



Mandate of the Special Rapporteur on the right to food

QUESTIONNAIRE¹

The Special Rapporteur's report to the General Assembly at its sixty-eighth session, pursuant to resolution A/RES/67/174, will focus on global trends worldwide in the follow-up to the Declaration of the 2009 World Summit on Food Security. In particular, the Special Rapporteur will consider the Declaration's commitment to give particular attention to the implementation and progressive realization of the right to adequate food as a means of achieving sustainable food security for all.

On the basis of a cross-regional assessment of national experiences, the report will discuss trends and challenges faced in establishing legal, institutional and policy frameworks for the progressive realization on the right to adequate food. That is, in line with the guidance provided by the Committee on Economic, Social and Cultural Rights and the Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (Right to Food Guidelines), adopted by FAO Member States in 2004.

The report of the Special Rapporteur will also serve as a contribution to the ten year retrospective on progress made in implementing the Right to Food Guidelines which the Committee on World Food Security agreed to undertake in 2014 (CFS 2012/39, para. 20 (d)).

For reference, the Special Rapporteur encloses with the questionnaire two briefing notes which he prepared on the basis of expert consultations held in 2011 and 2012 reviewing developments respectively in Latin America and the Caribbean and in Eastern and Southern Africa. (Please note that the briefing notes will be sent to permanent missions by email.)

In preparing his report, the Special Rapporteur wishes to solicit information from Governments on developments with regard to national efforts to strengthen the legal, policy and institutional framework for the realization of the right to adequate food, in particular with regard to the following questions:

Legal framework (cf. Right to Food Guidelines, Guideline 7)

1. Please indicate whether provisions in the national constitution and/or other domestic law, such as food and nutrition security framework laws, provide specific protection for the right to food and its progressive realization.

Although in constitution of the Republic of Turkey there is not any legal provision directly related with the right to food, this right is put into practice with some indirect legal arrangements. In Article 166 entitled "Planning; Economic and Social Council" of Constitution of Republic of Turkey dated 1982, "The planning of economic, social and cultural development, in particular the speedy, balanced and harmonious development of industry and agriculture throughout the country, and the efficient use of national resources on the basis of detailed analysis and assessment and the establishment of the necessary organisation for this purpose" is determined as duties of the state."

¹ Information already submitted to United Nations human rights bodies does not need to be provided again; please cross-refer to any such submissions.

Again, In Article 45 entitled “Protection of Agriculture, Animal Husbandry, and Persons Engaged in These Activities” of Turkish Constitution it is specified that “The State shall assist farmers and livestock breeders in acquiring machinery, equipment and other inputs in order to prevent improper use and destruction of agricultural land, meadows and pastures and to increase crop and livestock production in accordance with the principles of agricultural planning.

2. If so, please indicate whether such legal provisions have been invoked before administrative, quasi-judicial and judicial mechanisms, and with which results.

Such legal provisions are taken into consideration in preparing agricultural policies, state plannings and development programs.

3. Please clarify whether consideration is currently being given to the inclusion of such provisions in domestic law.

Consideration is currently being given to the inclusion of provisions related with food and nutrition security in domestic law so various legislations in force directly or indirectly include regulations devoted to protection for the right to food.

With Article 4 of Agriculture Law (5488) dated 2006, supporting food security and safety is included in the purposes of agricultural policies.

The purpose of Agriculture Law (No.5488) , is to determine agricultural sector and rural area development plans and strategies in line with the policies and regulations supporting agricultural development. The Law defines the principles, objectives and priorities of agricultural policies, training and advisory services for farmers, protection of biodiversity and genetic resources; and ensuring biosecurity and biosafety.

With the Article 2 of Decree Law Concerning the Organization and Duties of the Ministry of Food, Agriculture and Livestock (No:639), carrying out studies for the main activities like development of plant and animal production and aquaculture, making investigations about development of agricultural sector and agricultural policies, food production, food security and food safety, rural development, conservation and providing efficient use of soil and water resources and biodiversity, organization and raise the awareness of farmers, management of agricultural supports effectively and main activities like adjustments of agricultural markets are in the duties of the Ministry of Food, Agriculture and Livestock.

The purpose of law on veterinary services, plant health, food and feed (No.5996) is to protect and maintain food and feed safety, plant health, animal health and well-being. The act also aims to protect public health, consumer interests and the environment. The act covers matters such as, production, processing and distribution of food, food materials and feed; control of plant protection products and veterinary medical products; fight against contagious or infectious animal diseases, plant diseases; zotechnics and welfare of pets and farm animals.

