

MEDICO-SCIENTIFIC DIMENSIONS TO FOOD SECURITY**Dr. S. Nataraju*****A. Introduction:**

The **right to food**, and its variations, is a human right protecting the right for people to feed themselves in dignity, implying that sufficient food is available, that people have the means to access it, and that it adequately meets the individual's dietary needs. The right to food protects the right of all human beings to be free from hunger, food insecurity and malnutrition. The right to food does not imply that governments have an obligation to hand out free food to everyone who wants it, or a right to be fed. However, if people are deprived of access to food for reasons beyond their control, for example, because they are in detention, in times of war or after natural disasters, the right requires the government to provide food directly.

The right is derived from the International Covenant on Economic, Social and Cultural Rights which has 160 state parties as of May 2012. States that sign the covenant agree to take steps to the maximum of their available resources to achieve progressively the full realization of the right to adequate food, both nationally and internationally. In a total of 106 countries the right to food is applicable either via constitutional arrangements of various forms or via direct applicability in law of various international treaties in which the right to food is protected' At the 1996 World Food Summit, governments reaffirmed the right to food and committed themselves to half the number of hungry and malnourished from 840 to 420 million by 2015. However, the number has increased over the past years, reaching an infamous record in 2009 of more than 1 billion undernourished people worldwide. Furthermore, the number who suffers from hidden hunger - micronutrient deficiencies that may cause stunted bodily and intellectual growth in children - amounts to over 2 billion people worldwide. Whilst under international law states are obliged to respect, protect and fulfill the right to food, the practical difficulties in achieving this human right are demonstrated by prevalent food insecurity across the world, and ongoing litigation in countries such as India. In the continents with the biggest food-related problems - Africa, Asia and Latin-America - not only is there shortage of food and lack of infrastructure but also misdistribution and inadequate access to food.

*Faculty, JSS Law College, Autonomous, Mysuru, Karnataka

B. Dimensions to the right to Food; Key features.

Availability refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well functioning distribution, processing and market systems that can move food from the site of production to where it is needed in accordance with demand.

Accessibility implies that economic and physical access to food is to be guaranteed. On the one hand, economic access means that food should be affordable for an adequate diet without compromising other basic needs. On the other hand, physically vulnerable, such as sick, children, disabled or elderly should also have access to food.

Adequacy implies that that the food must satisfy the dietary needs of every individual, taking into account age, living conditions, health, occupation, sex, culture and religion, for example. The food must be safe and adequate protective measures by both public and private means must be taken to prevent contamination of foodstuffs through adulteration and/or through bad environmental hygiene or inappropriate handling at different stages throughout the food chain; care must also be taken to identify and avoid or destroy naturally occurring toxins.

Furthermore, any discrimination in access to food, as well as to means and entitlements for its procurement, on the grounds of race, colour, sex, language, age, religion, political or other opinion, national or social origin, property, birth or other status constitutes a violation of the right to food.

Some statistics about to food:

Hunger Free India Mission:

- Almost 40% Children are underweight & 45% are stunted
- 22-30 % children are born with low birth weight
- 36% adult women & 34% adult men suffer from chronic energy deficiency

The NFHC (National Family Health) Survey:

- Fifty percent of the world's hungry live in India, with 200 million food-insecure people in 2008 according to the FAO.
- India ranks 63rd out of 122 countries on the Global Hunger Index.(released on 14th October 2013)
- 2001, the Supreme Court recognizes the right to food, transforming policy choices into enforceable rights

The case started PIL by the PUCL, Rajasthan, leading to prolonged public interest litigation

The International Food Policy Research Institute: The 2011 of IFPRI estimation; The GHI indicators as follows;

- ❖ The proportion of people who are undernourished.
- ❖ The proportion of children under five who are underweight.
- ❖ The mortality rate of children younger than age five.
- There are 230 million Indians who go hungry everyday
- 21% of its population is undernourished
- 44% of its children below five years are underweight & 7% of them during before reaching five years of age.
- **Food Security means, that all people at all times have physical & economic access to adequate amounts of nutritious, safe, and culturally appropriate foods**, which are produced in an environmentally sustainable and socially just manner, and that people are able to make informed decisions about their food choices.
- Sec.2 (6) of The National Food security Act,2013 “*Food Security*” Means ,the supply of the entitled quantity of food grains and meal specified under Chapter II;

