

# NUTRITION

## AS A HUMAN RIGHT:

JANUARY 2021

ADOPTING A RIGHTS-BASED  
APPROACH TO FOOD IN  
THE CONTEXT OF COVID-19



**RESULTS**

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# EXECUTIVE SUMMARY

In 2020, the COVID-19 pandemic provoked a global health crisis, with a significant impact on the existing burden of malnutrition. Prior to the pandemic, it was already estimated that the World Health Organization (WHO) Global Targets, aiming at improving maternal, infant and young child nutrition, would be difficult to achieve by 2025 because of a lack of progress.

Now, many more children will face an unprecedented nutrition crisis and are at risk of death from preventable causes. As a result of this pandemic, it is predicted that by 2022, the secondary impacts of COVID-19 could prove more deadly than the disease itself. The result of this would be an additional 9.3 million children being dangerously thin for their height (wasted); an additional 2.6 million children being too short for their age (stunted); and an additional 168,000 child deaths.<sup>i</sup>

As countries have been forced to adapt to COVID-19, the pandemic has disrupted the way people live, their movement and access to facilities. In this context, the lack of access to nutrition health services and the difficulties experienced in accessing and affording nutritious food in developing countries require a response that takes account of the human rights of individuals, to protect them from the direct and secondary impacts of COVID-19, while fulfilling their basic needs. Taking necessary measures to tackle the secondary effects of COVID-19 on food security and malnutrition will require a rights-based approach, which should guide the UK Government's current and future policies and programmes on nutrition.

This briefing outlines why it is important for the UK and other governments, to adopt a rights-based approach in their response to the food crisis within the context of COVID-19, and how they should use the right to adequate food and related rights as fundamental guidance for governments' policies and programmes.

## COVER PICTURE:

Maimuna Ali breastfeeds her three-week-old daughter

Jasmine Adam outside her home in Chanika, Tanzania

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# 01 INTRODUCTION: A HUMAN RIGHTS BASED APPROACH TO TACKLING INEQUALITY



Mothers breastfeed their children outside a health centre in Chanika, Tanzania.  
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In times of catastrophe or global emergencies including war, global pandemics, and environmental emergencies, human rights are often threatened, side-lined or neglected altogether. It is vital that the response to this global pandemic preserves the realisation of human rights for the world's most vulnerable and marginalised communities that will be disproportionately affected by the direct and secondary impacts of COVID-19. By standing for principles of accountability, community empowerment and participation, a human rights-based approach will ensure the recovery from COVID-19 is fully inclusive, transparent and accountable.

Adopting a human rights-based approach in the recovery from COVID-19 will be necessary to protect individuals from the direct and secondary impacts of the virus. It will also ensure that governments' responses to the pandemic are more effective and facilitate meaningful participation by affected communities. Human rights offer a universal framework for the progression of justice and equity in global health. They promote and protect human dignity by addressing basic human needs, and frame the necessary entitlements to upholding the highest achievable standards of health. By guiding governments' policies and facilitating legal accountability of their responsibilities, human rights stand as a foundational normative framework for global health, which is vital for an effective recovery from the pandemic.

The human rights approach adopted as part of the HIV response is a good example of the way the global community can respond to a global health emergency. By adopting a rights-based approach to the epidemic, the fight against HIV prioritised a response centred on evidence, empowerment and community engagement, which recognised that people often face significant barriers when protecting their health.<sup>ii</sup> The HIV response has been an entry point for addressing global health issues around human rights, equitable access to services, and meaningful participation by affected populations in decision-making.<sup>iii</sup> HIV advocates have effectively pushed for advancing human rights in order to end all HIV-related discrimination, stigma, and gender inequality issues which prevent individuals from accessing prevention and treatment services. Following the precedent set by the HIV response, interventions to global crises can have the potential to remove the barriers that interfere with access to health care, nutrition services and adequate food when guided by human rights principles, and when affected communities are involved in their development, implementation and monitoring.

