

The right to adequate food in UN systems: Human rights mechanisms in practice

Jody Harris¹, Ellen Johnson^{2,*}¹ Food Equity Centre, Institute of Development Studies, United Kingdom, ² Leeder Centre for Health Policy, Economics and Data, Sydney School of Public Health, Faculty of Medicine and Health, The University of Sydney, Australia**Keywords:** right to food, right to nutrition, rights instruments, United Nations, social and economic rights<https://doi.org/10.26596/wn.202516197-105>

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Abstract

Those seeking that the right to adequate nutritious food is protected, respected and fulfilled globally need to understand the international rules and systems that are in place to underpin relevant action. As the pre-eminent multilateral body on human rights, the systems of the United Nations (UN) are key to this understanding. While there is already a large body of literature analysing and synthesising the various written documents (instruments) produced in support of the right to adequate food, this paper focuses on the practical bodies and agencies (mechanisms) that have been established to support the creation, use and monitoring of various UN instruments, and how these institutions have co-evolved over time. Mechanisms reviewed include over-arching rights bodies, treaty-based mechanisms, charter-based mechanisms including special rapporteurs and the Universal Periodic Review process, and supportive institutions. In the year of the 20th anniversary of the Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food, this paper explores and explains – for academic, policy and practice audiences – how the major UN human rights mechanisms work to underpin the right to adequate food, and how they interact with the published instruments guiding and defining the issue, as a contribution to working towards the right to adequate food at a global level.

INTRODUCTION

In just over one hundred years since the inception of the League of Nations in 1920 (later the United Nations, UN, from 1945), the institution has evolved almost beyond recognition. The UN today comprises myriad offices, funds, programmes, and specialized agencies around the world, covering a huge range of political, social and technical issues. These issues relate to the UN purposes of maintaining international peace and security, developing friendly relations among nations, achieving international cooperation, and providing a centre for harmonizing actions of nations in attainment of these common goals (United Nations 1945).

Human rights are a central organizing principle of the UN, referenced in its original Charter, and in the adoption of the 1948 Universal Declaration of Human Rights. Since being established, the UN has created a comprehensive body of international human rights law, as well as associated explanations, recommendations, strategies and action plans to help countries and advocates to implement these. Initially focusing on civil and political rights (starting with freedom from slavery), the work of legal professionals, social justice

activists, and victims of human rights abuses have also gradually raised the profile (in the UN and beyond) of economic, social and cultural rights, including so-called subsistence rights (Chong 2011).

Among the economic, social and cultural rights is the right to adequate food: The right of all people to feed themselves with dignity (de Schutter 2012); or more prosaically, “the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger” (World Food Summit 1996). The right to adequate food has been described as more complex than some other rights, with both entitlements and duties not clear-cut in this most fundamental of topics (Drèze 2004). Certainly the right to adequate food has multiple and complex interrelations with other rights (both civil and political, and social, economic and cultural), for its full realization (de Schutter 2012).

Those seeking that the right to adequate food is protected, respected and fulfilled globally therefore need to understand the rules and systems that the UN has in place to

* Corresponding author: j.harris@ids.ac.uk

underpin action, as the pre-eminent global body on human rights. While there is already a large body of literature analysing and synthesising the various written documents (instruments) produced by the UN in support of a right to adequate food, this paper focuses on synthesising and explaining the practical bodies and agencies (mechanisms) that have been established to support the creation, use and monitoring of those instruments, and how these institutions have co-evolved over time.

INSTRUMENTS AND MECHANISMS DEFINITIONS

Human rights *instruments* refer to the written documents underpinning the global legal and political basis for rights. International human rights instruments include legally binding documents such as Covenants, Conventions or Treaties, which bind states into legal agreements (whether enforced or not); and non-binding instruments such as Declarations, General Comments, Strategies and Guidelines that are voluntary frameworks and impose moral or political obligations (but not legal) on States Parties (countries that ratify or have acceded to them).

Human rights *mechanisms* refer to the ‘architecture’ of human rights – the people, systems and processes established by the UN to promote, protect and monitor human rights globally, generally linked to one or more instruments. They include mandates (such as mandates of expert committees), procedures (such as independent

human rights experts), and various peer-review, investigative and monitoring mechanisms (such as Universal Periodic Review). Together, these mechanisms aim to ensure accountability, provide recommendations for improvement, inform political and legal action, and enhance promotion of human rights standards.

