

THE RIGHT TO FOOD¹

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I will try to be as short as possible to benefit from the comments and questions from the audience. There are many unanswered questions which I hope we make progress in elucidating. What I would like to do is very simply this: to describe what is the mainstream understanding and framing of the issue of hunger and then challenge this mainstream view in order to show the added value of a rights-based perspective and what the right to food can bring to the debate. Essentially my message to you will be the one I gave to the UN bodies to whom I report: the Human Rights Council and the UN General Assembly, which is to say that mostly our views about what global hunger requires in terms of actions and initiatives underestimate the political economy considerations, the responsibilities of actors, the governance issues, because they focus exclusively on one dimension of the equation which is food availability, enough production, forgetting about issues of accessibility, justice and combating discrimination and marginalisation.

The contemporary challenge of hunger is now very much at the top of the political agenda, since the global food crisis of 2007-8, but the reading made of the challenge we are facing seems to me to be wanting in a number of respects. The mainstream view is that we are now facing a Malthusian situation, where the supply of food will be unable to meet growth in demand, as a result of a number of very important structural factors which are threatening, for the first time in recent history, our ability to feed the planet. First of all, population growth. Of course, we are now at 6 billion 700 million individuals on the planet. We will be reaching probably 9.3/9.5 individuals by 2050 and that number will probably reach a ceiling a bit below 10 billion at the end of the century. Most of this increase in population will occur in developing countries where there is already some food

¹ As delivered.

insecurity. That is the first factor. Not only this population is increasing but, in addition, their diets switch to more animal protein-rich diets, dairy products, meat, so that the increasing demand for cereals is even more rapid than the increases in population itself.

A second factor, which is generally seen as hugely important for the future, is climate change. Climate change is an issue which is difficult to estimate, because in the short term there will be increases in yields thanks to global warming in certain regions of the world, particularly in the northern hemisphere, where the fertilisation will be better improved by their being a more important concentration of carbon dioxide in the atmosphere and where summers will be longer. But the consensus within the international scientific community is nevertheless that climate change will very severely affect our agricultural productivity by the end of the century. For example, the intergovernmental panel on climate change has estimated that between now and 2020, in rain-fed agriculture in sub-Saharan Africa the yields will decrease by 50% and we must remember that, in many regions of sub-Saharan Africa, the fields are not irrigated so they are highly dependent on the regularity of rains, the quality of rainfalls and their predictability. That will, in the very short term, have a very severe impact in the southern hemisphere. Between now and 2080 it is estimated that the overall productivity of agriculture will decrease between 3 and 4%. There will be certain gains in Canada, Russia, Ukraine, Scandinavian countries, but the world overall shall lose in comparison to the levels of production which were reached in 2000. And this is in a context where the population shall have increased by at least 33%. The areas in which climate change shall affect agricultural productivity are mainly the southern hemisphere tropical areas, sub-Saharan Africa, Latin America and much of South Asia.

A third factor is the increased energy needs and particularly the increased demand for oil. Our consumption of oil shall continue to increase, particularly as a result of economic growth in emerging economies, very significantly in India and China, and this shall affect the food systems in a variety of ways. Firstly, it shall mean that the demand for agrofuels, the production of bioethanol or biodiesel from plants shall be increasing. It will be seen as a more and more desirable source of alternative energy and this will, of course, put more pressure on the demand side of the global equation on the markets of agricultural commodities.

The production and consumption of bioethanol and biodiesel has been very significantly increasing since 2002-3, particularly as a result of policies of the US and EU which are stimulating demand and production by tax

incentives, by subsidy schemes, and this will continue in the next few years as the prices of oil will increase in average and will certainly become more volatile in the future. This volatility itself is a problem for food systems, since the prices of agricultural production are very closely correlated with the prices of oil. As shown on this graph, where the evolution of the prices of the oil barrel is correlated with the prices of wheat, corn and soybean, the cost of the production of food is very closely correlated with the shifting prices of oil and that is, of course, to be attributed to the fact that we need oil to transport inputs to the fields, we need oil to work on the fields in mechanised agricultural production, we need oil in our fertilisers and pesticides, and we need oil, of course, to transport the food from where it is produced to where it is sold and ultimately consumed. So the prices of food commodities are very closely correlated to the increasingly volatile and unpredictable prices of oil.

