

**55th Session of the Human Rights Council**

Plain English version of:

 How to minimize climate change’s negative impacts on how everyone can fully enjoy their right to food.

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| *What is the aim of this document?*The United Nations High Commissioner for Human Rights suggests five ways, based on human rights, that States can use to minimize climate change’s negative impacts. These suggestions:* minimize climate change’s negative impact on how everyone can fully enjoy their right to food,
* transform food systems, and
* help tackle climate change.

*Who is this document for?*People, governments or agencies that:* draft or design policy for human rights, climate or food policy, or
* are interested in human rights, climate or food policy.
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 Contents

1. Introduction

2. Conclusions and suggestions for action

 A. Conclusions

 B. Suggestions for Action

3. Overview

4. Five ways to minimize climate change’s negative impact on how everyone can fully enjoy their right to food

A. Advance fair, rights-based climate change mitigation measures for food systems

B. Promote universal social protection systems to strengthen efforts to fulfil everyone’s right to food concerning climate impacts

C. Address businesses’ roles and responsibilities concerning climate impacts on everyone’s full and effective enjoyment of their right to food

D. Use financing and promote economic and trade policies to fulfil everyone’s right to food in a changing climate

E. Advance the right to a clean, healthy and sustainable environment and fair land-related policies to protect everyone’s right to food

 1. Introduction

1. In Human Rights Council resolution 50/9, the Council asked the United Nations High Commissioner for Human Rights (OHCHR) to submit a report to the Human Rights Council at its 55th session. The report aimed to identify the necessary measures to minimize climate change's negative impact on how everyone can fully enjoy their right to food. The report includes input from the panel discussion and the interactive dialogue held at the 53rd Council session. This report builds on the Secretary-General’s 2023 report on climate change's negative impacts on how everyone can enjoy their right to food.[[1]](#endnote-2)

2. Today, it is possible to feed the world. However, because of factors like climate change, poverty, unfairness, conflict and uneven distribution of resources, global hunger and malnutrition are rising. Ending hunger, as stated in Sustainable Development Goal 2, is still far away. In 2023, more than 333 million people experienced high levels of food insecurity.[[2]](#endnote-3) This shows an increase of almost 200 million people compared with levels before the coronavirus disease (COVID-19) pandemic. Projections show that almost 600 million people will suffer from food insecurity in 2030.[[3]](#endnote-4) Climate change is a leading cause of the unprecedented rise in global hunger.[[4]](#endnote-5) Events that happen slowly and suddenly like heatwaves, salinization, sea-level rise, flooding and droughts, increasingly impact food systems worldwide.[[5]](#endnote-6) At the 28th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 2023, the first global stocktake under the Paris Agreement was adopted. The stocktake recognised the fundamental priority of:

* protecting food security,
* ending hunger, and
* ending the particular vulnerabilities of food production systems caused by climate change's negative impacts.[[6]](#endnote-7)

The connection between food insecurity and climate change highlights the relationship between everyone’s right to food and their right to a clean, healthy and sustainable environment.

3. In this report, the OHCHR explores the relationship between socioeconomic systems, climate change and food insecurity. The OHCHR also suggests five ways that show, based on human rights, how States can:

* minimize climate change's negative impact on how everyone can enjoy their right to food, and
* transform food systems to deal with climate change's effects.

 2. Conclusions and suggestions for action

 A. Conclusions

4. Protecting the related human rights to food and a clean, healthy and sustainable environment should form the basis of States’ economic and climate policies. This approach needs measures concerning climate change mitigation, adaptation and loss and damage that are fair and advance everyone's rights, including through changing relevant social and economic policies. Meaningful progress toward allowing everyone to enjoy their right to food depends on the relationships between financing, economic and trade policies, business activities, human rights and climate justice. These relationships must be considered in value chains and extraterritorially. Currently, global food and climate systems are locked in a vicious cycle that harms people and the planet. While climate impacts worsen food insecurity, over-relying on industrial food systems makes climate change worse and more vulnerable to climate impacts.

5. The following are all critical steps to protecting everyone’s right to food and the planet:

* transforming global food systems,
* strengthening universal social protection systems,
* improving business regulations,
* introducing changes concerning economic and trade policies and international financing that advance everyone’s rights,
* adopting sustainable food production practices that minimize biodiversity loss and pollution, and
* redistributing land and resources as part of a wider effort to move towards a human rights economy.

These efforts need the inclusive and meaningful participation of all relevant groups in all related decision-making processes.

 B. Recommendations

6. To address climate change's impacts on how everyone can enjoy their right to food, States and other key actors should consider the recommendations set out below.

