



Estudio del CURI

FOOD SECURITY AND SUSTAINABILITY IN INTERNATIONAL LAW: FOOD ACCESS AS A HUMAN RIGHT

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SUMARIO

- I. *Introduction.*
- II. *Definition of food security and its four pillars.*
- III. *The importance of food supply for human beings.*
- IV. *Different types of access to food.*
- V. *National Food Policy: concrete examples.*
- VI. *Modes of Governing.*
- VII. *International Trade and Access to Food.*

I. INTRODUCTION

I am going to introduce you to this topic. Currently the world produces enough food to feed all people yet there are about 800 million people underweight and a similar number is overweight. So food security is not only about producing sufficient food but also about access to food. Between and within continents and countries, we see huge differences in food security levels, but even between family members within households. I find the highest number of food insecure individuals in Asia but the highest percentage of food insecure in Africa. However, in most countries in these continents there is sufficient food available.

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Therefore, food access needs to be understood at the international, national, household and individual level. Worldwide large numbers of women and children suffer from lack of minerals and vitamins, so called hidden hunger. This reveals that their access to food is not balanced with their physiological needs. The number of people suffering from hidden hunger is much larger than the number suffering from hunger. So there needs to be access to nutritious food.

To determine an adequate diet requires some knowledge, but in general, more diverse diets have higher nutritious value. Availability of nutritious food items in the market is determined by a number of actors. These actors may change food quality by processing, and may affect food pricing. Higher price may go hand in hand with higher quality of food but this is not necessarily the case. Expensive snacks may be less nutritious than a piece of fruit.

Food access through purchasing power is important. In the same street you may find beggars, eating from the waste baskets and people enjoying their food in three star restaurants. The absolute price of food in developing countries may be cheap compared to that in developed countries, but the food may still be relatively unaffordable for the people living there. Richer people generally eat other food items than poor people. What people eat partly depends on where they live and their incomes. Climate and soil quality determine to a large extent what can be produced where.

The main (staple) food will be the one that is locally produced. People in Europe eat large quantities of bread or pasta, made from wheat, whereas people in Asia eat more rice. People in cities tend to have other diets than people in rural areas.

What people eat also depends on food habits. Several religions have explicit food taboos, regarding for instance consumption of pork, beef or alcohol. In many western societies people would refuse to eat dog or cat meat, as these are considered pets. Food habits and diets change over time. Your diet thus depends on availability of sufficient and nutritious food, your ways to access food and your preferences and habits, which in turn may be determined by where you live and in which circumstances.

This time I will introduce you to the issue of food security and food access and the reasons why food access is important. To apply the concepts you will be looking at what is on your plate and asking yourself the question who and what decides what is there and where did it come from?³ At the end of it you will understand the concept and importance of food access as a pillar of food security, you will be aware that there are many actors that may somehow decide what is on your plate and you will understand how access to food differs in time and space (and continents).

II. DEFINITION OF FOOD SECURITY AND ITS FOUR PILLARS

Around the world the concept of food security is that “*All people at all times have physical, social and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life*” (FAO, 1996).

Today, there is food for all. Still one billion are underfed, while another billion are overfed. Securing food for all, tomorrow, calls for more than improving food distribution. Over the next 40 years, mankind will need to produce as much food as in the last eight thousand years combined. Of course population growth is one cause. Richer diets are another, as is the growing use of bio-based materials. Even if we manage to reduce losses and waste, this urgent need for sustainable and nutritious food supply compels us to take action.

Obviously, we should try to increase existing production. Closing the yield gap, by increasing land productivity, will bring more produce. For regions such as Africa, there is still a lot to be gained this way. But to secure food for all, we need to be truly innovative. Some innovations call for major technological breakthroughs, such as high-tech green houses that generate energy instead of using it, and reap larger the yields in regular greenhouses.

Some solutions push the envelope technologically, and social-economically. Think of genetic modification of crops. The benefits might be enormous, but it is

³ For example, does the WTO influence that choice?

not free of risks. And success also hinges on the public acceptance. One thing is clear: no one solution fits all. Therefore we need to examine the entire food system, to understand the food situation in any region. Can the region produce enough food? Is food affordable to all? Does food meet nutritional needs and cultural values? And how are resources regenerated, and emissions neutralized, to ensure sustainability along the entire chain? All components in this food system should be optimally tuned.

Food security consists of the four pillars: availability, access, utilization and stability.

The first pillar is availability. Food availability can be secured by local production, the market and trade. Availability can be determined at different levels: international, national, local, household, and individual level. Not all countries produce the exact quantities and diversity of food needed to feed their population.

International trade is used to make food available where there is demand. Sufficient food at national level may not translate to sufficient food at the local or household level. Within countries some areas may have suitable soils and climates for food production. These areas then have to feed the entire national population, including the cities⁴. This means that food surpluses need to be transported and distributed in the deficient areas and their markets. This requires planning and logistics, including adequate road and market infrastructure. In deficient rural areas and in cities, the market provides food availability to the households living there. Within a household there may be rules to the distribution of food amongst its members. This distribution may be inequitable in terms of quantity or quality, and jeopardize individual food security.

So even when there is enough food produced in the world it does not necessarily reach every household member in every country.

⁴ Sometimes these areas are part of armed conflicts, flooding, burning, etc.

