

# 14

## THE IMPACT OF AUSTERITY MEASURES ON THE RIGHT TO ADEQUATE FOOD IN SPAIN

*Laia Fargas Fursa*<sup>1</sup>

Over the past eight years civil society organizations (CSOs) and social movements have repeatedly denounced the violation of social rights in Spain. The situation has deteriorated due to regressive legal reforms adopted in this field and austerity policies applied under the pretext of the economic crisis. This situation is demonstrated by, for example, the tens of thousands of evictions, the increase in poverty,<sup>2</sup> which especially affects children, as well as by the reduced enjoyment of the human right to adequate food and nutrition (RtAFN) of lower income groups.

In this context, in June 2014, a coalition of CSOs composed of, among others, Observatori DESC, Entrepobles and Educación por la Acción Crítica (EdPAC), submitted an alternative report to the Spanish Government's report for the UN Human Rights Council's Universal Periodic Review (UPR),<sup>3</sup> which was held in January 2015. The alternative report focuses on the impoverishment of Spanish society in general, and the Catalan society in particular, with a focus on the RtAFN.<sup>4</sup>

### FOOD POVERTY AND MALNUTRITION

The alternative report's conclusions resulted from a participatory diagnosis process that started in October 2013 in the Autonomous Community of Catalonia, which highlighted the impact of the aforementioned policies on the enjoyment of the RtAFN.<sup>5</sup>

This participatory process subsequently led to the presentation of a second report in December 2014.<sup>6</sup> This report presented several key findings. Firstly, the process of food commodification demonstrates a clear link between poverty and the violation of the RtAFN. Families have been directly hit by cuts in social budgets, the elimination of subsidies under the 2007 Dependency Law, the removal of grants for school meals and the reduction of minimum income schemes that promote social inclusion. All of these measures have mainly affected women, who assume most of the responsibility for care giving and the provision of food. The data is very enlightening: between 2011 and 2012, 7,000 households stopped receiving minimum income support and, from 2011 to 2013, 37,000 assistance requests were denied in Catalonia alone. Moreover, in 2011, the regional budget allocated to school meal grants for vulnerable families was reduced by €2 million.<sup>7</sup>

Secondly, institutional responses to the growing food insecurity are limited to assistance-driven and mitigation measures, which are not applied widely enough. Assistance through food banks and social canteens, which are widespread in Spain nowadays, stand out among these measures. As a result, the food and nutritional needs of excluded and socially vulnerable people are not quantitatively nor qualitatively being met.

Thirdly, the study also confirms the absence of official statistics about the population's food needs, making it impossible to undertake a full diagnosis. Such a diagnosis would help in designing integral and coordinated strategic plans among the different areas of institutional care, such as health centers, schools and social

1 [Laia Fargas Fursa](#) is a member of the team responsible for social rights and right to food training of Observatori DESC in Barcelona, Spain. Observatori DESC is a social rights advocacy organization and member of the *Right to Food and Nutrition Watch Consortium*. For more information, please visit: [observatoridesc.org](http://observatoridesc.org).

Special thanks to Irene Escorihuela (Observatori DESC) and Marcos Arana Cedeño (International Baby Food Action Network, IBFAN, and World Alliance for Breast Feeding Action, WABA) for their support in reviewing this article. This article was originally written in Spanish.

2 The rate of people 'at risk of poverty or social exclusion' (AROPE) increased from 24.5% in 2008 to 28.2% in 2012. This is based on data obtained from the Spanish National Institute of Statistics, EUROSTAT and Spain's AROPE data. Available at: [www.ine.es/jaxi/T3/Datos.htm?t=4586](http://www.ine.es/jaxi/T3/Datos.htm?t=4586).

3 The UPR is one of the Human Rights Council's human rights monitoring mechanisms for the 193 UN member states. It was created through resolution 60/215 (April 3, 2006) of the UN General Assembly. It represents a step forward towards the interdependence and indivisibility of all human rights, as each country's compliance with, *inter alia*, the human rights instruments to which it is a party is examined. It should be highlighted that civil society participation is limited in this mechanism to submitting alternative (or 'shadow') reports and to lobbying the representatives of other countries to address relevant concerns and recommendations for the State under examination.

