



INTRODUCING THE RIGHT TO FOOD IN UNIVERSITY CURRICULA

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INTRODUCTION – *Isabella Rae*

In September 2015, leaders from 193 countries gathered in New York, under the auspices of the United Nations, for a three-day Summit to adopt a new transformative development agenda, articulated along 17 Sustainable Development Goals (SDGs), covering the period 2016-2030. This historic agreement was the culmination of a complex negotiation process, which saw an unprecedented level of multisectoral consultation. One of the key features of *Agenda 2030*¹ is the call for stronger governance and greater emphasis on human rights in all programming and policy efforts at both national and international level, entailing a paradigm shift from acknowledgement of *needs* to acknowledgment of *rights*.

With this in mind, as we try to unpack the post-2015 global development framework, it is important to recognise the need for ***strengthening the science-policy interface*** – a process to which we believe ***research and academia*** must effectively contribute. Paramount to achieving this is a successful intersectoral approach, providing a better understanding of multidisciplinary and adequately mainstreaming issues such as ***governance and human rights*** – widely acknowledged as key in the shaping of a ***global sustainable future*** - across relevant science and research disciplines. While it is broadly recognised that hunger is “a function of entitlements and not of food availability as such,”² there is still a vacuum in research and development education with regard to introducing a human rights/governance lens to teaching. Students readily discuss the complexity of today’s food systems and are exposed to the multidimensional nature of hunger but they often fail to understand the structural dysfunctions underpinning today’s challenges, which relate primarily to issues of democracy and social inclusion.

Today’s teaching methods are still very much linked to sectoral approaches. This means that agricultural economists tend to know little about sociology and law (and vice versa) even though all disciplines are extremely important in identifying comprehensive political answers to current and future global challenges. Interdisciplinary cooperation in both research and teaching is key and human rights provide a valid analytical tool for interdisciplinary research. The question is whether or not traditional teaching methods have the capacity to communicate and elucidate the complexity of problems such as the link between development, agricultural investment and trade, and what would be the best way in which to provide students with adequate critical analysis so as to address these problems in a coherent and comprehensive manner.

It would be advisable to sensitise both lecturers and students on the importance of a human rights perspective in advancing a multi-disciplinary approach to different fields. It would also be desirable to encourage students to increase their capacity for critical analysis and their appreciation and awareness of the need for multi-stakeholder dialogue. The aim is that of sensitising both researchers and civil society alike towards thinking outside the realms of their particular professional discipline and peer group.

¹ *Transforming our World: Agenda 2030 for Sustainable Development*, adopted by UN General Assembly Resolution of 25 September 2015, UN Doc. A/RES/70/1.

² See Sen A., *Poverty and Famines, An Essay on Entitlement and Deprivation*, Oxford University Press, 1981.

Whereas a lot of extremely valuable work has already begun in this sense, and a number of courses set up that mainstream governance and human rights in their curricula, a thorough appreciation of this area as a cross-cutting one remains a challenge.

In an effort to promote the value of human rights teaching across different disciplines, we have chosen to use the right to food as our common thread, tracing the footsteps of its journey from recognition to implementation and sharing some of the learning gained from its success in adding value to current and emerging development issues. As the only economic right to date that has achieved consensus at Government level with regard to its normative content and implications for implementation at national level, this right provides an excellent analytical framework within which to look at the post-2015 agenda, taking into account both public and private interests. Ten years after the adoption of the Right to Food Guidelines,³ country level experiences indicate just how far the right to food has progressed in piloting new approaches to social and economic development.

Particular note is taken of the seminal work conducted by the FAO Right to Food Team in this area and its Right to Food Curriculum, published in 2009. The latter publication was an important tool addressing national level practitioners (including legislators, policy decision-makers, civil servants, NGOs and human rights institutions) and aimed at strengthening in-country capacity to implement the right to food. It did not specifically target academia, albeit recognising its critical role in the development of right to food capacity – a role we shall discuss here.

This paper is intended to be an introductory discussion on the value of mainstreaming the right to food into university curricula and the best way in which to do so, with particular emphasis on those disciplines that appear to be at the forefront of current global development thinking.

It is a first step, laying the foundation for more in-depth work, crafting ad-hoc curricula tailored to different interested faculties. We firmly believe that academia has a key role to play in the implementation of *Agenda 2030*. Some of the potential tasks envisaged could relate to: training future decision makers; influencing policy; informing development education initiatives; legitimising innovative thinking; enhancing critical analysis; strengthening advocacy and communication strategies; acting as a conduit between different sectors and, in particular, bringing research to policy. In this regard, and in the light of the role of human rights in addressing current and future global challenges, we believe that strengthening its mainstreaming across multiple disciplines is fundamental.



³ FAO, *Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food in the Context of National Food Security*, 2004.

1. A HUMAN RIGHTS-BASED APPROACH IN THE CURRENT GLOBAL CONTEXT – *Isabella Rae*

As mentioned above, one of the key features of *Agenda 2030* and related discussions on sustainable development is the need for programming and policy efforts at all levels to effectively incorporate governance and human rights. Based on the concept of human dignity - **defined as the absolute and inherent worth of the human being** – human rights are not only an aim in themselves, they are also an extremely valuable analytical framework within which to look at development outcomes and processes in the light of social inclusion and justice. Promoting the inclusion and mainstreaming of this approach in academia will enable teachers and researchers alike to engage in and contribute towards the legitimisation of innovative thinking and the generation of knowledge and capacity development from a variety of disciplinary perspectives.

The value added of a rights-based approach to development, can be summarised in the following elements:

- A paradigm shift from acknowledging *needs* to acknowledging *rights*, and considering as *entitlements* what may well have been thought of in the past as an act of government discretion
- Application of the principles of: participation, accountability, non-discrimination, transparency, human dignity, empowerment, and the rule of law (PANTHER principles)⁴
- Availability of claim and recourse mechanisms for cases of violation
- Emphasis on both process and outcome indicators
- Emphasis on the creation of an enabling environment: legal, policy and institutional frameworks to be conducive to the realisation of rights
- Individuals considered as active agents (and not ‘recipients’/‘beneficiaries’), having both rights and responsibilities in society
- Emphasis on development education, information, and public participation in legal and policy developments

A rights-based approach has its foundation in the International Human Rights System – comprising a number of binding and non-binding instruments, articulating the content and nature of rights and corresponding obligations, which gained historic momentum after the Second World War. In particular, the International Covenant on Civil and Political Rights (ICCPR)⁵ and the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁶ – both adopted in 1966 - represent the key normative basis for the two sets of rights. “A human rights-based approach relies on a dual strategy of strengthening the capacity of duty bearers to carry out their obligations while equally focusing on assisting rights holders to empower themselves and be able to demand accountability. Both arms of the strategy require awareness raising and education...”⁷

⁴ A conceptual framework introduced by the FAO Right to Food team during the negotiations for the adoption of the Right to Food Voluntary Guidelines, 2002-2004.

⁵ International Covenant on Civil and Political Rights, adopted by UN General Assembly resolution 2200A (XXI) of 16 December 1966, UN Doc. A/6316.

⁶ International Covenant on Economic, Social and Cultural Rights, Adopted by UN General Assembly resolution 2200A (XXI) of 16 December 1966, UN Doc. A/6316.

⁷ FAO, Right to Food Curriculum, 2009, p.52.



As *Agenda 2030* set ambitious targets with regard to sustainable development – seen as a comprehensive and inclusive economic, social, cultural and political process – clearly the ultimate aim is to obtain constant improvements in the well-being of the entire global population and of all individuals, based on their active, free and meaningful participation in development and in the fair distribution of the resulting benefits. A rights-based approach is paramount in order to achieve such societal and human gains. In the words of the Office of the High Commissioner for Human Rights: “A human rights-based approach – bringing human rights standards and values to the core of everything we do – offers the best prospect of leveraging our influence to empower people to advance their own claims, to prevent discrimination and marginalisation, and to bridge the accountability deficits that have chronically crippled development progress.”⁸

Structural dysfunction, imbalance of power, inequitable distribution of resources, restricted access to knowledge and services, and exclusion and marginalisation, all constitute the main causes of society’s failing attempts to sustain growth and human development in the past decades. A rights-based approach aims at addressing such structural failures and at promoting progressive thinking towards systematic change, based on civic engagement and true democratic decision making.

2. INTRODUCING HUMAN RIGHTS INTO HIGHER EDUCATION: ORIGINS – *María Daniela Núñez Burbano de Lara*


The value of human rights in education was formally recognized for the first time in the International Covenant on Economic, Social and Cultural Rights (1966) – elaborated under article 13 as part of the right to education.⁹ The years that followed saw only an occasional reference to the importance of human rights education within the UN, until a significant step in the right direction was taken in 1993 by the International Congress on Education for Human Rights and Democracy.¹⁰ The related Montreal World Plan of Action highlighted the key role of human rights education as a prerequisite to the full realization of social justice, peace and development, and to the prevention of human rights violations. It introduced the notion of human rights education as being a right in itself, a consideration taken up by later UN initiatives, together with the understanding of human rights education as a democratic, participatory, and empowering process.¹¹ In the same year, the matter was raised by the World Conference on Human Rights in Vienna. On this occasion, States reaffirmed the importance of theoretical and practical human rights education for the promotion and respect of human rights and fundamental freedoms. They

⁸ Comments of High Commissioner for Human Rights at 2nd Interagency Workshop on Implementing a Rights-based Approach in the Context of UN Reform” May 2003.

⁹ The right to education is anchored, among others, in article 13 of the 1966 International Covenant on Economic, Social and Cultural Rights, providing that education “shall strengthen the respect for human rights and fundamental freedoms,” “enable all persons to participate effectively in a free society,” and “promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups.” UN General Assembly (1966). International Covenant on Economic, Social and Cultural Rights, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.