Fourthly, and this is again part of the global equation, we witness a decline in the growth of agricultural productivity. The productivity of agriculture, the quantity of tons of wheat or rice we were able to produce per hectare, has been very significant in the 1960s and 1970s. Since then it has been growing still but this growth has been declining every year. You have on this graph a comparison between the years 1967-82, this is the green column, the years 1982-94, this is the blue column, and the years 1995-2020 estimates which is the red column. You see that the growth in agricultural productivity has been declining over the years. We are, in our regions, the EU, Canada, the US, reaching a ceiling and we will not be able to increase the yields very much per hectare, so the only possibility we will have to provide more food to the planet will be by increasing the surfaces which are cultivated, and there are many controversies about how much can still be cultivated, given that the soils we are cultivating currently are being depleted at a very rapid pace and that the areas which are not cultivated for the moment may not be as fertile as those which are already under cultivation. So there are many uncertainties as to whether we will be able in the future, very simply, to produce enough cereals, enough grain, to feed the entire planet. And when I took up my mandate, one year ago exactly, 1 May 2008, the international community was in this mindset. It was a panicky mood, governments were extremely nervous about this challenge they were facing and they were told, we need to increase the production of food by 50% before 2030, we need to double the production of food by 2050 – these are figures from the World Bank – otherwise we will be facing very serious problems and we will be unable to feed the global population. That was the

Malthusian scenario that was being presented to us. Since after the Second World War we have always maintained this equilibrium between the production of grain and the needs of the population. As shown on this graph, consumption has been making progress regularly and, despite certain ups and downs, we have always managed to maintain an increase in production in order to satisfy this demand: well it is the balance that is now being threatened. And so the main challenge, as it has been seen, is how to produce more, how to increase the yields, by which technologies, by which improved seeds, by providing which fertilisers, and this was essentially a matter dealt with by agronomists and economists. My argument is that the question of hunger is not simply a technical question though; it is also a political question. It requires that we take a broader look at what hunger is about and not simply remain with this global equation and this threatened balance between supply and demand. And let me try to nuance this mainstream view by two considerations, the second of which is closely related to my mandate, which is to report on the means to remove the obstacles to the realisation of the right to food.

The first nuance I would like to add to this picture is that much of the price increases we have seen in 2007-8 on the international markets for agricultural commodities was, in fact, a purely financial phenomenon, linked to the massive arrival of index funds on the futures markets of agricultural commodities. Now, for many months this fact has been underestimated by leading economists and by institutions such as the International Monetary Fund, who did not consider that this was a real problem, the argument being essentially that the futures markets are unrelated to the spot prices of the commercial traders on the markets of agricultural commodities. However, when we look at, for example, the evolution of prices on the international markets, this begins in September 2007 and goes up to July 2008, when the prices began going down, this kind of movement of prices cannot be explained simply by the real economy, by the fundamentals. It has something to do with the formation of a speculative bubble on these markets for agricultural commodities and, if we look at the number of the contracts that were passed on the futures markets of agricultural commodities, in this case wheat, corn, soybeans and rice, we see that in 2005-6 the number of these futures contracts on these markets has very significantly increased as a result of the arrival of commodity index funds on those markets. To give you an idea, in 2002-3 the volumes traded on the futures markets of agricultural commodities was about 20 times the volume of the real production and it was 80 times the volume in 2007, so it

was multiplied by 4-5 between those two periods. I believe that this has led private traders and governments to resort to hoarding practices and speculation and I believe that this has had a very serious impact on the formation of a bubble on these markets in 2007-8 and I think we need to address this. I think we need to identify ways to ensure that speculation on these markets will not make it even more unpredictable, for countries who depend on importing food to feed the population, to manage that situation and I think it is something which can be addressed by means maybe we will have time to discuss.

But the second and, in my view, more important nuance I would like to bring to the mainstream approach to what hunger is about is the one we are provided by the work of Amartya Sen. As you know, in his very famous reading of certain famines in this century, Amartya Sen emphasised that hunger, famines, occur in times of increased production, boost famines exist. In other terms, famines do not occur simply, or even mainly, in this century as a result of their being too little food produced, too little food available on the markets. Famine occurs in his study of a number of contemporary famines, when the incomes of certain groups of the population rise much faster than the incomes of other groups, so that the latter are priced out and have no sufficient purchasing power to cope with the increase of prices of food commodities. Taking this view, the real challenge is not just to produce enough food, it is not just a question of food being available, it is also and perhaps primarily a question of food being accessible to the poorest, it is a question of social justice, it is a question of combating discrimination, it is a question of redistributive policies. If you want to combat hunger in New York, it will not do to just multiply by two or three the number of supermarkets in New York: you need to provide money to those who are homeless, poor, marginalised and are hungry not because there is no food available, but because their purchasing power is insufficient.