Given the multiple consequences that the pandemic has on accessing nutritious food and nutrition health care, governments should endorse a global approach guided by human rights principles as they respond to this crisis. Using the **right to adequate food** as part of a rights-based response to COVID-19 provides a useful guide to ensure progress in the reduction of the rate of malnutrition and the establishment of more equitable food systems globally.

Human rights standards consider malnutrition and hunger as injustices, by recognising health and fundamental rights as interdependent approaches to defining and advancing human wellbeing. The international instruments promoting the right to adequate food (Figure 1) set the global direction for uniting all the conditions necessary for progressively reducing the rate of malnutrition and guaranteeing food security for everyone. These instruments also provide key guidance and measures that allow governments to focus on the underlying social, political and economic determinants of health that are essential for good nutrition outcomes.

Human rights are legal international norms that also have political dimensions, as they rely on values, human need and fundamental liberties. They shift the power dynamic by promoting equality between individuals and the existence of individual rights, creating legal obligations for policy makers to enforce and protect them. This establishment of roles defines governments as duty-bearers (being accountable for the promotion, protection and fulfilment of rights), and individuals as rights-holders (being entitled to the enjoyment of their rights). Civil Society Organisations (CSOs) have a unique role to play to ensure that human rights become a reality for rights-holders, while supporting governments to implement these rights. As part of a human rights-based response to the COVID-19 pandemic, the collaboration between governments and local CSOs is vital in adequately supporting those who are the most affected by the direct and indirect impacts of the virus.

The recently formed Foreign, Commonwealth and Development Office (FCDO) has an opportunity to promote the respect for human rights, democratic institutions and the rule of law, and facilitate sustainable access to adequate nutrition through adopting a rights-based approach. This briefing explains the approach the UK Government should adopt to ensure a rights-based approach in the fight against food insecurity and malnutrition. In doing so, it will fulfil its objective of advancing human rights, especially in the context of a global pandemic.

## 02 UNDERSTANDING OUR FUNDAMENTAL RIGHTS

Children eat breakfast at a school in Ambovombe in southern Madagascar.  
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## A) WHAT ARE HUMAN RIGHTS?

Human rights belong to each person. These rights are inherent to all human beings, regardless of any distinction, and are based on values such as dignity, fairness and equality, values that are protected by international and domestic laws. There are many fundamental rights, which – amongst others - include the right to life, the right to respect for private and family life, and the right to freedom of religion and belief.

The Second World War set the backdrop for the establishment of international human rights standards, leading to the founding of the United Nations in 1945 and the adoption of the Universal Declaration of Human Rights in 1948.

International human rights are universal, inalienable, interdependent and indivisible, which means that they are inherent to all human beings, they are all equally important, and one set of rights cannot be enjoyed fully without the other. The United Nations defines human rights as ‘rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status’.<sup>iv</sup> Human rights are defined by a range of international covenants and treaties, including civil, cultural, economic, political and social rights that have been signed by Member States.

By signing these legally binding international treaties, Member States are accountable for respecting, protecting and fulfilling the rights of citizens, who are recognised as rights holders. It also means that Member States have an obligation to promote the recognition of human rights at a national level, and to enact laws aiming at their protection and achievement. In the UK, for example, this is encompassed within the Human Rights Act 1998.

## B) WHAT IS A RIGHTS-BASED APPROACH?

A rights-based approach is a conceptual framework for policies and programmes, which are normatively based on international human rights standards and principles, with the aim to promote and protect human rights. A human rights-based approach is based on the ‘PANEL’ principles (Participation, Accountability, Non-Discrimination and Equality, Empowerment and Legality).



**PARTICIPATION:** PEOPLE SHOULD BE INVOLVED IN DECISIONS THAT AFFECT THEIR RIGHTS.



**ACCOUNTABILITY:** AN EFFECTIVE MONITORING OF APPROPRIATE LAWS, POLICIES, ADMINISTRATIVE PROCEDURES AND MECHANISMS TO SECURE HUMAN RIGHTS.



**NON-DISCRIMINATION AND EQUALITY:** ALL FORMS OF DISCRIMINATION MUST BE PROHIBITED, PREVENTED AND ELIMINATED, AND THE MOST VULNERABLE FACING THE BIGGEST BARRIERS TO REALISING THEIR RIGHTS SHOULD BE PRIORITISED.