The next section lays out very briefly the history of UN human rights *instruments* related to food, for a complete timeline (the instruments related to a right to food have been reviewed at length elsewhere (de Schutter 2012)). After that, the paper focuses on human rights *mechanisms*, and lays out the major mechanisms with relevance to the right to adequate food. These mechanisms have not been systematically reviewed and described as they relate to a right to adequate food since a previous iteration of the system was described in a book 20 years ago (Kent 2005), as far as we are aware. Where necessary we also outline the corresponding or supportive institutions involved in these mechanisms, for completeness. We hope that this foundational descriptive synthesis is of use to academic, legal and activist communities working towards the right to adequate food.

UN INSTRUMENTS AND THE RIGHT TO ADEQUATE FOOD

We have listed relevant instruments in Tables 1 and 2 for completeness, and note some key findings here before moving on to focus more comprehensively on mechanisms.

Table 1. Non-legally binding instruments relevant to the right to adequate food

Entry into force	Instrument	Detail
1948	<i>Universal Declaration on Human Rights (UDHR)</i>	A declaration endorsed by States, and adopted by consensus. The UDHR recognises the right to adequate food as part of the right to an adequate standard of living in Article 25 – “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food...”
1974	<i>Universal Declaration on the Eradication of Hunger and Malnutrition (UDHM)</i>	A declaration endorsed by States, and adopted by consensus. The UDHM introduces language on hunger and malnutrition, and proclaims that “...Every man, woman and child has the inalienable right to be free from hunger and malnutrition...” The UDHM also outlines multiple food system and agricultural actions to be taken by states.
1993	<i>World Conference on Human Rights (Vienna) Declaration</i>	A declaration endorsed by States, and adopted by consensus at the World Conference on Human Rights, paving the way for the High Commissioner for Human Rights. The declaration relates to the right to adequate food specifically through trade and politics, calling on states to “...refrain from any unilateral measure...that creates obstacles to trade relations...and impedes the full realization of the human rights...in particular the rights of everyone to a standard of living adequate for their health and well-being, including food...” and “affirms that food should not be used as a tool for political pressure.”
1996	<i>World Food Summit (Rome) Declaration</i>	A declaration endorsed by States that reaffirms “...the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger.” Contains a Plan of Action and a set of commitments on food and nutrition actions to be taken by states, using similar language to previous declarations and covenants, but includes more detail on actions.
1999	<i>ICESCR General Comment No. 12</i>	An interpretive expert analysis clarifying and elaborating Article 11 of the ICESCR on the right to adequate food and freedom from hunger. General Comment No. 12 affirms that “...the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights. It is also inseparable from social justice...” Further, it details content on – the normative content of ICESCR Article 11; core content of the right to adequate food (including availability, accessibility, adequacy and sustainability); adequacy and sustainability of food availability and access; obligations and violations; national implementation; benchmarks and framework legislation; monitoring; remedies and accountability; and international obligations. General Comment No. 12 reaffirms language in previous instruments, but includes a more thorough interpretation of ideas and actions.
2002	<i>World Food Summit Declaration</i>	A declaration endorsed by States that reaffirms “...the right of everyone to have access to safe and nutritious food” and “...the importance of strengthening the respect of all human rights and fundamental freedoms.” This declaration renews commitments from the 1996 Summit, and calls on FAO to institute an “Intergovernmental Working Group [...] to elaborate, in a period of two years, a set of voluntary guidelines to support Member States’ efforts to achieve the progressive realisation of the right to adequate food in the context of national food security.”
2004	<i>CFS Voluntary Guidelines to Support the Progressive Realization of the Right to</i>	Following 2 years of lengthy and detailed negotiations, the VGRtAF were developed and endorsed by the CFS, and subsequently adopted by FAO. The VGRtAF provides practical guidance to States in their implementation of the progressive realization of the right to adequate food in the context of national

