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The right to food

Note by the Secretary-General *

* The present report was submitted after the deadline provided for in the relevant General Assembly resolutions owing to the need for additional consultations with specialized agencies to reflect the most up-to-date information available.

The Secretary-General has the honour to transmit to the General Assembly the interim report of the Special Rapporteur of the Commission on Human Rights on the right to food, Jean Ziegler, in accordance with [General Assembly resolution 58/186](#).

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Summary

The Special Rapporteur on the right to food hereby submits his fourth report to the General Assembly as requested by its resolution 58/186 and Commission on Human Rights resolution 2004/19.

The report opens with an overview of the current situation of world hunger, reviews the activities of the Special Rapporteur over the last year, and then addresses situations of special concern with regard to the right to food.

The shocking news is that hunger is increasing. According to the most recent report of the Food and Agriculture Organization of the United Nations (FAO), the number of victims of permanent and grave undernourishment has increased since its last report. There are now 842 million people suffering from undernourishment in a world that already grows more than enough food to feed the global population. Hunger levels have increased every year since the World Food Summit in 1996, when Governments promised to cut hunger. Hunger kills many more people than any contemporary war or terrorist attack. One child below the age of 5 dies from hunger-related diseases every five seconds. It is an outrage that we let hunger kill so many small children. The right to food is a human right, inherent in every human being.

The Special Rapporteur is gravely concerned at current situations in a number of countries and areas, particularly in the Sudan, the Democratic People's Republic of Korea, Cuba and the Occupied Palestinian Territories. He urges the Governments of the Sudan and the Democratic People's Republic of Korea to take immediate

action to stop violations of the right to food of their peoples. He also urges the Government of Israel, as the occupying Power, to respect its obligations under inter-

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In order to enforce the right to food, it is essential that the general understanding of the right is better developed. At present, the FAO Intergovernmental Working Group is involved in drafting "voluntary guidelines" that aim to assist Governments in their efforts to implement the right to food through a rights-based approach to food security. The report gives an update on this process, but observes that these draft guidelines may remain relatively weak, because a small number of Governments are reluctant to strengthen the protection of the right to food. The Special Rapporteur urges Governments to focus on the goal of the right to food for all and to strengthen the final guidelines.

In the last chapter, the report examines a newly emerging issue that is important for the right to food. In many countries, especially in Asia, but also in Africa and Latin America, many communities are dependent on fish and fishery resources for their access to food and their livelihoods. However, the ongoing restructuring of the fish trade and the fishing industry sometimes has negative effects on the livelihoods and food security of artisanal and subsistence fishers, leaving many behind in the drive towards industrialization, privatization and export orientation. Care must be taken to ensure that changes in policies and programmes do not result in the effective exclusion of artisanal and subsistence fishers from their access to fishing grounds. It should be ensured that shifts towards industrialization, privatization and export orientation of the fishing industry do not result in the transfer of the rights and resources of the poor into the hands of the rich. The right to food means primarily the right to be able to feed oneself with dignity, and therefore requires, inter alia, taking positive action to protect adequate livelihoods, particularly where there are few alternatives. The right to food requires that this right be respected, protected and fulfilled for all people, including marginalized fishing communities.

The report ends with a series of recommendations.

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I. Introduction

1. The Special Rapporteur hereby submits his fourth report to the General Assembly, as requested by the General Assembly in resolution 58/186 and the Commission on Human Rights in resolution 2004/19.

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Recent activities of the Special Rapporteur

7. The work of the Special Rapporteur to fight for the right to food and fulfil his mandate has included many activities over the last year. The Special Rapporteur submitted his report to the Commission on Human Rights at its sixtieth session in April 2004, which highlighted issues related to food sovereignty and transnational corporations in relation to the right to food as well as reports of his missions to Bangladesh and the Occupied Palestinian Territories (E/CN.4/2004/10 and Add.1 and 2). ...

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9. The Special Rapporteur has also continued to issue urgent appeals and press statements, individually and jointly with other special rapporteurs, in urgent situations related to the right to adequate food in the Occupied Palestinian Territories, Romania, the Sudan and Zimbabwe. The Special Rapporteur has also written to Governments seeking information on alleged violations of the right to adequate food, including regarding particular cases in India, Myanmar and the Philippines. Replies from the Governments concerned, except for the Governments of India and Romania, were still awaited at the time of submitting this report. The Special Rapporteur is also grateful for the information he received in reply to his letter addressed to the President of the European Commission, forwarding the above-mentioned report of his mission to the Occupied Palestinian Territories.

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II. Situations of special concern

16. The mandate of the Special Rapporteur includes monitoring violations of the right to adequate food and situations of special concern. At the time of writing this report, the Special Rapporteur is particularly concerned about the situation of the right to food in the following countries and areas.

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Occupied Palestinian Territories

23. In the Occupied Palestinian Territories (OPT), the Special Rapporteur is gravely concerned at the continued destruction and expropriation of Palestinian land and crops by the Israeli occupying forces through recent military operations, as well as the building of the “security barrier”. These actions violate the obligations of the occupying army, as the occupying Power, to respect the right to food under international human rights and humanitarian law. Although the Special Rapporteur does not question the right of Israel to defend itself, he must still question the actions of the occupying forces inside Palestinian territories, where these are producing a humanitarian food crisis. As he indicated in the report of his mission in 2003 (E/CN.4/2004/10/Add.2), 22 per cent of Palestinian children are now gravely malnourished and approximately 50 per cent of Palestinians have become dependent on food aid, as restrictions imposed on movement inside the territory have devastated the Palestinian economy. The occupying Power also reportedly extracts more than 85 per cent of the water from the West Bank aquifers. The International Court of Justice has declared the “security barrier” or “Wall” illegal, where it is built inside the Palestinian territories and does not follow the Green Line 1967 border between Israel and the territories. Numerous resolutions of the Commission and the General Assembly have also condemned the occupation and the building of the barrier on Palestinian land, as this requires destruction and confiscation of thousands of hectares of Palestinian land. Depriving thousands of Palestinians of access to their land, farms and livelihoods constitutes a violation of the right to food. The Special Rapporteur urges the Government of Israel to respect its obligations as occupying Power regarding the right to food.

24. In response to the escalation of recent military operations in Gaza, and referring to Commission on Human Rights resolution 2004/19, in which the Commission urged not only States, but also private actors, to promote the effective realization of the right to food, the Special Rapporteur has written to the Caterpillar corporation, expressing concern that the company’s activities in supplying its specially modified armed D-9 and D-10 bulldozers to the occupying army, in full knowledge that they will be used to destroy farmland, greenhouses, crops and olive groves as well as water installations, might amount to complicity with or acceptance of actual and potential violations of the right to adequate food. The Special Rapporteur urges the Caterpillar corporation, and all other corporations, to commit to undertake responsibility to promote the effective realization of the right to food through, at the very least, avoiding complicity with actions that amount to a violation of the obligation to respect the right to food.

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V. Conclusions and recommendations

61. The Special Rapporteur submits the following recommendations:

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(b) Urgent actions must be taken by the Government of the Sudan and the Government of the Democratic People’s Republic of Korea to stop violations of the right to food of their people. The Government of Israel, in accordance with its obligations as occupying Power under international human rights and humanitarian law, should refrain violating the right to food in the Occupied Palestinian Territories. The Government of the United States of America should also refrain from imposing measures on the citizens of Cuba that may violate their right to food;

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