The second pillar is access. When sufficient food is produced it does not necessarily mean that everybody gets their share. Food is produced or gathered directly by the household when it has the human and material resources to do so.

In that case household access to food is closely related to access to production factors: labour, land and capital, allowing production of food. Alternatively, access to common property resources, like forests, where gathering takes place, can secure access to food. Food can also be accessed through purchasing or bartering.

In these cases, access depends on income or property of goods or services that can be exchanged for food. This type of access to food further depends on access to markets where food must be available and affordable. Food can also be accessed through a variety of 'social contracts' at household, community and state level. Geopolitical interests may determine that certain countries receive food aid and others not. Governments may provide food vouchers to support access to food for the poor, or subsidize the price of staple foods. Family members may access food through their family relations whereas household members access food through the head of the household. All kinds of social relations may mediate borrowing of food or receiving food as gifts.

The third pillar is utilization. The food consumed has to provide sufficient energy to enable people to carry out routine physical activities. Food quantity is therefore mainly expressed as energy in terms of calories. Food quality is defined in relation to peoples' individual requirements. These requirements depend on many factors such as age, sex, level of activity and health status (depending of which countries they come from). Therefore, what is adequate for one household member is not necessarily adequate for another. Women of reproductive age and growing children have specific additional demands for micronutrients, such as iron and zinc. This means that their diet needs to supply those micronutrients in sufficient quantities, to maintain good health.

Food should also be safe. This means free of contaminants, parasites and toxins which may be detrimental to a person's health. Food safety problems are related to lack of safe drinking water⁵, lack of adequate sanitary facilities, limited

⁵ Access to water as a basic human right.

awareness of food preparation and inadequate storage procedures. Individual food requirements also include food that is culturally acceptable. Cultural aspects are food habits and preferences of the consumer, such as religious taboos or vegetarian diets because of animal welfare issues.

The fourth pillar is stability. Stability refers to the ability to stabilize food supplies through seasonal fluctuations of production or income. It includes the ability to bounce back when faced with food security shocks. At the national level it is important to have policies in place to deal with current and future food production, import, export, food stocks but also fluctuating food prices. For stability of food security it is important that production practices do not damage the environment⁶, as this will undermine future production.

It is also important that food is obtained through one's own efforts, rather than depending on charity or aid. Households develop coping strategies to lessen the impact of seasonal or other climatic stresses. Strategies to deal with known variation between seasons are storage and savings, both to be mobilized in times of shortages. When shortages nevertheless occur, short term coping strategies include: reduction in number of meals eaten, gathering wild foods, migration, sale of assets. Coping mechanisms aiming at long term food security include diversification of income and cropping patterns. Vulnerability to food insecurity is determined by certain socio-economic, agro-ecological, demographic and educational characteristics. Types of households that are most likely to be vulnerable to food insecurity and malnutrition are amongst others: female-headed households, landless wage earners, marginal subsistence farmers, and households with a large number of dependants. Even when at the global level food is available in sufficient quantities year round, individuals, households and even countries may be deprived from sufficient, safe and nutritious food. This occurs when they cannot access food through own production, purchases or social relations. Therefore food security cannot be achieved for all when food access is not included.

III. THE IMPORTANCE OF FOOD SUPPLY FOR HUMAN BEINGS.

⁶ This is connected to sustainability at managing resources.

Now, I will explain why food availability is not enough to achieve food security, and why food access is crucial to explain undernourishment, micronutrient deficiencies and obesity. Worldwide there is enough food for everyone. In 2014, the United Nations Food and Agriculture Organization reported that the world's supply was around 2,800 kilocalories per person per day and still increasing whereas the average need is only 2,000 kilocalories per person per day. Yet, today there are about 800 million people hungry, meaning that they do not have access to sufficient calories per day for a healthy and active life.

“About 30% of these hungry people live in Africa and 65% in Asia”.

Based on numerous scenario studies the United Nations Food and Agricultural Organization states that the world food production needs to grow by 60-70% by 2050 to provide sufficient food for the growing world population. However, when food production indeed keeps pace with population growth, can we then assume that there will be no hungry people anymore? According to FAO data, the average dietary energy supply, through production and trade, is sufficient, meaning 100 percent, in most countries.

What are the consequences of unbalanced access to food? Access to too much food, and especially unhealthy diets, is an important factor leading to obesity. Obesity is associated with a higher risk of a number of health problems, such as hypertension, type 2 diabetes and cardiovascular diseases. Overweight children are likely to stay obese into adulthood and more likely to develop the mentioned health problems at a younger age. Obesity increases the costs of health care and leads to productivity losses.

At the individual level, lack of access to sufficient quantities of nutritious and safe food leads to health and productivity problems. These access problems impair normal growth, development, and maintenance of the body and brain. Children suffering from deficiencies in micronutrients, such as zinc will be too short for their age, which we call stunting. Deficiencies of iodine and iron at low age decrease children's capacity to learn. Children with zinc and/or vitamin A deficiencies are more susceptible to measles, malaria, pneumonia, etc.

When food access is impaired for pregnant women, and children below the age of 5, it will have life-long consequences affecting children's productive life. At the household but also at the national level, the aggregation of productivity loss and the increase in health care expenditures will affect their development potential. At the national level, inequalities in food access can lead to social unrest. This was clearly visible when food prices peaked in 2008. As a consequence, the global number of food insecure people increased by almost 200 million, largely because people could not afford buying food.