Table 1. continued

	<i>Adequate Food in the Context of National Food Security (VGRtAF)</i>	food security, in order to achieve the goals of the World Food Summit Plan of Action and in line with international obligations under the ICESCR. The guidelines provide practical and normative guidelines for States, building on previous documents.
2007	<i>United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)</i>	UNDRIP implicitly recognizes the right to adequate food through respect for the collective and individual rights of Indigenous Peoples, as a necessary precondition for the full and effective realization of their right to adequate food. As such, UNDRIP acknowledges collective rights related to the right to adequate food.
2009	<i>World Food Summit Declaration</i>	A declaration endorsed by States that reaffirms language from previous World Food Summit Declarations. The 2009 Declaration includes five new principles, and lays out a twin-track approach in, combining longer-term “progressive realization of the right to adequate food” with short-term “direct action to immediately tackle hunger for the most vulnerable” (Principle 3). It also lays out alternatives/complementary actions to a rights-based approach.
2012	<i>CFS Global Strategic Framework (GSF) for Food Security and Nutrition (Updated 2021)</i>	An interpretive, evolving strategy to guide action, referring to the VGRtAF (and multiple other instruments), calling on States to implement them under current obligations, and recommending adoption of a rights-based approach (with step-by-step actions) as part of the twin-track approach.
2012	<i>CFS Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VG RGLFF)</i>	Developed and endorsed by the CFS in 2012, the VG RGLFF provide practice guidance to States to promote secure tenure rights and equitable access to land, fisheries and forests, aiming to achieve food security for all and support the progressive realization of the right to adequate food.
2014	<i>CFS Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries (VG SSF)</i>	FAO’s Committee on Fisheries (COFI) adopted the VG SSF in 2014, which explicitly aim to “...enhance the contribution of small-scale fisheries to global food security and nutrition and to support the progressive realization of the right to adequate food.”
2015	<i>CFS Framework for Action for Food Security and Nutrition in protracted crises</i>	Adopted by the CFS to “...improve the food security and nutrition of populations affected by, or at risk of protracted crises in a way that addresses underlying causes, thus contributing to the progressive realization of the right to adequate food.”
2016	<i>General Recommendation No. 34 (2016) on the rights of rural women</i>	Document produced by the Committee on Elimination of Discrimination against Women, which iterates that “...State parties should ensure the realization of the right to food and nutrition of rural women within the framework of food sovereignty and ensure they have the authority to manage and control their natural resources.”
2018	<i>United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP)</i>	Adopted in 2018, the UNDROP is a document that provides a framework for the promotion and protection of human rights of peasants and other people working in rural areas. Article 15 affirms that “...peasants and other people working in rural areas have the right to adequate food and the fundamental right to be free from hunger. This includes the right to produce food and the right to adequate nutrition...” It also protects and promotes food sovereignty, and sustainable and equitable food systems, with a continued a focus on collective rights.
2021	<i>CFS Voluntary Guidelines on Food Systems and Nutrition (VG FSyN)</i>	Developed and endorsed by the CFS in 2021, the main objective of the VG FSyN is to contribute towards achieving improved nutrition and sustainable food systems, through an evidence-based approach with emphasis on food, agriculture and nutrition sectors. *The CFS Voluntary Guidelines on Food Systems and Nutrition are the only Voluntary Guidelines to be endorsed without support from the Civil Society and Indigenous Peoples Mechanism (CSIPM).
2022	<i>General Recommendation No. 39 (2022) on the rights of Indigenous women and girls</i>	Document produced by the Committee on Elimination of Discrimination against Women. Reiterates Article 12 and Article 14 of the CEDAW (as well as other documents such as UNDRIP) on the right to adequate food, water and seeds – “(a) Ensure adequate access of Indigenous women and girls to sufficient food, water and seeds, and acknowledge their contribution to food production, sovereignty and sustainable development...”
2022	<i>General Comment No. 26 (2022) on land and economic, social and cultural rights</i>	Document produced by the Committee on Economic, Social and Cultural Rights that highlights the critical importance of productive resources for the realization of the right to adequate food, underlining the rights of peasants, pastoralists, fisherfolk and communities in rural areas.
2023	<i>CFS Voluntary Guidelines on Gender Equality and Women and Girls Empowerment (VG GEWGE)</i>	Adopted by the CFS to promote and protect gender equality, and women’s and girls’ empowerment critical to the progressive realization of the right to food, and of all human rights.

(Kent 2005; Food and Agriculture Organization 2016) plus various UN websites

Table 2. Legally binding instruments relevant to the right to adequate food

Entry into force	Instrument	Detail
1969	<i>International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)</i>	Adopted in 1965 and entered into force in 1969. The right to adequate food is implicitly recognised through the right to public health in Article 5 – “The right to public health, medical care, social security and social services.”
1976	<i>International Covenant on Civil and Political Rights (ICCPR)</i>	Adopted in 1966 and entered into force in 1976. The right to adequate food is implicitly recognised through the right to life in Article 6 – (1) “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”
1976	<i>International Covenant on Economic, Social and Cultural Rights (ICESCR)</i>	Adopted in 1966 and entered into force in 1976, this covenant forms part of the tripartite International Bill of Human Rights. The right to adequate food is explicitly recognised in Article 11 – “the right of everyone to an adequate standard of living for himself and his family, including adequate food...” and “the fundamental right of everyone to be free from hunger...” The ICESCR combines language from both the UDHR and UDHM, and outlines several food system and nutrition actions to be taken by States.
1981	<i>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</i>	Adopted in 1979 and entered into force in 1981. The CEDAW implicitly recognised the right to adequate food in the introductory text – “Concerned that in situations of poverty women have the least access to food, health, education...” and explicitly recognises the right to adequate nutrition in Article 12 – “States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.” The CEDAW outlines several food system, agriculture, health and nutrition