**EMPOWERMENT:** EVERYONE SHOULD UNDERSTAND THEIR RIGHTS AND BE FULLY SUPPORTED TO TAKE PART IN DEVELOPING POLICY AND PRACTICES WHICH AFFECT THEIR RIGHTS.



**LEGALITY:** THE RECOGNITION OF RIGHTS AS LEGALLY ENFORCEABLE ENTITLEMENTS, AND SET OUT IN DOMESTIC AND INTERNATIONAL LAWS.

The aim behind a rights-based approach is not to apportion blame for the non-realisation of rights, but rather to identify the duty-bearers and to strengthen capacity of rights-holders in order to contribute directly to the realisation of human rights.

The ‘Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies’<sup>v</sup> developed three fundamental attributes for a human rights-based approach in a ‘Statement of Common Understanding’. The Statement places a focus on developing the capacities of citizens to claim their rights and of duty-bearers (e.g. governments) to meet their obligations:



ALL PROGRAMMES OF DEVELOPMENT CO-OPERATION, POLICIES AND TECHNICAL ASSISTANCE SHOULD FURTHER THE REALISATION OF HUMAN RIGHTS AS LAID DOWN IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS.



HUMAN RIGHTS STANDARDS CONTAINED IN, AND PRINCIPLES DERIVED FROM, THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND OTHER INTERNATIONAL HUMAN RIGHTS INSTRUMENTS GUIDE ALL DEVELOPMENT COOPERATION AND PROGRAMMING IN ALL SECTORS AND IN ALL PHASES OF THE PROGRAMMING PROCESS.



DEVELOPMENT COOPERATION CONTRIBUTES TO THE DEVELOPMENT OF THE CAPACITIES OF ‘DUTY-BEARERS’ TO MEET THEIR OBLIGATIONS AND/OR OF ‘RIGHTS-HOLDERS’ TO CLAIM THEIR RIGHTS.

## C) THE ROLE OF CIVIL SOCIETY ORGANISATIONS IN SUPPORTING GOVERNMENTS’ COMMITMENTS

The adequate representation of civil society is a fundamental part of a rights-based approach to programme planning and delivery and is based on the principles of participation, empowerment and non-discrimination. Engaging with CSOs and communities affected by COVID-19 would significantly enhance FCDO’s impact in the recovery from the pandemic and would set the UK Government as a leader in championing human rights.

Civil Society Organisations have a unique expertise to support governments to align their policies with human rights principles. CSOs are an important source of information for both citizens and governments in sharing first-hand testimonies. They are also in a key position to translate their knowledge of the legal, social and cultural barriers preventing communities and individuals from enjoying their rights into evidence that can be used to inform policy.

A report published in 2019 by the Independent Commission for Aid Impact (ICAI) found that although the previous Department for International Development (DFID) valued its partnerships with CSOs and considered them as key actors in delivering humanitarian and development results, partnership practices did not fully support the long-term health of the civil society sector.<sup>vi</sup> To champion human rights and establish a rights-based approach in the delivery of development and humanitarian interventions, the FCDO should give its country offices guidance aimed at enhancing and expanding their collaboration with CSOs. Doing so would be a valuable initiative to improve the effectiveness of the global development system, while reflecting FCDO’s commitment to championing human rights and reaching the most vulnerable and marginalised populations in its COVID-19 response.

# 03 A RIGHTS-BASED APPROACH TO NUTRITION

## A) THE RIGHT TO ADEQUATE FOOD

The *Universal Declaration of Human Rights of 1948* is the first major international instrument recognising the right to food as part of the right to an adequate standard of living. In 1974, the Universal Declaration on the Eradication of Hunger and Malnutrition laid down principles that imposed moral obligations on signatory states to take appropriate measures for the eradication of hunger and malnutrition.

While UN declarations have no legal status, the right to adequate food was implemented through legally binding international instruments (such as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women). The conditions for its full realisation are provided by General Comments and/or Recommendations, which are authoritative interpretations as to what is expected of Member States in terms of practical measures of implementation (see Figure 1).

