



Hunger • Nutrition • Climate Justice • 2013

*A New Dialogue : Putting People
at the Heart of Global Development*

15-16 April 2013 - Dublin, Ireland

Human rights: their role in achieving climate justice and food and nutrition security

Human rights offer a framework for addressing food and nutritional insecurity at levels from local to international. They are particularly effective in highlighting the injustices caused by climate change impacts and the resource squeeze, the effects of which are hitting the poorest and most vulnerable disproportionately hard.

Rights-based approaches to development are based on international human rights standards and promote and protect human rights. They empower people to claim and exercise their rights and fulfil their responsibilities. The principles of rights-based approaches include (i) respecting people's right to participate in decision-making processes that affect their lives; (ii) understanding and addressing the root causes of poverty and suffering; (iii) emphasising the equal dignity and worth of all people and promotion of tolerance, inclusion, nondiscrimination and social justice; and (iv) holding all development actors accountable for respecting, protecting and fulfilling human rights – this is a shared responsibility.

predictable rainfall, droughts and floods have direct impacts on the right to food, the right to water, the right to life and, for populations forced to migrate, the right to housing.

Climate change is already making food prices more volatile on global markets, and it is threatening whole regions' ability to feed themselves. Taking into account population growth and shifting diets, as well as rising demand for non-food crops, sharp price increases for all major crops are expected in the coming decades.

Authors

Olivier De Schutter is the UN Special Rapporteur on the right to food and a professor of law at the University of Louvain, Belgium.

Mary Robinson is the president of the Mary Robinson Foundation – Climate Justice, Ireland.

Tara Shine is the head of research and development at the Mary Robinson Foundation – Climate Justice, Ireland.

How climate change is affecting human rights to food, nutrition and justice

Climate change, exacerbated by increasingly scarce natural resources, biofuels policies and financial speculation trends, is having a domino effect on food and nutritional security for the world's poorest and most vulnerable people.

Climate change is unjustly and disproportionately threatening food supplies for the most vulnerable. Changing seasons, less

Box 1. Why rights?

Climate change is undermining a range of human rights, with disproportionate impacts on the lives and livelihoods of those who have contributed least to the problem and are most vulnerable to its effects. Climate change acts as a multiplier, compounding food and nutrition insecurity and making it even harder for poor households to secure their rights. Rights-based approaches focus on all people achieving at least the minimum conditions for living with dignity, through the realisation of their human rights.

RIGHTS

As a result, child malnutrition is predicted to increase by 20 per cent by 2050.¹ Climate change impacts will disproportionately fall on people living in tropical regions, and particularly on the most vulnerable and marginalised population groups. This is the injustice of climate change - the worst of the impacts are felt by those who contributed least to causing the problem.

Climate change results in greater pressure on natural resources, and particularly drives increased speculation on farmland. In sub-Saharan Africa and some parts of South Asia, large areas are often enclosed for commercial-scale plantations at the expense of local land users. Small-scale farmers, who often use land without formal ownership, live under the threat of evictions; artisanal fishers may find access to fishing grounds difficult; indigenous groups may be fenced off from the forests on which they depend for resources; and small-scale livestock herders may find it difficult to access grazing grounds for their animals.

Policies to reduce climate-changing emissions can themselves threaten human rights, particularly the right to adequate food. For example, biofuel subsidies and targets have led to land being used to farm energy crops for export instead of food. Adaptation policies can also undermine the right to food if improperly designed, resulting in counterproductive 'mal-adaptation'. For example, rerouting or rebuilding infrastructure (for example roads, dykes and dams) to reduce its climate vulnerability can displace people or cost them their access to land and other resources. Similarly, efforts to reduce deforestation may affect the livelihoods of forest-dwelling people or people using forest resources.

How rights can make a difference

The absence of rights makes people more vulnerable to climate change impacts including hunger and under-nutrition. Inequality, exclusion from decision-making processes and discrimination mean that people are not empowered to protect themselves from climate risks.

Protection for rights, on the other hand, can inform responses to climate change and help root them in equality and justice. Human rights tools and legal frameworks provide valuable minimal thresholds and internationally agreed standards which respect human dignity. This focus on rights can transform people's lives as it tackles the underlying causes of poverty and inequality in society. In other words, rights based approaches are rooted in people's demands and needs, giving them the potential to consolidate broader development goals. This approach can be applied to different actors and at various levels:

The role of 'on the ground' agencies. Agencies and projects can take a rights-based approach that effectively addresses development challenges. For an example, see Box 2.

The role of states. States have responsibility for respecting and protecting the right to food, established under the International Covenant on Economic, Social and Cultural Rights. This requires that they avoid policies and actions that undermine people's ability to produce their own food, or to access food for themselves and their families. This includes respecting resource ownership and access to rights, safeguarding small holder producers from land grabs

Box 2. Right-based approaches in practice in Uganda

AFARD is a rights-based organisation working to empower marginalised rural communities in the West Nile region of Uganda. It aims to help people achieve food and income security by mobilising their individual and collective resources. AFARD's approach states that "people have a right to the life they value. We will pursue ways and means that ensure that such innate rights are respected and responded to".

AFARD's involvement is increasing community resilience to climate change impacts (changing seasons and extreme weather), by helping people access the seeds, extension services and training they need to adapt. The focus on rights is also enabling better planned land use, including crop diversification that helps manage climate risk and improve incomes.

During a recent field visit by the Mary Robinson Foundation - Climate Justice, Jannet Avako, a widow with five children, explained how understanding that all people have rights - including a right to food - regardless of their socioeconomic status, has transformed her life. The encouragement and support provided by AFARD's rights-based approach to development has made her a confident and successful farmer who sends all of her children to school.

