GLOBAL NETWORK FOR THE RIGHT TO FOOD AND NUTRITION

20 Years of the Right to Food Guidelines

Snapshots from Asia

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Introduction

In November 2004, the Food and Agriculture Organization of the United Nations (FAO) adopted the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security (commonly referred to as the RtF Guidelines). These guidelines were a milestone, initiated by civil society and developed through a collaborative negotiation process. Their unanimous adoption by FAO member states symbolized a shared commitment to fulfilling obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR), aiming to make the right to food and nutrition (RtFN) a tangible reality for people worldwide.

The RtF Guidelines also emphasize the role of rights-holders and advocate for a holistic, rights-based approach to food systems that considers the indivisibility of human rights. Despite challenges, the RtF Guidelines continue to be a critical tool for civil society organizations (CSOs) and social movements in their efforts to hold governments accountable for their human rights obligations. They have enhanced the understanding of food as a fundamental human right and highlighted the responsibilities of states to uphold it. As a foundational document, the RtF Guidelines remain relevant, providing essential guidance for implementing the RtFN.

Box 1 Key contribution of the RtF Guidelines
RtF Guidelines have contributed to the advanced human rights narrative and enriched normative legal framework of the RtfN. They have provided a solid ground for the elaboration and development of a full body of human rights norms and policies subsequently adopted by the UN, such as the CEDAW General Recommendation 34, FAO Tenure Guidelines, Small-Scale Fisheries Guidelines, the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), towards human rights-based transformation of food systems.

This year marks the 20th anniversary of the RtF Guidelines. While some progress has been made toward realizing the RtFN (for example in Nepal, see Box 2), this right continues to be violated globally. This briefing is the result of collective efforts to provide snapshots of the state of the RtFN in Asia. It reflects on the 20 years since the adoption of the RtF Guidelines, focusing on key issues such as the

erosion of democracy and territory grabbing, as they relate to the RtFN in countries represented by the Asia Chapter of the Global Network for the Right to Food and Nutrition.

Box 2: Constitutional Guarantee of the right to food and food sovereignty in Nepal
Nepal's constitution guarantees the right to food and food sovereignty, with a supporting law enacted in 2018. This law establishes institutional mechanisms at national, provincial, and local levels and promotes the coordinated development of a national nutrition plan. In March 2024, an ordinance to facilitate the law's implementation was approved. Since the legal recognition of these rights, Nepal has concentrated efforts on addressing undernutrition, successfully reducing the proportion of its undernourished population by half since 2018.

Democracy and the RtFN

By Right to Food Campaign India, Bangladesh Food Security Network (KHANI Bangladesh), FIAN Indonesia

The RtFN and sovereignty in a society can be realised through a just and equitable environment. The formation of such an ecosystem is possible in a democratic society that encourages independent ideas and voices to become stronger and heard. Democracy advocates for the equitable distribution of resources among all, by bringing in diverse ideas, knowledge and experience for collective betterment. In the context of food and food systems, a democratic structure plays a crucial role where independent opinions and ideas pave the way. Democracy (RtF Guidelines 1) underpins the RtF Guidelines by providing the political, institutional, and social frameworks necessary to make the right to food a reality, ensuring that policies are inclusive, just, and accountable. Countries that have preserved these ideas have flourished and within food sovereignty have strengthened themselves.

In **India**, there has been a concern and a serious threat to democratic ideas for the past few years, but especially in the last decade. With its independence, India chose the path of democracy and established strong ideals that would protect it. This played a huge role in making the country food sovereign which further led to a way of equitable distribution of food. Advocacy of the RtFN in India became stronger due to the presence of democracy and we were able to recognise and win food rights for every individual in the country. Today, these hard-won rights, laws and sovereignty with respect to food, are in extreme danger in India. On various fronts, the violation of the RtFN is taking place which has become a continued episode. Some of the areas where we are witnessing violations of the RtFN in India due to the weakening of democracy and associated protections are explained below:

Increase in hate crimes against eating habits and preferences. In the last one decade, hate crimes in the form of mob lynching of minority, particularly Muslims and Dalits, has increased in the name of meat consumption. In the form of laws, bans, violent attacks and calls to boycott the sale and consumption of meat, communal attacks on people's RtFN is getting attacked. While these bans and calls to boycott meat have been isolated incidents as of now, this culture of interfering in people's choice of food and livelihood may have serious social, economic and nutritional consequences if not countered.