Table 2. continued

		actions (for rural women or during pregnancy) to be taken by States, and affirms rights for a specific population group (women).
1990	<i>Convention on the Rights of the Child (CRC)</i>	Adopted in 1989 and entered into force in 1990. The right to adequate food is implicitly recognised through adequate nutrition in Article 27 – “States Parties...shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.” The CRC outlines several food and nutrition actions to be taken by states (Articles 24 and 27), and affirms rights for a specific population group (children).
2008	<i>Convention on the Rights of Persons with Disabilities (CRPD)</i>	Adopted in 2006 and entered into force in 2008. The right to adequate food is explicitly recognised in Article 28 - (1) “States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.”
2013	<i>Optional Protocol to the ICESCR (OP-ICESCR)</i>	Adopted in 2008 and entered into force in 2013, the Optional Protocol to the ICESCR is legally binding to states that ratify it (but not to those who only ratified the original ICESCR). The Optional Protocol provides the ICESCR with additional capacities for the international justiciability of the economic and social rights (including right to food) guaranteed in the Covenant. The corresponding committee is the Committee on Economic, Social and Cultural Rights.

(Kent 2005; Food and Agriculture Organization 2016) plus various UN websites

In addition to those listed with specific reference to a right to adequate food, there are other instruments (and related mechanisms) that address broader food systems issues such as the rights of migrant workers or rural peasant communities or the disabled (groups whose right to food is most often violated); many goals and events that aim to move us closer to these rights (such as the Millennium and Sustainable Development Goals); and many notes submitted by committees and Rapporteurs that have also shaped these.

The language of the different instruments builds over time in terms of references to, and specificity about, food, including what there are rights to/from (e.g. a right to nutritious food, freedom from hunger and malnutrition); who these rights are for (everybody, but sometimes with specific reference to different marginalized or vulnerable groups); and which actions should be taken on which issues to secure these rights. References to food start out as part of a right to an adequate standard of living (1948) in the Universal Declaration on Human Rights (UDHR), and three decades later as explicit references to hunger and malnutrition (1974) in the Universal Declaration on the Eradication of Hunger and Malnutrition (UDHM). The 1976 International Covenant on Economic, Social and Cultural Rights (ICESCR) combines both of these ideas, and lays the conceptual grounding for the right to adequate food for the next 25 years, including through various World Food and Rights Summits Declarations (1993, 1996, 2002). The ICESCR General Comment #12 (1999) took ideas on the right to adequate food further in terms of both interpretation and action, and the FAO-based UN Committee on World Food Security (CFS) Voluntary Guidelines on the Right to Adequate Food (2004) built on these with practical and normative policy guidance for States. At the subsequent World Food Summit (2009), a marked change in language can be seen where human rights, rather than being the major guiding principle to assuring adequate food, is relegated to one track of a ‘twin track’ approach which combines longer-term “progressive realization of the right to adequate food” with short-term “direct action to immediately tackle hunger for the most vulnerable” (without explicit attention to rights). The UN-CFS Global Strategic Framework (2012, 2021) continues to build both tracks, and subsequent instruments bring specificity to issues underpinning the right to/access to

adequate food, such as land and productive resources, and protracted crises. Throughout the history of the various instruments, the right to adequate food – as well as freedom from hunger and malnutrition – was reaffirmed for specific population groups, most notably women (1979) in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and children (1990) in the Convention on the Rights of the Child (CRC). It was also reaffirmed for persons with disabilities (2008) in the Convention on the Rights of Persons with Disabilities; for rural workers (2016) in the CEDAW General Recommendation No. 34 on the rights of rural women; and specifically for peasants and Indigenous peoples in the 2018 United Nations Declaration on the Rights of Peasants (UNDROP), the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and the 2022 CEDAW General Recommendation No. 39, on the rights of Indigenous women and girls.

RIGHT TO FOOD MECHANISMS

International mechanisms have also built, merged, and changed over the past 100 years into a highly complex system of people, mandates and organisations supporting the instruments outlined above. It is the description of these mechanisms as they relate to the right to adequate food on which the rest of this paper concentrates.