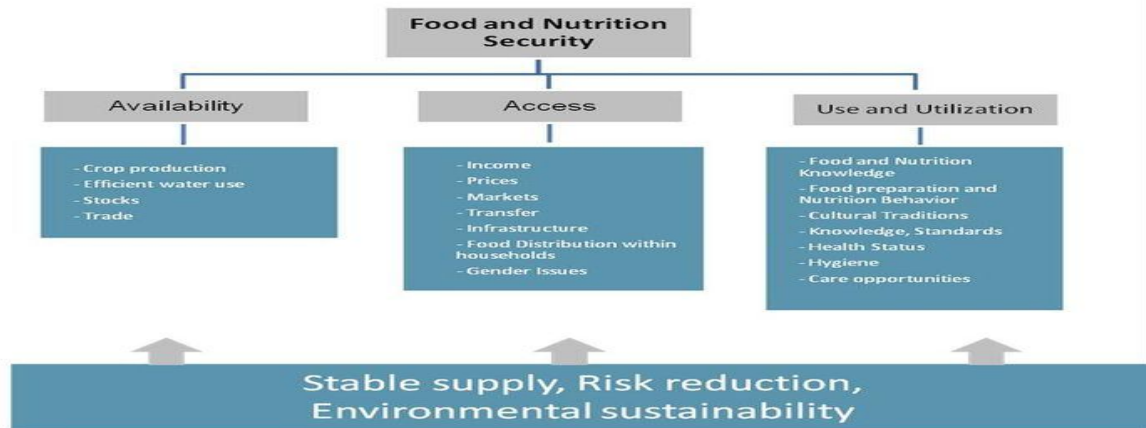
(Right to receive to food grains at subsidized prices by persons belonging to eligible house holds under targeted PDS)

C. Right to food: National & International laws

- *India is signatory to many international treaties involving right to food.*
- Article 25 (1) of the UDHR asserts that ‘everyone has the right to a standard of living adequate for the health and well-being of himself and his family including food, clothing, and housing..’.
- Art.1 UN Declaration on the Right to Development ,1986

“The Right to Development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in and contribute to and enjoy economic, social, cultural, and political development in which all human rights and fundamental freedoms can be fully realized”.

- Indian Constitution also indirectly refers to right to food.(Art.21)
- Article. 47 of the Constitution of India makes it a primary duty of the State to raise the standard of nutrition and the standard of living of its people and to improve public health;



(Source: modified after FAO)

D. Medico -Scientific Dimensions includes;

- Traditional agricultural knowledge and Farmer's Rights.
- Food safety and consumer choice policy
- Agricultural Biotechnology
- Bio safety, Food safety and Food Security.
- Bio-safety is the prevention of large-scale loss of biological integrity, focusing both on ecology and human health. Bio-safety is used to protect us from harmful incidents.
- **Bio-safety is related to several fields:** reducing the risk of alien viral or transgenic genes, reducing the risk of food bacterial contamination etc.
- **The international Cartagena Protocol on Bio-safety** deals primarily with the agricultural definition but many advocacy groups seek to expand it to include post-genetic threats: new molecules, artificial life forms, and even robots which may compete directly in the natural food chain.
- Bio-safety in agriculture, chemistry, medicine, and exobiology and beyond will likely require application of the precautionary principle, and a new definition focused on the biological nature of the threatened organism rather than the nature of the threat.

Traditional agricultural knowledge and Farmer's Rights.

- *The Protection of Plant Varieties and Farmers Rights Act (PPVFR), 2001*
- **Rights to Seed:** The farmer's right to save and exchange seed has been one of the major demands of the farmers' right movement.
- **Right to Register Varieties:** *Farmers' variety* is defined as 'a variety which has been traditionally cultivated and evolved by farmers in their fields; or is a wild relative or landrace of a variety about which the farmers possess common knowledge'.