Law on "Trade of Vegetables and Fruits and Other Products with Sufficient Supply and Demand" (5957), regulates the rules and procedures of the commerce of fruits and vegetables and other goods to be determined according to their supply and demand. It further determines the rules and procedures of the organization, operation, management and control of the wholesale markets and market places to ensure the commerce is done in conformity with the quality standards and food security. The Law finally regulates the duties, powers and responsibilities of the municipalities and other authorities responsible from the wholesale markets and market places.

With Organic Farming Law (No: 5262), principles and procedures are laid down for relevant measures to be taken in relation to the production of organic products and inputs so as to provide high quality and safe organic products to consumers.

It is obvious from the scope and methods of the legal regulations quoted above and especially “The law on veterinary services, plant health, food and feed (No.5996)” and bylaws put into force related to this law consumers’ how legal arrangements about right to food.

National strategies (cf. Right to Food Guidelines, Guideline 3)

4. Please indicate whether a national human-rights based strategy (or policy/programme) for the progressive realization of the right to adequate food has been adopted.

Turkey is one of the few self-sufficient countries in the world in terms of food. Turkey's fertile soil, adequate climate, and abundant rainfall permit growing almost any kinds of crops. So, Turkey doesn't encounter with the problem of starvation.

In March 2002, with cooperation of WHO and FAO, Turkish government substantiated the activities on development of the National Plan of Action for Food and Nutrition (NPAFN) for the period 2002–2010. The main objectives are: incorporating nutrition objectives, considerations and components into development policies and programmes; improving household food security; protecting consumers through improved food quality and safety; preventing and managing infectious diseases; promoting breastfeeding; caring for the socio economically disadvantaged and nutritionally vulnerable; preventing and controlling specific micronutrient deficiencies; promoting appropriate diets and healthy lifestyles; and assessing, analysing and monitoring nutrition situations. To coordinate the implementation of the Plan of Action, the National Food and Nutrition Committee was established with State Planning Organization and representatives from related governmental bodies such as the Ministry of Agriculture and Rural Affairs, Ministry of Health, Ministry of Education, the food production sector, universities, nongovernmental organizations and the private sector.

In current situation, there is not a national human rights based strategy for the progressive realization of the right to adequate food in our country. But Turkish Government is very sensitive for the fight against hunger and nobody is allowed to live at starvation line. So several public institutions and ministries and municipalities work through policies and programs to struggle with starvation and poverty separately for right to food for everybody.

5. If such national strategy (policy/programme) is in place, please provide information on:
- (a) The process through which objectives, targets, benchmarks and time frames are set, including the role of civil society actors;
 - (b) Mechanisms to ensure adequate funding for the implementation of the strategy (cf. Right to Food Guidelines, Guideline 12);
 - (c) Mechanisms to ensure adequate targeting to improve the situation of the groups most affected by food insecurity, such as women, children, and small-holder farmers (cf. Right to Food Guidelines, Guideline 13).
 - (d) Mechanisms to ensure monitoring of the implementation of the strategy concerned, and whether such monitoring mechanisms are independent from the Executive (cf. Right to Food Guidelines, Guideline 17).

Institutional mechanisms (cf. Right to Food Guidelines, Guideline 5)

6. Please indicate whether inclusive, intersectoral coordination mechanisms been set up to:

- (a) Coordinate the efforts of relevant Government ministries and agencies and ensure the concerted implementation, monitoring and evaluation of policies, plans and programmes;

Several institutions ensure the coordination of different policies, plans and programmes for right to food studies. Generally Ministry of Food, Agriculture and Livestock, Ministry of Health and Ministry of Development are the coordinator agencies for the programs and projects related with right to food actions.

For right to food adequate and safe food production is primary purpose for Turkey. In this context, provision of food safety, to provide technical and hygienic production, processing, preservation, storage and marketing of all kinds of foodstuff and materials and substances that contact with food and to protect the interests of consumers preeminently remains among the duties of Ministry of Food, Agriculture and Livestock.

Ministry of Food, Agriculture and Livestock launched a campaign themed "Preventing Bread Waste".

Working jointly with the Ministry of Food, Agriculture and Livestock, Ministry of Health initiated a campaign aiming "Prevention of obesity and chronic diseases related to obesity and encouraging an active lifestyle"

Since bread is an indispensable part of the Turkish table, it is very important to consume high-quality bread with a healthier content. So bread has been made from whole wheat flour and the salt level in bread has been reduced, to consume much healthier bread that is richer in B vitamins and protein.

Another joint work of these two ministries is relating to provide color-coded labels for food and drinks, which contain high levels of sugar and salt to raise public awareness regarding the issue.

The right to social security and the right to food are complementary and interdependent human rights. One must have a certain and enough revenue to be in security to access to food. So Ministry of Labor and Social Security and Ministry of Finance jointly prepared programs for incorporation of disableds, farmers etc. and other needy people into social security system.