In many countries food riots occurred, putting pressure on national governments to interfere with measures to decrease the prices of staple foods. In countries that suffer from natural disasters or civil war, food aid can increase food availability. In situations of civil war however, powerful parties are known to use access to food aid strategically to strengthen their position. So, access to food is also linked to political power. I conclude that sufficient dietary energy supply, which is an indicator of food availability, is a poor indicator of food security as it does not deal with access to food. This problem occurs at the international, national, household and individual level, both in developing and developed countries. Limited food access creates serious health and productivity problems at the individual level, and may lead to social unrest at national and international levels. Countries with adequate dietary energy supplies perform very differently in terms of undernourishment, micronutrient deficiencies and obesity. This raises the question what governments of these countries can do to mediate access to food. It also raises the question how it is possible that individuals and households within countries differ so much in their access to food.

IV. DIFFERENT TYPES OF ACCESS TO FOOD

I will introduce you to different types of food access. From the definition of food security it can be learnt that access to food can be physical, economic and social. It will now look into each of them in more detail. Physical access to food depends on household food production which is based on their resource

endowments. Food production thus depends on access to land and water but also to labour, knowledge and capital, to bring these resources to value.

For instance, a farmer in Kenya needs a piece of land and capital to buy seeds and fertilizer, and uses his labour to produce maize, to guarantee access to food for his family. Food production can be disrupted by climate disasters, such as drought and floods, or social disasters, such as displacement due to civil war. This can cause a one-off loss of production leading to a temporary decrease of access to food.

Chronic lack of physical access to food occurs when people lose their land or when the quality of their land decreases, for instance through soil degradation. Food production leads only to physical access to food when at least part of the produced food crops are consumed by the household. Adequate storage facilities and food conservation by processing are necessary to overcome seasonal shortages. Households that have to sell their entire crop to pay off debts; do not have physical access to food. Economic access to food depends on purchasing power, which largely depends on income.

Income generating activities generally consist of temporary or wage labour, or participation in entrepreneurial self-employing activities, such as trade or service provision. Agricultural production can also generate income, when food crop surpluses or cash crops are sold in the market. In Europe most farmers sell their entire crop production and buy their food. Some households in poorer areas of the world receive cash remittances from family members working abroad.

Another example, in Burkina Faso and Mali many families send one of their boys to the Ivory Coast to work in cacao plantations and send money home. In Indonesia some families send their daughters to Arabic countries to do domestic work for the same reason. The horticulture sector in the Netherlands largely depends on Polish people for the harvesting work. With their Dutch income, Polish people have high purchasing power in their own country, where food prices are lower. Economic access to food is not just a question of income but is strongly related to absolute and relative consumer prices and price stability over time. To be economically accessible the food must be affordable.

Access to food requires the existence of well-functioning markets and road infrastructure, providing economic incentives for crop production and other income generating activities, as well as a supply of affordable food. Social access to food depends on relationships. Young and old people generally depend on family members for their access to food, as they do not have a productive activity to acquire income or food themselves. Social networks may provide foods as gifts or in exchange for non-monetarized services.

In all the examples, access to food is mediated by social relations. A combination of food access strategies is crucial in three situations: when the outcome of a food production activity is uncertain, when the purchasing power of cash-generating activities is subject to sudden and dramatic shifts in prices and when job security is low. In rural areas of developing countries household members may undertake a variety of activities complementing each other such as: production of food and cash crops, earning off-farm income through petty trade or hiring out labour migration by family members to assure remittances. Saving and insurance may be in the form of livestock.

In industrialized countries and in cities most people have jobs, pay social security premiums, and save money in the bank, to assure food access in difficult times. Even in industrialized countries farming is not a formal job, but rather an entrepreneurial family activity. Apart from depending on savings and insurances, farm households may also undertake complementary activities such as hosting rural tourists, or income generation through wage labour by one of the adult family members. In all countries social relations are used to mediate access to food.

V. NATIONAL FOOD POLICY: CONCRETE EXAMPLES

We will see that governments sometimes have to make difficult choices about whether and how they should steer the behaviour of food producers and consumers. These choices are part of politics. A popular definition of politics is that it is about who gets what, when, and how. This definition is very useful in the context of governing access to food, as the fundamental question is how much and what kinds of food people should have access to. An important follow-up question

is what options politicians have when they believe that this access is unequal or unsustainable. How political choices at the national level affect access to food?

Of course, whether or not to promote access to food is a political choice in itself, as not all politicians will agree that governments should play an active role in influencing food production and consumption. At the same time, there are probably no governments who do not try to influence access to food in some way, for example by stimulating the production of more and cheaper food. The three political choices that they then have to make are: what are our exact policy goals? What mode of governing will be used? And which policy instruments will be used to achieve our policy goals?

Before diving into the meaning of food policy, it is necessary that you have a basic understanding of what public policy means in general. To start, there are many competing definitions of public policy, some of which are very lengthy and complex, while others are short and simple. A key characteristic that all definitions agree on, however, is that public policies result from the decisions that governments make. Hereby, governments can decide to maintain the status quo, but also to change it. In the case of access to food, governments can decide not to interfere and leave existing levels of access to food intact, or they can try to improve access to food by altering existing policies or introducing new ones. Apart from these similarities, there are also considerable differences between definitions of public policy. Some authors say “*Anything a government chooses to do or not to do*” (Dye, 1972:2). This means that when we talk about public policies we speak of the actions of governments (within the rule of law). Policy goals are understood here as the general aims that a government pursues, such as a just or prosperous society or improving access to food, as well as less abstract objectives that are used to achieve those aims, such as increasing food production or reducing social inequality.