7. Under the principles of equity, climate justice, “polluter pays” and “common but differentiated responsibilities and respective capabilities”:

* **States should adopt mitigation measures to tackle past and current injustices, unfairness and discrimination. The measures should be based on a State’s historical and current responsibilities for climate change.**
* **States should adopt measures to fairly reduce food systems emissions resulting from production, consumption, diet, and food waste and loss.**
* **Developed countries should lead in moving away from high-emissions diets as part of their efforts to reduce their carbon footprint.**
* **States should consider ways to deal with emissions that trade causes, including the food trade.**
* **States should also effectively protect against human rights risks caused by their climate change mitigation measures. For example, when dedicating land for energy transition measures, States should make sure everyone's right to food is not put at risk.**

8. **States should work towards establishing universal social security systems that deal with climate risks and impacts.** These systems make sure everyone can enjoy their right to food when experiencing increasing climate shocks that unfairly affect people in vulnerable situations. High-income countries should support developing countries’ investment in social protection systems to protect against climate change impact and food insecurity, including through international finance. States should protect workers against negative climate impacts on food systems and integrate human rights analysis, including about the right to food, into all climate policies.

9. **The Guiding Principles on Business and Human Rights should be applied to efforts to tackle climate change impacts on everyone’s right to food.** States should set out clear expectations that all businesses based in their territory or jurisdiction respect human rights in their operations. This should include protecting against foreseeable climate impacts on the right to food that business activities cause. States should take measures, including through regulating business activities, to make sure food is affordable, especially for people who are in vulnerable situations or marginalized.

10. **Businesses should respect human rights and should address negative human rights impacts with which they are involved like impacts related to climate change and the right to food.** States and businesses should make sure people have access to effective legal ways to find solutions for the human rights harms they suffer. This should include dealing with climate change's negative impacts on how everyone can enjoy their right to food and protecting human rights defenders.

11. **States should cooperate internationally to make sure everyone can enjoy all their human rights.** States should take steps based on national and international economic and trade policies to protect everyone’s right to food from climate change's negative effects. States should promote policies that support economically different ways to produce agriculture and food to increase climate resilience. States should make sure that intellectual property policies do not harm everyone's right to food, and take measures to protect food-related rights and use the knowledge of Indigenous Peoples, peasants, local communities and others.

12. **States and providers of development finance, including international financial institutions, should increase international grant-based financing for climate action and food security, especially to highly indebted countries.** This support should help countries to have the needed financial ability to invest in a just transition. Development finance should be targeted to benefit groups in marginalized and vulnerable situations and support countries’ investments in social security.

13. **States should promote sustainable food systems that are focused on people.** This should be part of States’ efforts to make sure everyone has long-term food security, to protect the natural resource base and to mitigate emissions. These systems should operate on natural processes like:

* agroecology,
* regenerative agriculture,
* soil rehabilitation,
* ecosystem-based fisheries,
* circular bioeconomies, and
* aquaculture management.

States should take measures to protect the biodiversity of food sources and systems and recognize the rights of Indigenous Peoples and people in situations of poverty and vulnerability, to own, access and sustainably use lands, territories and resources. This should include agrarian reform measures that promote fairer land and resource distribution under existing human rights obligations, including the rights of Indigenous Peoples, peasants, and people living in rural communities.

 3. Overview

14. The Secretary-General’s 2023 report and subsequent panel discussion and interactive dialogue, showed the relationship between how a wide range of factors and climate change’s negative effects contribute to violations of everyone’s right to food.[[7]](#endnote-8) In this report, the OHCHR focuses specifically on socioeconomic aspects and suggests measures to tackle these violations, putting people and the planet at the centre of all economic, social and environmental policies, plans and programmes. This approach can be called “the human rights economy”. This also makes sure that human rights norms and standards, including the rights to food and a healthy environment, shape:

* development, economic, industrial and trade policies,
* investment decisions,
* consumer protection and choices, and
* business operations, products and services.

The human rights economy seeks to remove discrimination and reduce inequalities – past and current – by investing in human rights and removing barriers to equality, domestically and internationally.

15. Combined with negative climate impacts, narrowly focusing on economic growth and profit maximization that disregards sustainability, access, affordability and availability of food can lead to increased food insecurity.[[8]](#endnote-9) Protecting interrelated rights to food and a healthy environment should be the basis of domestic and international economic policies. Measures that look at the whole situation must be used to:

* prevent food insecurity,
* minimize climate change’s negative impact on everyone’s right to food,
* adapt food systems to climate change,
* tackle loss and damage related to climate change impacts on food security, and
* protect against negative human rights impacts of climate measures.

Food systems should respect, protect and fulfil the rights to food and to a healthy environment. At the same time, climate change mitigation, including through reducing food systems’ carbon footprint, must be a priority.

16. In Human Rights Council resolution 50/9, States are called to improve international cooperation and assistance, including financing, for climate change mitigation and adaptation measures to assist developing countries. Resolution 50/9 urges States to:

* strengthen and implement policies to improve international cooperation so that everyone can enjoy their right to food, consistent with efforts to combat climate change, and
* pursue the right to development, including by addressing inequalities in food distribution and access and employing fair, predictable, transparent and better forms of governing food systems that advance everyone’s human rights.