¹⁰ The Congress was convened in Montreal by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

¹¹ 8-11 March 1993, 9. See also Salvioli F. (2009). *La Universidad y la Educación en el Siglo XXI. Los Derechos Humanos como Pilares de la Nueva Reforma Universitaria [University and Education in the 21st Century. Human Rights as Pillars for the New University Reform]*. San José: InterAmerican Institute of Human Rights, 48-49.



therefore committed to include human rights in the curricula of all learning institutions in both formal and non-formal settings and also recommended the institution of a 'decade for human rights education'.¹²

As a result, the United Nations Decade for Human Rights Education (1995-2004) was proclaimed by the UN General Assembly in 1994.¹³ Besides providing a definition of the decade¹⁴ its Programme of Action explicitly listed universities as a target group to be encouraged and assisted by governments and international donors and programmes in the development of human rights curricula and corresponding teaching and resource materials.¹⁵ However, although the decade "helped to increase awareness of the need for human rights education and provided a framework for international cooperation in this area,"¹⁶ already in the year 2000 its mid-term global evaluation revealed a large gap between the commitments made in Vienna and the resources devoted to their realization.¹⁷

As a follow-up initiative to the above, the open-ended World Programme for Human Rights Education (WPHRE) was established in 2005.¹⁸ Structured in consecutive phases, the programme's second phase (2010-2014) focused explicitly on institutions for higher education.¹⁹ The Plan of Action for this phase emphasized the fundamental role of human rights as part of the curricula for higher education institutions; it would help in fulfilling their social responsibility to "educate ethical citizens committed to the construction of peace, the defence of human rights and the values of democracy", and generate global knowledge to meet current human rights challenges. Furthermore, the WPHRE called on States to introduce human rights "as a cross-cutting issue into all higher education disciplines – not only law, social studies or history but also disciplines in the technical and scientific fields" and to advance knowledge and critical reflection on human rights by investing, in collaboration with civil society organizations (CSOs), national human rights institutions and international organizations, in research on innovative and effective human rights education methodologies and tools, on the translation of human rights principles and instruments

¹² Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights in Vienna on 25 June 1993, part I, para. 33; part II, paras. 78-82.

¹³ UN General Assembly (1994). 49/184. United Nations Decade for Human Rights Education. A/RES/49/184, 23 December 1994.

¹⁴ "[H]uman rights education shall be defined as training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes" (UN General Assembly (1996). Human Rights Questions: Human Rights Questions, Including Alternative Approaches for Improving the Effective Enjoyment of Human Rights and Fundamental Freedoms. A/51/506/Add.1, 12 December 1996, appendix, para. 2.

¹⁵ Ibid at para. 25.

¹⁶ UN Commission on Human Rights (2004). Promotion and Protection of Human Rights: Information and Education. United Nations Decade for Human Rights Education (1995-2004): Report on Achievements and Shortcomings of the Decade and on Future United Nations Activities in this Area, E/CN.4/2004/93, 25 February 2004, para. 11.

¹⁷ Cf. UN General Assembly (2000). United Nations Decade for Human Rights Education (1995-2004).

A/55/360, 7 September 2000; UN Commission on Human Rights (2004), supra note 16 at paras. 21, 24-25.

¹⁸ UN General Assembly (2005). 59/113. World Programme for Human Rights Education. Resolution Adopted by the General Assembly on 10 December 2004, A/RES/59/113 [A], 17 February 2005.

¹⁹ The second phase focused on human rights education for higher education and on human rights training programmes for teachers and educators, civil servants, law enforcement officials and military personnel at all levels, the first phase (2005–2007/9) centred on primary and secondary school systems, and the third phase – ongoing at the time of writing – on human rights training for media professionals and journalists.

into concrete forms, and on examples of good practice in the area of human rights in higher education.²⁰

Such promise of an “all disciplines” approach was not, however, honoured in the follow-up phase, and human rights education remained confined to fewer disciplines, such as law, political science, the humanities and socio-economic studies.²¹ Renewed emphasis on the importance of a **cross-sectoral approach** to human rights education came about in the late 1990s through other UN initiatives, including the two UNESCO World Conferences on Higher Education held in Paris in 1998 and 2009,²² the proclamation of the year 2009 as the *International Year of Human Rights Learning*,²³ and the 2011 adoption of the *United Nations Declaration on Human Rights Education and Training*.²⁴ Lastly, the *United Nations Decade on Education for Sustainable Development (2005-2014)* and its follow-up present an opportunity for concurrently advancing human rights education.²⁵

Whilst, as we have seen above, the importance of human rights education is not a new issue, several difficulties surround its implementation.

These include:

- the voluntary nature of the UN initiatives mentioned earlier;
- a lack of political will and of financial and human resources;
- a weak monitoring of the implementation of national human rights education strategies at all levels and by all actors;
- an overwhelming and unbalanced emphasis on primary and secondary school curricula and on education in civil and political rights as opposed to higher education and economic, social, and cultural rights;

²⁰ UN Human Rights Council (2010). Draft Plan of Action for the Second Phase (2010-2014) of the World Programme for Human Rights Education, A/HRC/15/28, 27 July 2010, paras. 21-22, 27 (a)(ii), 29.

²¹ UN Human Rights Council (2012), *Progress Report on the Implementation of the World Programme for Human Rights Education. Report of the United Nations High Commissioner for Human Rights. A/HRC/21/20, 26 June 2012*; UN Human Rights Council (2015). *Evaluation of the Implementation of the Second Phase of the World Programme for Human Rights Education. A/HRC/30/24, 16 July 2015*, para. 50.

²² UNESCO (1998). *World Conference on Higher Education – Higher Education in the Twenty-first Century: Vision and Action. UNESCO, Paris 5–9 October 1998. Volume I. Final Report*; UNESCO (2009). *2009 World Conference on Higher Education: The New Dynamics of Higher Education and Research for Societal Change and Development (UNESCO, Paris, 5 – 8 July 2009). Communique (8 July 2009)*.

²³ UN General Assembly (2007). 62/171. *International Year of Human Rights Learning. Resolution adopted by the General Assembly. A/RES/62/171, 18 December 2007*.

²⁴ UN General Assembly (2012). 66/137. *United Nations Declaration on Human Rights Education and Training. Resolution Adopted by the General Assembly on 19 December 2011, A/RES/66/137; 16 February 2012*.

²⁵ Both the Plan of Action of the second phase of the WPHRE and the Strategy for the Second Half of the United Nations Decade of Education for Sustainable Development recommended the creation of synergies between these two UN initiatives. See UN Human Rights Council (2010), *supra* note 20 at para. 26 (b)(i); and UNESCO Education Sector (2010). *UNESCO Strategy for the Second Half of the United Nations Decade of Education for Sustainable Development: Supporting Member States and other Stakeholders in Addressing Global Sustainable Development Challenges through ESD. 2010/ED/UNP/DESD/PI/1*, 9-10. See also Fritzsche K. P. (2013). “Zum Verhältnis von Menschenrechtsbildung und Bildung für nachhaltige Entwicklung—Gemeinsamkeiten verstehen und gestalten [The Relationship between Human Rights Education and Education for Sustainable Development – Understanding and Shaping Commonalities].” *Zeitschrift für internationale Bildungsforschung und Entwicklungspädagogik* 36 (1): 34–40.

- the understanding of human rights education primarily as a tool for empowering marginalized groups, and less as a means of sensitizing and mobilizing other social actors to engage in the protection and promotion of human rights;
- the withdrawal of public funding from higher education and research;
- the growing market-orientation of universities in terms of aligning their education programmes to the needs of the private industry and adopting business-like organizational structures;
- disparate understandings of the principle of academic freedom;
- often tight academic and/or institutional mandates and ongoing disciplinary segregation instead of integration and cooperation;
- a lack of clarity on corresponding human rights education duties and responsibilities;
- the multiplicity of sectors and actors involved at the national level; and a lack of coordination and collaboration between UN initiatives and implementing and monitoring agencies - including human rights treaty bodies, governments and CSOs.

Finally, as also argued in later sections of this paper, collaboration between CSOs and higher education institutions provides great potential for advancing the mainstreaming of human rights education at all levels and sectors, including formal higher education.

Although many challenges remain to be met, the introduction of human rights as a subject in higher education is a concept that dates back several decades and finds legitimacy in the thinking of both scholars and practitioners, as reflected in many UN instruments and initiatives. It is on such gained legitimacy that we need to build the operational framework required in order to make human rights education a reality for all.

3. INTEGRATION OF THE RIGHT TO FOOD INTO ACADEMIA – *Isabella Rae*

3.1 The Right to Food as a Fundamental Human Right


With a staggering figure of 795 million people²⁶ suffering from chronic hunger around the world, international development thinking once again places food security at the top of its agenda, where hunger is seen as a failure of governance rather than one of food yields alone. The evolution of global thinking on the issue of hunger and food security in the past decades has been accompanied by significant advancements on the part of international law in recognizing and protecting the right to food at national and international levels.

Starting with the Universal Declaration of Human Rights in 1948,²⁷ which gave formal recognition to the right to food as a human right, international thinking on the legal nature of the right evolved through the adoption of the International Covenant on Economic, Social and Cultural Rights in 1966²⁸ whereby the right to food became a legal obligation, binding on all States Parties.

²⁶ See FAO, *The State of Food Insecurity in the World 2015*, FAO, 2015.

²⁷ Universal Declaration of Human Rights, adopted by UN General Assembly resolution 217 A(III) on 10 December 1948.

²⁸ On the history of Article 11 Paragraph 2, see Alston P., *International Law and the Human Right to Food*, in Alston P. and Tomaševski K., (eds.), *The Right to Food*, 1984, p. 9; Craven M., *The International Covenant on Economic, Social and Cultural Rights – A Perspective on its Development*, 1995, pp. 297–299.



A number of other instruments followed at regional and global level²⁹ which further strengthened the status of this right, while its normative content was being elaborated and eventually defined by the UN Committee on Economic, Social and Cultural Rights, in General Comment 12. The Committee referred to the three dimensions of *adequacy*, *accessibility* and *availability* and called on States to *respect, protect* and *fulfil* the right.³⁰ More recently, the right to food was defined as "...the right, for all, to have legal frameworks and strategies in place that further the realisation of the right to adequate food as a human right recognised under international law".³¹

Having overcome the traditional confrontation between economic and social rights, on the one hand, and civil and political rights on the other, the right to food has, over time, gained increasing international recognition as a legal, stand alone, justiciable right. Furthermore, a 'right to remedy' has been recognised and operationalized under several jurisdictions around the world to date, for cases of violation.