Now we can see some kind of countries with different food policy goals. I will zoom in on the government policies of three countries to illustrate the theory: India, Denmark and Brazil. These three countries are chosen because they make different choices regarding their policy goals in promoting access to food. In India, we see that the government combines a strong emphasis on stimulating production

and productivity with social programs targeted at children, young mothers and smallholders. India is an example of a country that has invested enormously in agricultural technology and projects to boost food production. Facing mass famine in the 1960s, India was one of the countries in which the Green Revolution took place: during which high-yielding varieties of seeds were introduced. Food security is still at the top of India's agenda. Unfortunately, in spite of the enormous increase of agricultural production, malnutrition is a stubborn problem in India. Currently, India is the country in the world with the highest number of people suffering from hunger. Apart from increasing productivity through agricultural technology, the government of India has adopted two other policies: organizing large-scale food assistance programs for vulnerable target groups, like children under 5 years, urban slum children, and young mothers, and providing subsidies to smallholder production.

Denmark is a good example of a country that puts a lot of emphasis on stimulating people to consume healthier food, or even forbidding unhealthy food. For example, in 2003 Denmark was the first country in the world to ban trans fats from the food supply. Trans fats are unsaturated fats that are found in a range of processed foods and that are strongly associated with an increased risk of heart disease. When introducing the ban, Denmark's food minister said: "*We put the public health above the industry's interest*". The example of Denmark was later followed by various other European countries, although many have adopted legislation that is less strict. This example very well shows that the Danish government is setting the agenda in debates about restricting access to unhealthy foods. An even more controversial example followed in 2011, when the Danish government introduced a fat tax on products that contained more than 2.3% of saturated fats. This tax led to a price increase of two euros fourteen per kilo of saturated fat. Health minister Nielsen motivated the tax by stating that "*higher fees on sugar, fat and tobacco are an important step on the way toward a higher average life expectancy in Denmark.*" However, the tax was already withdrawn in 2013, as it was heavily criticized for not including some types of meat and fish and therefore paving the way for unfair competition between food producers. All the same, promoting healthy food choices remains high on the Danish governmental

agenda, and there are pleas for reintroducing the fat tax but then with fairer conditions.

Finally, Brazil is probably the best example of a country that has set up a large programme of socio-economic measures to promote access to food. These socio-economic measures were combined with a raise of agricultural production, but we will here focus on the former. This programme has resulted in a spectacular reduction of the amount of people suffering from food insecurity in Brazil. Brazil's flagship food security programme 'Fome Zero', which means ('Zero Hunger'), was launched in 2003 by then president Lula to guarantee the right of basic access to food. In a letter to the British newspaper The Guardian, Lula later explained that hunger is "*essentially a problem of access to food*" and that "*hunger and poverty go hand in hand*". For that reason, he considered it crucial to tackle these structural social-economic causes of food insecurity. The Zero Hunger programme included a wide range of social-economic measures, including direct financial aid to the poorest families, the creation of low-cost restaurants, school feeding programs, access to microcredit, the distribution of vitamin supplements, and education about healthy eating habits. The programme thus clearly meant to promote access to food by emancipating people living in the worst conditions. Of course, Brazil's leadership was hereby helped by the broader economic growth of the country in those years.

VI. MODES OF GOVERNING

The mode of governing that is referred to as hierarchy operates by top-down chains of command and control; the government sets norms and guidelines that have to be adopted by societal actors and controls whether these norms are complied with. To do so, governments set up large bureaucratic systems, which are often criticized for being inefficient. Steering through hierarchy thus grants an important role to the government by relying on the authority of governmental

actors and requiring a culture of subordination to this authority. Due to this authority it will be seen if governments violate some basic human rights, according to international human rights covenants and FAO's rules.

Proponents of governing through markets, on the other hand, believe that the role of government should be minimized. In markets, steering takes place through price-setting and competition, which are managed through contracts and property rights. The underlying assumption is that introducing competition in the provision of public goods is more efficient than relying on cumbersome bureaucracies. Markets ideally result in a perfect balance between the supply and the demand of goods and services and are therefore expected to lead to a better outcome for all. Market governance thus implies a much bigger leading role for private actors, such as businesses. In this part, it would be very interesting to analyze the effects of private contracts on human right to access to food. Various commentators even argue that governments have a moral and legal duty to guarantee citizens' right to food. For example, NORAD, the Norwegian Development Aid Agency argues that central governments have a duty to protect and fulfill the right to food, with which they mean that is the government's responsibility to ensure that those who are unable to feed themselves are protected. At the same time only few countries have embedded this right to within their Constitution. Uruguay is an example of this lack. On the other side, India has drafted a National Food Security Act in 2013 as a comprehensive framework for protecting every individual's human right to food.