Undermining of the crucial public data on food and nutrition status in the country. The National Food Security Act (2013) guarantees food security for every citizen and makes the government

responsible for implementing the law at the ground level. More than 10 years have passed and many concerns related to food security are yet to be addressed. In solving such issues of hunger and distress through constitutional laws, data reflecting the realities has played a crucial role. The data of the most marginalised sections of society has been important in ensuring rights-based entitlements. One such essential dataset that helps gather information on the Indian population has been the data collected through the Decadal National Census. In India, every 10 years, the process of counting people in the country has been taking place for more than 100 years. However, since 2011, the Government of India has not done this exercise of counting its people which plays an important role in determining food security coverage and also an important step in implementing the RTF Guidelines. Through the census, the list of those who are in need of ration cards is prepared, and thus food security coverage is established in a true sense. This act of withholding the data of India's citizens has led to the exclusion of around 130 millinons of the population currently from food security coverage.

The country's measurement of nutritional status was also under criticism when the National Family Health Survey (NFHS)-6 being the most crucial government survey that evaluates family health and nutrition dropped the questions related to anaemia and disability. The previous NFHS-5 survey revealed that over 67% of children and 57% of women suffer from anaemia and it reflected poor nutritional status among children and women particularly. The NFHS has been providing the data through a nationally representative survey from the state and district level on anaemia. But now onwards the NFHS survey will no longer be covering these important factors. The newer testing of anaemia which is the Diet and Biomarker Survey of India-1 will need more trained personnel for carrying out tests. Therefore, fewer samples will be collected which will influence the overall status of the anaemia in the country and it will fail to show the real scenario.

Violation of Supreme Court of India's order to provide ration cards to all in need. The Supreme Court's order (MA 94/2022) in 'Re Problems and Miseries of Migrant Labourers' has given significant directions to ensure food security for migrant workers and unorganised sector workers. 28.6 crore migrants/unorganized workers (1 crore = 10 million) are registered on the eShram portal, of which 20.6 crores are registered on ration card data and around 8 crores are without ration card. For over two years, the Union and State Governments continue to violate the Supreme Court's direction to issue ration cards.

Right to food Campaign's poster calling the Government to implement the Supreme Court's Order

Weakening of decentralised and democratised structures due to centralisation. We are witnessing a decline in the autonomy of local governance and administration with the advent of more and more centralised hegemony. Within rights-based laws and welfare programmes, the centralised structure has emerged through technological interventions. The attempt to make the government more transparent through technology is making it more opaque and far from people. India's constitution and various laws coming out from it strongly advocate for the decentralised structure which is democratic and accessible to everyone. The current top down approach where the local bodies are in less or no decision making process is failing the democratic ethos of the country and thereby impacting the RtFN of India's population, in particular, those who are marginalized.

Over the past decade, **Bangladesh** has faced significant democratic backsliding, marked by electoral irregularities, suppression of dissent, and weakened judicial independence. Allegations of rigging and voter suppression in the 2014 and 2018 elections eroded public trust, while repressive laws like the Digital Security Act curtailed free speech and targeted activists. Increasing executive control has further undermined regulatory institutions. Recent political upheaval, including former Prime Minister Sheikh Hasina's 2024 resignation, highlights growing demands for democratic reforms. This democratic decline has stifled discourse on hunger and poverty, leaving marginalized communities more vulnerable to food insecurity.