Meanwhile, after the first global stocktake under the Paris Agreement, the Conference of the Parties urges parties and invites non-party stakeholders to increase ambition and improve adaptation action and support towards:

* developing climate-resilient food and agricultural production and supply and distribution of food,
* increasing sustainable and regenerative production, and
* improving fairer access to adequate food and nutrition for everyone.

17. The International Covenant on Economic, Social and Cultural Rights states that States must take steps to make sure everyone can enjoy their rights recognized in the Covenant, including the right to food (art. 2). States should work individually and through international assistance and economic and technical cooperation to the maximum of their available resources. Under the International Covenant, States must take steps to make sure everyone enjoys their right to food and to support the fair distribution of world food supplies according to need (art. 11). Overall, human rights obligations and international law should guide climate- and food-related policy and finance. This includes the principles of solidarity, climate justice, equity, polluter pays, common but differentiated responsibilities and respective capabilities and requires considering historical responsibilities.

18. Global emissions, including from food systems, continue to rise despite human rights obligations and climate change commitments. Insufficient mitigation results in increasingly frequent climate events that happen both suddenly and slowly. Because of lacking and limited adaptation, these events are increasingly inflicting loss and damage on people in vulnerable situations, especially in developing countries. This severely affects their human rights, including their rights to food and nutrition.[[9]](#endnote-10) Agrifood systems and the communities that support and depend on them are among the first to experience the loss and damage associated with climate change. Agriculture is the sector countries most frequently describe as impacted by loss and damage in nationally determined contributions.[[10]](#endnote-11) Between 2008 and 2018, approximately $108.5 billion was lost because of reduced crop and livestock production in least developed countries and low and middle-income countries following disasters.[[11]](#endnote-12) Climate change funding levels have not kept up with the increased need for financing. The climate adaptation finance gap is estimated to be 10 to 18 times as great as current international adaptation finance flows.[[12]](#endnote-13)

 4. Five ways to minimize climate change’s negative impact on how everyone can fully enjoy their right to food

19. Against this background, the need for States to increase measures to meet their human rights obligations is even clearer. To make sure that everyone can enjoy their human rights, including the right to food, States must urgently make sure that human rights are fully integrated throughout their economic systems and socioeconomic policies. This section suggests concrete measures to tackle climate change’s negative impact on food security and the contributions of food systems to climate change, including:

1. advancing fair, rights-based climate change mitigation measures for food systems,
2. promoting universal social protection systems to strengthen efforts to fulfil everyone’s right to food when confronting climate impacts,
3. addressing businesses’ roles and responsibilities concerning climate impacts on everyone’s full and effective enjoyment of their right to food,
4. using financing and promoting economic and trade policies to fulfil everyone’s right to food in a changing climate, and
5. advancing the human right to a clean, healthy and sustainable environment and fair land-related policies to protect everyone’s right to food.

 A. Advance fair, rights-based climate change mitigation measures for food systems

20. Currently, industrial food systems and worsening climate change negatively reinforce each other in a vicious cycle driven by unsustainable policies.[[13]](#endnote-14) Food systems produce about a third of global greenhouse gas emissions.[[14]](#endnote-15) States must mitigate all sources of greenhouse gas emissions, including through food systems transformation. The United Arab Emirates Declaration on Sustainable Agriculture, Resilient Food Systems and Climate Action states that any path to fully achieving the Paris Agreement’s long-term goals must include agriculture and food systems. It also states that agriculture and food systems must urgently adapt and transform.[[15]](#endnote-16) Changing to sustainable, fair and climate-resilient food systems guided by human rights and securing everyone’s right to food is necessary to minimize the impacts of climate change on how everyone can fully enjoy their right to food.[[16]](#endnote-17)

21. The principles of equity, climate justice, polluter pays and common but differentiated responsibilities and respective capabilities require climate change mitigation measures to tackle injustices, inequalities and discrimination, past and current, and be informed by historical responsibilities. Developed countries have the primary responsibility to mitigate emissions. According to UNEP, the Group of 20 countries[[17]](#endnote-18) produced nearly 80% of historical emissions, and the least developed countries contributed only 4%.[[18]](#endnote-19) While the per capita territorial emissions of the Group of 20 countries averaged 7.9 tons of carbon dioxide equivalent in 2021, least developed countries averaged only 2.2 tons of carbon dioxide equivalent.[[19]](#endnote-20) However, the worst climate impacts fall mostly on:

* people in existing situations of food insecurity, and
* countries and communities that benefited the least from industrial development and have suffered the most from industrialization, legacies of colonialism and slavery, as well as unfair economic and trade policies.