The right to food has gone from being **recognised** (in the '40s), to being **interpreted** (in the '90s), to being fully **implemented** (in the last decade). With the adoption, in 2004, of the *Voluntary Guidelines to Support the Progressive Realisation of the Right to Adequate Food in the Context of National Food Security (Right to Food Guidelines)*, an unprecedented consensus was reached among governments on the meaning and practical implications of an economic right at national level.³² During the last decade, significant progress was observed in a number of countries at legal,³³ policy,³⁴ institutional,³⁵ and judicial³⁶ levels. Each of these mechanisms show how, over time, the right to food has permeated legal and policy frameworks in different countries, with a growing level of domestic protection.

²⁹ Including: International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted by the UN General Assembly on 18 December 1979; Convention on the Rights of the Child (CRC), adopted by UN General Assembly resolution 44/25 of 20 of November 1989; African Charter on Human and Peoples' Rights, adopted by the Organization of African Unity on 27 June 1981; African Charter on the Rights and Welfare of the Child, adopted by the Organization of African Unity on 11 July 1990; Additional Protocol to the American Convention on Human Rights in the area of Economic, Social, and Cultural Rights, adopted on 17 November 1988.

³⁰ UN Economic and Social Council, Committee on Economic, Social and Cultural Rights, General Comment 12, *The Right to Adequate Food*, 1999, UN doc. E/C.12/1999/5, para.6. With particular regard to the obligations to respect, protect and fulfill – these were originally introduced by Asbjorn Eide in Eide, A., Eide W.B., Goonatilake S., Gussow S., Omawale J., (eds.), *Food as a Human Right*, United Nations University, 1984.

³¹ Olivier de Shutter, former United Nations Special Rapporteur on the Right to Food, *Countries tackling hunger with a right to food approach – significant progress in implementing the right to food at national scale in Africa, Latin America and South Asia*, Briefing Note 01, May 2010, p1.

³² Olivier de Shutter, UN Special Rapporteur on the Right to Food, *Countries Tackling Hunger with a Right to Food Approach- Significant Progress in Implementing the Right to Food at National Scale in Africa, Latin America and South Asia*, Briefing Note 01, May 2010.

³³ See FAO, *Legal Development in the Progressive Realization of the Right to Adequate Food*, Thematic Study, Working Paper 3, 2014.

³⁴ FAO, *The Current Status of the Right to Adequate Food in Food Security and Nutrition Policy Designs*, Thematic Study, Working Paper 1, 2014.

³⁵ FAO, *Institutional Framework for the Right to Adequate Food*, Thematic Study, Working Paper 2, 2014.

³⁶ FAO, *Legal Development in the Progressive Realization of the Right to Adequate Food*, Thematic Study, Working Paper 3, 2014.

3.2 Mainstreaming the Right to Food in Academic Teaching

As the international community calls increasingly for multisectoral approaches, policy coherence and effective multi-sectoral collaboration, it is interesting to see how academia and research institutions, together with many other actors, are being encouraged more and more to participate in policy-making mechanisms. Moreover, in the endeavour to assist science and policy in becoming more dynamic and interlinked in contributing to the implementation of *Agenda 2030*, a key role has emerged for academia.

Given the centrality of governance and human rights in this process, it would appear essential to ensure the mainstreaming of rights-based thinking in academia with the dual purpose of a) **human rights informing academic teaching** and educational development; and b) **academic teaching informing and legitimising the advancement of human rights**.

Academic institutions play a key role in both generating and disseminating knowledge and can provide an authoritative interpretation of innovative thinking and new 'theories of change', which is critical in providing a scientific basis for policy development. In this light, it would be essential to build academic interest and investment in human rights and to allow institutions to broaden the scope of their theoretical and practical approaches and explore new learning territories.

In giving the right to food as an example for introducing a rights-based approach into different academic disciplines, the aim is to address both students and lecturers, with the objective of sensitizing them to the added value of rights-based thinking in different disciplines. It would be interesting to engage heads of faculty and lecturers in a dialogue exchange geared towards identifying the best way to introduce the right to food in their courses, highlighting key features enhanced by a rights-based approach and aspects of an analytical framework strengthened by the use of relevant tools. We would like to see an increasing number of researchers showing interest in the right to food and offering their analytical skills to field work and data analysis in the piloting of new and innovative models of development. Furthermore, we would like students to better appreciate the value of governance and human rights **in all disciplines**, from social to economic, and legal to business – and develop a new ability to address societal challenges in post-2015 with a refined analytical lens. Introducing the right to food in their learning modules would: enhance students' analytical capacity; strengthen their ability to address global social, economic and political challenges as they arise; and facilitate their understanding of the governance of food systems and of the structural underpinnings of society as we know it today.

In turn, relevant avenues could be explored through which academia would influence development processes, placing an emphasis on policy-setting *fora* at both national and international levels. Now, more than ever before, knowledge and research institutes have a competitive advantage in offering an independent and scientific view of new, proposed development scenarios and theories of change.

3.3 Right to Food in Law

3.3.1 Value added of teaching the right to food

Hunger is a failure of governance, not of crops alone. "People are hungry not because there is too little food; they are hungry because they are marginalised economically and powerless politically."³⁷

As discussed above, the right to food has a normative foundation in the International Covenant on Economic and Social Rights (1966) and in a number of other legislative instruments at national, regional and international level. Over the past decades, this right – which, in the past, had been considered by some as an 'aspiration' rather than a 'legal entitlement' - has travelled from the legislator to the court of law, marking a paradigm shift in the justiciability of economic and social rights and paving the way to new normative and judicial developments, frequently influenced by courts and regional trends.

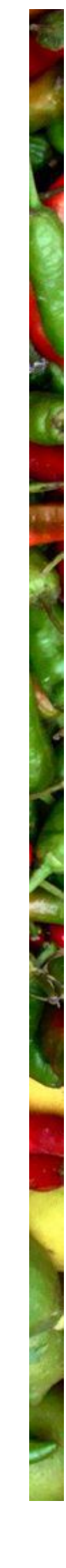
A legal basis for the right to food is necessary in order to provide adequate institutional structures and develop a sound normative content for the realization of this right in a coherent and coordinated manner.³⁸ In the words of Amartya Sen "the law stands between food availability and food entitlement".³⁹ Hunger is not a problem of supply and demand, but rather one of **access** to productive resources, **opportunity** and **choice**; a problem of **voice**, **power** and **democracy**. An adequate legal framework is a supporting mechanism to ensure that all, including the most vulnerable, have access to adequate resources to produce enough food for themselves or purchasing power sufficient to procure same from the market. The creation of a legal and institutional framework will support Governments in meeting their international obligations and effectively guaranteeing both an individual's entitlements and societal equity.

By introducing the right to food into law teaching, we will equip future legal professionals with an appreciation of the opportunities, avenues and limitations present today in the Human Rights System (International Conventions, Treaty Bodies and domestic application of international norms) relating to all spheres of social, economic and political life. It will make them familiar with existing mechanisms to prevent and redress violations, and shed light on law as an avenue for the promotion and advancement of human rights at both national and international level. Irrespective of the specific legal field students may wish to choose, human rights learning will provide them with a strong knowledge and appreciation of concepts such as equality, freedom, democracy, social justice, empowerment and human dignity, all of which are at the very core of any social, political or institutional reform. The more recent emphasis on effective governance, called for by many actors in both the public and private sector, would provide a further opportunity for legal practitioners with a strong human rights background to contribute to the shaping of new regulatory frameworks addressing current and future governance challenges – focused on both process and outcomes. In particular, the manner in which national and international actors are becoming more globalised, integrated and multi-sectoral in both membership, composition and

³⁷ Olivier De Schutter, then UN Special Rapporteur on the Right to Food, *From Charity to Entitlement – Implementing the Right to Food in Southern and Eastern Africa*, briefing note 5, June 2012.

³⁸ FAO, Technical Dialogue on Ten Years of the Implementation of the Right to Food Guidelines, 3 July 2014, Summary available at: <http://www.fao.org/righttofood/news-and-events/2014-right-to-food-guidelines10/technical-dialogue/en/>.

³⁹ Amartya Sen, *ibid.* p.166.



scope of work, calls for a new set of skills for dealing with the operation of such entities, including in the areas of growth strategy, risk management and conflict resolution. Human rights capacities in the legal profession can make an effective contribution to all of these areas.

3.3.2 Key areas enhanced by the right to food


Law plays a distinctive role in advancing human rights, as it provides the normative basis for an entitlement and a case for it to be claimed as such. Once introduced in legislation, the right to food can guide legislative processes and provide adequate parameters for the assessment of a number of different provisions in terms of their compatibility with human rights standards. By recognizing the value of introducing the right to food into legislation, law students/researchers can gain insight into a different analytical framework which will assist them as future professionals in the appropriate use of law as a tool to advance democratic processes and achieve meaningful social and economic empowerment.

In particular, the inclusion of the right to food into legislation is essential in transforming what could appear to be a moral imperative into a legal entitlement. Starting in 1966, with the adoption of the International Covenant on Economic, Social and Cultural Rights and its article 11 on the right to food, explicit recognition was made of this right as a *human right* entailing, as such, entitlements on the part of the right holder, and obligations on the part of the duty bearer – the State. As of today, the right to food is legally binding in 164 States; *this meaning that its realisation is not at the discretion of the State, but is a legal obligation that can be demanded by the individual.* While in some countries the Covenant is directly applicable at domestic level, in others *ad hoc* legislation is required in order for it to have effect and for public authorities to be held accountable for their action, or lack of same.