- ***Right to Reward and Recognition:*** Through the National Gene Fund, farmers that have played a role in conservation of varietal development of plants can be recognized and rewarded.
- ***Right to Benefit Sharing:*** The rewards from the gene fund can only be given to a farmer/community who can prove that they have contributed to the selection and preservation of materials used in the registered variety (Mauria, 2004).
- ***Right to Information and Compensation for Crop Failure:*** losses due to the failure of the variety to meet the targets claimed.
- ***Right to Adequate Availability of Registered Material:*** The breeder is required to provide adequate supply of seeds or material of the variety to the public at a reasonable price.
- ***The National Biodiversity Act (NBA), 2002:*** *Conservation of biological resources, Respect and protect knowledge of local people, Prevent bio-piracy:*

Food safety and consumer choice policy

- Consumer choice relates to preferences for the consumption of both goods & services
- The mandatory labeling of genetically modified (GM) food aims to provide consumer choice.
- Policies may assure that minimum quality standards are met providing protection to consumers from fraudulent products.
- The Consumer Protection Act, 1986 (defective goods/Deficiency in services)
- The Food Safety and Standards Act, 2006
- The Legal Metrology Act,
- The Commodities and Packaging Rules

The following programmes have to be strengthened and implemented effectively:

- ❖ Public Distribution System and Annapurna schemes;
- ❖ Extending Antyodaya Anna Yojana to all the destitute in the country;
- ❖ Nutrition programmes for education (mid-day meal schemes) and Integrated child development schemes (ICDS);
- ❖ Extending Maharashtra's Employment Guarantee Scheme (EGS) throughout India. Part of the wages can be paid as food;
- ❖ Gender aspects of food security should be given importance in realizing right to food.

India has the largest food schemes in the World

A. Entitlement Feeding Programmes:

- ICDS (All Children under six, Pregnant and lactating mother)

- MDMS (All Primary School children)

B. Food Subsidy Programmes

- Targeted Public Distribution System (35 kgs/ month of subsidised food grains)
- Annapurna (10 kgs of free food grain for destitute poor)

C. Employment Programmes

- National Rural Employment Scheme (100 days of employment at minimum wages)

D. Social Safety Net Programmes

- National Old Age Pension Scheme (Monthly pension to BPL)
- National Family Benefit Scheme (Compensation in case of death of bread winner to BPL families)

The National Food Security Act, 2013

- An Act to provide for food and nutritional security in human life cycle approach, by ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith.
- The Act ensure for food grain entitlements for up to 75 % of the rural and up to 50 % of the urban population.
- Of these, at least 46% of the rural and 28 % of the urban population will be designated as **priority households**. The rest will be designated as **general households**.
 - Priority households will be entitled to 7 kg of subsidized food grains per person per month. General households will be entitled to at least 3 kg.
 - The central govt. will determine the percentage of people in each state that will belong to the priority and general groups. State govts. will identify households that belong to these groups.

The Act provides for meal entitlements to specific groups. These include:

- pregnant women and lactating mothers,
- Children between the ages of six months and 14 years, malnourished children, disaster affected persons, and destitute, homeless and starving persons.
- Provisions for Nutritional Standards (Schedule-II)
- Provisions for Advancing food security (Schedule-III)

(Revitalization of Agriculture, Procurement, storage & movement related interventions, and access to safe & adequate drinking waters and sanitation, health care, nutritional and education support to adolescent girls and vulnerable sections of the society)

E. **Conclusion and Suggestions:** There are different approaches to ensure the concept of right to food. The constitutional mandates ensure minimum food and decent life of the citizen however; the adequacy implies that that the food must satisfy the dietary needs of every individual, taking into account age, living conditions and to meet the international standards earmarked in International Protocol and Conventions. The State has ensured the right to food is only to meet the minimum requirements. There is a need to comply with the Nutritional Standards and also in accordance with the Food Safety and Standards Act & FAO specifications. There should be a comprehensive scheme for enforcing the ensuring access to adequate quantity of quality food at affordable prices to people to live a life with dignity and for matters connected therewith. Therefore we can reach the global standards and achieve the constitutional goals i.e., makes it a primary duty of the State to raise the standard of nutrition and the standard of living of its people and to improve public health.

References:

The Food Safety and Standards Authority of India (FSSAI)
The Global Hunger Index (GHI) Reports
The National Food Security Act, 2013
Resilience to food and Nutrition Security
Agriculture and Food security-contemporary Issues, The Indian Economic Association,
Deep & Deep publications, NewDelhi, 2011.
<http://www.fao.org/home/en/>
<https://www.ifpri.org/topics>
www.india.gov.in
www.righttofoodindia.org