Women in Gwero village, Kayunga district, Uganda. A rights-based approach increases resilience to climate change impacts on food and nutrition security



Mary Robinson Foundation - Climate Justice

and evictions and ensuring that poor households have access to affordable and nutritious food.

But states are responsible not just for avoiding threats to the right to food, but also for fulfilling it, by designing and implementing policies that support its progressive realisation. Because of the various ways in which climate change is affecting the right to adequate food, policies addressing food and nutrition security must enable climate resilient development. These policies must favour agricultural production that can withstand climate shocks and that minimise the greenhouse gas emissions from food production and supply.²

Several countries around the world have embraced a rights-based approach to addressing hunger and malnutrition, and have adopted constitutional provisions and national frameworks, strategies, policies and programmes aiming to progressively realise the right to food. These countries include Bangladesh, Brazil, Colombia, Congo, Cuba, Ethiopia, Guatemala, India, Iran, Malawi, Mexico, Nicaragua, Nigeria, Pakistan, Paraguay, South Africa, Sri Lanka, Uganda, and Ukraine.

In designing these strategies, legal frameworks and policies, all actors, including governments, aid agencies and local officials, have a responsibility to ensure full participation by the people they seek to benefit. This can be achieved by establishing platforms or organisations to allow for a structured dialogue between civil society and government. Such a dialogue makes food security strategies more effective because it ensures they respond to the real

needs of people suffering from food and nutrition insecurity, and tackle obstacles identified by the intended beneficiaries. But legal, institutional and policy frameworks, though important, are not enough on their own. Effective implementation, which requires capacity-building, takes time and is not a matter of good intentions alone. States are also responsible for regulating business interests and for taking practical measures to ensure effective enforcement.

The role of business. The private sector has a role to play in protecting the right to food (with governments responsible for regulating their behaviour and holding them to account). The Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, particularly require businesses to recognise the legitimate rights of land users. Rising pressure on natural resources gives this duty a renewed prominence, as the competition for land and water resources increases due to climate change.

The role of the international community. At the international level the United Nations Human Rights Council is responsible for promoting and protecting human rights around the globe and for addressing human rights violations. The role of the Human Rights Council includes assigning Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. This includes the UN Special Rapporteur on the right to food.

In 2008, the Human Rights Council recognised the impacts of climate change on human rights,

RIGHTS

acknowledging that climate change “poses an immediate and far-reaching threat to people and communities around the world”.³ This and subsequent resolutions have been reflected in the United Nations Framework Convention on Climate Change (UNFCCC) process. And in Cancun in 2010, the UNFCCC Conference of the Parties emphasised ‘that Parties should, in all climate change-related actions, fully respect human rights’.⁴ If implemented effectively, this language can guide the development of a new international climate agreement and national climate change policies.

Implications for the post-2015 development agenda

Ensure human rights form the foundation of the post 2015 development agenda. Protection of human rights is fundamental to inclusive and equitable sustainable development. The rights to food, to life, to health, to water and to housing must be upheld by the international community and governments as the foundation of any approach to sustainable development. To date we have not adequately grounded our approach to development in rights. Now is the time to consider how to design a rights-based post 2015 development agenda, building on lessons already learned.

Consider equality as a self-standing goal. Progress made towards the Millennium Development Goals (MDGs) has been unequally distributed across and within regions and countries, and overall progress masks a rise in inequality within and between states. This has increased vulnerability and excluded

those most affected by hunger, under-nutrition and climate change from participating in decision making or holding their governments to account. There is growing support for the argument that it is feasible to have goals and targets around equality. By 2030 we need to have reduced global inequalities, protected the most vulnerable and thus secured the benefits of sustainable development for all.

Place gender equality at the heart of the 2015 development agenda. Widespread gender inequality has limited our collective ability to reach the MDGs because we consistently under use and undervalue women’s contributions. Women’s empowerment remains one of the most obvious, achievable and transformative strategies for tackling hunger and under-nutrition as well as enabling sustainable development and increasing resilience to climate change.

Make development more accountable to its beneficiaries. Accountability is central to human rights, to action on climate change and to development. At the international level, existing intergovernmental institutions could monitor progress on global development goals using a process similar to the Universal Periodic Review, which provides a peer review of all UN member states’ human rights records every four years. At national level, states should establish participatory accountability mechanisms to reflect people’s voices and independently monitor progress towards sustainable development objectives. Ultimately, much greater accountability must be provided to the beneficiaries of development policies and programmes.

Notes

■ ¹ International Food Policy Research Institute 2009. *Climate Change: Impact on Agriculture and Costs of Adaptation*, Washington DC. ■ ² See: UN Special Rapporteur on the right to food. *Agroecology and the Right to Food*. Report presented at the 16th Session of the United Nations Human Rights Council, UN doc. A/HRC/16/49, March 2011; and *The Future We Want*, outcome document of the United Nations Conference on Sustainable Development, endorsed by General Assembly Res. 66/288, para. III. ■ ³ Resolution 7/23. Human rights and climate change. UN Human Rights Council. ■ ⁴ Decision I/CP.16. United Nations Framework Convention on Climate Change.



Uachtaránacht na hÉireann ar
Chomhairle an Aontais Eorpaigh
Irish Presidency of the Council
of the European Union
eu2013.ie



Irish Aid
An Roinn Gnóthaí Eachtracha agus Trádála
Department of Foreign Affairs and Trade



**Mary Robinson
Foundation**
Climate Justice



RESEARCH PROGRAM ON
Climate Change,
Agriculture and
Food Security



CCAFS



WFP
**World Food
Programme**
wfp.org