By introducing the right to food into legislation, a comprehensive framework is provided which can define the nature and scope of the right, identify public and private responsibilities, provide specific institutional mechanisms for its protection, give a basis for more specific subsidiary legislation and make provision for remedies – to be accessible and affordable – in cases of violation. Through legislation, the right is afforded the highest level of protection in that its normative content can be articulated in more detail and specific enforcement mechanisms provided at administrative, judicial and quasi-judicial level. The main areas enhanced are: accountability; awareness; institutional coordination; clear definition of entitlements; and provision of recourse mechanisms. The right to food and human rights principles can equip legislative processes in terms of a comprehensive analysis of process and outcomes, understanding of non-derogable standards and minimum requirements, the importance of meaningful participation, and multi-sectoral coordination. It will enable law to become a key contributor in the creation of an enabling environment that is conducive to individuals' free enjoyment of their rights, and unrestricted choice in the shaping of their destiny.

3.3.3 A framework for action

Over the years there have been significant legislative and judicial developments in countries around the world, with a growing body of evidence articulating what can constitute an adequate framework for action in the legal protection of the right to food. Such results and emerging trends need to be incorporated into teaching and research within a new educational perspective. This



new perspective would be aimed at informing students as to best practice in the operationalization of the right to food, and enhancing their ability to contribute to the determination of what constitutes good practice – a dynamic and evolving concept.

Existing evidence of ‘right to food progress’, together with new thinking, was captured in the discussions leading to the adoption of the Right to Food Guidelines which, in turn, led to the development of specific recommendations in relation to country-level options.

Guideline 7, Legal Framework

7.1 Invites States to consider incorporating provision including constitutional or legislative review that could facilitate the progressive realisation of the right to adequate food.

7.2 Invites States to include provisions in their domestic law, which may include their constitutions, bill of rights or legislation that directly implement the right to adequate food. States are also encouraged to consider administrative, quasi-judicial and judicial mechanisms to provide adequate, effective and prompt remedies, particularly for members of vulnerable groups.

7.3 Focuses on informing the general public of all available rights and remedies within States that have already established a right to adequate food within their legal system.

In particular, three mechanisms can be mentioned with regard to operationalizing the right to food at national level: (a) incorporation of the right to food into national constitutions, (b) the adoption of specific framework laws or (c) the revision of sectoral legislation to enhance compliance with the right to food.⁴⁰ In cases of alleged violations, judicial or quasi-judicial protection should be considered. If students are enabled to familiarise themselves with these systems, it would facilitate the creation of a new class of professionals with a distinct ability to devise the most appropriate means of promoting and protecting the right to food, understanding the advantages and implications of each, and being able to adopt them in a context-specific manner.

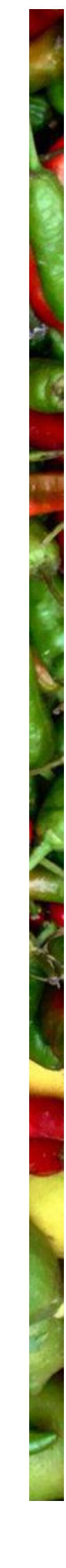
a) Constitutions

The importance of the constitutional route is emphasized by Bojic Bultrini, who argues: “The superiority of a constitution implies that every law in a country must conform to the constitutional provisions and, in cases of conflict, the constitutional norm will always prevail. Thus, the inclusion of the human right to food in the national constitution – the supreme law of the land - gives the strongest possible basis for the right.”⁴¹ It provides the highest status of protection of this right within a country, facilitates its justiciability, and is an important statement concerning the ethos governing any given State. A study of world Constitutions reveals that the right to food has been introduced in their texts in different ways: as an explicit provision; as a directive principle of State; implicit as part of a broader human right; and as part of the rights of a specific group, such as women or children.⁴²

⁴⁰ On legislating for the right to food see Bojic Bultrini D., *Guide on Legislating for the Right to Food*, FAO, 2009.

⁴¹ Bojic Bultrini D., *ibid.*, p.33.

⁴² Knuth L., Vidar M., *Constitutional and Legal Protection of the Right to Food around the World*, FAO, 2011.



Furthermore, the Constitutions of many countries adhering to the monistic system recognise the direct applicability of international treaties to the effect that right to food provisions featuring in these become operational within the domestic system and with deriving mandatory obligations on the part of the State. Discussing the right to food in the context of constitutional law modules would assist students in appreciating this branch of law when determining the hierarchical statute of the right in the domestic system and consequent justiciability avenues. Comparative research could be commissioned to assess the value of constitutional protection of the right to food in different domestic systems, analysing normative provisions, domestic interpretation and implementation avenues. As is often the case, constitutional provision alone may not be a sufficient guarantee of the full implementation of the right to food. Consequently, the combination of a constitutional provision and a more detailed articulation of this right in specific national laws would seem a perfect solution.

Examples of National Constitutions explicitly recognizing the right to food

Kenya - 2010 Constitution, Article 43.1

Every person has the right—

- (a) to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;
- (b) to accessible and adequate housing, and to reasonable standards of sanitation;
- (c) to be free from hunger, and to have adequate food of acceptable quality;**
- (d) to clean and safe water in adequate quantities;
- (e) to social security; and
- (f) to education.

Ecuador - 2008 Constitution, Article 13

Persons and community groups have the right to safe and permanent access to healthy, sufficient and nutritious food, preferably produced locally and in keeping with their various identities and cultural traditions. The Ecuadorian State shall promote food sovereignty

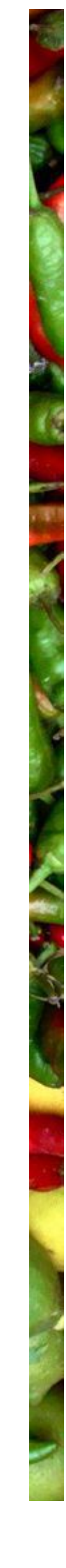
South Africa – 1996 Constitution, Article 27.1.b

Everyone has the right to have access to

- (a) health care services, including reproductive health care;
- (b) sufficient food and water; and
- (c) social security, including, if they are unable to support themselves and their dependants, appropriate social assistance.

b) Framework Law

A framework law can clarify the normative content of the right to food by articulating it in greater detail – in terms of availability, accessibility and adequacy, and minimum food entitlements. It can better define the scope of the right itself, related State obligations, institutional coordination mechanisms and remedies in cases of violation. It may stipulate the appropriate financial arrangements; establish a coherent institutional setting while clearly defining roles and responsibilities in areas such as coordination and monitoring, and identify mechanisms for civil society participation. A framework law thus translates the general obligations of Articles 2.1 and 11 of the International Covenant on Economic, Social and Cultural Rights into a detailed programme of action, providing a clear direction which can subsequently inform subsidiary legislation as well as Government action. Clear legal provision can empower right holders to hold their government



to account and therefore enhance accountability. In a given legal system, a framework will represent the overarching umbrella under which subsidiary legislation can be adopted with a view to articulating specific entitlements in greater detail. In learning about framework legislation, law students can gain an insight into different legislative techniques in the promotion and advancement of the right to food, and better appreciate the need for operational precision in the determination of policy and institutional mechanisms.

The opportunities and challenges offered by a framework law relate first of all to the location of the right to food within a domestic legal order – whether or not the right has constitutional standing in a country and whether international obligations are or are not considered to have the same status as the constitution and prevail over national legislation. To date, several countries have adopted framework laws or government decrees that establish food security and nutrition coordination mechanisms and/or explicitly recognize the right to food.⁴³ Interesting initiatives can also be observed at regional level – one example is the adoption by the Latin American Parliament (PARLATINO) of a Regional Framework Law on the Right to Food and Food Sovereignty, in 2012.

c) Revision of Sectoral Legislation – Compatibility Review

The idea of commissioning a review of sectoral legislation aims at measuring the compatibility of specific sectoral laws (i.e. regarding land, water, fisheries, genetic resources...) with the right to food. The objective is that of amending the relevant provisions that may have a negative implication for the full realisation of the right. This process may also involve the framing of new provisions in order to fully uphold obligations regarding same. As the FAO Guide on Legislating for the Right to Food states: “Governments should review all relevant sectoral legislation that does or could affect the various components of the right to food (e.g. accessibility, availability, adequacy) in order to ensure that the country’s legislation creates an enabling framework that allows people to feed themselves with dignity.”⁴⁴ It is essential that law students understand the importance of a compatibility review in clarifying the multifaceted nature of the right to food and in highlighting both the interrelatedness of different sectors and the need for coherence and coordination.

A compatibility review can be undertaken in relation to existing legislation (*ex post* review) which will examine the technical, legal compliance of the law with right to food standards at international level and with human rights principles, or in relation to future draft legislation (*ex ante* review) which will examine technical compliance of the text, as well as effectiveness in the implementation of same.⁴⁵ Furthermore, the review may be undertaken either as a stand-alone right to food compatibility exercise or as part of a broader evaluation of a country’s legislative framework.⁴⁶ A compatibility review process should start with the identification of a responsible institution to undertake the exercise. The FAO Guide suggests that this task be allocated to any of a range of actors, including parliamentary, governmental or independent bodies. In order for the

⁴³ Argentina (2003), Armenia (2002), Azerbaijan (1999), Bolivia (2011–2014), Brazil (2006), Burkina Faso (2007–2008), Cabo Verde (2013), Colombia (2009), Congo (2008–2009), Ecuador (2008–2009), El Salvador (2009), the French Republic (2010), Guatemala (2005), Honduras (2010–2011), India (2013), Indonesia (2012), Kyrgyzstan (2008), Mexico (2004), Mozambique (2010), Nicaragua (2009), Panama (2012), Paraguay (2013), Peru (2008–2013), Tajikistan (2010), Turkmenistan (2000), and Venezuela (2008).

⁴⁴ Bojic Bultrini D., *Ibid.*, p.185.

⁴⁵ Bojic Bultrini D., *Ibid.*, p.186.