A human rights approach can help guide action on how to achieve fair mitigation, including for addressing the unequal, discriminatory and unfair root causes and consequences of the triple planetary crisis (that is, climate change, pollution and biodiversity loss), and including relating to common but differentiated responsibilities to reduce emissions.[[20]](#endnote-21) Mitigation policy should improve rights and promote food security, taking into account global imbalances in emissions shares, and should work against extreme concentrations of wealth and ownership, where a few produce globally disproportionate emissions.[[21]](#endnote-22)

22. Measures to fairly reduce food systems emissions should include shifts in production, consumption, diet and food waste and loss. For example, according to the Intergovernmental Panel on Climate Change, producing more plant-based food for direct human consumption instead of for livestock can significantly mitigate climate change.[[22]](#endnote-23) Developed countries consuming globally disproportionate per capita amounts of meat should lead in adopting mitigation policies to move away from high-emissions diets.[[23]](#endnote-24) Where possible, introducing demand‑side measures can further reduce emissions, for example, shifting to sustainable diets and locally sourced food while reducing food loss and waste.[[24]](#endnote-25) If consumers have the purchasing power, they should consider the human rights impacts of their food choices on others, and move towards sustainable and rights-improving practices.

23. Transport, including in trade, often powered by fossil fuels, accounts for 5 to 11% of global food systems emissions.[[25]](#endnote-26) Food transportation also tends to result in food waste and loss, and needs packaging, preservatives and other treatments. Together, this further increases negative environmental impacts. More widely, export-oriented policies can lead to outsourcing carbon-intensive food and other production and associated emissions from developed to developing economies via global trade, which fails to address the consumption-based emissions resulting from trade.[[26]](#endnote-27) While it creates revenue, export-led production can lead to environmental harms, including from increased carbon emissions. Problematically, unsustainable consumption in developed countries can outsource emissions-generating production to other countries. However, these associated emissions are not reflected as part of the outsourcing countries’ contributions to climate change under most carbon accounting systems. Instead, these emissions are usually counted as those of the countries of production. States should consider ways to identify and mitigate the emissions embodied in trade, like the food trade, including by putting a greater focus on considering emissions relating to where products and services are being consumed.

24. States should take special care to make sure that mitigation efforts do not create human rights risks, including to the right to food. Mitigation measures should be rights-based and protect against human rights risks. States should also make sure that the people most affected by both climate change and climate change mitigation measures can meaningfully participate in and benefit from a just transition. This includes making sure States take measures to avoid negative impacts of climate change mitigation on food availability and cost, and provide enough time to people engaged in food systems to adjust to mitigation measures.

 B. Promote universal social protection systems to strengthen efforts to fulfil everyone’s right to food when confronting climate impacts

25. The climate crisis makes existing poverty, inequality and food insecurity worse. This results in constant vulnerability and puts in focus the imminent need to strengthen resilience.[[27]](#endnote-28) Guaranteeing basic social security is a critical element in making sure everyone has continued access to and can afford quality food while minimizing climate risk and addressing climate change-related loss and damage.[[28]](#endnote-29) The Intergovernmental Panel on Climate Change recognized that integrating climate adaptation measures into social protection increases climate resilience and has strong food security co-benefits.[[29]](#endnote-30) By promoting economic security and autonomy, including in times of climate and other crises, social security also reduces the need for emergency assistance.

26. Access to basic universal social protection is a human right recognized in articles 22 and 25 of the Universal Declaration of Human Rights and article 9 of the International Covenant on Economic, Social and Cultural Rights. Access to basic universal social protection requires that everyone can access adequate benefits to meet their basic needs, including food. In its general comment No. 19 (2007), the Committee on Economic, Social and Cultural Rights emphasizes that social security systems contribute to reducing and stopping poverty and inequality. Therefore, social security also contributes to achieving the Sustainable Development Goals. The International Labour Organization (ILO) also underlined the need for social protection as a key instrument to achieving a just transition, achieving climate change mitigation and adaptation, and addressing disruptions to food systems.[[30]](#endnote-31) The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) and other labour standards guarantee the right to social security and provide guidance on how to fulfil this right. Moreover, the United Arab Emirates Declaration on Sustainable Agriculture, Resilient Food Systems and Climate Action highlights the need to promote food security by increasing efforts to support vulnerable people through approaches like social protection systems and safety nets. In this context, non-contributory universal social security measures are particularly effective in dealing with food insecurity by guaranteeing that everyone, including marginalize groups, has basic income security for food and other necessities.

27. Globally, the impacts of climate-related disasters mostly hit countries where social protection systems are not strong enough to respond to climate-induced food insecurity. With multiple crises often happening at the same time, many countries have experienced a lack of funds and are dealing with a mounting debt burden, being forced to put austerity measures in place. This has limited their ability to undertake critical investments in social protection, climate action and food security.[[31]](#endnote-32) The parties to the United Nations Framework Convention on Climate Change and the Paris Agreement recognized that high-income States should support developing countries to adapt to and mitigate climate change by contributing to financing, and that high-income States must cooperate in good faith in establishing global responses to climate-related loss and damage.[[32]](#endnote-33) In so doing, high-income States should support developing countries’ investment in social protection systems as a first line of defence against climate change impact and food insecurity, including through international finance. This could involve supporting countries in adopting adaptive social protection systems that address climate impacts by combining social security with changes in food production and distribution systems. Where needed, humanitarian assistance and disaster risk reduction strategies can also be included.[[33]](#endnote-34) The Special Rapporteur on extreme poverty and human rights called for a global fund for social protection to provide similar support for low-income countries.[[34]](#endnote-35) This support could give resources to low-income countries to maintain social protection floors through law and promote the universality of the human right to social security.