Overall, if big companies decided private rules without government surveillance. Ferrajoli (2016) expresses:

El Mercado está institucional y naturalmente orientado por los intereses privados de sus actores y solo la intervención de la mano pública puede prevenir sus abusos y sus insuficiencias. La principal crisis de la política reside, en mi opinión, en el vuelco producido en la relación entre política y economía, esto es, entre los poderes económicos y los poderes políticos de gobierno: los primeros ya no están subordinados ni regulados... sino que son los mercados los que imponen a los Estados políticas antidemocráticas y antisociales para favorecer unos intereses

privados que buscan la optimización de los beneficios gracias a las especulaciones financieras y a la rapiña de los bienes comunes y vitales⁷.

The third mode of governing works through self-organizing networks. The assumption behind this mode of leading is that governments no longer have the capacity to guide society on their own, but have to share this steering ability with other public and private actors, such as companies, civil society movements, NGOs, but also groups of individuals who organize themselves, for example by using social media. Proponents of networks believe that markets' focus on competition hinders collective approaches to societal problems and, instead, take reciprocity and collaboration between actors as point of departure. This mode of governing also differs from hierarchy in that it is not the government but societal actors who take the initiative in tackling collective problems.

From the above, it becomes clear that in each mode of governing, governments have a different role. Whereas hierarchy relies on big government, proponents of markets want governmental influence to be as minimal as possible. In self-organizing networks, governments are 'only' one of many partners. At the same time, markets and networks almost never occur in their purest forms. Instead, governments often steer the ways in which markets and networks are organized themselves. For example, governments often intervene in markets by introducing taxes or by forbidding particular goods that are considered unhealthy or unsustainable. Likewise, many 'self-organizing' networks are actually initiated by governments or facilitated through financial support.

VII. INTERNATIONAL TRADE AND ACCESS TO FOOD.

The access to foods grown in other countries and connects us directly to a complex system of international trade rules and agreements. While governments play a central role, private companies and civil society organizations are also involved. We are going to look at some specific organizations that play important roles in regulating international trade and food access, including the World Trade

⁷ Y agrego en este sentido, todas aquellas compañías internacionales que se apoderan de bienes como la distribución de los alimentos, recursos naturales, medicamentos, etc.

Organization (or WTO), the World Bank and the Committee on World Food Security. We will also look at one non-state organization: the International Agri-Food Network.

Once you know who the key players are you will start to look at how countries make trade rules by learning about the Agreement on Agriculture that was negotiated by the members of the WTO.

I will then consider the relationship between food access and international trade, by focusing on 2 main positions in the debates around food and international trade: First is food as an economic good, and the second is food as a social good. Apart from that, we will ask if trade rules should be protected above a country's efforts to ensure national food security.

The latter depends on the concept of Food Sovereignty. There are many different definitions but all insist to the right of peoples and countries to make their own decisions on their food policies and whether they want to rely on trade or not. The most cited definition comes from the Declaration of the Right of Peoples⁸ to define their own agriculture and food policies, to protect and regulate domestic agricultural production and trade in order to achieve sustainable development objectives, to determine the extent to which they want to be self-reliant, and to restrict the dumping of products in their markets.

The role of international trade for food access and who the key actors are

Food insecurity is felt most acutely at the individual level: individuals are the ones who go hungry. But, food insecurity is often measured at the level of the household. Nation states have various obligations to ensure food security for their citizens. And then we have a whole bunch of international agreements, commitments, rules, and even goals that are developed between countries, and with researchers, civil society organizations, and the private sector. These represent the international level. As an example, maybe you have already heard about the Sustainable Development Goals?⁹ For instance, 198 countries have agreed to Goal

⁸ Res. 1514 y Res. 2625 y Res. 3180 de la A.G de O.N.U.

⁹ <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>.

2: to “*end hunger, achieve food security and improved nutrition, and promote sustainable agriculture*”.

It is important for us to know that even though most food produced in the world is consumed domestically, and not traded, the global trade of food and the rules that regulate this trade have important implications for how people around the world access food. Today, 80% of all people live in net-food importing countries, meaning a lot of people depend on trade to access food. The importance of international trade for food access became very clear when food prices began to quickly rise in 2007 and 2008. During this time, the high cost of food threatened global food security. Data from the United Nations' Food and Agriculture Organizations (or the FAO for short) shows that between 2002 and 2007 the real world market price for rice increased by 50%, wheat by 49%, and maize prices increased by 43%. So what does this mean for food access? Well, let's take the perspective of someone living in India. Data shows us that in India, for the average person, food costs make up more than 25% of household spending. That means 25% of their budget is dedicated to food. If the cost of food increases by 50%, and they want to maintain the same diet, they will have to spend 37.5% of their household budget on food. Most people don't have this kind of luxury or this kind of flexibility in their finances. Most people are forced to make tough choices, meaning these price changes can directly affect access to food and nutrition.

And when world food prices spiked in 2008, this is in fact what happened. As these prices spiked, the FAO estimated that an additional 75 million people around the world went hungry; the majority of these people lived in Asia and Sub-Saharan Africa.

Unfortunately, though, this is not the end of the story. If you look again at the FAO's Food Price Index, you see that food prices peaked again in February 2011, the highest level recorded in both real and nominal terms since January 1990. These prices have come down and today they are at about the level of ten years ago. What is key to take away from this review is that volatility in food prices is an important problem when it comes to accessing food because rapidly changing prices results in insecurity for many people. This leads us to the next question: What caused these price spikes? Several factors have been identified as having

contributed to the rise of world food prices. One key factor was trade policy. Responding to rising food prices, the governments of some countries decided to take action to lower food price by using trade measures.