- 4 The report was drafted by Educación Para la Acción Crítica (EdPAC) in cooperation with the Human Rights and Sustainability Research Group of the United Nations Educational, Scientific and Cultural Organization (UNESCO) Chair of Sustainability, Observatori DESC, Entrepobles, Espai Social i de Formació d'Arquitectura (ESFA), VSF Justicia Alimentaria Global, Aliança per la Sobirania Alimentària de Catalunya, Xarxa Consum Solidari and Associació Salut i Agroecologia (ASiA). Available only in Spanish at: [observatoridesc.org/sites/default/files/epu\\_espanya\\_2014\\_edpac\\_joint\\_summ.pdf](http://observatoridesc.org/sites/default/files/epu_espanya_2014_edpac_joint_summ.pdf).
- 5 From October 2013 to June 2014, information was compiled on the level of poverty in Spanish society and its impact on the RtAFN. The fieldwork was undertaken in Catalonia, with 60 interviews with institutional actors (different levels of government, the Catalanian Ombudsman, social services practitioners, doctors and political organizations), people whose rights had been violated, and individuals belonging to more than 20 social organizations, NGOs and universities. More than 40 volunteers took part in different activities linked to the drafting of the report.
- 6 Observatori DESC, Entrepobles and EdPAC. *Informe Sobre el Derecho a la Alimentación en Catalunya. Impactos de la Pobreza Alimentaria en Ciutat Vella i Nou Barris (Barcelona)*. Barcelona: Observatori DESC, Entrepobles and EdPAC, December 2014. Available only in Spanish at: [observatoridesc.org/es/informe-derecho-alimentacion-cataluna-impactos-pobreza-alimentaria-ciutat-vella-y-nou-barris-barcelo](http://observatoridesc.org/es/informe-derecho-alimentacion-cataluna-impactos-pobreza-alimentaria-ciutat-vella-y-nou-barris-barcelo).
- 7 *Ibid.*
- 8 Síndic de Greuges de Catalunya. *Informe Sobre la Malnutrición Infantil en Catalunya*. Barcelona: Síndic de Greuges de Catalunya, August 2013. Available only in Spanish at: [www.sindic.cat/site/unitFiles/3505/Informe%20malnutricio%20infantil%20castella.pdf](http://www.sindic.cat/site/unitFiles/3505/Informe%20malnutricio%20infantil%20castella.pdf).
- 9 FAO. *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security*. Rome: FAO, November 2004. Available at: [ftp.fao.org/docrep/fao/009/y7937e/y7937e00.pdf](http://ftp.fao.org/docrep/fao/009/y7937e/y7937e00.pdf).
- 10 De Schutter, Olivier. *Report of the Special Rapporteur on the Right to Food: The Transformative Potential of the Right to Food (A/HRC/25/57)*. Geneva: Human Rights Council, January 24, 2014. Available at: [www.srfood.org/images/stories/pdf/officialreports/20140510\\_finalreport\\_en.pdf](http://www.srfood.org/images/stories/pdf/officialreports/20140510_finalreport_en.pdf).
- 11 Human Rights Council. *Report of the Working Group on the Universal Periodic Review—Spain (A/HRC/29/8)*. Geneva: Human Rights Council, April 13, 2015. Available at: [www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Pages/ListReports.aspx](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Pages/ListReports.aspx).

services. Similarly, there are still many obstacles in analyzing the actual level of malnutrition in the country. The Catalanian Ombudsman (*Síndic de Greuges de Catalunya*), denounced the lack of systematized information on child malnutrition in its August 2013 report.<sup>8</sup> The Ombudsman's report provided visibility to this issue and sparked a public debate on its various dimensions.

Finally, the participatory approach adopted by the study showed that none of the different State levels—central, regional and local—are fulfilling their international legal obligations regarding the RtAFN. This is illustrated by the absence of measures or actions to fulfill these obligations at constitutional, legislative and public policy levels. These obligations are elaborated on by the FAO Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security,<sup>9</sup> and in the January 2014 recommendations of the former Special Rapporteur on the Right to Food.<sup>10</sup>

## RECOMMENDATIONS

CSOs demand that the Spanish State implements its commitments under international human rights law, does its utmost to respect, protect and fulfill the RtAFN, and increases the available resources to realize this right. We deplore the fact that the economic crisis is being used as an argument, and excuse, to adopt decisions that imply regression of, or harm to, the realization of economic, social and cultural rights (ESCR) and, in particular, the right to food. Recommendation 131.125 of the Brazilian Government in the report of the Working Group on the UPR should be highlighted, as it calls on Spain to take steps to ensure that austerity measures do not negatively impact ESCR, especially the rights to adequate housing, health, food and education.<sup>11</sup>

The Spanish Government must enshrine its international human rights law obligations pertaining to the right to food in domestic legislation. Equally, public policies must be designed and implemented with a human rights-based approach that includes ensuring civil society participation. Some of the necessary policies include encouraging access to land for those who want to grow food, especially through agro-ecological social projects, such as community gardens, and the establishment of social and environmental criteria for the public procurement of local food production.