Table 3 shows the evolution of UN mechanisms relevant to the right to food. The timeline shows flurries of activity at various timepoints: In the 1940s when the UN and its over-arching rights mechanisms were being set up; in the 1970s when rights instruments were being refined to consider different forms of rights; in the late 1990s and early 2000s when more recent monitoring and accountability mechanisms were being created; and, for food in particular, in recent years, with supporting institutions stepping up work to interpret, guide and promote these instruments for different audiences. We do not cover here the plethora of regional and national mechanisms that have co-evolved with these global processes (such as National Human Rights Institutions (NHRIs) and the Global Alliance of National Human Rights Institutions (GANHRI)), though many have conditioned and been conditioned by the global mechanisms reviewed here.

Table 3. UN human rights mechanisms relevant to a right to food

Entry into force	Mechanism	Detail
1920	<i>League of Nations</i>	'Predecessor' of the United Nations - intergovernmental organization established to promote international cooperation and achieve global security and peace.
1945	<i>United Nations (UN)</i>	Established under the Charter of the United Nations, including to address "economic, social, health, and related problems" and promote "universal respect for, and observance of, human rights..."
1945	<i>International Court of Justice (ICJ)</i>	Decides disputed between States that recognize its jurisdiction, on a variety of human rights issues.
1946	<i>United Nations Commission on Human Rights (UNCHR)</i>	Established by the UN Economic and Social Council (ECOSOC) in 1946. Replaced with the UN Human Rights Council in 2006. UNCHR was the principal mechanism and international forum concerned with the promotion and protection of human rights, responsible for monitoring and reporting on human rights violations. Committee that drafted Universal Declaration on Human Rights (UDHR).
1982	<i>United Nations Centre for Human Rights (UNCHR)</i>	An upgrade of the 1946 UNCHR, with the aim of assisting the UN General Assembly, the Economic and Social Council, the Human Rights Commission of the Economic and Social Council and other organs of the United Nations in the promotion and protection of human rights. Established the UN Human Rights programme in Geneva.
1985	<i>Committee on Economic, Social and Cultural Rights (CESCR)</i>	Treaty body of 18 independent experts that monitors implementation of the International Covenant on Economic, Social and Cultural Rights by its State parties.
1996	<i>Office of the High Commissioner for Human Rights (OHCHR)</i>	Department of the UN Secretariat, with a mandate to promote and protect human rights as stipulated in the UDHR. Employs experts on the food thematic mandate in the policy and planning division. Headed by the High Commissioner on Human Rights.
1998	<i>Special Rapporteur on extreme poverty and human rights</i>	First established in 1998, the Special Rapporteur on extreme poverty and human rights mandate was created to advance eradication of extreme poverty, including removing obstacles that prevent the full enjoyment of human rights for people living in extreme poverty. The mandate acknowledges that "...social protection floors facilitate the enjoyment of economic, social and cultural rights, ...including adequate food...".
2000	<i>Special Rapporteur on the right to food</i>	First established in 2000, the Special Rapporteur on the right to food mandate was created to "...address the need for an integrated and coordinated approach to promoting and protecting people's right to food."
2005	<i>Human Rights Committee</i>	The Human Rights Committee is a body of 18 independent experts that monitors implementation of the International Covenant on Civil and Political Rights by its State parties, as well as the two optional protocols on civil and political rights.
2006	<i>United Nations Human Rights Council (UNHRC)</i>	A division of the OHCHR, the UNHRC builds on previous institutional changes. Engages the UN Special Procedures (rapporteurs and thematic working groups) and undertakes Universal Periodic Reviews.
2006	<i>Universal Periodic Review (UPR)</i>	The UPR is a mechanism of the UNHRC that calls for each UN Member State to undergo a peer review of its human rights records every 4.5 years. It provides States with the opportunity to report on actions taken to improve human rights situations and receive recommendations for continuous improvement.
2007	<i>Special Rapporteur on the right to health</i>	Builds on the mandate of the Special Rapporteur on the right to physical and mental health, originally established in 2002. Resolution 6/26 - "Affirms that access to a sufficient amount of safe and clean water for personal and domestic use and adequate nutrition is fundamental to the realization of the right of everyone to the enjoyment of the highest attainable standard of health."
2008	<i>Committee on the Rights of Persons with Disabilities (CRPD)</i>	Body of independent experts which monitors the implementation of the Convention on the Rights of Persons with Disabilities.
2012	<i>Special Rapporteur on the human right to a healthy environment</i>	The Special Rapporteur on the right to a healthy environment mandate was created to "...promote and report on the realization of human rights obligations relating to the enjoyment of a safe, healthy and sustainable environment." A recent resolution includes 'adequate food' - "Recognizing also that sustainable development and the protection of the environment, including ecosystems, contribute to human well-being and to the enjoyment of human rights including the right to life...to adequate food..."
2023	<i>Working Group on UNDROP</i>	Within its UNDROP resolution, the Human Rights Council created a Working Group on UNDROP, composed of 5 independent experts from the five UN regions. The Human Rights Council resolution gives the Working Group a broad mandate, and the same competencies as the other Special Procedures.