28. Promoting work for people in conditions of freedom, equity, security and human dignity, described as “decent work”, is critical to food security and sustainable food production systems.[[35]](#endnote-36) Many food systems workers are treated as expendable, working in dangerous environmental conditions that climate impacts can make worse. Climate impacts that destroy food yields lead to a lack of employment and related income shortages for people working in food systems. Policies and legislation must protect the rights of all workers despite climate impacts. This includes peasants, agricultural workers and workers in the informal sector, based on relevant standards like the ILO policy guidelines that promote decent work in the agri-food sector.[[36]](#endnote-37) Related measures necessary to protect human rights, including the right to social security, may include labour policies, unemployment security and training for people who lose livelihoods because climate change negatively impacts food production. Social protection can further support small-scale food producers and peasants dealing with climate impacts on food and livelihoods, who also play a key role in the just transition to more sustainable food systems.[[37]](#endnote-38) Related rights like the freedom of association and collective bargaining through trade unions must also be protected to protect workers.[[38]](#endnote-39)

29. For policy measures on social protection, countries should consider strengthening social protection that responds to shocks and is adaptive by linking national social protection systems with disaster risk financing. This could include pre-arranged financing that is made available and guaranteed if climate impacts happen that affect human rights.[[39]](#endnote-40) Other related critical measures may include:

* support for cooperative food systems,
* investment in local food economies,
* socially pooled emergency food reserves to help cope with food shortages or rapid price increases due to climate shocks, or
* fair financing for early warning systems and climate technologies to allow anticipatory monitoring, including supporting people most at risk.

30. Overall, to better fight climate-induced risks and impacts on human rights, climate policy must be based on analysis of human rights and the impact on the right to food. For example, analysis could examine:

* nationally determined contributions,
* national adaptation plans, and
* loss and damage needs assessments and national plans for disaster management.

States must make sure that people most impacted by climate change and food insecurity can meaningfully participate in related processes when creating the relevant policy.[[40]](#endnote-41)

 C. Address businesses’ roles and responsibilities concerning climate impacts on everyone’s full and effective enjoyment of their right to food

31. As the Guiding Principles on Business and Human Rights recognize, States must make sure investors and businesses within their territory or jurisdiction comply with human rights throughout their operations.[[41]](#endnote-42) This is done through effective policies, legislation, regulation and adjudication. Concerning the climate, States’ obligations to protect against human rights impacts arising from business activities include the duty to protect against foreseeable climate impacts, including on the right to food.[[42]](#endnote-43)

32. As climate impacts are felt and businesses operate across borders, it is essential that States meet their extraterritorial obligations to respect, protect and fulfil human rights from potential harms related to business activities.[[43]](#endnote-44) States must take steps to prevent corporations based in their territory or jurisdiction from violating human rights within or outside of their territory.[[44]](#endnote-45) As the Committee on Economic, Social and Cultural Rights stated, States’ obligations under the International Covenant on Economic, Social and Cultural Rights for States are expressed without any restriction linked to territory or jurisdiction and extend beyond their territories.[[45]](#endnote-46) States must have regulatory mechanisms to make sure that businesses and other non-State actors do not limit the enjoyment of rights in other countries.[[46]](#endnote-47) Respecting rights as part of the rule of law should be a central part of businesses’ and investors’ fiduciary duty across entire value chains, as well as of State policies and regulations across borders. If businesses and investors violate human rights, States must hold them accountable, including for climate impacts. This regulation should be guided both by the polluter pays principle and current and past emissions data. This data shows businesses’ greenhouse gas emissions are highly concentrated in only a few entities. For instance, 100 businesses burned or enabled others to burn enough fossil fuels for more than 70% of global emissions from 1988 to 2017.[[47]](#endnote-48)

33. In the food sector, the Special Rapporteur on the right to food has noted that farmers are dependent on the expensive inputs of a small number of agrochemical companies. Four companies control 60% of the global seed market and control 75% of the global pesticides market.[[48]](#endnote-49) States should hold businesses accountable for anti-competitive behaviours resulting from oligopolistic market structures which may limit market access and affordability of key inputs for food production, including by smaller-scale producers and peasants. Concerning the right to information, measures to protect the right to food should also include regulations to discourage undue corporate influence in relevant political and regulatory spheres, to stop “greenwashing”[[49]](#endnote-50) and to promote transparency, including concerning emissions, diet and nutrition, and pesticides.[[50]](#endnote-51) In food and climate governance, for example in the context of the United Nations Food Systems Summit, States should make sure the people who are most affected by climate change and food insecurity meaningfully participate. Concerning food affordability, the International Panel of Experts on Sustainable Food Systems found that the disproportionate power of some producers and businesses drives up food prices because of a lack of market transparency, lack of regulation and speculation.[[51]](#endnote-52) Climate shocks and fossil fuel pricing, which is also linked to transport costs, create a permanent layer of uncertainty in global markets.[[52]](#endnote-53) Because food demand does not change much, net-food-importing countries, for example, small island developing States, are especially affected by food price increases.[[53]](#endnote-54) When tackling these risks, States should regulate the prices of food staples and take measures to stop speculation that would result in sudden or large food price increases and put food security in danger.

