provides, in their publications, a useful survey of the legal and policy frameworks within which the right to food is understood and operationalized. Much of the material considers the topic of food security from a developmental (medium-term) perspective.

The Food and Agricultural Organization  
[www.fao.org](http://www.fao.org)

The FAO provides an independent forum for discussing and acting upon issues of food insecurity and hunger.

International Food Policy Research Institute  
[www.ifpri.org](http://www.ifpri.org)

The IFPRI centers its research on finding sustainable solutions for hunger alleviation and famine eradication. Useful information includes datasets for independent research and an extensive publications and library sections hosting research and policy papers published by IFPRI and other analysts of food security.

Sphere Project  
<http://www.sphereproject.org/>

The Sphere Project is the joint effort of a number of aid and relief NGOs who take seriously the need to provide emergency relief and assistance in a manner that respects the dignity and worth of individuals in need. The goal of the Sphere Project is to provide minimum standards of conduct for all NGOs working in the field. The website contains general information about the Sphere Project, The Humanitarian Charter and Minimum Standards in Disaster Response (see below), and training materials.

The United Nations Standing Committee on Nutrition  
<http://www.unsystem.org/scn/>

The Standing Committee on Nutrition provides technical and policy support to the United Nations system in the area of Nutrition and food science. The website contains information about current SCN efforts as well as passed endeavors. Also available on the site are the SCN News digests (see below “SCN”) containing much of the work of the committee.

World Health Organization Nutrition Website  
<http://www.who.int/nu>

The World Health Organization (WHO) website cites binding and non-binding international covenants and declarations that specifically unite nutrition with health and human rights. It urges a concerted international effort to cast nutrition as a human right and suggests the necessary steps to eliminate malnutrition.

The website also includes a section of recent publications (“Nutrition: Selected Recent Publications and Documents”) available at <http://www.who.int/nut/publications.htm>. An excellent resource supplying access to recently published materials in a variety of issue areas

broadly related to health, nutrition, and human rights. It is especially useful for finding information related to certain specific nutritional problems widely experienced in the field (e.g. iodine deficiency, Anaemia/Iron deficiency, and maternal nutrition).