In Bangladesh, the RtFN has often been viewed more as a charitable act than as a fundamental human right, which contradicts international human rights declarations. Although Articles 32, 27, and 15 of the Constitution indirectly address the RtFN, previous governments have failed to ensure its effective realization. The 2023 Food Security Statistics from the Bangladesh Bureau of Statistics (BBS) show concerning levels of food insecurity. Nationally, 0.82% of households face severe food insecurity, and 21.92% experience moderate or severe food insecurity. In rural areas, 0.91% of households are severely food insecure, with 23.89% facing moderate or severe food insecurity. Urban areas show slightly lower figures, with 0.66% severely food insecure and 20.56% facing moderate or severe food insecurity. These statistics reveal that rural areas are experiencing the worst food insecurity, particularly in terms of both severe and moderate insecurity.

Despite over a decade in power, the Awami League government faces criticism for failing to uphold the RtFN in Bangladesh. Erosion of democratic institutions, near one-party governance, and repression of civil society and media through the Digital Security Act have stifled dissent and accountability. By prioritizing power over public welfare, marginalized communities have been neglected, leaving policy failures unaddressed. Social safety net programs, designed to protect the most vulnerable, have become significant channels for corruption. According to the *White Paper on the State of the Bangladesh Economy: Dissection of a Development Narrative*, as of 2022, 73% of social safety net beneficiaries were classified as non-poor, while over twenty million individuals remain just two days of lost work away from falling into poverty. These systemic inequities, worsened by corruption, highlight failures in addressing basic needs. The agricultural sector has similarly been affected by corruption, undermining productivity, profitability, and resource accessibility for farmers. Corruption in the agricultural sector severely hampers food security. Bribery in fertilizer distribution reduces productivity by up to 59% during critical seasons, disproportionately affecting marginal farmers. Agricultural credit is similarly plagued by corruption, with 12 billion BDT lost to bribes in 2016-17, and only 54% of loans used for farming. Additionally, in rice procurement, only 25.8% of rice was sold to the government in 2019,

with lack of awareness and extortion further discouraging farmer participation. These issues undermine food production, harming both farmers and overall food security. These practices undermine food production, worsen poverty, and limit access to affordable food, infringing on the RtFN.

Democratic backsliding and systemic corruption in Bangladesh have deepened food insecurity, with marginalized communities hit hardest by inequities in social safety nets and agriculture. Addressing these challenges requires the interim government to renew its commitment to democracy, transparency, and inclusive governance. By prioritizing equitable policies, accountability, and civic engagement, Bangladesh can strengthen its constitutional framework to uphold the RtFN for all.

Retrogression of the RtFN in Indonesia - The Collapse of People's Democracy. Since the adoption of the RTF Guidelines, **Indonesia** has undertaken reforms to its Food Law. However, the latest revision was pushed through under the Job Creation Law (JCL) using the controversial Omnibus Law method, which lacked meaningful public participation in the formulation process. Analyzing this through Arnstein's Ladder of Participation, the process appears superficial, as it involved only information dissemination and nominal public consultations, with decisions ultimately made by the government and legislature. Initially, the Constitutional Court deemed the JCL's formulation unconstitutional and conditionally binding, requiring revisions within two years. However, just before the deadline, President Joko Widodo's administration circumvented this by issuing a Government Regulation in Lieu of Law, later passed as Law No. 6 of 2023. Attempts to challenge this in the Constitutional Court failed, citing global economic concerns post-pandemic. Concerns about impartiality arose, as the Court's chairman is President Widodo's brother-in-law, whose actions, including amending the Election Law to favor the president's son's vice-presidential candidacy, were deemed unethical.

Substantively, the Food Law fails to align clearly with human rights, particularly the RTF Guidelines. While it recognizes food as a fundamental human right, it does so only briefly in its definition of food sovereignty, without establishing an accountability mechanism for state obligations to respect, protect, and fulfill the RtFN. FIAN Indonesia highlights that this law, alongside 40 other related laws and regulations, lacks clear provisions for implementing and holding the government accountable for these rights. This legislative gap underscores a critical shortfall in guaranteeing the RTFN and the governments' obligations vis-a-vis the RtFN.