Now, ideally, the two views, focusing on food availability, sufficient quantities, and the view focusing on accessibility, entitlements, should be complementary. You need both in order to address the problem of hunger. In fact, however, in public policies these two views are sometimes in tension with one another and the reason is very simple, there are ways of increasing production which could increase inequalities, which could increase marginalisation, which could make things worse for the poorest in the population and could increase inequalities both between and within countries.

Let us take a closer look at who is hungry in the world. As you know, today we have passed, just about, the mark of 1 billion people hungry in the

world. The figure was 923 million at the beginning of 2008, it was 854 million in 2005, it was 820 million in 1996. We are losing this fight against global hunger and we are losing this fight despite the fact that our productivity gains in agriculture have been very significant. So let us take a closer look at who are those who are hungry and what are the real obstacles to the right to food of these populations being realised. Those who are hungry fit in two broad categories. First of all you have a vast majority of them who are food producers. Fifty per cent are small-scale farmers, living off 1 or 2 hectares of land to make a living, often they do not move beyond subsistence farming, in most cases one of the members of the household works as a seasonal worker on large-scale plantations because these families simply do not make enough money off the crops they produce in order to feed themselves and to overcome hunger. We have in the world some 2 billion individuals, 500 million households living off small-scale farming and it is within this group that we have 50% of those who are hungry. We have also 10% of those who are hungry, some 100 million people in the world, who are also food producers living off raising livestock, fishing and the produce of the forests. And then we have 20% who are landless labourers, workers living on large-scale plantations often without any legal protection, we have 700 million labourers in the agricultural sector on large-scale plantations, and they often do not manage to have a living wage for their work, they are not protected by social security schemes, they have no legal protection whatsoever, and they are exploited and abused in many cases. Then we have 20%, who are the urban poor, normal food producers and who are of course the most severely impacted by high prices since in no way does this lead them to raise their incomes.

Now, keeping in mind that these are those who are hungry, let us take a closer look at what this so-called global food crisis suddenly discovered by our governments was about. Taking a slightly broader historical perspective, the crisis of 2007-8, the almost doubling of prices on international markets between June 2007 and June 2008 was really an epiphenomenon. We had seen high prices earlier, during the first and the second oil shocks. We had seen, since the second oil shock of 1979, a structural decline of prices of agricultural commodities on international markets and this, remember, was not a solution, it was a problem. It was a problem for developing countries over-dependent on agriculture for their export revenues, it was a problem for farmers in developing countries, unable to afford to live off farming, it was the source of deteriorating terms of trade for the developing world. It was not a solution, it was a problem. And it was a problem

also because it led mainstream institutions to underestimate the importance of agriculture in their development policies. For example, in the official development assistance programmes of OECD countries the proportion of funds dedicated to agriculture has declined from 18-20% in 1980 to 4-5% in 2007 and suddenly now, and that is very welcome of course, there is a renewed interest in agriculture and there is an awareness that we have underestimated the need to fight poverty by investing into the rural areas agriculture which for many years had been completely neglected.

So, given these complexities, how to describe the challenge? I would argue that we must move away from a misguided focus on volumes on the level of prices. I think that is a mistaken view. I am not underestimating the need to maintain increases in production and I am certainly not underestimating the need to protect the poor households from the impact of high prices but, if the objective is to boost production in order to lower the prices, this is not a good solution, it will only further marginalise rural households, the countryside will be further impoverished in order to provide cheap food to the cities, and in the cities not only to the poorest but also to the elites who could afford higher prices. So I think we need to have a much more targeted approach towards these different groups which are, for the moment, food insecure. And there are again three main groups: smallholders, small self-employed food producers, agricultural workers and the urban poor. Smallholders have to be helped by reducing the gap between founded prices and the prices paid by the consumer for processed foods at the end of the chain. The gap between founded prices and end of chain prices has been increasing over the years and it is this which is a problem, not high prices, not low prices, the prices are too high for the consumer but they are too low for the producer. We need to narrow down this gap and this is something that is not easy to do and I will return to this issue in a second. We also need to help smallholders in other ways, to which I shall return.