Many countries tried to lower food prices by promoting trade through reduction of taxes on imported goods, this is called reducing tariffs. They also eased import and export restrictions. That means doing things like removing bans. Other countries tried different strategies: they tried to lower the cost of food by introducing trade restrictions: that means they tried to keep food produced in the country. They removed incentives for export or even imposed bans on food export. These policies may have offered short term protection but in the longer term, data suggests that they likely aggravated the situation.

The role of the World Trade Organization for agriculture and food access.

We start with an overview of the main organizations and actors involved in agriculture trade at the international level. More specifically, I will focus on 3 main categories of actors in the international trade of food: States; private sector and civil society. Let's take a look at some of the international organizations that play important roles in organizing international trade and food security. In this lecture I'll examine state-led organizations. The organizations we will look at are: The World Trade Organization, The World Bank, The UN's Food and Agriculture Organization and The UN's Committee on World Food Security. Let's start with the main organization involved in international trade: The World Trade Organization, or the WTO.

The WTO is a rule-based organization made up of member States. This means that countries may become members and as members they can participate in setting the rules. The WTO works to provide a space where governments can negotiate trade agreements and settle trade disputes. It is based in Geneva, Switzerland and was established in 1995 after the Uruguay Round negotiations. Before the WTO there was the General Agreement on Tariffs and Trade (the GATT) which had existed since 1948.

The World Bank is an international financial institution that provides loans to developing countries. It is made up of two organizations. The International Bank for Reconstruction and Development which lends money to governments of middle-income and credit worthy low-income countries. The International Development Association provides interest-free loans and grants to the governments of the world's poorest countries. The aim of the World Bank is the reduction of poverty. Its decisions are guided by a commitment to the promotion of foreign investment, international trade and capital investment, in line with its Articles of Agreement (which is a fancy saying for the rules of the organization). Thus it plays an active role in facilitating international trade including trade of agricultural commodities. The World Bank was formed in 1944.

The Food and Agriculture Organization of the United Nations, or the FAO, is an agency of the United Nations that leads international efforts to ensure food security. The FAO is meant to be a politically-neutral forum. Here all nations of the world can meet as equals, to negotiate agreements and debate policies related to food and agriculture. The FAO is mainly engaged in research to improve knowledge and information. It also provides support to countries to improve agriculture, forestry and fisheries practices, ensuring good nutrition and food security for all. The FAO was formed in 1945.

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The United Nation's Committee on World Food Security, or the CFS, is said to be the foremost international and intergovernmental platform for all stakeholders to work together to ensure food security and nutrition for all. The Committee is made up of member states, but also allows for the participation of civil society, private sector, research institutes and philanthropic foundations. The CFS develops

and endorses policy recommendations and provides guidance on a wide range of food security and nutrition topics. These topics include price volatility and food security, investing in smallholder agriculture for food security, guidelines for responsible governance of tenure, and principles for responsible investment in agriculture and food systems. The CFS reports to the UN General Assembly through the Economic and Social Council (also called ECOSOC) and the FAO Conference. The CFS was founded in 1974 but reformed in 2009.

International trade is not only influenced by governments and international organizations but also by non-state organizations.

The International Agri-Food Network is a coalition of international trade associations involved in the agri-food sector at the global level. It was formed in 1996 during the World Food Summit and it brings together 13 international organizations. Within these organizations 135 of the 193 countries in the UN are represented. The main objective of the Network is to define and deliver private sector commitments to addressing global poverty and food security. The Network has defined 5 key principles to help them achieve this commitment. These principles are: 1) to make agriculture an engine for development, 2) to Support entrepreneurship and private enterprise, 3) to establish a conducive operating environment to add value to agriculture, 4) further research, development, and extension. And 5) to capture the power of partnerships. So that was the private sector organization.

The World Trade Organization (WTO).

The WTO wants to promote international trade and has developed several mechanisms to support this goal. Under the pillar of domestic support, WTO has developed a traffic light system to limit protectionism in agriculture and food and to promote international trade. This traffic light system, or box system, determines subsidies and policies that are acceptable and those that are not.

There are three boxes: green, amber and blue. Therefore, a central question for the WTO is in which of the three boxes a subsidy or policy is supposed to be put. Green box measures are allowed but amber box measures are supposed to be reduced as much as possible. The green box is used to mean “go” and refers to

agriculture-related subsidies and policies that have no distorting effects on trade. To end up in this box, they need to fulfill two general criteria: first, they must be part of a publicly funded government program that does not involve transfers from consumers. Second, they must not have the effect of providing price support to producers. That means that they do not create a barrier for import or export. For example, if a government provides agricultural research or training to farmers, this would be categorized in the green box. Other common green box subsidies include environmental and conservation programmes, inspection programmes, domestic food aid, and disaster relief.

According to the rules of the WTO Agreement on Agriculture the amber box is used for policies and products that are to be approached with caution according to these rules. This includes all domestic support measures that are considered to distort production and trade. One example is a government buying a crop at a guaranteed price. This is considered “*market price support*”. Because one of the main goals of the WTO is to reduce trade distortion, the WTO members are expected to be committed to reducing policies and subsidies that fall into this amber box. Those of the WTO members who do not have these commitments are required to keep the support that falls into the amber box within five to 10 percent of their value of production. And developing countries are given some additional space to reduce their subsidies classified in this amber box.