Sources: (Kent 2005; Food and Agriculture Organization 2016) plus various UN websites

OVER-ARCHING HUMAN RIGHTS BODIES

Much of the human rights work in the UN falls under the mandate of the Office of the High Commissioner for Human Rights (OHCHR, Geneva and New York), the focal point for rights activities. In addition to a division on national-level field operations and technical cooperation (not covered further here, as we focus at global level), this comprises the Human Rights Treaty Division (including the Treaty Bodies, expert committees that monitor compliance with the core human rights treaties and covenants); the Research and Right to Development Division (including the Economic and Social Issues Branch, convening experts on understanding and monitoring rights); and the Human Rights Council and Special Procedures Division (including bodies coordinating

Special Rapporteurs and Universal Periodic Review (UPR)), detailed further below.

A key mechanism for upholding human rights is the International Court of Justice (ICJ), based in the Hague. The ICJ is composed of fifteen judges who rule on legal disputes and publish legal advisories, with its power coming from State acceptance of the court's jurisdiction through various treaties or declarations. While the ICJ has not ruled specifically on right to adequate food cases, it has considered aspects related to food security and access to food within broader cases of occupation, humanitarian law, and the protection of civilians in conflict zones. The Court's rulings indirectly support the principles underlying the right to adequate food by emphasizing States' responsibilities to

protect human welfare and basic needs in situations under their control.

TREATY-BASED MECHANISMS

Treaty bodies are committees of independent experts that monitor the implementation of and compliance with specific international human rights treaties, aiming to uphold accountability of States that have ratified the respective treaty. In general, there is a treaty body created for each treaty signed. Members of treaty bodies are usually experts in human rights elected by States parties to the respective treaties, and serve in their personal capacity, not as representatives of their governments. States parties are required to submit periodic treaty reports (every 4-5 years) specific to each treaty to which the country has acceded, detailing their progress in implementing the treaty's provisions. The treaty bodies review these reports and provide legally-grounded recommendations, as well as occasionally conducting independent investigations. Treaty bodies also issue General Comments, and, depending on the treaty, may allow individual citizens to submit complaints for rights violations by the State, and address urgent actions.

The major treaty body with a mandate for the right to adequate food is the Committee on Economic, Social and Cultural Rights (CESCR, 1985). CESCR is guided by the ICESCR (1976), and, specifically for food, by CESCR General Comment #12 (1999). Based in Geneva (with representatives, or sometimes teams of representatives, in countries) the CESCR publicly advocates for human rights issues, including the right to adequate food; engages in global policy processes such as at the UN Committee on World Food Security; and participates in regional consultations. Beyond treaty reports, the CESCR largely focuses on answering requests from countries or advocacy groups, rather than engaging in active outreach. However, in recent years the CESCR has engaged officers with profiles outside of law (such as food systems, or economics), to enable broader forms of analysis and engagement in right to food debates and actions at various levels.

CHARTER-BASED MECHANISMS

Charter-based human rights mechanisms are bodies and institutions established under the UN Charter to promote and protect human rights globally. Unlike treaty-based mechanisms, which stem from specific human rights treaties and apply only to States that have ratified those treaties, charter-based mechanisms are founded under the UN Charter itself and thus apply to all UN member states. While charter-based mechanisms can operate through bodies such as the UN General Assembly and the Security Council (which can pass resolutions on human rights issues), the major charter-based rights mechanisms are the Human Rights Council (HRC), the UPR, and Special Procedures.

The UN Human Rights Council (UNHRC, formed in 2006) is the principal charter-based body for addressing human rights issues. Replacing the UN Commission on Human Rights (1946), it was created specifically to address human rights violations and provide a platform for dialogue across States and other interested parties. The UNHRC has 47 member states (representing equitable allocations among global regions), elected by the UN General Assembly for

three-year terms, and meeting three times per year. It can establish working groups, appoint Special Rapporteurs, and initiate investigations into human rights abuses globally. The UNHRC regularly addresses issues related to the right to adequate food through resolutions, discussions, inputs from the Special Rapporteur on the right to food (see below), and convening peer-review processes and recommendations under the UPR process (see below) that might include issues related to food.