I would like to develop very briefly a number of possible remedies to the situation I have described, but first of all let me say, because this is the topic of my presentation, what the right to food can contribute to the discussion. The right to food is a right recognised in international law since 1948, art. 25 of the Universal Declaration on Human Rights, but it really has gained visibility since the mid 1990s, since the World Food Summit convened in Rome in 1996 which requested, inter alia, that the normative content of the right to food be clarified and this was done in essentially three ways. First of all, my Norwegian colleague, Asbjørn Eide, proposed that

each human right, particularly the right to food, has three types of implications for states. They must respect the right, not interfere with it, they must protect the right, legislate in order to regulate private actors, so that they do not violate the right at stake and, thirdly, they must fulfil the right, they must take measures to progressively realise the right. So that was extremely useful to help states understand that the right to food was not something abstract, conceptual, therefore only advocacy purposes, it was something very concrete which could guide them in the policies they adopt.

We also had the Committee on Economic, Social and Cultural Rights clarifying, in a general comment adopted in 1999, the content of the right to food, again providing guidance to states about what needed to be done in order to make progress in this direction, and then we have a very important instrument adopted by the FAO member states, 187 states, in 2004, called 'The Voluntary Guidelines for the Progressive Realisation of the Right to Food in the Context of National Food Security'. So, after ten years of these discussions, we now have a right to food which is much more than a slogan, it is a very operational concept and in my discussions with the World Bank, the IMF, Unicef, the UNDP for example, I am always surprised to see that although everybody is sympathetic to the right to food, they believe that whatever they seek to do to achieve food security is in fact implementing the right to food. That is not so. The right to food has very operational consequences in that it obliges us to establish accountability mechanisms, to identify the food insecure and the vulnerable in order to target our efforts very carefully, it obliges us to evaluate the effectiveness of our programmes in reaching the poorest and so it is something more than just trying to achieve food security, it is something which ensures accountability of governments towards the needs of the poorest and the most vulnerable. It is an issue of governance, one which is added to the traditional approaches which are providing emergency assistance or investment into agriculture, which are the two tracks usually pursued in order to achieve food security. In my current work with the FAO, the FAO is now thinking about how to use the right to food as a third track in addition to emergency assistance and to agricultural investment. In order to achieve food security they understand now that establishing accountability mechanisms, putting governments under pressure, monitoring what they are doing, is essential in order to ensure that their efforts remain on track and serve those who need to be helped the most.

So what needs to be done? I would suggest that there are perhaps a few priorities which could be identified for action at the international and

national level. First of all, we must reinforce the bargaining position of smallholders in the food production and distribution chain. I think the image of an hourglass is appropriate to describe their situation. Small producers are, for the moment, increasingly squeezed between a very small number of very large corporations who provide seeds, fertilisers and pesticides and this is a sector which is increasingly concentrated since 10-12 years as a result of mergers and acquisitions between seed producers, fertiliser producers and the agrochemical industry, which puts producers in a very strong position of dependency vis-à-vis this oligopoly formed by this small number of input providers. So the top of our scheme is very concentrated. Then we have a large number of smallholders, 500 million households in the world, and then these producers have very few ways to sell their crops. In the countries I visit most, in sub-Saharan Africa, often producers have only one trader with whom they interact, so this person comes two or three weeks after harvest in order to buy whichever crops are on offer and the producers have no bargaining whatsoever to do, they are just price-takers, they sell their crops at the prices that are offered to them. They cannot negotiate, they are price-takers. They have no storage facilities, so they have to sell their crops, moreover, at a time when the prices are lowest, rather than being able to wait for the lean season when the prices sometimes are twice or three times as high. So they have very few possibilities to sell on the markets. Their crops are bought, the food is processed, the food is then distributed in large supply chains to the millions of consumers of which we all are a part. So the shape of this food production and distribution system shows the inequalities here and I think there is a very serious issue of governance here, there is an issue of political economy, how these actors are regulated in order to ensure that they contribute to the right to food rather than undermining the right to food by their buying and pricing policies. There are other issues linked inter alia to intellectual property rights on inputs, particularly seeds, but I do not have time to expand much on this.

A second issue I would like to mention is the access of smallhold farmers to productive resources, land, water, inputs. In many countries, people cultivating the land have no legal title to the land they cultivate and are not secure in their property rights. I think this is a problem. I think it is important that titling makes progress, particularly in Africa and Latin America where, increasingly, you have small peasants evicted from their land without any ability for them to seek remedies before courts, without any compensation, they are just asked to leave their land in order to make room for large-scale plantations because investors come in, often in order to produce

for export markets and they have no protection, and we need to improve this but this is not enough, and it is not enough because this market solution of reinforcing property rights will not answer one important problem, which is the smaller and smaller plots these small-scale farmers can cultivate. At each generation the surface of land they cultivate is, of course, smaller. Consider the example of India. In India in 1960 the average surface per household was 2.6 hectares. In 2000 it was 1.3. How can a family live decently with 1.3 hectares to cultivate, that is the problem. We need agrarian reform, in many countries land is extremely concentrate in the hands of a very small number of important landowners, and countries need to have the political courage to redistribute land and they may have to have financial incentives to do so because, for those who wish to implement land reform programmes, there may be a need to compensate landowners if they do not want to launch a revolution and they may need to be helped in this respect. These are some of the issues raised in access to inputs, I do not have time to expand much on all the issues.