Since good nutrition outcomes involve a variety of interventions, for example, sustainable agriculture, access to nutritious food, knowledge of nutrition and access to nutrition health and social care, it follows that the realisation of the right to adequate food will be linked to the accomplishment of other human rights, including:

- The right to water (as part of food intake and to produce and cook food).
- The right to property (giving access to land and other productive resources needed to produce food).
- The right to health (giving access to primary health care and nutrition care).
- The right to be free from discrimination (requiring the removal of all barriers interfering with access to health services, education, health information and resources to produce food).
- The right to information (to have the opportunity to participate in decisions affecting health and nutrition outcomes).
- The right to education (for the use of basic knowledge of health and nutrition, hygiene and environmental sanitation).

Figure 1 (following) explains how the right to adequate food is included in the main international treaties relating to economic and social rights and specifies the key measures that are necessary for the progressive implementation of this right, based on the content of the treaties, and on the guidance provided by the UN General Comments and Recommendations for each treaty.



**EVERYONE HAS THE RIGHT TO A STANDARD OF LIVING ADEQUATE FOR THE HEALTH AND WELL-BEING OF HIMSELF AND OF HIS FAMILY, INCLUDING FOOD, CLOTHING, HOUSING AND MEDICAL CARE AND NECESSARY SOCIAL SERVICES...**

UNIVERSAL DECLARATION OF HUMAN RIGHTS ARTICLE 25 (A)



**EVERY MAN, WOMAN AND CHILD HAS THE INALIENABLE RIGHT TO BE FREE FROM HUNGER AND MALNUTRITION IN ORDER TO DEVELOP FULLY AND MAINTAIN THEIR PHYSICAL AND MENTAL FACULTIES.**

UNIVERSAL DECLARATION ON THE ERADICATION OF HUNGER AND MALNUTRITION ARTICLE 1

FIGURE 1:

## THE RIGHT TO ADEQUATE FOOD IN INTERNATIONAL LAW AND ITS KEY MEASURES FOR IMPLEMENTATION

### THE RIGHT TO ADEQUATE FOOD

ARTICLE 11 OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (CESCR)

- The Article 11 stipulates that 'The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food', and highlights key measures to be taken either individually & through international co-operation, including:



- Improving methods of production, conservation and distribution of food,
- Disseminating knowledge of the principles of nutrition,
- Developing or reforming agrarian systems,
- Ensuring an equitable distribution of world food supplies.

- General Comment No.12 on the right to adequate food specifies that 'The right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement'. The conditions of the realisation of the right to adequate food include:

- The availability of food, in quantity and quality, sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture,
- The physical and economic accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

### THE RIGHT OF THE CHILD TO THE ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD OF HEALTH

ARTICLE 24 OF THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC)

- Article 24 commits Member States to combat malnutrition through access to adequate food and Primary Health Care, as a condition to the realisation of the rights of the child to the enjoyment of the highest attainable standard of health. It also recognises the necessity of supporting parents and children in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation.

- General Comment No.15 on the right of the child to health establishes the correlation between children's rights to health and the right to adequate food, by imposing measures to prevent and tackle malnutrition as a necessary step for the realisation of the right to health. These measures include:

- Ensuring access to nutritionally adequate, culturally appropriate and safe food,
- Promoting and protecting exclusive breastfeeding,
- Implementing school feeding to ensure all pupils have access to a full meal every day,
- Combining nutrition and health education, to improve children's nutrition and healthy eating habits,
- Strengthening health systems to provide interventions preventing and treating malnutrition.



## THE RIGHT OF WOMEN TO HEALTH AND WELLBEING

ARTICLE 12 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)



- Article 12 of the convention calls Member States to take all appropriate measures to eliminate discrimination against women in the field of health, and reiterates the right of all women to adequate nutrition.
- General Recommendation No. 24 on women's rights to health and wellbeing stipulates that 'Women's right to health can be achieved only when State parties fulfil their obligation to respect, protect and promote women's fundamental human right to nutritional well-being throughout their lifespan by means of a food supply that is safe, nutritious and adapted to local conditions'. The Recommendation sets up the following key measures to implement, for the realisation of this right:
  - Facilitating physical and economic access to productive resources, for all women, especially for rural women,
  - Ensuring appropriate services in connection with pregnancy, including adequate nutrition,
  - Collecting and reporting data disaggregated by sex on the incidence and severity of diseases and conditions hazardous to women's health and nutrition and on the availability and cost-effectiveness of preventive and curative measures.