The blue box is an exception to the general rule that all subsidies linked to production must be reduced or kept within defined minimum levels. These programs are described as production-limiting. They have payments that are based on either a fixed area or yield, or a fixed number of livestock, and are made on less than 85% of the production base. As such, blue box programs are also not subject to any payment limits. This box is used to classify subsidies and policies that limit production and do not distort trade. So, if the government provides a direct payment to a food producer through a programme based on, for example, a quota agreement, this goes into the blue box. A policy can be included in the blue box if production is still required in order to receive the payments, but the actual payments do not relate directly to the actual quantity that is produced. The blue box remains a bit controversial within the WTO. Opponents of the blue box want

an agreement to reduce the use of these subsidies. Proponents argue that the blue box is an important tool to achieve certain 'non-trade' objectives, as well as supporting and reforming agriculture. It is important to know that there are exemptions to many of the boxes, including those designed to help make developing countries more competitive when it comes to trade. The WTO aims to eliminate policies and subsidies that are put in the amber box and limit those in the blue box.

The ultimate goal is to have only subsidies and policies that are not trade distorting.

WTO and Food Trade.

You are going to look what rules countries have managed to agree on through the WTO. The Member governments of the World Trade Organization (WTO) have agreed upon a key set of principles, which are called trade rules. These rules are the points on which member governments agree..

First, member countries of the WTO agree to the principles of *Liberalization*. This means that they consider free trade the best way to create the highest overall welfare, because it encourages an efficient division of labor. This means they agree to work towards the elimination of subsidies and equal treatment of domestically produced products and imported goods and services. To say it in a bit of a different way, Liberalization means that national products and products from other countries should be treated the same; so no preference given to national products.

This also means that under the WTO rules member countries are supposed to reduce subsidies. Now, subsidies are a form of financial aid or support given to an economic sector, or a business, and sometimes even individuals, with the aim of promoting and supporting a particular policy. The second point is that, individual countries have *to lower customs tariffs*. These are the taxes applied to goods that cross national borders. Third, countries have *agreed to procedures for settling disputes* that come up regarding trade. Fourth, there is an agreement that developing countries can *receive some special treatment*.

Finally, member countries must meet certain requirements to make their trade policies transparent. Now that we know the five basic principles of WTO membership, let's turn our attention to agriculture.

You have to look back in time. Before the WTO, there was the General Agreement on Tariffs and Trade (let's call that the GATT). The GATT, which took effect in 1948, aimed to promote the reduction of tariffs and other trade barriers. The original GATT is still in effect under the WTO framework, but was modified in 1994. Agricultural trade was included in the original GATT, but it did not receive explicit attention and the agreements that did exist contained several loopholes. For example, the agreements permitted the use of non-tariff measures. These are barriers to trade that restrict imports, but are not tax barriers, so they include things like import quotas and subsidies. The result was that agricultural trade came under political influence, especially due to the use of export subsidies. The GATT and the WTO call their negotiations "*rounds*". Between 1986 and 1994, the GATT had a long negotiation called the Uruguay Round. The Uruguay Round led to the first agreement, or set of rules, dedicated to agriculture. This agreement is called the Agreement on Agriculture and it came into force with the launch of the WTO, on the first of January, 1995.

To better understand the Agreement on Agriculture we can take a look at the three pillars: Domestic Support, Market Access, and Export Subsidies.

Domestic support refers to support countries provide to the agricultural production that takes place in their own countries. Under the Agreement on Agriculture all domestic support for agricultural producers is subject to rules. To make sense of the types of Domestic Support, the WTO created a classification system organized around three boxes (see above).

Moving on to pillar two is the Market Access. This pillar is concern with reducing barriers to trade by WTO members. Developed and developing countries have separate reduction targets. The least developed countries are exempt from tariff reductions, but they are expected to shift their non-tariff barriers (so the types of barriers that are not tax-based) to tariffs. This will then allow for the WTO

to calculate the maximum level of tariffs or taxes. From there they can start to decrease the taxes.

The third pillar of the Agreement on Agriculture is Export Subsidies: Developed and developing countries have to reduce export subsidies according to negotiated targets and timelines. In this lecture you have looked at the 5 key principles of the WTO and the three pillars of the Agreement on agriculture. Again, the 5 principles of the WTO¹⁰ are: *Liberalization, Lower Custom Tariffs, Settle Disputes, Special Treatment for Developing Countries and Transparent Trade Policies*. The 3 pillars of the Agreement on Agriculture are: Domestic Support, Market Access and Export Subsidies.

Food Security and trade.

India's Food Security Bill was challenged by the USA on the basis that it violated the trade rules of the WTO. In response, India, along with other developing countries, demanded clarity on the Agreement on Agriculture and debated to secure the rights of developing countries to pursue domestic policies for food security without contravening international trade rules. The issue has yet to be fully resolved.

Now you will learn more about the complicated relationship between trade and food security. Food security became an increasingly prominent issue in trade discussions, notably after the 2007- 2008 world food prices spikes. In response to rising food prices, many countries used trade measures as a way to protect against rising prices. Yet, even before the food price crisis, as part of the Doha Development Round, developing countries fought to be able to protect their interests and populations.