34. Businesses, including agribusinesses, must respect human rights. They should avoid harming the human rights of others and should address negative human rights impacts with which they are involved, including related to climate change and food.[[54]](#endnote-55) Measures businesses can take to meet their human rights responsibilities should include human rights due diligence covering their entire value chain, including impact assessments that integrate climate change and the right to food.[[55]](#endnote-56)

35. As the Guiding Principles on Business and Human Rights recognize, both States and businesses have roles to play in making sure people have access to ways to correct human rights harm they have suffered, including from climate change’s negative effects on how everyone can enjoy their right to food.[[56]](#endnote-57) States must take appropriate steps to make sure, through judicial, legislative, administrative or other means, that when abuses concerning the right to food happen, the businesses responsible are held accountable. Where businesses have caused or contributed to human rights harms, including through the actions of subsidiaries, contractors and foreign affiliates, they should actively try to correct the harm.

36. Greater accountability is also needed to protect human rights defenders, including defenders tackling business activities and their impacts. In 2022, there were at least 448 human rights defenders, journalists and trade unionists killed, and 33 disappeared. Many were Indigenous Peoples, Afro-descendants, peasants and small-scale farmers, and approximately half were leaders of peasant communities and defenders of land and the environment, which are related to the right to food.[[57]](#endnote-58) States and businesses must make sure that human rights defenders do not experience threats, harassment or reprisals.[[58]](#endnote-59)

 D. Use financing and promote economic and trade policies to fulfil everyone’s right to food in a changing climate

37. States must cooperate internationally to make sure everyone can enjoy their human rights, including the rights to food, a healthy environment and development. These obligations extend to taking measures concerning national and international economic and trade policies to protect the right to food from negative climate impacts. In the Committee on Economic, Social and Cultural Rights general comment No. 12 (1999), the Committee stated that the right to food includes an obligation not to take any measures that prevent access to food, including in terms of legislation and treaties. States should change existing trade and investment agreements and policies as well as investor-State dispute settlement mechanisms to make sure that they support and do not limit legislation or policies protecting human rights and the environment.[[59]](#endnote-60)

38. Countries that want to move towards more sustainable and local food systems, self-sufficiency or economic diversification should be able to adopt relevant measures.[[60]](#endnote-61) Within existing trade rules, developing countries should be given the necessary policy space and flexibility to provide subsidies to small-scale producers and others or impose import barriers to protect the right to food.[[61]](#endnote-62) The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment calls upon States to consider removing subsidies with negative rights impacts like continuing inequality, including by benefiting large agribusinesses or businesses that produce waste. Concerning investment policy, the Rapporteur notes that States should make sure that:

* investment treaties incorporate binding human rights obligations on foreign investors to protect the rights to food and a healthy environment,
* policymaking is flexible for developing countries, and
* there is transparency and inclusive public participation in negotiation processes, while exposure to investor-State dispute settlement claims that negatively affect rights is minimized.[[62]](#endnote-63)

39. Policies supporting economic diversification can help spread economic risk and protect against climate impacts on food affordability and availability. The Paris Agreement includes strengthening the resilience of socioeconomic and ecological systems, including through economic diversification and sustainable management of natural resources, as part of potential adaptation policies (art. 7 (9) (e)). Climate-informed measures for economic diversification may include:

* larger investments in stronger and more diversified local and regional food economies,
* protecting subsistence food production, and
* reintroducing native food varieties.

As climate change creates risk in agriculture and food systems, States should steer away from trade policies promoting overreliance on food imports or export-oriented cash crops.[[63]](#endnote-64) Overreliance on imported food can create a threat to local food security if there are shocks in foreign food markets, including due to multiple unpredictable climate risks and exchange rate variations, which can make imported food less affordable. Displacement of native food systems and reliance on imports for food staples has tended to contribute to food insecurity and reduced access to nutritious food.[[64]](#endnote-65) To reinforce Indigenous and local food sovereignty and to protect the long-term sustainability of food production and ecosystems, States should remove measures and policies that protect large‑scale cash crop producers using unsustainable farming methods. Instead, States should protect environmentally sustainable and socially responsible subsistence production practices, slowly implementing related measures while considering possible negative impacts on food prices affecting the most vulnerable groups.