FIGURE 2:

## COMPONENTS OF THE RIGHT TO ADEQUATE FOOD, BASED ON THE GENERAL COMMENT 12 OF THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS



The right to adequate food is therefore a cross-cutting concept including both the right to be free from hunger and the right to access food, which satisfies the dietary needs of individuals. But this fundamental right is also enriched in the right to health, and appears clearly in the Convention on the Right of the Child and the Convention on the Elimination of All Forms of Discrimination against Women (Figure 1), given that access to adequate food is a critical step towards attaining the highest standard of health. The realisation of this right is also based on the establishment of economic, political and social conditions necessary to meet its main components (see Figure 2).

The content of these international instruments and the General Comments and Recommendations, as detailed in Figure 1, emphasise that human rights are valid universal freedoms and principles, which should guide governments' policies in order to translate social justice values into laws and programmes. The right to adequate food has a unique value for policy makers, as it provides a general understanding of the main pillars that condition the achievement of stable nutrition outcomes. This is essential for the realisation of other human development objectives, such as women's empowerment, high standards of health for every child, health system strengthening and pandemic recovery.

## B) THE OPERATIONALISATION OF THE RIGHT TO ADEQUATE FOOD IN THE COVID-19 RESPONSE

Rather than being a rigid legal framework, the right to adequate food offers a unique value-add to FCDO's nutrition specific and sensitive programming in the context of COVID-19. It establishes a global standard of what individuals need to be free from hunger and malnutrition. The key measures of implementation of the right to adequate food, provided by the General Comments and Recommendations, have the potential to set concrete and measurable objectives for the realisation of rights by mentioning explicitly what would need to be achieved to address the underlying social, political and economic determinants of nutrition outcomes and to progressively reduce the rate of malnutrition and food insecurity.

### USING A RIGHTS-BASED APPROACH TO NUTRITION IS NECESSARY IN COVID-19 RESPONSES

- As human rights are universal in principle, a rights-based approach aims to reach the realisation of rights for all, including the most marginalised and vulnerable populations, which are affected disproportionately by the direct and secondary impact of COVID-19.
- A rights-based approach to nutrition maintains the right to access adequate food as a priority, especially in times of crisis and emergencies.
- Using the right to adequate food as guidance in a pandemic context is a strong indicator for governments and their institutions of what to prioritise to fulfil the basic needs of people; and to adopt the necessary steps to remove barriers that individuals face when accessing adequate food and nutrition services.
- The right to adequate food is an essential contribution to the realisation of the right to health, which is also essential in preventing and tackling global pandemics. The conditions for its realisation demand accessible, acceptable, available and adequately resourced quality health services and information, to meet the health needs of all populations, including in the prevention, treatment and control of epidemics.



## HOW TO USE THE RIGHT TO ADEQUATE FOOD IN POLICIES AND PROGRAMMES?

The right to adequate food and the recommended measures of implementation provided by the UN General Comments and Recommendations (Figure 1) provide useful guidance for governments' recovery plans from the effects of COVID-19 on nutrition, aiming at fulfilling multiple rights, unlocking individuals' potential and leading to more prosperous societies. Using this guidance can enhance the effectiveness of interventions in tackling the rising rate of both malnutrition and famine due to COVID-19.

Nutrition-sensitive and nutrition-specific programmes should, therefore, consider the key measures of the realisation of the right to adequate food (see Figure 1), as well as the main components of this right (see Figure 2).