⁴⁶ *Ibidem.*

review to be truly effective, It is crucial to ensure the participation and involvement of all relevant stakeholders in the process. Once this body has been identified, the review itself could proceed with the selection of sectors for review, and an assessment of the country's legislative framework in relation to the right to food. The review should be action-oriented and culminate with suggestions for modification or repeal of the identified legal regime, should it fail to uphold the considerations necessary for the implementation of the right to food.⁴⁷ A compatibility review may be undertaken versus sectoral legislation relating to land, water, fisheries, forestry, genetic resources, trade, labour, nutrition, or food safety and consumer protection. This could be a useful research project for a law student interested in analysing a particular sector in relation to its conduciveness to right to food application.

d) Judicial Protection

The traditionally contested justiciability of the right to food has been overcome in recent years by a growing body of jurisprudence across the globe, which has recognised the right to food in its entirety - or certain aspects of it - as a justiciable right.⁴⁸ Case law around the world so far has shown that a judicial claim - in the form of individual or collective action or a public interest litigation process - on an alleged violation of the right to food can be found admissible and adjudicated upon in a number of legal systems, based on the combination of international treaties and constitutional provisions. Successful jurisprudence is reported in, among others, Argentina,⁴⁹ Brazil,⁵⁰ Colombia,⁵¹ Fiji,⁵² India,⁵³ Nepal,⁵⁴ South Africa,⁵⁵ and Switzerland.⁵⁶ Of particular interest is the role played by public interest litigation in addressing right to food violations. This is becoming part of a judicial trend in South East Asia, following the landmark case of India in 2001.



⁴⁷ Bojic Bultrini D., *ibid.*, pp.188-197

⁴⁸ See Golay C., *The Right to Food and Access to Justice: Examples at the National, Regional and International levels*, FAO, 2009.

⁴⁹ Argentina, Corte Suprema de Justicia de la Nación, *Defensor del Pueblo de la Nación c. Estado Nacional y otra*, 2007, para. 1. On this case see also Golay C., *The Right to Food and Access to Justice: Examples at the National, Regional and International Levels*, FAO, 2009, pp.53-54.

⁵⁰ Action No 4/830/07 of 12 March 2007.

⁵¹ Colombia, Corte Constitucional, *Acción de tutela instaurada por Abel Antonio Jaramillo y otros contra la Red de Solidaridad Social y otros*, Sentencia T-025/2004. On this case see also Golay C., *The Right to Food and Access to Justice: Examples at the National, Regional and International Levels*, FAO, 2009, pp.55-56.

⁵² *Rarasea v.State*, Criminal Appeal Case No HAA0027 of 12 May 2000.

⁵³ *People's Union for Civil Liberties v. Union of India and others*, Writ petition (civil) No. 196/2001.

⁵⁴ *Prakash Mani Sharma and others on behalf of Forum for Protection of Public Interest (Pro Public) v. Prime Minister and Office of Council of Ministers and others*, Writ petition No. 0065-Wo-149 of 2065 BS (2008).

⁵⁵ *Kenneth George and others v. Minister of Environmental Affairs and Tourism*, File No. EC 1/ 2005.

⁵⁶ *Swiss Federal Court, V. v. Einwohnergemeinde X. und Regierungsrat des Kantons Bern (BGE/ATF 121 I 367)*.

People's Union for Civil Liberties vs Union of India & Ors, 2001.

The case was initially raised against the Government of India, the Food Corporation of India, and six State governments in response to starvation deaths in the drought-affected areas of Rajasthan and Orissa, at a time when the country's food stocks had reached unprecedented levels. It was subsequently extended to all State Governments on the basis of chronic hunger and undernutrition and the right to food was invoked as an implication of the right to life protected under Art.21 of the Constitution. The litigation has led to significant improvements in the lives of the people with the instruction by the Court to immediately release food stocks in favour of vulnerable populations and the adoption by the Court of a number of interim orders which had the merit, among others, of transforming basic programmes – such as the school feeding programme, the integrated child development service, and the national family benefit scheme - into legal entitlements. The Court nominated Commissioners tasked with monitoring the implementation of the interim orders.

In studying specific instances of case law, students have the opportunity to gain a better understanding of the technical normative content of the right and its implications. Such examples expose learners to different legal tactics to protect the right to food under different dimensions, highlight its multifaceted nature and shed light on relevant institutional responsibilities which the State can be called upon to meet. It also provides insight into interpretative trends and the way in which these can influence both law and policy making.

Quasi-judicial and non judicial remedies are also available for cases of violation through, among others, National and Regional Human Rights Commissions and Ombudspersons. Relevant examples of cases advanced under such frameworks can be found in Belize,⁵⁷ India,⁵⁸ and Nigeria.⁵⁹ At international level, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights opens up new avenues in terms of individual complaints addressed to international bodies, such as the UN Committee on Economic, Social and Cultural Rights.



⁵⁷ *Maya indigenous communities of the Toledo district vs. Belize*, Report 40/04, Case 12.053, 12 October 2004.

⁵⁸ National Human Rights Commission, Orissa Starvation Deaths Proceedings dated 17 February 1998, case 37/3/97-LD.

⁵⁹ ACHPRCom, SERAC, Centre for Economic and Social Rights v. Nigeria, 2001.



3.4 Right to Food in Economics – Frank Mischler

3.4.1 Value added of teaching the right to food

Doing business is about money, return on investment, profit. So why should anyone studying economics be interested in human rights? Because business needs human rights and human rights needs business. Obviously, business decisions can affect the dignity and rights of individuals and communities in many ways. The realisation of the human right to food implies either producing sufficient food for one's own consumption or sale, or earning an adequate income that would enable one to purchase sufficient food. It is only in extreme situations where - for reasons beyond their control - people are unable to feed themselves (such as during a natural disaster or man-made conflict), that Governments are obliged to support individuals directly.

All options are underpinned by economic action. Economic development has lifted millions, if not billions, of persons out of poverty and food insecurity. But negative incidences also occur frequently: stronger market players focus on their own benefit alone and disregard even the most basic human rights of others. 'Land grabbing', the resettlement of entire villages because of major infrastructure projects, the contamination of agricultural land by oil and mining companies - human rights violations such as these are reported in the papers every day.

The ultimate purpose of economic action is to improve people's lives. Human rights are like a compass for businessmen and women to verify that their actions are serving a higher good. It is essential, therefore, that modules on human rights are included in economic studies.

It is the duty of Governments to adopt policies and legislation that prevent irresponsible behaviour on the part of stronger actors and stimulate the local, national, regional and global economy so that an increasing number of people can achieve an adequate standard of living.⁶⁰ In the case of the right to food, as with all other economic, social and cultural rights, the obligation to ensure its progressive realization rests with Governments – the only actor(s) entitled to ratify international binding treaties. All other actors, including businesses, are bound by the laws of the countries in which they operate and have the responsibility to, at a minimum, respect human rights and "do no harm". This implies refraining from acting in a manner that would impair the exercise of the relevant individuals' human rights. Applying these principles in practice is challenging, especially in countries that face difficulties in implementing regulations to protect human rights. Consequently, many a dilemma may arise, such as:

- How to respect local communities' right to water when operating production facilities with high water intensity?
- How to ensure that operations do not undermine the rights of indigenous peoples?
- How to operate in conflict zones in such a way as to ensure that the company's actions contribute to peace building?

⁶⁰ According to ICESCR, article 11, the right to food is part of the broader right to an adequate standard of living which also encompasses appropriate housing, clothing and the continuous improvement of living conditions.

- How to address child labour in areas where there is evidence that removing income-generating opportunities will drive children into deeper poverty or other forms of exploitation?

In recent decades business leaders have become increasingly aware of the need for companies to shoulder their responsibilities vis-à-vis human rights. This can be gleaned from the fact that both the rate and quality of corporate responsibility reporting is growing rapidly.⁶¹ A 2012 study by the Governance & Accountability Institute shows that one out of two companies in the S&P 500 Index disclosed environmental, social and governance information, compared to some 19-20% of the S&P 500 reporting in 2010.⁶² In addition, the responsibility of business enterprises vis-à-vis human rights is upheld in various treaties and resolutions passed during the last decade (such as the final report of the 2012 United Nations Conference on Sustainable Development, also known as Rio+20⁶³).

Box 2: 2013 Awards for innovation for social and business impacts

According to the European Commission, many companies have created and invested in new business models and partnerships which aim to alleviate poverty and deliver economic results. The following are some examples of Corporate Social Responsibility (CSR) of relevance to the right to food:

- Holcim, a Swiss construction firm, partners with the International Committee of the Red Cross. Since 2009, 1.8 million people have benefitted from improved access to water and habitat.
- DSM, a Dutch pharmaceutical and biotech company, partners with the World Food Programme. Since 2008 they have created nine specialty food products to meet specific dietary needs. DSM employees have donated more than 2 million meals to people in need.
- HiPP, a German producer of baby food, supports sustainable production by protecting soil and ground water from chemical fertilizers and pesticides and ensuring an ecologically sustainable and resource-efficient production of organic food. In addition, HiPP has established a model farmyard for biological diversity.

Source: European Commission (2013). Golden Book. Celebrating CSR partnerships - Innovation for social and business impact. First European CSR Award projects 2013.

In some cases, the reason motivating a company to protect and promote human rights is altruistic: increasingly, companies believe that they need to give something back to society and that the current economic and trade regime is highly unjust, with billions of people trapped in poverty. In other cases, the reason relates more to 'disaster avoidance' but both sides are in agreement on one issue in particular: Human rights can not be ignored and their promotion can make business sense:⁶⁴

⁶¹ KPMG Survey of Corporate Responsibility Reporting 2013.

⁶² Governance & Accountability Institute (2012). 2012 Corporate Responsibility Reporting: Does it matter?, Analysis of S&P 500® Companies' ESG Reporting Trends & Capital Markets Response, and Possible Association with Desired Rankings & Ratings.

