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HUMAN RIGHTS COUNCIL
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**Letter dated 8 May 2008 from the Permanent Representative of Cuba
to the United Nations Office at Geneva, addressed to the President of
the Human Rights Council**

I have the honour to address this letter to you to request the convening of a special session of the Human Rights Council, as provided by the General Assembly in its resolution 60/251, entitled “The negative impact on the realization of the right to food of the worsening of the world food crisis, caused inter alia by the soaring food prices”, to be held on 23 May 2008.

I am making this request for Cuba (on behalf of the Non-Aligned Movement), together with Egypt (on behalf of the African Group), Pakistan (on behalf of the Group of the Organization of Islamic Conference), Palestine (on behalf of the Group of Arab States), as well as in the name of the following members of the Council: Bosnia-Herzegovina, Brazil, China, France, Germany, Italy, Japan, Mexico, Romania, the Russian Federation, Slovenia, Switzerland, Ukraine, the United Kingdom of Great Britain and Northern Ireland and Uruguay. Of the non-members of the Council, this request was also joined by Armenia, Austria, Belgium, Cyprus, Finland, Greece, Ireland, Luxembourg, Malta, Norway, Portugal, Serbia, Slovakia, Spain and Turkey.

This request takes into account the current food crisis and the need to address it as a matter of priority, in order to make our contribution to the current international discussions on the issue.

In this regard, we would like to request the attendance and active involvement in the above-mentioned special session of the Special Rapporteur on the right to food, as well as all other relevant international institutions, United Nations agencies and programmes.

Please find enclosed the list of signatures of the members of the Council requesting the special session. The signatures of other States non-members of the Council but supporting the special session are included in the list.

Additionally, please find attached an explanatory note (annex I)* and a draft resolution (annex II)* to be considered by the Council at its special session.

(Signed): Juan Antonio FERNÁNDEZ

* Reproduced as received, in the language of submission only.

Annex I

EXPLANATORY NOTE

It is estimated that 854 million people are in a state of food insecurity in the world. Sixty percent of these persons live in Sub-Saharan Africa or in South Asia. In addition, 2 billion persons suffer from malnutrition, due to micronutrient deficiencies in vitamins and minerals.

According to the World Health Organization, deficiencies of iron, vitamin A, and zinc rank among the top ten leading causes of death through disease in developing countries. Iron deficiency affects an estimated 1.7 billion people worldwide, half of whom suffer from iron deficiency anaemia. Vitamin A deficiency affects 254 million preschool children in 118 countries, and still is a leading cause of child blindness across developing countries. Iodine deficiency affects 780 million people worldwide and is the greatest single cause of brain damage and mental retardation, particularly in the first weeks and months of life. Zinc deficiency contributes to growth failure and weakened immunity in young children; it results in some 800,000 child deaths per year. According to some estimates, each year, 5.6 million of children of five years or less die as a direct or indirect result of malnutrition.

The world can produce enough food to feed twice the entire global population, yet millions go to bed hungry every night. Millions of children still go without adequate food each day, without sufficient macro and micronutrients, and are condemned to stunted physical growth and stunted intellectual development. In a world overflowing with riches, hunger is not inevitable. It is a violation of human rights. The right to food is a human right that protects the right of all human beings to live in dignity, free from hunger.

The lack of purchasing power for those in need is at the heart of the problem of hunger and malnutrition. Famines are characterised as sudden and exceptional crises - a break from the normal state of affairs, caused, for example, by the failure of certain harvests, by conflicts, or by speculation on food commodities, combined with inappropriate public action.

It is in this context that the current food crisis should be placed. This crisis is major, and it is considerable in its present and potential consequences. According to the information provided by the Special Rapporteur on the right to food, over the past year (March 2007-March 2008) the price of corn (maize) rose by 31%, that of rice (which has been particularly steep during the first months of 2008) by 74%, that of soybean by 87%, and that of wheat by 130%. Overall, the price of food commodities on the international markets rose by 83% over the last 36 months. While the impact of those rises on domestic prices for food vary, depending, in particular, on their price stabilization policies and whether the food stockpiles of each country, the increases have been sharp in a number of countries, sometimes close to 30-40% in the worse hit countries.

This may mean little to the average middle-class family in industrialized countries, which spends 20% of its budget on food. But this is a dramatic change for families in developing countries which spend 60 to 80% of their budget on food. Some 40 countries have witnessed food riots during the first months of 2008. In addition, this rise in the price of food, in addition to increased logistical costs linked to the price of oil, makes it difficult for the international agencies to meet the demands imposed on them, since the cost of providing food relief have considerably gone up.