As duty-bearers for the protection, respect and fulfilment of human rights, governments should also evaluate and strengthen policies, as well as their legal and institutional frameworks, surrounding the recovery from COVID-19, in accordance with the right to adequate food. This can be best done by:

- 01 **Examining the conformity of the regulatory content of future laws with key measures for the implementation of the right to adequate food (see Figure 1), in order to align legislation with these guidelines.**
- 02 **Determining which sectors should be reviewed, in order to identify the gaps or inconsistencies of regulations and institutional structures that either favour or restrict people's ability to exercise their rights.**
- 03 **Prioritising vulnerable sectors of the population and analyse the barriers that prevent the most vulnerable and marginalised populations from accessing their rights to nutritious food and nutrition health care.**

This exercise would allow policy makers to determine whether regulations affecting individuals' nutrition status produce unintended effects. It would also enhance general understanding of the consequences of a breach of these regulations on the realisation of the right to adequate food.

## LEVERAGING A PERSON-CENTRED APPROACH THROUGH MEANINGFUL CITIZEN PARTICIPATION

In order to progressively fulfil the right to adequate food in current and future interventions to recover from COVID-19, governments need to ensure the meaningful involvement of citizens in the design, development, implementation and evaluations of programmes.

A person-centred approach is essential to address the varying needs of different groups within a community, especially in times of emergencies and epidemics. Disasters in general tend to compromise the qualitative aspect of food access and to ignore the different nutritional needs of individuals.<sup>vii</sup> COVID-19 is no exception, disproportionately affecting women, children, people living with disabilities, older people and marginalised populations, whose nutritional outcomes could be permanently impaired by temporary disruptions of food systems and nutrition care. A person-centred approach, however, allows programmes to anticipate and address inequalities affecting access to goods and services that determine the realisation of the right to adequate food, by better targeting the diversity of needs of a population.

To better integrate citizens' participation in current and future nutrition programmes within a rights-based approach, the UK Government should engage with communities to implement a meaningful representation of citizens, which should be based on the following principles:

- **Citizens are recognised rights-holders and can legitimately claim the respect, protection and fulfilment of fundamental rights, by holding duty-bearers to account.**
- **Citizens' representation and participation must not be based on direct discrimination on the grounds of race, ethnicity, language, religion, sex or other status, or on indirect discrimination by excluding segments of the population from dialogue and other consultation processes.**

- **The participation of citizens must promote gender equality by removing the barriers and constraints preventing the equal representation of girls, women, boys and men in the processes that inform programmes in a culturally sensitive manner.**
- **The consultation processes and dialogue with citizens must respect the human dignity of all, particularly for those facing various forms of marginalisation, by respecting and understanding local cultural, political, social and religious contexts and issues of communities.**
- **The consultation process of programmes should be fully transparent with well-defined objectives, actions and time-frames and a clear strategy for communicating their outcomes, as well as information related to the duties and responsibilities of the different actors involved.**

## ACCOUNTABILITY MECHANISM ON POLICY IMPLEMENTATIONS

The development of comprehensive national action plans for the recovery from COVID-19 and the realisation of the right to adequate food should be monitored and evaluated, in order to ensure accountability of the progress that needs to be made to save millions of lives from malnutrition and food insecurity.

With its Universal Periodical Review mechanism, the United Nations provides the opportunity to monitor the progress made in the implementation of measures to fulfil fundamental rights. This accountability mechanism assesses and records Member States' progress in the realisation of human rights<sup>viii</sup> Reporting progress made in the realisation of the right to adequate food, as part of the COVID-19 response, would enable the Universal Periodical Review process to evaluate the adequacy of legislation and identify existing gaps. This would in turn support the efforts of Member States in strengthening their policies through specific recommendations.

Given the expertise of CSOs in the understanding of the legal, social and cultural barriers preventing communities and individuals from realising their fundamental rights, their participation in the Universal Periodical Review process, via independent submissions, would be a significant contribution to the monitoring and evaluation of governments' progress in the realisation of the right to adequate food.<sup>ix</sup> Specialised international organisations, such as national human rights institutions, can also support accountability for progress in realising the right to adequate food by providing technical support to local CSOs and national governments in the drafting and submission processes of the Review, and through providing independent comments on the implementation of previous Reviews' recommendations.