- (b) Improve accountability, including through the allocation of specific responsibilities to different actors and the setting of precise timeframes for the realization of the dimensions of the right to food which require progressive implementation (cf. Right to Food Guidelines, Guideline 17);

Generally, coordinator institutions administer progressive implementation of programs related with right to food through performance programs.

- (c) Enable full and transparent participation of the private sector and of civil society, in particular representatives of the groups most affected by food insecurity (cf. Right to Food Guidelines, Guideline 6).

Private sector and civil society take place actively especially in food aids and

financial contributions for poor people in Turkey. Such activities have been supported by governments with enormous tax reductions. Currently there are more than 50 food banks and several fund raiser civil society organizations inspected firmly.

7. Do national human rights institutions or ombudspersons, which are independent and autonomous from the Government, have a mandate to monitor the implementation of the right to adequate food (cf. Right to Food Guidelines, Guideline 18).

Everybody, even poors have the opportunity of accessibility to food in Turkey. So there is no social mechanisms monitoring the implementation of right to adequate food in Turkey.

Lessons learned

8. What are the main challenges encountered and lessons learned from national efforts to strengthen the legal, policy and institutional framework for the realization of the right to adequate food?

Turkey is one of the few self-sufficient countries in the world in terms of food. Turkey's fertile soil, adequate climate, and abundant rainfall permit growing almost any kinds of crops. Although Turkey doesn't encounter the problem of starvation and it is the world's seventh largest agricultural producer, being a top producer and exporter of crops ranging from hazelnuts and chestnuts to apricots, figs, olives, tobacco and tea, it is very important for it to sustain and develop agricultural advantage.

Nevertheless, agricultural production of Turkey can be worsened by drought caused by climate change, so necessary measures have been taken to prevent drought for the country.

Ensuring food security, food safety and stability of food supply takes place Turkey's key policy objectives for agriculture.

For this purpose Ministry of Food, Agriculture and Livestock Turkey has prepared a number of laws and plans to encourage agricultural and agro-industry growth and rural development, among those are: the Law on Agriculture; the Law on State Aid (2009); the Law on Production, Consumption and Control of Foodstuffs; and Strategy Paper with the Strategic Plan for 2010-2014;

The Agriculture Law was adopted in 2006 which determines and regulates the policies for agriculture and rural development in line with the development plans and strategies. The Agriculture Law also defines the aims, scope and subjects of the agricultural policies, the instruments of agriculture and rural development support, the financing and administrative structure and the legal and administrative arrangements for the main research and development programmes to be implemented in the agriculture sector.

Agricultural Strategy Paper (2006-2010)

The Agriculture Strategy Paper (2006-2010) has set the main aims of agriculture as to constitute an agriculture sector sustainable, highly competitive and organised by

taking into account economic, social, environmental and international development dimensions within the principle of the utilization of the resources effectively. In this framework, the agricultural support measures have been re-identified.

Strategic Plan (2010-2014)

The basic goal of 2010-2014 Strategic Plan was determined as supply security and food safety. To perform this goal 6 strategic objectives and 38 strategic targets have been determined within the scope of the Plan. Agricultural Production and Security of Supply”, “Food Safety”, “Plant Health and Animal Health”, “Rural Development” and “Institutional Capacity” have been determined as strategic areas in Strategic Plan.

Turkish government also attaches great importance to rural development and income growth of farmers with education and health services. So, development and welfare of the rural population in the country to get adequate share of those living in rural areas to diversify their income and raise the level of welfare studies are among the priorities of the Strategic Plan.

To purchase food, people need adequate incomes: the right to food consequently requires States to ensure that wage policies or social safety nets enable citizens to realize their right to adequate food. In this context farmers have been tried to incorporate into social security system and Agricultural Bank of the Republic of Turkey gave them loan with low interest rate.

Because of it's climate, topography and soil characteristics, Turkey is very sensitive to erosion and flood disasters. While the amount of soil moved was 500 million ton/year, it was decreased to approximately 220 million ton/year as a result of erosion control, afforestation activities, improvement of degraded forest areas, improvement of rangelands, developments in irrigation techniques in agricultural areas and evaluation of sediment data measured in rivers. Administrative measures to prevent human intervention and cultural measures such as forestation and vegetation activities to prevent the surface erosion are of vital importance and have been taken for years.

Turkey, both government and people is very sensitive for all the hungry and poor people all over the world. So, Turkey made an enormous financial aid with voluntary contribution of people for the benefit of Horn of Africa.

Because of climate change it would be very difficult to feed people throughout the world hereafter. So a close global collaboration is unavoidable for struggle with global warming and hunger.