



Incorporation of the right to food into domestic legislation

A submission by Sustain to the National Food Strategy Call for Evidence

This idea would deliver on a number of National Strategy Priorities including:

- Promoting accountability within the food system
- Creating structures to prevent household food insecurity at the root cause rather than focusing on downstream solutions such as food aid
- Enabling citizens to have access to affordable and sustainable food
- Facilitating assistance in accessing food for those who might need it most such as people with disabilities, children, or older people.

Sustain believes that by incorporating the Right to Food into domestic legislation our country would be taking serious strides in the right direction to tackle the myriad issues facing our food system, in a sensible and systematic way.

It would put responsibilities on Government, public institutions and local authorities to act in the best interests of people and planet. It would also help establish a shared sense of purpose for our food system, and the policy decisions that affect our health, well-being and access to good food.

The adequate recognition of the Right to Food domestically would, for example:

- help embed measurement of household food insecurity into legislation
- give vulnerable people and their advocates the right to demand action on factors affecting people's personal circumstances (e.g. wages; housing and energy prices; and eliminating the 'poverty premium')
- put a duty on local and national authorities to take practical steps and provide adequate resources to improve incomes long-term, as well as help people through crisis;
- Trigger a requirement for provision of helpful and dignified support, facilities and services (e.g. breastfeeding support, free school meals, meals on wheels), as well as the necessary funding and other resources to achieve these.

Improving household food security is a cross-departmental responsibility, and requires action by many players, at national and local level. Any legislation seeking to apportion duties and responsibilities must take into account the 'multiple actor' and balanced nature of this work.

Achieving the Right to Food is not just about ending food poverty. It takes us further, to a more fundamental approach to changing our food system. Unfortunately, at the moment, our food system is a large contributor to climate change and loss of soil and biodiversity, threatening the very basis of our planet's ability to provide the food we need. Our own food security is under threat, as well as that of our children, grandchildren and future generations. We must find ways to live well within sensible limits.

The UK is actually an outlier by not having incorporated any socio-economic rights. Around the world, ninety percent of constitutions recognise at least one socio-economic right, and in seventy percent of these countries this right is judicially enforceable.

In the UK, Scotland is actively looking at the possibility of incorporating the Right to Food as part of the Good Food Nation Bill and is committed to incorporating the rights of the child, which would be an excellent first step. The Welsh Government has to have due regard to the convention on the rights of the child in its policy development.

In order to succeed this idea will need:

Legislation: We need serious robust legislation that would uphold our right to food, and would recognise that citizens are rights holders and the Government is the duty bearer responsible for fulfilling this right. This legislation needs to allow people to have recourse to remedies if their rights are violated by the state as well as apportion responsibilities. This piece of legislation needs to look

Time sensitive targets: We need to have targets to reduce the number of people who are experiencing food insecurity as well improve the sustainability of our food and farming system.

People with lived experience need to be involved in policy making. People need to be actively involved in the development of policies that are going to affect them. The quality and efficacy of policy will be improved by policy-makers spending meaningful time with and listening to individuals as well as their advocates to understand better the needs of the population as well as to flush out any inadvertent problems brought about by the introduction of a policy.

Capacity building. It is also helpful to plan for how people can be involved in monitoring of their rights, helping to grow a culture of confidence and responsibility. There are now several models of involving 'experts by experience' that are worthwhile embedding into policy processes.

In order to elaborate this idea further we would be able to offer an interactive roudtable where we can outline what the incorporation of the right to food could mean for our food system. This session would be led by our members and colleagues who have been working on the right to food, these include food aid providers, legal practitioners, civil society, and academics

This submission is backed by Sustain: The alliance for better food and farming. To further discuss the proposals in this submission, please contact Imogen Richmond-Bishop imogen@sustainweb.org

List of references and supporting evidence

Sustain – Why we need the Right to Food

<https://www.sustainweb.org/resources/files/reports/Why%20we%20need%20the%20right%20to%20food.pdf>

UN Food and Agriculture Organization Voluntary Guidelines

<http://www.fao.org/3/a-y7937e.pdf>

UN Food and Agriculture Organization – Right to Food Making it Happen

<http://www.fao.org/3/i2250e/i2250e.pdf>

Courtney Jung, Ran Hirschl, Evan Rosevear – Economic and Social Rights in National Constitutions

<https://doi.org/10.5131/AJCL.2014.0030>