## SUSTAINABLE FINANCING FOR NUTRITION FOR FULFILLING RIGHTS

As part of their core obligations for protecting, respecting and fulfilling human rights, domestic governments have to integrate ambitious financing plans for development. Allocating sufficient funding for nutrition programmes is essential for tackling malnutrition and food insecurity, as well as the underlying causes of malnutrition. Without adequate nutrition financing and cross-sectoral budgetary allocations, actions on the ground to recover from COVID-19 will be ineffective in addressing the secondary impacts of the pandemic.

Financial support is needed to scale-up nutrition-specific solutions and to meet the WHO Global Targets on stunting, wasting, low-birth weight, anaemia, exclusive breastfeeding, and childhood overweight. Meeting these targets is essential for saving millions of people from preventable death and diseases, and is part of Member States' extraterritorial human rights obligations, which include the contribution to the creation of an international environment that is conducive to the universal fulfilment of rights.<sup>x</sup>

The UK Government has long been recognised as a leading donor to nutrition, given the strong track record of UK aid on improving children's health and saving lives, through evidence-based and value-for-money programmes.<sup>xii</sup> But the significant achievements in tackling malnutrition made possible by UK financial support are at risk, with COVID-19 set to undo years of progress. The UK Government must continue to provide finance for nutrition and to commit to continue its ambitious and effective nutrition-specific and nutrition-sensitive programming between 2021 and 2025. Failing to do so will not just further delay the realisation of rights, but will translate to millions of lives being at risk.





Girls eat lunch at a primary school in Tsihombe in southern Madagascar.  
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**UNDER CORE HUMAN RIGHTS TREATIES, STATES ACTING INDIVIDUALLY AND COLLECTIVELY, ARE OBLIGATED TO MOBILIZE AND ALLOCATE THE MAXIMUM AVAILABLE RESOURCES FOR THE PROGRESSIVE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AS WELL AS THE ADVANCEMENT OF CIVIL AND POLITICAL RIGHTS AND THE RIGHT TO DEVELOPMENT. TO ERADICATE POVERTY, ACHIEVE THE SDGS, AND FULFIL THEIR HUMAN RIGHTS COMMITMENTS, STATES AND OTHER STAKEHOLDERS WILL NEED TO COOPERATE AT ALL LEVELS TO EFFECTIVELY MOBILIZE ALL AVAILABLE RESOURCES IN ORDER TO FINANCE DEVELOPMENT THAT BENEFITS ALL PERSONS.**

**UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMMISSIONER'S STATEMENT ON INTEGRATING HUMAN RIGHTS IN FINANCING FOR DEVELOPMENT<sup>9</sup>**

The Nutrition for Growth (N4G) Summit in Tokyo in 2021 is a crucial opportunity for the UK Government to take action and encourage other governments and stakeholders to renew the financial commitments that the world needs to recover from the secondary impacts of COVID-19 on nutrition. In 2013, the UK hosted an inaugural N4G Summit, leading other governments, philanthropists, private sector and civil society to raise £17 billion to end malnutrition, with a contribution from the UK of £1.25 billion in new investments.<sup>xiii</sup> The N4G mechanism is part of the UK's initiative to end malnutrition, which should be continued with an ambitious UK commitment in advance of the Summit. By contributing to a successful N4G Summit in 2021, the UK Government will achieve the first step for championing the right to adequate food, and will lead the way towards the realisation of human rights globally.



# RECOMMENDATIONS

IN ORDER TO MAXIMISE THE IMPACT OF THE UK GOVERNMENT'S RESPONSE TO COVID-19, WE RECOMMEND THE ADOPTION OF A RIGHTS-BASED APPROACH TO NUTRITION, WHICH INCLUDES:

- 01 Setting the realisation of the right to adequate food, as indicated in international human rights instruments and UN General Comments and Recommendations, as a leading objective of their nutrition specific programmes.
- 02 Using the provisions related to the right to adequate food, the right of the child to the enjoyment of the highest attainable standard of health, and the right of women to health and wellbeing, to inform the objectives of nutrition sensitive programmes, and other programmes influencing the operation of food systems.
- 03 Evaluating and strengthening policies, legal and institutional frameworks surrounding the recovery from COVID-19 in line with the right to adequate food.
- 04 Implementing a person-centred approach to FCDO's nutrition and COVID-19 recovery programmes, based on the principles of non-discrimination, gender equality, dignity, meaningful participation, accountability and transparency.
- 05 Enhancing and expanding engagement with Civil Society Organisation partners, to encourage and support the meaningful participation and capacity building of rights-holders and communities in all nutrition-related interventions.
- 06 Encouraging other governments to declare what actions they have taken to protect and fulfil the right to adequate food, through the Universal Periodical Review mechanism of the United Nations.
- 07 Ensure the integration of nutrition-sensitive actions in the COVID-19 response, both within and beyond the health sector's interventions (such as health system strengthening, immunisation, and global education, climate change, agriculture, etc.), to reduce the double burden of malnutrition and reach the WHO's Global Targets 2025 on stunting, anaemia, low birth weight, childhood overweight, breastfeeding and wasting.
- 08 Make a strong financial pledge in advance of the next Nutrition for Growth Summit (N4G) 2021 to continue deliver impactful and effective nutrition programming between 2021 and 2025. This means investing, at a minimum, £120 million per year on nutrition specific programmes, and at a minimum £680 million per year in nutrition sensitive programmes to tackle the underlying causes of malnutrition.
- 09 Use its G7 presidency in 2021 to support transformative approaches to sustainable health systems strengthening, including the integration of nutrition as a priority in the fight against future pandemics.

## REFERENCES

- i Saskia Osendarp, Jonathan Akuoku, Robert Black, Derek Headey, Marie Ruel, Nick Scott, Meera Shekar, Neff Walker, Augustin Flory, Lawrence Haddad, David Laborde, Angela Stegmuller, Milan Thomas, Rebecca Heidkamp on behalf of the Standing Together for Nutrition Consortium. *The potential impacts of the COVID-19 crisis on maternal and child undernutrition in low and middle income countries, Under Review at Nature Foods*
- ii UNAIDS, *Rights in the time of COVID-19 – Lessons from HIV for an effective, community-led response*. March 2020. Available at: <https://www.unaids.org/en/resources/documents/2020/human-rights-and-covid-19>
- iii *Human Rights in the Fourth Decade of the HIV/AIDS Response: An Inspiring Legacy and Urgent Imperative* Jamie Enoch, Peter Piot. *Health Hum Rights*. 2017 Dec; 19(2): 117–122.
- iv <https://www.un.org/en/sections/issues-depth/human-rights/>
- v *UNSDG, The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies*. September 2003. Available at: <https://unsdg.un.org/resources/human-rights-based-approach-development-cooperation-towards-common-understanding-among-un>
- vi *ICAI performance review: DFID's partnerships with civil society organisations*. 10 April 2019. Available at: <https://icai.independent.gov.uk/html-report/csos/>
- vii *Food and Agriculture Organization of the United Nations. The right to adequate food in emergency programmes*. 2014. Available at: <http://www.fao.org/right-to-food/resources/resources-detail/en/c/264645/>
- viii *United Nations Human Rights Council. Basics facts about the Universal Periodical Review*. Available at: <https://www.ohchr.org/EN/HRBodies/UPR/Pages/BasicFacts.aspx>
- ix *Indications on the role of civil society organisations in the Universal Periodical Review process are accessible at* <https://www.ohchr.org/en/hrbodies/upr/pages/ngosnhis.aspx>
- x *Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights (paras. 19-22)*.
- xi *Integrating Human Rights in Financing for Development*. (n.d.). Retrieved November 26, 2020, from <https://www.ohchr.org/EN/Issues/Development/Pages/FinancingForDevelopment.aspx>
- xii *The Lancet (2013), Evidence-based interventions for improvement of maternal and child nutrition: what can be done and at what cost?* [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(13\)60996-4/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(13)60996-4/fulltext)
- xiii *UK Government (2013), Nutrition for Growth Commitments: Executive Summary*, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/207274/nutrition-for-growth-commitments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/207274/nutrition-for-growth-commitments.pdf)