The Collapse of People's Democracy. Democracy and human rights are inherently interconnected, much like two sides of a coin. Human rights cannot thrive without substantial and procedural democracy, which relies on secure civil rights, freedoms, a protected press, media institutions, and effective checks and balances through opposition groups. In Indonesia, the past decade has seen a significant erosion of democracy. Civil liberties have been increasingly curtailed, shrinking the space for critical voices to hold the government accountable. Moreover, the absence of an active opposition to enforce checks and balances further underscores this democratic decline.

In 1998, civil movement groups fought for the abolition of the Armed Forces' dual function, which allowed the Indonesian National Army (TNI) and Police (Polri) to dominate civilian roles. This reform was crucial for restoring civilian control. However, recent changes to the State Civil Apparatus policy have reinstated similar practices, allowing military personnel to occupy civilian positions. Beyond administrative roles, the security apparatus now intervenes in areas like food production, particularly in Merauke-South Papua, where land grabbing has become rampant.

Territory Grabbing and the RtFN

By Katarungan, Center for Social Development (CSD), Pakistan Kissan Rabita Committee (PKRC), FIAN Indonesia, National Fisheries Solidarity Organisation (NAFSO)

The realisation of the RtFN for the rural population is intrinsically connected to their access to natural resources (also specified in the RTF Guidelines 8 (Access to Natural Resources). This fundamental right is closely tied to housing and natural resources tenure, yet its fulfillment remains out of reach for many across the globe.

In the **Philippines**, while the 1987 Philippine Constitution and the Comprehensive Agrarian Reform Program (CARP) passed in 1988 recognized farmers' rights to own the land they till, progress has been primarily slowed by the resistance of powerful landowners and other systemic barriers. For millions of farmers, land is more than a resource—it is their primary means of livelihood and survival. The failure to distribute land equitably threatens not only their economic stability but also their ability to feed themselves and their families. Decades after CARP enactment, land conflicts persist, and countless farmers face displacement, trumped up criminal charges, and other forms of harassment as they fight for their rights. This reflects a broader issue of structural inequality where land remains concentrated in the hands of a few elites, exacerbating poverty and hunger in rural areas. In fact, the highest number of poor population in the country comes from rural areas where farmers, alongside fisherfolk, remained to be the sectors with highest poverty incidence.

In Barangay Sumalo, Hermosa, Bataan, a local corporation has exploited legal loopholes and employed armed guards to block agrarian reform efforts in 214 hectares of land, fencing off farmland and dismantling homes. These actions disrupt the farming community's ability to produce food, creating cycles of dependency and deepening their vulnerability to hunger. The farmers, who depend on their land for both livelihood and sustenance, have faced fabricated legal cases and various forms of harassment. At present 8 Sumalo farmers are incarcerated and currently waiting for the grant of bail or dismissal of their cases. Many now live in makeshift shelters after court-ordered demolitions stripped them of their homes. Despite directives to redistribute the land, implementation has been stalled, leaving the community's food security and future at risk. The Sumalo case highlights the deliberate obstruction of policies intended to protect farmers and ensure natural resource utilization, where powerful landowners weaponize the legal system to assert their dominance.

In Sariaya, Quezon, the struggle highlights a different but equally devastating form of land conflict. Over 6,000 hectares of lands distributed to farmers decades ago under CARP are now being reclaimed by former landowners using exemptions and outdated zoning laws that reclassified agricultural lands. Hundreds of farmers risk losing their land, undermining their livelihoods and the region's capacity as a food-producing area. Sariaya's farmlands, which supply vegetables to key markets in Luzon, are a vital part of the local food system. If these lands are taken away, the consequences will ripple across the region, driving up food prices and increasing reliance on imported goods. The decision to revoke these land awards destabilizes the families involved and threatens food availability in surrounding communities. This case underscores the fragility of agrarian reform outcomes when policies fail to anticipate and address exploitation by those seeking to reverse the gains of land redistribution.