They expressed concern about being forced to compete against the developed and exporting economies on the global market. Now, just like people, states acquire food by various means. The main sources are: domestic production; food

¹⁰ I explained that negotiations are called rounds in the WTO? Well, the current round is called the Doha Development Round, and yes, it is about development. This round has been ongoing since November 2001 and it is not clear how the negotiations will end (if they will end at all). The agreements broke down in July 2008 mainly over disagreements concerning agriculture.

transferred either as food aid or indirectly through financial aid; or food purchased from abroad and imported.

There are intense disagreements when it comes to the value of trade for food security. And as you have seen the WTO promotes the liberalization of markets by negotiating rules, meaning that barriers to the free exchange of goods between countries are eliminated or reduced as much as possible (in theory). People who support trade liberalization argue that it can increase the availability and accessibility of food worldwide. But opponents believe that liberalization actually threatens food security because developing countries, which are where the vast majority of food insecure people live, do not access markets on equal footing with developed countries. Buying food from the world market requires economic resources that poor countries often do not have or not enough to compete with richer countries.

Furthermore, critics argue that trade rules can restrict domestic policy options, thereby limiting the ability of governments to implement specific food security policies. There are special protections for developing countries that were negotiated in the Doha Round on agriculture. First, there is the special safeguard mechanism (SSM): a tool that allows developing countries to raise tariffs temporarily to deal with import surges or price falls. Second, there are special products (SP) that refer to products for which developing countries are given extra flexibility in market access for food, livelihood security and rural development. According to the logic of trade liberalization, gains in agricultural productivity higher yields – will result in greater availability of food. Except that you know availability does not guarantee access. Therefore, a different position on how to secure food access developed, relying not only on production and liberalized trade but on social considerations as well.

Now let's be clear: low prices are good for the urban poor but they are not that good for producers. And there is also evidence that countries that are dependent on food imports are more exposed to food price volatility. We can look to the food crises of the 1970s and 2007-2008 to see clear examples of this. Another concern raised by scholars is that the developed countries that advocate the most for liberalization, made extensive use of protectionist policies to advance their own

economic development in the past. World Bank data suggest that the 20 wealthiest countries use the highest number of trade restrictions. We see that less developed countries are more likely to use export bans and restrictions and import bans, while these richer countries lead with import tariffs, trade remedies and import restrictions.

Finally, scholars who research and write about trade and food security have noted that the understanding of food security has changed since the 1970s, but that trade policies have not adapted accordingly. In this lecture I have introduced two opposing positions. It is important to note that there are many positions in between and even beyond. And of course we can almost certainly all agree that food is both a social good and an economic good. That said there are two main positions when it comes to trade and food security: food primarily seen as an economic good, something that can be used to promote development; and food seen as a social good, a human right that should be prioritized ahead of economic development.

Food as social good.

Some argue that food is first and foremost a social good. Here we explore the right to food and food sovereignty as two key concepts used to defend this position. Let's start with the right to food. According to the UN Committee on Economic, Social and Cultural rights "*the right to adequate food is realized when every man, woman and child, alone or in community with others, has the physical and economic access at all times to adequate food or means for its procurement.*" When trying to achieve the progressive realization of the right to adequate food, many proponents advance the so-called Panther principles: these are 7 principles for human rights.

Let's take a moment to review these human rights principles. The first is *participation*, which means that everyone has the right to participate in the decisions that affect them. Second is *accountability*, meaning that government officials are to be held accountable for their actions. Third, *Non-discrimination*, which means that there should be no arbitrary differences of treatment in decision-making. Number four is *transparency*, which means that people are able to understand relevant processes, decisions and outcomes. Fifth, *Human dignity*,

which means that people should be treated in a dignified way. Number six is *empowerment*, which means that people are in a position to exert control over decisions affecting their own life. And finally, the seventh principle is the *rule of law*, meaning that every member of society must comply with the law.

Now, let's take a moment to think about Food Sovereignty, this is the second key concept used by those who promote food as a social good, and it's also defined by a set of principles, 6 of them in fact. Before we look at these, let's first define food sovereignty as the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems. This definition is taken from the Declaration of Nyéléni¹¹.

This is a declaration that was developed at a meeting of more than 500 representatives from more than 80 countries, organizations of peasants/family farmers, artisanal fishers, indigenous peoples, landless peoples, rural workers, migrants, pastoralists, forest communities, women, youth, consumers, environmental and urban movements and all of these people met in Mali in 2007.

Now the Declaration that they agreed to outlines 6 pillars for Food Sovereignty. The first pillar calls for a focus on food for people and is thus clearly linked to food as a social good. The second pillar is to value food providers. The third is to localize food systems. This is a direct call to move away from a focus on food production for international trade and instead calls on producing food for local people first. Proponents of this idea argue that it is key to address the sad fact that the majority of the world's hungry are food producers. They argue that the right to food of these people is left behind as governments, and in turn policies and programmes, favour industrial agriculture and trade. The fourth pillar is then to put control locally.

This means that food systems are not just focused on first ensuring local populations of food, but that the local populations actually control the processes that feed them. The fifth pillar is that food sovereignty should build on existing

¹¹ <http://www.world-governance.org/index.php?q=/node/442>.

knowledge and skills especially that of existing food producers but also people who eat the food. And the final pillar is to work with nature.

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