Special Procedures involve appointing independent experts or working groups that investigate, report on, and advise the UNHRC on human rights concerns globally. Special Procedures includes the UN Special Rapporteurs – independent experts who are appointed (unpaid) to work in collaboration with States and non-state bodies at different levels to advise, investigate, assess complaints, and report on specific countries or themes. There are currently 45 thematic Special Rapporteurs (topic-specific, such as the right to adequate food and the right to health); and 13 country-focused Special Rapporteur mandates. Special Rapporteurs along with small supporting teams monitor human rights developments related to their mandates; undertake in-country investigations; report regularly to UN bodies; and work with governments, businesses, and civil society to provide guidance (often through formal public letters) on how to improve human rights protections through legal reforms, policy changes, or strengthening institutional protections.

Since the inception of the role in 2000, there have been four appointed Special Rapporteurs on the right to adequate food. These experts have been social and legal scholars, and each has highlighted different sets of issues related to food, such as unfair terms of global trade and finance, agroecology and sustainable farming, climate change and rural vulnerability, crises such as pandemics and conflict, and food as a weapon of war. Other Special Rapporteurs may also work on the issue of food. For instance, the Special Rapporteur on the right to health issued a report on food and nutrition in 2023 (Mofokeng, 2023), and country-mandate Rapporteurs such as those to North Korea, Myanmar, and the Occupied Palestinian Territories have frequently included the right to adequate food in their reports.

Universal Periodic Review (UPR, established 2006) is a peer-review mechanism for human rights in all UN member states. The UPR operates on a four-and-a-half-year cycle during which each State is reviewed once, with States and others interested in participating having a clear timetable for inputs well in advance. Each State is required to prepare a national report, usually prepared with input from civil society (highly encouraged by the UNHRC), national human rights institutions, and other stakeholders for diverse perspectives, outlining its human rights achievements, challenges, and measures taken to address human rights issues. Based on the findings of the reports, each State's review occurs in a session of the UNHRC, where interactive dialogue takes place between representatives of the reviewed state and other UN member states. At the conclusion of the review, the State is presented with a series of recommendations and may then respond to each recommendation in terms of their proposed action (or inaction), with justification. The UPR includes a follow-up

mechanism, and the UNHRC monitors the implementation of recommendations and encourages continued dialogue to ensure that States take concrete steps to implement the accepted recommendations. States are expected to report on their progress during the next review cycle. The UPR process is designed to promote accountability, dialogue, and visibility of human rights, though in practice social and political dynamics as well as lack of funds or resources are obstacles to participation and implementation.

The UPR mechanism does not specifically focus on any single human right, but it does encompass the right to adequate food as part of its broader mandate to assess human rights situations in all UN member states. Countries are encouraged to report on various economic, social and

cultural rights, and inputs from civil society often touch on issues related to food security and underlying issues such as land rights. Whether violations of the right to adequate food are reported on or addressed by the State depends on the political context and the priority of the right to adequate food compared to other human rights in each context.

SUPPORTIVE INSTITUTIONS

Human rights with relation to food also fall under other UN bodies that are not explicitly human rights mechanisms, but undertake work or produce documents that support, interpret, disseminate or implement human rights instruments and mechanisms. These are outlined in Table 4.

Table 4. Supporting global institutions relevant to the right to adequate food

Entry into force	Supporting institutions	Detail
1945	<i>United Nations Economic and Social Council (ECOSOC)</i>	Responsible for coordinating the economic, social, cultural and health matters of the UN.
1945	<i>Food and Agriculture Organization (FAO)</i>	Organization established on 16th October 1945 – World Food Day – to end hunger and improve world food security and nutrition through agricultural approaches, promoting a cross-cutting human rights-based approach.
1946	<i>UNICEF (United National Children's Fund)</i>	Organization that is responsible for providing humanitarian and developmental aid to children worldwide, including food
1961	<i>World Food Programme (WFP)</i>	Organization that is responsible for providing humanitarian food assistance and related programming such as school meals and social protection.
1974	<i>Committee on World Food Security (CFS)</i>	Established as an intergovernmental committee within FAO, specifically supporting food security with an emphasis on human rights.
2009	<i>Committee on World Food Security (CFS) – Reform</i>	In 2009, the committee originally established in 1974 reformed to be more inclusive (inclusion of civil society) and country-led, with a vision of "...a world free from hunger where countries implement the voluntary guidelines for the progressive realization of the right to adequate food in the context of national food security".