According to a report presented by the former Special Rapporteur on the right to food (A/62/289), it is estimated that there could be a rise of 20 per cent in the international price of maize between now and 2010, and 41 per cent by 2020. The prices of vegetable oil crops, especially soy and sunflower seeds could increase by 26 per cent by 2010 and 76 per cent by 2020, and wheat prices could increase by 11 per cent and then by 30 per cent. In the poorest regions of sub-Saharan Africa, Asia and Latin America, the price of manioc could rise by 33 per cent and up to 135 per cent by 2020.

The current situation is of particular concern for the net food importing countries. According to figures released by the FAO on 11 April 2008, the cereal import bill of the world's poorest countries should rise by 56% in 2007/8, a rise which comes in addition to an already spectacular rise of 37% in 2006/7.

All the Member States of the United Nations are bound to respect the right to adequate food, as stipulated under Article 25 of the Universal Declaration of Human Rights, since they have pledged to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55 of the UN Charter, which imposes on the United Nations a duty to promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

On the other hand, pursuant to Article 11.1 of the International Covenant on Economic, Social and Cultural Rights, States parties recognized the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. Pursuant to Article 11.2 they recognized that more immediate and urgent steps may be needed to ensure the fundamental right to freedom from hunger and malnutrition.

The realization of the right to food, like other human rights, requires that States pursue international cooperation. The Covenant contains a commitment by States taking into account the problems of both food-importing and food exporting countries, to ensure an equitable distribution of world food supplies in relation to need. The International Covenant on Economic, Social and Cultural Rights clearly requires that States cooperate in the identification and solution of the obstacles which create obstacles to the full realization of the right to food. This is also the clear implication of Article 56 of the Charter of the United Nations, as reaffirmed in paragraph 34 of the Vienna Declaration and Programme of Action adopted at the Vienna World Conference on Human Rights on 14-25 June 1993. All States must respect the human rights of their own population. But they also should avoid violating human rights in other countries.

The current crisis calls for a coordinated action from the international community, guided by the obligations of all States under international law to respect the right to adequate food. Such a coordinated action should address not only the short term impacts of the current crisis, but also the structural causes which have led to that situation.

The current food crisis also illustrates the need for all States to adopt measures which will better shield the most vulnerable segments of their population from shocks which may affect either the availability of food in sufficient quantity and quality to satisfy the dietary needs of

individuals, free from adverse substances, and acceptable within a given culture; or the economic and physical accessibility of such food in ways that are sustainable and that do not interfere with the enjoyment of other human rights.

The Human Rights Council should, as a matter of urgency, identify the solutions which a full respect for the right to adequate food calls for. The convening of a special session of the Human Rights Council on this sensitive issue, as suggested on 2 May 2008 by the Special Rapporteur on the right to food, would show that the Council can indeed offers an important and unique substantive contribution to the current international discussion on answers that the international community could provide to the said crisis, in advance of the High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy, convened by the FAO in Rome on 3-5 June 2008.

In addition, this special session would also demonstrate the adherence of the members of the Council to the principle of interdependence, indivisibility, and equal importance of all human rights.

Annex II

HUMAN RIGHTS COUNCIL

Special session draft resolution

Resolution 7/... “The negative impact on the realization of the right to food of the worsening of the world food crisis, caused inter alia by the soaring food prices”

The Human Rights Council,

Recalling all previous resolutions and decisions on the issue of the right to food adopted in the framework of the United Nations, in particular General Assembly resolution 62/164 of 18 December 2007 and Human Rights Council resolution 7/14 of 27 March 2008,

Recalling also the Universal Declaration of Human Rights, which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration,

Recalling further the provisions of the International Covenant on Economic, Social and Cultural Rights, in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming also that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Recognizing that the worsening of the world food crisis, caused inter alia by the soaring food prices, creates a situation, in which the right to adequate food is threatened to be violated on an unprecedented scale,

1. Expresses grave concern at the worsening of the world food crisis, caused inter alia by the soaring food prices, which seriously undermines the realization of the right to food for all;
2. Calls upon Member States and other relevant stakeholders to participate actively in the High-level Meeting on World Food Security and the Challenges of Climate Change and Bioenergy, to take place from 3 to 5 June, 2008, in Rome, organized by the Food and Agriculture Organization of the United Nations;
3. Requests the Special Rapporteur on the right to food to attend and present a written contribution to the High-level Meeting on World Food Security and the Challenges of Climate Change and Bioenergy organized by FAO, so as to help mainstreaming a human rights perspective in the analysis of the world food crises, with a focus on the realization of the right to food;
4. Invites the General Assembly of the United Nations to consider meeting as soon as possible in the format of a special session in order to take the necessary decisions aimed at responding rapidly to the emergency created by the worsening of the world food crisis, taking into account the results and recommendations of the High-level Meeting on World Food Security and the Challenges of Climate Change and Bioenergy organized by FAO;
5. Requests the Special Rapporteur on the right to food to continue reporting on further developments on this issue to the Human Rights Council and to the General Assembly.