⁶³ UN (2012). Report of the United Nations Conference on Sustainable Development. Rio de Janeiro, Brazil, 20–22 June 2012

⁶⁴ Adapted from Vogel (2006) and Garcia and Poole (2004). The development of private fresh produce safety standards: implications for developing Mediterranean exporting countries. Fresh Perspectives 26. Available from: <http://www.agrifoodstandards.net/en/filemanager/active?fid=131>

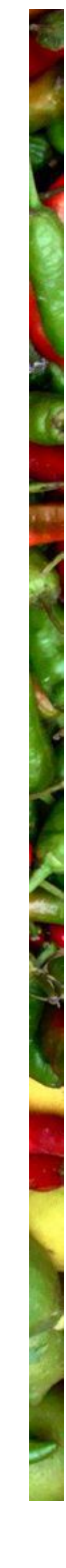
- Reputation and consumer effects: The market for ethical products is growing; many studies on consumer behaviour demonstrate that consumers are willing to pay a premium for ethical products, such as fair-trade coffee.
- Operational efficiency: Productivity is higher if workers do not have to worry about their basic human rights.
- Investors: Financial investors are increasingly conscious of issues relating to social responsibility. Socially responsible investment has become a global phenomenon (e.g. The FTSE4Good is designed to measure the performance of companies demonstrating strong environmental, social and governance practices).
- Encouraging loyalty: An increasing number of responsible firms enjoy a comparative advantage in attracting and retaining motivated employees; staff prefer working for a company that cares for others.
- Government policy: Reduced likelihood of increased government regulation, and a better competitive position when new regulation emerges. In addition, Governments (especially in the European Union) stimulate the market for ethical products through advocacy and labels.
- Consumer boycotts become less likely: We live in an ultra-transparent world. Growing awareness has precipitated action on a global scale to bring to account organizations perceived to be responsible for inequities caused by the current economic regime.
- CSR is increasingly becoming a key requirement for donors and investors when electing suitable business partners. In many European countries, pension funds are required to state their views on social, environmental and ethical issues in investment.

3.4.2 Key areas enhanced by the right to food

Businesses have moral reasons to care for human rights, just as there are also hard-core economic reasons for doing so. The same dichotomy is valid for Governments. Apart from the legal obligation to respect, protect and fulfill the right to food, there is also an economic argument. Non-investment in food security (allowing a significant proportion of the population to go hungry) translates into a macro-economic cost, namely the expected future gains being lost due to the limited ability of undernourished persons to fully participate economically, as well as the long-term negative effects of child-malnutrition.

Both international and national economic policies play a distinctive role in an individual's capacity to fulfill his/her right to food. It has been repeatedly pointed out that sustainable development can be instrumental in lifting people out of poverty and hunger. In this regard, the most significant development at global level has been the Rio+20 decision to formulate Sustainable Development Goals (see <http://sustainabledevelopment.un.org> for details). On the other hand, unequal access to markets and unfair economic practices can have a devastating effect on people's ability to feed themselves. With the massive challenges ahead of us – climate change and population growth among them – our way of doing business has to be transformed. The large footprint we are leaving now spells disaster for future generations and especially for the poorest of the poor. This huge responsibility will fall on tomorrow's CEOs and politicians, i.e. the students of today. We need to make sure that they acquire the right tools and are acquainted with the right value system to do the job.

The right to food standard and the human rights principles that underpin this right can lead the way to a more sustainable food system. The Principles of Responsible Investment in Agriculture



and Food Systems (adopted by the CFS in October 2015) note that responsible investment in agriculture and food systems can only be accomplished through coherent and transparent policies, laws and regulations which are evidence based and have equitable, inclusive, and gender-sensitive governance structures.⁶⁵ The application of these principles should help Governments in preventing some of the negative aspects of current economic systems - such as distorting subsidies, and unsustainable production and consumption - and also ensure that international and domestic trade and investment are forces for good.

Overcoming the structural causes of hunger and malnutrition will require coherence on the part of appropriate national and international policies vis-à-vis the right to food, with convergent policies, strategies and programmes that give urgent priority to meeting both long-term needs and emergency requests for food security and nutrition⁶⁶. The successful pursuit of these objectives requires cross-sectoral government support, political will and long-term coordinated action. Interventions need to be properly financed and have adequate capacity for implementation and monitoring of impact.

While questions may arise as to how economic development can be pursued in compliance with human rights, there is no inherent conflict between the two concepts. Both can be (and indeed should be) mutually supportive. However, regime conflicts between different sets of States obligations do arise.

Both the ICESCR, General Comment No. 12 (GC12) and the Right to Food Guidelines refer to economic policies and the role of the market on several occasions. GC12, for example, stipulates that the “adoption of appropriate economic (...) policies (...) oriented to the eradication of poverty and fulfilment of all human rights for all”⁶⁷ lies at the heart of a right to food implementation strategy. The right to food does not pre-determine a specific policy but provides parameters to test whether a new policy proposal is conducive to the progressive realization of the right to food. FAO has recently conducted a *Ten-Year Retrospective on the Right to Food Guidelines*⁶⁸ to fully comprehend the different measures taken by governments for the progressive realization of the right to food.

3.4.3 A framework for action

Governments are the ultimate duty bearers in the progressive realization of the right to food. The most authoritative document in this regard is the ICESCR.⁶⁹ In 2004, a set of voluntary guidelines were produced by FAO, providing practical guidance on how the human right to adequate food can be realized and thus move the right to food from being merely an aspirational goal to


⁶⁵ CFS Principles of Responsible Investment in Agriculture and Food Systems, adopted by the CFS on 15 October 2014, para 6.

⁶⁶ CFS (2013). Global Strategic Framework for Food Security and Nutrition, second version, October 2013. Rome, page 37

⁶⁷ UN Committee on Economic, Social and Cultural Rights (1999). General Comment No. 12: The Right to Adequate Food (Art. 11 of the Covenant), 12 May 1999, paragraph 4

⁶⁸ FAO (2014). The Right to Food: Past commitment, current obligation, further action for the future. A Ten-Year Retrospective on the Right to Food Guidelines. FAO. Rome (background document for 41st session of CFS in October 2014)

⁶⁹ UN General Assembly (1966), *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993



becoming an operational tool for action.⁷⁰ These guidelines were both a product of this global reaffirmation of the importance of human rights and a vehicle for a stronger commitment to it. The Right to Food Guidelines provide a thoughtful overview of actions that need to be taken in a coordinated manner to address the underlying and root causes of hunger. They are thus seen by many as being the most authoritative and complete guiding document available for building a sound, national human rights-based food security and nutrition (FSN) framework.

The Right to Food Guidelines were written by and for Governments. A solid framework for the private sector can be found in the Guiding Principles on Business and Human Rights – the respect, protect and remedy framework.⁷¹ These were presented in the final report of the former UN Special Representative on Business and Human Rights, John Ruggie. The first principle is the State’s duty to protect against human rights abuses by third parties, including business enterprises - through appropriate policies, regulation, and adjudication. The second is the corporate responsibility to respect human rights, which means that business enterprises should act with due diligence so as to avoid infringing on the rights of others and address adverse impacts with which they are involved. The third is the need for victims to gain greater access to effective remedy, both judicial and non-judicial. This framework is not exclusively related to a specific human right but can of course be adapted to the right to food. The framework strengthened the United Nations Global Compact, which is an initiative to encourage businesses worldwide to adopt sustainable and socially responsible policies, and to report on their implementation.⁷² The first two of the Global Compact’s ten principles are derived from the Universal Declaration of Human Rights:

- Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and
- Principle 2: Businesses should ensure that they are not complicit in human rights abuses.

As of June 2014, 8000 businesses in 145 countries have subscribed to the compact, making it the “largest corporate citizenship and sustainability initiative.”⁷³ Participating businesses are required to make corporate and financial commitments. The Compact is one of many initiatives and codes of conduct that businesses join voluntarily (see box 4).

A student of economics – whether or not he or she intends to make a career in government or in business – cannot operate in a responsible and morally just manner without some knowledge of human rights, and some ethical training. Human rights need to have a central place in any Bachelor’s or Master’s course in this field. The right to food offers itself as a good entry point, as it exemplifies both *the potential* of economic development (lifting people out of poverty and food insecurity) and *the challenges* involved (human rights abuses, pointing to business operations that hinder individuals in realizing their right to food).

⁷⁰ FAO (2004). Voluntary Guidelines for the Progressive Realization of the Right to Adequate Food in the Context of National food Security. Adopted by FAO Council in November 2004. Rome.

⁷¹ UN (2011). Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises. A/HRC/17/31. Human Rights Council, 17th session

⁷² <https://www.unglobalcompact.org>

⁷³ <http://www.unglobalcompact.org/ParticipantsAndStakeholders/index.html>



3.5 Right to Food in Nutrition, Agriculture and Food Studies ⁷⁴ – Stefanie Lemke, Anne Bellows

3.5.1 Value added of teaching the right to food

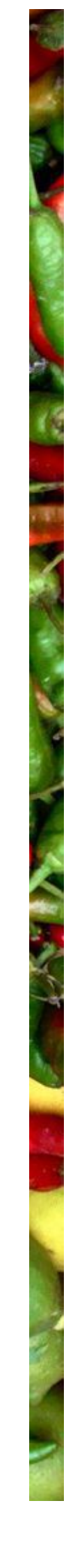
Teaching the right to food in nutrition, agriculture, and food studies programmes provides an alternative to the descriptive and prescriptive approach of the dominant mode of food and nutrition security pedagogy. In this section we refer specifically and proactively to a *human right to adequate food and nutrition*, recognizing that the rights to food and nutrition are separately articulated in international human rights instruments.

Human rights are designed to operate as enforceable claims that rights holders can demand of their governments. Teaching the human right to adequate food and nutrition requires that both faculty and students reflect on democratic and inclusive interpretations - albeit with particular attention to the felt needs of marginalized communities - of the multiple and structural challenges faced in realizing food and nutrition security. We argue that academia should support these interpretations through pedagogy and research that is relevant to civil society; that recognizes the unjust economic and social determinants of hunger, malnutrition, and food insecurity; and that treats and seeks to empower the marginalized as rights holders, and not as vulnerable and passive victims. For academia, bringing the human right to adequate food and nutrition into the curriculum means educating future decision makers and bringing representatives from civil society to the classroom - thus bridging the gap between both sides and promoting trans-disciplinarity in teaching and research, challenging conventional approaches. The ultimate goal is to leverage rights holders' capacity to report violations of their rights and to seek remedy through accessible and effective recourse mechanisms.

