



Nutrition and Human Rights

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HUMAN RIGHTS

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The system of international human rights principles, agreements, and institutions offers a new opportunity for promoting development goals and policies with lasting effects for the individual human being. Many members of the international nutrition community now also see international human rights provisions and institutions as a potent new context in which to formulate and implement nutrition policies and programs. They have begun to assert the obligation of states to promote the human rights to adequate food, health, and care for the vulnerable—those areas that the nutrition community has established as primary to ensuring nutritional well-being. They also recognize that a range of other human rights—civil, political, economic, social, and cultural—must be implemented to allow rights to food, health, and care to be realized on a sustainable basis.

To date, nutrition advocates interested in exploring human rights have focused on how they can use human rights law and institutions more systematically to underpin efforts aimed at bettering human nutrition, as a moral imperative and as a precondition for sustainable social, economic, and human development. This goal is in line with the United Nations Charter, the Universal Declaration of Human Rights, and subsequent conventions on human rights derived from these. It constitutes the major message of recent literature on the right to adequate food in particular.

This brief considers the other side of the coin: how can the insights and tools of the socially oriented nutrition community

help identify how human rights principles can guide development, enhancing sustainable positive effects for the human being and for society? By operationalizing and testing a human rights approach to food and nutrition in development, nutrition-relevant scholarship and practice has considerable potential to put content behind rhetoric regarding human rights, particularly economic, social, and cultural rights

How Can Nutrition Help Advance the Human-Rights-in-Development Agenda?

Human rights and nutrition advocates share a primary concern for the individual human being and an interest in the role of public action in supporting a full and active life of dignity for all human beings. Human rights advocates phrase this role in terms of state obligations to implement human rights, while the nutrition community works to evoke food and nutrition policy commitments.

There is vast potential for building bridges for increased potency and efficiency in both camps. Nutrition practice already draws heavily on general development thinking, and evolving concepts of economic, social, and cultural rights—the human rights of primary concern here—also intersect with modern development concepts and experience. So, many building blocks are already in place.

The following are some elements of nutrition practice, especially public nutrition, that are particularly relevant to human

conditions and rights (the list is not exclusive):

Nutrition data can reveal discrimination.

Perhaps the most fundamental principle of the international human rights system is that of nondiscrimination, as laid down in the Universal Declaration of Human Rights adopted and proclaimed by the United Nations General Assembly in 1948: “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” Subsequent human rights agreements have reiterated this principle.

Nutrition has the potential to unveil the biological outcomes of discriminatory practices. Nutrition research has shown, for example, that in poor societies where male offspring are more highly valued than female, girls and boys are subject to different feeding practices and food intakes. Potential exists for shedding light on discrimination in other areas as well, such as the health and nutrition situation of indigenous versus nonindigenous peoples and of ethnic minorities. A human rights approach will help ensure consideration of the treatment of such groups.

Nutrition science offers objective measures of human responses to development efforts.

Nutrition experts can objectively measure the human organism’s response to various development actions affecting people’s diets and other factors in their nutritional status, including general health status. Techniques range from early detection of biochemical changes in, say, blood and urine to observation of advanced clinical signs of disease stemming from malnutrition. In practice, the most common indicators are built on physical measurements of bodily growth and development, such as height and weight. Results do not necessarily reflect simple causal relationships; rather, causes may be

immediate, underlying, or basic, revealing conditions at different levels of social organization.

While outcome indicators are important, so are indicators related to the processes that transform particular determinants at the various levels into people’s good or bad nutritional status. Defining such indicators constitutes a considerable challenge, as does the assessing and monitoring of other economic, social, and cultural rights. Yet both outcome data and process data are indispensable for understanding why something happened or did not happen and who is responsible.

Nutrition programs can empower local individuals and groups.

In line with current development thinking, many nutritionists increasingly see full human development as their ultimate goal. Many national and international development agencies and nongovernmental organizations working in the field of nutrition are now building their efforts around principles such as participation and empowerment in program and project design, both as values in their own right and as tools for more effective and sustainable development arrangements. A human rights–based approach to development implies, by definition, a strong emphasis on participation and empowerment. The streamlining of these concepts into common development practice needs further refinement and practical testing, however, and there is considerable potential for nutrition to contribute to this refinement as well as to evaluate the outcome in objective terms.

Nutrition can reveal how different food systems are relevant to the right to adequate food.

Understanding food systems in a given sociocultural context may be essential for designing sustainable food production and marketing for adequate human consumption. The human rights approach demands attention to the cultural acceptability of food and to food systems that serve the interest of the consumer. When consumers’ perceptions and claims are voiced and heard, they feed backward along the whole food chain and demand better performance at all points in that chain.

Human and household demands stemming from human rights other than the right to food may compete with what is needed to realize this right. People also need to attend to their housing conditions, make use of health services, and pay school fees, for instance, and these needs all make demands on the household economy or livelihood system. As human rights theory posits, all rights are interrelated and

interdependent. Thus the modern broad understanding of nutrition is well placed to operationalize and demonstrate certain human rights principles in practice.