(Kent 2005; Food and Agriculture Organization 2016) plus various UN websites

The UN Food and Agriculture Organisation (FAO, 1945) includes a Right to Food Team sitting in the Social Policies and Rural Institutions Division, and the FAO Legal Office within the Office of the General Counsel, both with a global secretariat in Rome and field staff in national offices. The Right to Food team works in partnership with other UN, government and civil society stakeholders (organized informally into a group known as the 'friends of the right to food' in Rome) on rights-based policy development, rights capacity building, advocacy and awareness raising, and monitoring and research in support of the right to adequate food within the FAO and in multilateral bodies. The FAO legal office provides a wide range of legal expertise to the rest of FAO, not only rights-based. In addition, that Office has human rights law experts from whom member States can request advice on reviewing their legislation to ensure it is aligned with international standards.

Within the FAO, the UN Committee on World Food Security (CFS, established in 1974, reformed in 2009) is an intergovernmental body aiming to ensure food security and nutrition for all people by fostering a coordinated and inclusive global response to the challenges of hunger and malnutrition. The CFS explicitly includes voices from civil society, academia, and the private sector alongside those of the 141 participating states. The CFS provides a forum for policy development, research through the High-Level Panel of Experts on Food Security and Nutrition, and global governance around food security with a human rights lens. The CFS produced the Voluntary Guidelines on the Right to

Adequate Food (2004) which still serves as a key framework for promoting the right to adequate food in practice. The CFS has also produced voluntary guidance on other aspects related to the right to adequate food, such as land, food systems and nutrition, and inequalities.

All UN agencies take human rights as a foundation of their work, in principle. Two key UN agencies with clear food and nutrition mandates are the World Food Programme (founded 1961), which provides emergency and humanitarian assistance in the form of food and other social protection, to underpin a right to food; and UNICEF (founded 1946), which works on the determinants of child malnutrition, including a right to adequate food.

CONCLUSION

This paper aimed to clarify the set of mechanisms (people, bodies and agencies) within the UN human rights system through which the UN works to uphold human rights, including the right to adequate food; and to connect these to key instruments (published legal and non-legal documents) and supportive institutions that grew alongside them. For each set of mechanisms – over-arching rights bodies, treaty-based mechanisms, and charter-based mechanisms including special rapporteurs and the Universal Periodic Review process – and the supportive institutions, we have outlined the broad mandate and process, as well as the specific relevance and recent practice on the right to adequate food. We hope this is a useful input for those studying, or working to uphold, the human right to adequate food, particularly at

times when these global systems are threatened.

The mechanisms reviewed above (along with the instruments and supportive institutions) represent a strong, substantial, and often integrated set of approaches to respecting, protecting, and promoting human rights. Human rights in general have also been critiqued, it should be noted, as culturally relative or ineffective or insufficiently concerned with economic and social rights (Ignatieff 2003). The system for supporting them is also far from perfect, with issues including the growth and proliferation of the system (particularly since 2006), combined with a lack of prioritization processes and insufficient resources, leading to delays, backlogs, and lack of follow-up; lack of harmonization and coherence across different bodies and mechanisms, including overlap of mandates, resistance to governance, and sometimes conflicting approaches to the same issues; lack of formal communication channels between different mechanisms (and supportive institutions) outside of plenary sessions at major meetings; a state-centric focus with lack of attention to non-state actors such as multinational businesses or participation of civil society; and ineffective enforcement mechanisms due to lack of binding authority and dependence on member states (Geneva Academy 2015). These problems and inadequacies do not derail these important human rights mechanisms, but they certainly restrict their efficacy, and there is scope to further critically analyse their impacts on the right to adequate food. The right to adequate food is a hugely important and fundamental right, underpinning rights to cultural expression, health, and ultimately life – but it is also a complex and multi-factorial right to uphold, and less visible

in the global system than some civil and political rights. Bringing a broader understanding of the human rights mechanisms that are available in the global system is a first step in empowering those working towards the realization of the right to adequate food.

AUTHOR CONTRIBUTIONS

JH conceptualized the study and its approach, with inputs from EJ. Both authors contributed to finding and organizing data; and writing, editing and finalizing the manuscript.

CONFLICT OF INTEREST AND DECLARATIONS

The authors declare no conflict of interest in the preparation and publishing of this manuscript.

The authors declare that generative AI was used in the course of this research, using ChatGPT (OpenAI) to generate information for background research and to understand concepts. All text (and errors) are the authors' own.

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