Current methodology in addressing hunger and food insecurity often favours paternalistic approaches that result in chronic food and nutrition charity and aid dependency, instead of promoting autonomy and self-determination.⁷⁵ Teaching and research in this epistemological trajectory perpetuate uneven economic power structures and make no attempt to understand or confront underlying unequal social relations, such as nations with more or less market power or resource wealth; discrimination and structural violence based upon race, gender, caste or other forms of discrimination; and rural-based isolation from power and social amenities. The interrelatedness of human rights creates more nuanced and complex analyses of the cases of, and the strategies to address, "chronic" food and nutrition insecurity. The holistic approach to human rights provides a functional framework when faced with the sometimes incapacitating complexity of undertaking an analysis of the social determinants of food and nutrition insecurity.

⁷⁴ Selected aspects of this section were presented at the AFHVS/ASFS Annual Conference, Chatham University, Pittsburgh, USA, 27 June: Bellows, A.C., Lemke, S. 2015. Human rights legal frameworks and food studies: introducing curriculum, encouraging research. This section further partly draws on the 2016 book "Gender, Nutrition and the Human Right to Adequate Food – Toward an Inclusive Framework" (Eds. Bellows, A.C., Valente, F.L.S. Lemke, S., Núñez, MDBdL), which is the result of a larger academy-civil society collaborative research project. We are indebted to Flavio Luis Schieck Valente, Ana María Suárez Franco, R. Denisse Córdova Montes, Lida Lhotska, and Veronika Scherbaum for their cooperation and valuable feedback throughout this project.

⁷⁵ Refer also to Riches, G. and Silvasti, T., *First World Hunger Revisited: Food Charity or the Right to Food?* Palgrave MacMillan, 2014.




The human right to adequate food and nutrition is a cornerstone of the food sovereignty social movement that has attracted adherents in the global South and North, and in rural and urban communities alike. Students learn how people's democratic governance systems can operate at different geographic and political scales to maximize the potential of civil society's voice to connect with, influence, and benefit from, the mechanisms that shape teaching and the trajectories of future research. This does not mean that nutrition, agriculture, and food studies cannot or should not continue with technically-oriented work; rather it indicates that students must understand and engage with the implications and ramifications of the political and economic dynamics influencing teaching and research.

It has been argued that human rights-based frameworks and approaches politicize the study of agriculture, nutrition, and food issues. Indeed, teaching the right to food in these disciplines introduces a critical scrutiny of the choices we make as to what is included or excluded in the disciplines' teaching and research directions. We argue, however, that the existing political nature of related teaching and scientific research has been naturalized to the extent that most people believe it to be objective and neutral. Consider, for example, that in most countries the principal funders of nutrition, agriculture, and food studies research are corporate and public. Civil society and its frequently-labelled 'local knowledge'⁷⁶ has little or no direct influence on the teaching and research that directly impacts on its existence. Knowledge of and engagement with the human rights framework highlights the need to respect civil society's own local build-up of knowledge, thus shifting the attention towards including these "new" participants in the construction of formal, "academia-legitimized" knowledge. The human rights framework brings the work of academia closer to the reputed objective of nutrition, agriculture, and food studies teaching and research: the well-being of all, with a particular focus on those experiencing hunger, malnutrition, and food insecurity.

A barrier to the implementation of strategies and programmes aimed at addressing food and nutrition insecurity is the disciplinary divide between the sectors of agriculture and nutrition that construct and separate our understanding of 'food' as something to produce, and 'nutrition' as a construction of micro- and macronutrient sufficiency for purposeful consumption. Examples of contemporary academic engagement that links production and consumption include human rights focused work on peoples' food sovereignty and local food governance, sustainable diets, nutrition-sensitive agriculture, local food systems, community food security, and agro-ecology.

The field of human rights in general, and the human right to adequate food and nutrition in particular, is dynamic, not static. The value of teaching human rights lies, in part, in learning about and understanding these rapid, contemporary changes in global, national, and local agriculture, nutrition, and food policy, that directly influence food and nutrition security around us. This calls upon academia to adopt non-conventional means to stay abreast of complex and swift change. One way of achieving this is to include human rights practitioners in academia to help explain developments "on the ground." Addressing the intricacy of change lies in the interrelatedness of food and nutrition with other human rights. Such teaching relies upon a parallel embrace of inter-

⁷⁶ IAASTD, 2009. *Agriculture at a Crossroads: International Assessment of Agricultural Knowledge, Science and Technology for Development: Synthesis Report*. McIntyre, B.D., Herren, H.R., Wakhungu J. and Watson, R.T. (Eds). Washington, D. C.: Island Press.



and transdisciplinarity to investigate both the origins and construction of food and agricultural systems. To this end, nutrition, agriculture, and food studies benefit from cooperation with disciplines such as law, geography, sociology, anthropology, education, public health, and history. Inter- and transdisciplinarity strengthens students' and researchers' capacity to address multifaceted issues such as: vital linkages between rural and urban livelihoods; relationships between education, decent work, and nutrition and health conditions; non-market-based production and consumption within food systems; the key role of women in food and nutrition security; and the importance of gender and other social dynamics.

3.5.2 Key areas enhanced by the right to food

Teaching the human right to adequate food and nutrition enhances key areas and interrelated aspects in the different disciplines of nutrition, agriculture, and food studies.


Firstly, teaching reveals the structural barriers in legal instruments, public policy, and economic and social systems that confound food and nutrition security, as well as the disciplinary and thematic disconnects that hamper complex analysis. For example, the disciplinary disconnect between agriculture and nutrition is increased by a technical, new product-oriented focus that does far too little to support and/or enrich local knowledge for self-determination, distributional justice, and cultural integrity. A non-holistic approach ignores the complexity and structural conditions of the social determinants of food and nutrition insecurity which, as discussed earlier, can be analysed and confronted through the conceptual platform of the inter-relatedness of human rights.⁷⁷

Secondly, teaching the human right to adequate food and nutrition places an analytical lens on what we argue to be the most critical forces in the change towards social equity and justice. This includes distributional justice which lays the foundation for food and nutrition security - namely civil society and the mobilization of social movements. Generally speaking, civil society action and social movement mobilization on behalf of food and nutrition security have no theoretical familiarity vis-a-vis human rights laws and practice. Nevertheless, organizational momentum at the grassroots level often reveals a sympathetic kinship with human rights claims and articulates its stories in terms of human rights violations. For example, large-scale land acquisition and agricultural investments without the prior consent of the communities involved, and unrealisable promises of benevolence made by private investors and/or States, can fuel social mobilization and warrant a human rights-based analysis.⁷⁸ Mobilization on behalf of one area of human rights (such as food and nutrition) might foster awareness of the inter-relatedness of human rights (for example, the human rights principle of non-discrimination) and the need to increase the engagement of women and that of other marginalized groups through the institutionalization of gender mainstreaming⁷⁹ or through self-examination for racial equity and justice.⁸⁰

⁷⁷ Bellows, A.C., Valente, F.L.S. Lemke, S., Núñez, M.D.BdL., 2016. *Gender, Nutrition and the Human Right to Adequate Food – Toward an Inclusive Framework*. New York: Routledge.

⁷⁸ Nkobou, A.T., Lemke, S., Núñez M.D.B.dL., 2015. The impact of large scale land acquisition on the right to adequate food of smallscale producers in Lipokela, Tanzania. Paper presented at AFHVS/ASFS Annual Conference, Chatham University, Pittsburgh, USA, 27 June.

⁷⁹ Jenderedjian, A., Bellows, A.C. Diffusion of human rights and development concepts: NGOs' application of human rights-based approaches to development and gender mainstreaming in Armenia and Georgia in addressing food security. (Manuscript under review)



Thirdly, the human right to adequate food and nutrition has developed evaluation methodologies for nations/States to use in assessing their progress, including in the areas of agriculture and nutrition. These methodologies,⁸¹ in concert with evolving strategies, open up new research methods and theoretical frameworks for teaching as well as scientific inquiry into food and nutrition security: for example, to correlate specific State obligations to respect, protect, and fulfil the human right to adequate food and nutrition in a matrix with the constructs of food and nutrition security (food availability, access, stability/sustainability, and utilization/safety);⁸² conduct comparative analyses of international reviews of nation/State compliance and cooperation towards a progressive realization of the human right to adequate food and nutrition;⁸³ and test conditions for rights holders (for example, children who are denied school lunches) to find recourse and remedy at the local level.⁸⁴

3.5.3 A framework for action

Based on the above elaborations, we are making the following recommendations to operationalize the inclusion of the human right to adequate food and nutrition into academic curricula and - through adoption by universities - its incorporation into government, civil society, and private-for-profit social sectors. The acceptance of human rights-based approaches in universities leverages its implementation in other social settings through diffusion by students, research, mutual cooperation, and the expansion of related human rights-based employment opportunities. Finally, one of the primary goals is to provide a knowledge infrastructure that can advance human rights-based policy development in the fields of agriculture, food, and nutrition - highlighting the inclusion of rights holders into the process, and ensuring their easy, efficient and affordable access to recourse and remedy mechanisms at all levels. An additional goal is that rights-based approaches to agriculture, food, and nutrition will constitute common parlance across diverse disciplines, including law, health and economics and, more specifically, within agriculture, food and nutrition, with the objective of cooperative teaching and research instead of isolated silos of disciplinary specialities.

a) The Right to Adequate Food and Nutrition should be a required course within the disciplines of agriculture, nutrition sciences and food studies, and also within other disciplines.

After completing their Master's degree, graduates will be seeking employment in the areas of agricultural economics, agricultural production, food processing and technology, trade, sales and marketing, and development cooperation, as well as in agriculture and nutrition, or related government departments. They are their country's future decision makers. It is crucial, therefore,


⁸⁰ Martelli Turner, S., Bellows, A.C., 2015. Progressively realizing the Human Right to Adequate Food and Nutrition in the U.S.: Human Rights Frameworks and Food Policy Councils as Recourse Mechanisms. Paper presented at AFHVS/ASFS Annual Conference, Chatham University, Pittsburgh, USA, 27 June.

⁸¹ FAO, 2005. Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. Rome: FAO.