40. Policies on intellectual property should not harm but instead support the protection and fulfilment of the right to food, including regarding biodiversity, access, affordability and human rights relating to seeds and plant varieties.[[65]](#endnote-66) The Committee on Economic, Social and Cultural Rights, in paragraph 35 of its general comment No. 17 (2005), stressed that intellectual property has a social function and that States must prevent unreasonably high costs for access to plant seeds or other means of food production that could limit the right to food. Intellectual property rights like patents or plant breeders’ rights can provide incentives to develop seeds that either produce higher yields or have specific characteristics to improve food security and agro-biodiversity management. While this can increase private-sector resource mobilization for climate‑resilient agriculture, there are concerns that the benefits of scientific progress are not being fairly shared and that intellectual property rights limit instead of help everyone enjoy their right to food. The Special Rapporteur on the right to food has raised concerns that certain international standards, like the International Convention for the Protection of New Varieties of Plants of 1991, may change farmers’ rights to save, use and exchange seeds.[[66]](#endnote-67) There is a critical need to take measures to protect food-related rights and knowledge including the knowledge of Indigenous Peoples, peasants, local communities and other people living in rural areas. This should be done in line with:

* the International Covenant on Economic, Social and Cultural Rights,
* the United Nations Declaration on the Rights of Indigenous Peoples, and
* the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas.

Adaptation measures like the measures for developing climate-resilient food varieties, should advance human rights and be based on traditional knowledge and knowledge of Indigenous Peoples and local knowledge systems, as stated in the Paris Agreement (art. 7 (5)).

41. Because of their limited financial ability, 52 developing countries which are home to more than 40% of the world’s poorest people, suffer from severe debt distress. Many must rely on expensive market-based financing.[[67]](#endnote-68) The International Covenant on Economic, Social and Cultural Rights obliges States parties to maximize available resources to progressively allow everyone to enjoy their human rights including through international assistance and cooperation. To make sure there is the financial ability to make the necessary investments in socioeconomic rights and social spending in countries that climate change affects most, States and providers of development finance, including international financial institutions, should increase international grant-based financing for climate action and food security to highly indebted countries. This will make sure that finance improves the financial situation and is targeted at benefiting groups in marginalized and vulnerable situations. States should use, manage and give out these funds in a manner that makes sure respect for human rights is, among others, guided by the principles of solidarity, climate justice, equity, polluter pays and common but differentiated responsibilities and respective capabilities.

42. Other financial-resources-related measures States should explore include generally providing access to timely, concessional and low-cost financial resources and, concerning severe debt distress, debt moratoriums and debt cancellation.[[68]](#endnote-69) Grant-based social protection finance can provide liquidity to make sure that communities in vulnerable situations have economic protection and therefore improve food security when dealing with climate-related hazards. Efforts to use resources to protect the right to food could also include Sustainable Development Goal stimulus to tackle hunger and climate action and other measures proposed under the Bridgetown Initiative like immediate liquidity support and grant‑based loss and damage finance. This could be paid for through fair fossil fuel production levies or carbon border taxation.[[69]](#endnote-70)

 E. Advance the right to a clean, healthy and sustainable environment and fair land-related policies to protect everyone’s right to food

43. The interconnected elements of the right to a healthy environment, including a safe and stable climate, healthy ecosystems and biodiversity, a nontoxic environment and clean air and water, provide a foundational basis for healthy and sustainable food production. Healthy and sustainable food is also an interconnected element of the right to a healthy environment. However, both rights are threatened by the triple planetary crisis of climate change, pollution and biodiversity loss. In measures to minimize climate impacts on everyone’s right to food, States should make sure their laws and policies comply with their human rights obligations. This includes everyone’s right to a healthy environment and rights relating to land, territories and resources.

44. In general, industrial and non-regenerative agriculture based on monoculture and chemical inputs, in addition to impacts mentioned previously, can have severe and long‑term negative ecological impacts, harming everyone’s right to a clean, healthy and sustainable environment. Industrial food production can damage soil and reduce the soil’s ability to produce food and sequester carbon.[[70]](#endnote-71) The full economic and environmental costs of these practices, including damaging a country’s natural resource base, are frequently not considered or severely underestimated. States can promote healthy environments and climate resilience through agricultural practices that improve soil fertility, health and the ability to reduce emissions, protect biodiversity and increase water retention. The outcome of the first global stocktake under the Paris Agreement stated that implementing integrated solutions like sustainable agriculture, resilient food systems, nature-based solutions and ecosystem-based approaches are encouraged as part of a country-driven, gender-responsive and participatory approach, building on the best available science as well as Indigenous Peoples’ knowledge and local knowledge systems.[[71]](#endnote-72) Related measures to minimize climate impacts on and of food systems may include moving to sustainable food systems that focus on people and operate based on natural processes like agroecology, regenerative agriculture, soil rehabilitation, ecosystem-based fisheries, circular bioeconomies and aquaculture management.[[72]](#endnote-73) These measures, if designed while thinking about the needs of people and communities in vulnerable situations, can also produce co-benefits for poverty reduction and other rights, especially where they support Indigenous Peoples, peasants, small-scale farmers and rural communities.