In turn, a human rights approach would help more general development specialists to recognize that in many situations the connection between income and dietary adequacy is not linear, a recognition that may alter conventional expectations and program design at more basic levels, too. For example, a human rights focus on the consumer's right to adequate food, rather than an exclusive production or market focus, would necessitate rigorous testing of the common belief that subsistence farmers could easily and instantly achieve dietary diversity by switching to a cash economy. We know that, for one thing, the actual result would be closely tied to women's status, rights, and degree of control over income (since in many places women seem to favor using cash to provide food and health care for children more often than do men).

A human rights approach may thus have powerful analytical advantages over economists' technique of measuring quantities of unspecified food, often expressed in terms of "grain equivalents." Because people do not eat grain equivalents, the simplicity of these notions continues to frustrate the interdisciplinary debate between nutritionists and economists. A genuine human rights discourse could at least partly overcome this difficulty.

Nutrition policy experience can help identify state obligations in the right to adequate food.

Nutrition policy over the years has revealed many lessons that can contribute to thinking about policies to realize economic, social, and cultural rights. Clearly, for this to happen, nutrition policy principles must adapt to the now commonly accepted interpretation of these rights. To illustrate with the right to food: a common misconception is that this right obliges the state to hand out free food to anyone claiming the right. A well-founded normative framework now overturns this perverted notion and was most recently expressed in the "General Comment on the Right to Food" prepared and adopted by the U.N. Committee on Economic, Social, and Cultural Rights in May 1999. This authoritative document emphasizes that it is first and foremost the duty of individuals to find their own solutions to feeding themselves. In support of the individual's or household's own efforts, the state's first obligation is to respect the freedom of individuals in realizing their rights and to protect these rights against infractions by third parties. Only if action under these two obligations does not suffice must the state proactively fulfill the right, which may entail

either facilitating the individual's or household's efforts to improve their resources and opportunities to feed themselves or, as a last resort for those who are completely unable to do so, providing adequate food directly.

Policymakers can then consider levels of obligation, or degrees of intervention, in conjunction with the elements contained in most current definitions of food and nutrition security, to help formulate more specific policies and programs to be pursued by the state at the various levels, in partnership with nonstate actors.

More to Be Done

Several areas must be better understood, operationalized, and tested before nutrition can fully serve in the frontline as a promoter of economic, social, and cultural rights.

First, nutrition data must be subject to full transparency. The nutrition development community often subscribes to a general respect for confidentiality as commonly practiced in development circles, in contrast to the full transparency that is a hallmark of the human rights approach. Since empowerment, as a principle of the human rights approach, is impossible without transparency in all public affairs, the nutrition community must insist on absolute transparency regarding all nutrition-relevant information at all levels.

Second, rights holders, whether individuals or groups, must have opportunities to claim their legal human rights related to the right to adequate food from the relevant duty holders, whether state or nonstate. Furthermore they must have the right to complain to appropriate institutions about violations of rights that are essential for their food security and nutritional well-being. The nutrition community can help develop or strengthen institutions to receive claims or complaints about noncompliance with the right to adequate food and nutrition. In turn the nutrition community will be able to draw on this new momentum for exposing malnutrition that may be due to

development mismanagement or, worse, that may have been generated by outright violations of the relevant rights.

The task of developing a framework law or a legal agenda for the right to adequate food and nutrition has just begun but is expected to advance significantly in 2002, especially in the context of several national seminars that will address the right to food in specific countries.

Concluding Remarks

For many in the nutrition community, nutrition advocacy means finding economic arguments to demonstrate the utility of promoting human nutritional well-being: human beings should be well nourished because that will repay society in the form of higher productivity, better learning capacity, and lowered health care expenses. There is nothing wrong with this argument when the purpose is to support allocations of scarce national or institutional budgets or to demonstrate how good nutrition contributes to improving efficiency and outcomes in other sectors. But for this utilitarian approach and a human rights approach to food and nutrition security to be made mutually supportive, nutrition advocacy should begin with the moral and legal imperative for the right to food, centered on human dignity, needs, and interests, and point to improved efficiency and outcomes as a premium. This approach will not only restore ethics and morality (as opposed to charity) to the professional nutrition debate, but also bring in the still unexploited muscle of legal provi-

sions. The economics of nutrition must then be studied and articulated as far as possible in support of these goals.

If states would take an explicit human rights approach to adequate food, health, and care, it would likely accelerate the processes toward a rapid decline of food insecurity and the achievement of the goal of halving the number of hungry people by 2015. Such an approach would also enhance the role of international human rights as universal principles to guide overall development with a human face. Given that the majority of U.N. member states have already committed themselves to promoting and protecting the right to adequate food and nutrition by having ratified the relevant binding conventions under international law, there exists a basis on which to build to operationalize this commitment. However, the communication about what it would entail in practice needs to be improved. The nutrition community already has substantive arguments and accumulated experience that it must now bring more vigorously into that effort.

Suggested Reading

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