⁸² Eide, W.B., 2005. "The Right to Adequate Food in Human Rights Instruments: Legal Norms and Interpretations." In Eide WB, Kracht U. (eds.) Food and Human Rights in Development-Volume I: Legal and Institutional Dimensions and Selected Topics. pp. 99-118. Antwerpen: Intersentia.

⁸³ Cresswell-Riol, K., 2015. The Right to Food Guidelines: a critical reflection using country case studies with a focus on democracy and citizen participation. Master thesis [unpublished], University of Hohenheim.

⁸⁴ Viana, Rd.S.G., Bellows, A.C., 2014. 'Teacher, we are hungry.' The violation of Quilombola students' right to adequate food: a case study. *International Journal of Human Rights*, 18(7-8): 774-794.



that they develop an awareness as to the structural conditions of agriculture and food systems; it is also important they be familiar with alternative strategies for achieving sustainable, equitable, and participatory local food systems. Applying a rights-based approach to an agricultural, food, or nutrition programme – ideally, a programme that integrates all of these disciplines - enables students to challenge current paternalistic approaches in addressing food and nutrition insecurity.

b) Rights-based approaches should be integrated into research methods, applying, amongst others, participatory and qualitative research approaches. This will provide rigorous empirical data and in- depth case studies.

The application of a rights-based research approach and framework assists in emphasizing the voice of civil society and of the marginalized populations concerned; it facilitates the recognition and inclusion of their local knowledge. This ultimately creates a power dynamic regarding the most appropriate direction of research and, ideally, leads to a more democratic generation of knowledge. We caution, however, that the application of rights-based approaches also poses challenges. For example, efforts to highlight women’s inclusion in agriculture and nutrition programme development - given their consistently higher food insecurity status relative to men - can fail because structural discrimination against women annihilates their voice. There are further limitations to the visionary aim of including everyone’s voice, in that some community members will participate more than others due to their age, socio-economic status and their social position within the community. A participatory and rights-based approach frequently reveals these barriers and dynamics and thus generates greater awareness.

c) The progressive realisation of the Right to Adequate Food and Nutrition would benefit from trust, respect and collaboration between academia and civil society.

The conditions for successful collaboration between academia and civil society organisations are mutual trust, and ethical and participatory approaches, including the sharing of knowledge and expertise. This process is characterised by continuous learning from each other. As is illustrated by the experience of the Universities of Hohenheim and Syracuse, in collaboration with FIAN International, IBFAN-GIFA and other partners from civil society, such teamwork can lead to very fruitful and productive working relationships which, in our case, has resulted in a number of scientific publications, conference contributions, publications in non-scientific journals addressed to the larger public, written contributions to reports by the Special Rapporteur on the Right to Food, and participation in UN-level meetings. These aspects will be elaborated in greater detail in the following section.

4. NGO-ACADEMIA COLLABORATION – Anne Bellows, Stefanie Lemke

The process of introducing the right to food into university curricula must be undertaken in recognition of three key points. Firstly, the field of human rights is developing at a dramatically fast pace. There is confusion as to the constitution of a right to food and how this right should be taught, partly because it is undergoing continuous change. Secondly, leadership, knowledge and direction regarding this development are grounded in the work of civil society organizations and social movements and, from time to time, in cooperation with academia. In other words, academia does not lead the human rights endeavour. Thirdly, as the framework and trajectory of human rights are designed to engage the participation of, and indeed be driven by, the demands of rights holders, both teaching and conducting research on the right to food must be sufficiently flexible to incorporate change and the development of new perspectives that are led from *outside* academia. Such criteria – the ability to adjust to change and to conduct research in a *cooperative manner* with those whose lives are under scrutiny – will necessitate a participatory approach to research.

Introducing the right to food into academia directly confronts the politics of knowledge generation and practice. Traditionally, universities are accorded the role and honour of producing the high bar of legitimacy and rigor in knowledge generation. Scientific methods, peer review, and the aura of objectivity have lent credence to academic work, allowing it to provide the building blocks and guiding hand in the construction of public policy. The objectivity of science and research has been called into question (Kuhn, Haraway), most recently in the context of agricultural sciences. The International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD, 2009) worked for over five years with more than 400 experts from various social sectors and academic disciplines from around the world, revealing that in spite of all the investment and claimed advancement of agricultural technology and production, food insecurity and hunger have increased. Among key recommendations, the IAASTD (2009) called for an expansion of agricultural wisdom to include “traditional and local knowledge and community-based innovation” in order to benefit the foundational understandings that underpin policy-based knowledge. The IAASTD calls for a knowledge input from population groups often rebuffed by academia as intellectual inferiors: women, rural people, smallholder farmers, and indigenous peoples with ancient cultural traditions.

One criticism of human rights is that the related dialogue takes place in a legal context through the arcane language and practice of lawyers. However, the realization of human rights requires the empowered dialogue of rights holders and of the governments they hold accountable. The food sovereignty movement, which claims the human right to adequate food and nutrition as a fundamental organizing principle, understands this and foregrounds the sustainable livelihoods of individuals and communities according to their own interpretation of what they need in order to survive and flourish. Research collaboration with community and social movement actors who employ the Freire authority of *conscientization*, or Sen’s and Nussbaum’s concept of *capability*, forces academia to reconsider its own role in knowledge generation: Who actually has knowledge? Who needs funds for the research programme? How should the knowledge be interpreted? How should it be used for social justice? Where should it be disseminated? Who should share in the credit and royalties of publication?



CONCLUSIONS

In the context of constantly changing dynamics on the global scene, and the need for the international community to re-think its 'theory of change' (in order to enhance health and wellbeing for all), a paradigm shift is required from the traditional models of development to new progressive thinking. Today, more than ever, development challenges relating to social, economic and environmental factors appear highly complex and multifaceted, calling for an effective multi-sectoral approach. Academia and research play a key role here, and have the potential to make a significant contribution to the shaping of a new development agenda and the formation of a new class of leadership and decision makers.

A call for stronger governance and human rights in both programme and policy work is a key feature in *Agenda 2030* and in related efforts to address current failures in domestic and global food systems. To this end, we believe in the need to facilitate informed policy decision making through an effective inter-sectoral approach - with emphasis on a stronger science-policy interface. Research and academic institutions have a key role to play in the dynamic of policy and development processes: expanding the scope and reach of their teaching to embrace governance and human rights appears to be fundamental in this sense.

Our study discussed the benefits and opportunities arising from an effective mainstreaming of a rights-based approach into academic teaching, using the example of the right to food as a progressive analytical and operational framework applicable to different disciplines. We have reflected on the right to food and its journey which commenced in 1948 with the adoption of the Universal Declaration of Human Rights. This right has sailed across the troubled waters of the traditional confrontation between economic and social rights on the one hand, and civil and political rights on the other, to gain deserved international recognition as a legal, stand alone, justiciable right. Its normative content, and the nature and scope of State obligations have evolved over time through scholarly interpretation, case law and State practice. Regional trends have emerged, where a combination of legal precision in the understanding of the right to food, and political leadership in its promotion, have led to a significant advancement in the protection of this right for all. Domestic experiences have borne witness to the way in which countries have determined the present evolution of this right in the context of national governance of food systems. In this sense, the right to food has paved the way in the promotion and advancement of a rights-based approach in legal, policy and institutional spheres.

Mainstreaming a right to food perspective in academic teaching can provide far-reaching opportunities to better address the post-2015 sustainable development challenges and find coherent political answers to longstanding problems. Students, as future professionals and decision-makers, will be better equipped to deal with the complexity of the social and economic scenario of today's reality at national and international level and apply experience-based learning to different operational frameworks. Innovative teaching approaches are required, reflecting such complexity in analysis, research and development.

As an example, this paper discussed introducing the right to food in three specific disciplines: a) Law, b) Economics and c) Agriculture, Nutrition and Food Studies. It highlighted key enhanced features for each and suggested operational frameworks, showing on the one hand how human rights could strengthen these areas, and on the other how these disciplines could contribute to the promotion and advancement of human rights.

The importance of multi-sectoral collaboration and a participatory approach to research was highlighted through the example of academia-NGO collaboration – where science meets grassroots development. It is increasingly recognised that an interface between the two is not only advisable but essential in order to generate and disseminate knowledge that is at the same time both evidence based and policy relevant. Several successful examples of academia-NGO collaboration exist which have generated interest and created momentum for further expansion.

As academic and research institutions are being increasingly encouraged to participate in policy-making processes and in the legitimisation of new global development ‘theories of change’, the introduction of a right to food approach into their educational programming would seem particularly appropriate. It would sensitise students and lecturers alike to new critical thinking, better equip them to deal with today’s societal structural dysfunctions and contribute to systemic change.

We believe this paper to be an initial step towards a broader discussion on developing new rights-based faculty-specific curricula and innovative research initiatives.

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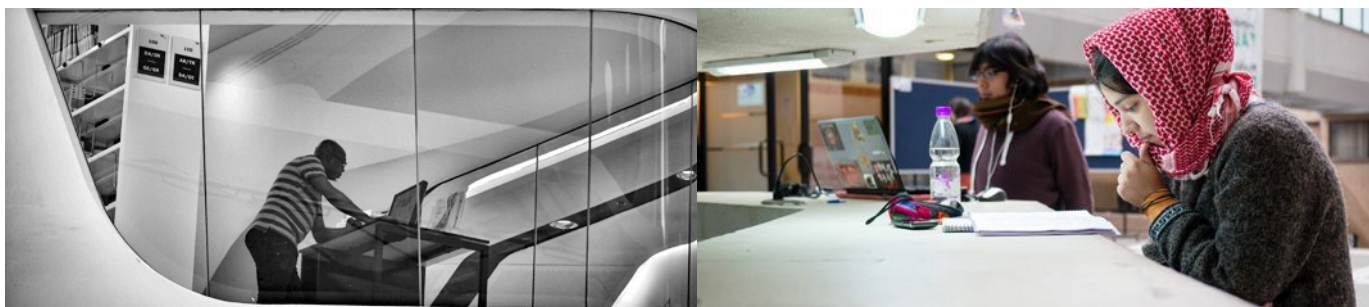


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