45. Since the 1900s, about 75% of plant genetic diversity has been lost, in part because local food varieties were abandoned, while up to 75% of the world’s food is generated from only 12 plant and 5 animal species.[[73]](#endnote-74) Both climate change and unsustainable land use driven by industrial food production are contributing to the sixth mass extinction decimating biodiversity, including food biodiversity.[[74]](#endnote-75) Soil erosion and damage from pesticides and chemical inputs reduce crop yields and the soil’s ability to nurture biodiversity and store and cycle carbon, nutrients and water.[[75]](#endnote-76) Nitrogen and ammonia released from synthetic fertilizers contribute significantly to global warming.[[76]](#endnote-77) Chemical inputs harm environmental and human health and safety by continually being present in food and directly affecting agricultural workers, peasant farmers and communities.[[77]](#endnote-78) By favouring more biodiverse, diversified and native food systems and land use that supports sustainable ecosystems, countries can improve climate resilience and pathogen and pest resilience, which then helps to protect long-term food security.[[78]](#endnote-79) Agroecological, regenerative, rotational, organic, biological and other sustainable farming practices can help reduce chemical inputs, separate food systems from polluting fossil fuel-based inputs like fertilizers, and produce healthier food.[[79]](#endnote-80)

46. Regarding pollution, agrochemicals used in industrial food production systems offer generally short-term fixes instead of long-term solutions to food insecurity. These pollute the environment, lowering agricultural resilience, and make farms more vulnerable to climate change shocks.[[80]](#endnote-81) Industrial productivity is typically not measured in human and environmental health, but exclusively in commodity output and economic growth.[[81]](#endnote-82) Production output and growth do not necessarily translate to adequate, nutritious, healthy or culturally acceptable food for people, while related chemical inputs can harm health. Unsafely and unsustainably producing unhealthy food is not a reasonable scientific solution nor a solution that supports human rights when minimizing climate impacts on food.

47. Unequal land and resource distribution, as well as the concentration of fertile land ownership, coupled with landlessness, is also a major cause of food insecurity and climate vulnerability. One per cent of all farms operate over 70% of farmland globally and 40% of agricultural land is held by farms larger than 1,000 hectares.[[82]](#endnote-83) Small-scale farms, which are 84% of all farms, cover only 12% of agricultural land, yet produce 36% of the world’s food.[[83]](#endnote-84) Landless people working in food systems are among the poorest and most vulnerable to hunger. Women and girls tend to have less access to secure land tenure and their farmland tends to be more likely to suffer from negative climate impacts. This then can drive further risk exposure. Many Indigenous Peoples have historically had their lands, resources and territories taken away. Fairer access to, use of and control over lands, resources and territories are critical to protecting everyone’s right to food and to addressing pre-existing injustice and discrimination. Under the United Nations Declaration on the Rights of Indigenous Peoples, States must legally recognize and protect Indigenous Peoples’ lands, resources and territories, including the areas on which their food systems depend. States should also work with them on titling and securing the rights to that land (arts 26 and 27).[[84]](#endnote-85) Under the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, States must take appropriate measures including removing discrimination relating to land and carrying out agrarian reforms to allow wide and fair access to land and other natural resources (art. 17). Measures for agrarian reform should promote fairer land and resource distribution under human rights obligations, including the rights of Indigenous Peoples, peasants and people in rural communities to lands, territories and resources, as well as redistributing food systems wealth from large businesses to the people and communities producing it.[[85]](#endnote-86) Redistributive land reform and community-driven land redistribution can also be possible poverty reduction measures with positive effects also for climate and food security.[[86]](#endnote-87) Land reform measures should protect the rights of people in situations of poverty and vulnerability to own, access and sustainably use land and resources, including:

* women,
* peasants,
* small-scale farmers and fishers,
* pastoralists,
* Indigenous Peoples,
* rural workers and
* local communities.[[87]](#endnote-88)

Importantly, including and giving power to women and girls can improve climate-resilient agricultural productivity.[[88]](#endnote-89) Overall, States should reform measures to promote fairer land and resource rights, access and ownership, including measures benefiting people who are vulnerable to negative climate impacts on food.

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15. See <https://www.cop28.com/en/food-and-agriculture>. [↑](#endnote-ref-16)
16. See Committee on World Food Security, “Policy recommendations: agroecological and other innovative approaches for sustainable agriculture and food systems that enhance food security and nutrition”(2021), available at https://www.fao.org/fileadmin/templates/cfs/Docs2021/Documents/Policy\_Recommendations\_Agroecology\_other\_Innovations/2021\_Agroecological\_and\_other\_innovations\_EN.pdf. [↑](#endnote-ref-17)
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