Thirdly, international trade. I recently produced a report on the WTO and the right to food and I have to say I was very encouraged by the very good collaboration I received from the WTO Secretariat and Director General Pascal Lamy in this respect, I would like to make a few comments on this, it is a very complicated issue on which I cannot be very detailed. We are now in a situation where there is a unanimous recognition that the current system, according to which trade in agriculture is organised, is failing entirely. We know that there are market distorting measures that exist and that the current system plays against developing countries' interests. However, it does not follow that removing these obstacles will be a magic bullet which will satisfy the needs of farmers in developing countries. In a country such as Benin, Mali, Burkina Faso or the Democratic Republic of Congo the farmers are unable to make a decent living not just because of subsidies, not just because of difficult access to the markets of industrialised countries, not just because of those market distorting measures, they simply are much less competitive than farmers in OECD countries. Remove these trade-distorting measures and they will still be much less competitive than farmers in our countries so these economies must be able to protect themselves until their agricultural sector is robust enough to be able to compete on equal terms, as it were, with our farmers in OECD countries and I could expand on this. I would simply like to say that the idea that we could achieve a level playing field by removing the existing trade distorting measures is, in my view, completely utopian.

Secondly, international trade is premised on the idea that, by allowing and incentivising each country to specialise into whichever production in which it has a comparative advantage, we will have allocated efficiency gains and all will benefit. But this Ricardian approach is completely oblivious of the qualitative dimension of the international division of labour. It is not the same thing for Portugal to specialise on wine and for England to specialise on textiles. In our international system international division of labour is making progress and some countries are basically locked into agriculture, unable to develop their industries and their services sectors and, even if we encourage agricultural production further, they will continue to lose in terms of trade against industrialised countries because the returns in agriculture are decreasing, while they are increasing in the industry and services sector, so I am very sceptical about the very premise on which international trade is based in this respect.

There are also a number of problems linked to the way international trade has developed. It has essentially led countries to specialise in export crops and depend on international markets in order to feed the population, and making these countries increasingly dependent on international markets to feed the population. In a context where the prices of food on international markets will be more and more volatile, this is a source of vulnerability for these countries and this map from the World Bank shows that those countries who are the most dependent on international markets to feed the populations are those who have, of course, been more severely impacted by the high prices of 2007-8 because they have been producing cotton, tea, coffee, tobacco and they have been importing the rice and cheap food to which they were addicted, which was available on international markets, so this is not a sustainable solution.

And finally there are microeconomic impacts to international trade, particularly an increasingly dualised farming system, whereby the largest agricultural producers gain from the opportunities created by international trade because it is much easier for them to be linked to global supply chains when many smallholders are just marginalised further and you have an increasingly segmented world of farming in this respect.

Two last remarks, one on the link between food security and modes of agricultural production. There is now much talk about how to increase yields and whether we should not launch a third Green Revolution, this time for sub-Saharan Africa. As you know, the Green Revolution has been benefitting Latin America and South Asia in the 1950s and 1960s and these regions have remarkably improved the productivity of their agriculture, but

this was not without certain social and environmental consequences, which they are now paying a high price for: marginalised smallholders, depletion of soils and pollution of groundwater, which is now seen as a very serious problem. We need to learn from those mistakes. I think the recipes of the Green Revolution, which is more irrigation, more external inputs, fertilisers and pesticides, and improved seeds that this recipe, this technological recipe, if you wish, is insufficiently attentive to the social and environmental consequences and I believe that there are alternatives that might deserve more attention from governments.

Let me finally say this. One of the vulnerable segments of the population are the urban poor. We have 1.2 billion people living in slums today in developing countries while 80% of the world population has no access to social protection whatsoever. We need to protect them. And it is much more efficient to speak like economists to protect them than to artificially lower the prices for all to benefit from cheap food. But countries in the developing world need to be helped to set up generous social protection schemes that are robust enough.

Thank you very much.