These cases illustrate a broader context of land grabbing in the Philippines, with land as a commodity for profit-driven projects by powerful businesses is reinforced by weak enforcement of laws to dispossess farmers of their land. This systemic problem exacerbates inequality and reduces the country's ability to meet its own food needs, as farmlands are converted into industrial zones, commercial developments, or private estates. It directly impacts farmers' ability to grow crops, access markets, and sustain their communities, pushing them into an unending cycle of poverty and food insecurity.

Eight Sumalo women peasants waiting for their hearing inside the hall of justice in Hermosa Bataan (PHOTO: Katarungan)

For several years, small-scale rice farmers in **Manipur,** a state in northeastern **India**, have been fighting against territory grabbing. In recent years, the government initiated the construction of a mega food park and other industrial projects on fertile rice paddy land in Yaithibi Loukol. This move has sparked significant resistance as it violates the Manipur Conservation of Paddy Land and Wetland Act, 2014, which aims to protect agricultural lands critical to food sovereignty and the livelihoods of local farmers. Historically, Manipur has experienced substantial loss of cultivable land due to large-scale projects like the Loktak Hydro Power Project, which submerged 82,000 hectares of paddy fields, and ongoing infrastructure developments like dams and railways. Activist groups, such as the Youth's Forum for Protection of Human Rights (YFPHR), have condemned the government's actions, calling for industrial projects to be relocated to non-agricultural lands. They argue that compensation alone cannot replace sustainable livelihoods, warning that such developments threaten food security, disregard legal protections, and erode the rights and futures of local communities

Grabbing of farm land from small farmers and peasants is at its peak in **Pakistan**. In the name of corporate farming, over half a million acres of land has been given to local and international firms and individuals. The so-called "Green Initiative" by the Pakistani government by promoting corporate farming is termed as a vehicle of economic growth. Over 27000 acres of public sector farm land in Punjab, cultivated by tenants for over 100 years has been handed over to the private sector, displacing landless peasants and small-scale farmers under the pretext of agricultural modernization.

However peasants and small farmers are resisting, as seen in the recent incident in Arifwala, where over 700 farmers who belong to Anjman Mozareen Punjab, a member organisation of Pakistan Kissan

Rabita Committee (PKRC) have strongly resisted by blocking the pathway of a heavy police contingent sent to take over their fertile land.

The corporate farming in Pakistan is a sheer land grab and promotes a new kind of feudalism. In a joint press conference held on November 21, 2024, Anjman Mozareen Punjab and PKRC called for immediate and comprehensive agrarian reforms across Pakistan, emphasizing that land should be distributed to landless peasants, agricultural workers and small farmers as their legal right.

Box 3: Land conflicts, displacements and the RtFN in Indonesia

One of the most concerning findings of the 2023 Indonesian Agricultural Census is the significant increase in the number of peasant households managing less than 0.5 hectares of land. Over the last decade, the number of these households rose by 18.49%, from 14.25 million in 2013 to 16.89 million in 2023. This marks a reversal from the 2013 Census, which showed a decline in smallholders from 19.02 million households to 14.25 million. The Consortium for Agrarian Reform reports that during this period, 2,939 agrarian conflicts affected 6.3 million hectares of land, displacing 1.75 million households, with many conflicts closely tied to food production. These developments underscore that 68% of Indonesia's population—approximately 183.7 million people—lack access to adequate and nutritious food.

Territory grabbing is also occurring along waterfronts, where "ocean grabbing" severely impacts the RtFN of fisherfolk worldwide. Under the guise of the "Blue Economy," oceans are increasingly seen as opportunities for capital investment and profit generation. This has led to the exploitation of commons, displacement of fishing and coastal communities, and degradation of their livelihoods — the oceans.

One prominent example of ocean grabbing is the Colombo Port City Project in **Sri Lanka**. This ambitious urban development initiative, constructed in collaboration with China as part of the Belt and Road Initiative, involves a 269-hectare land reclamation project designed to create a special economic zone for international business and luxury living.

The project has caused significant environmental and social consequences. Coastal erosion and marine ecosystem disruption due to sand dredging and land reclamation have devastated the livelihoods of approximately 80,000 fishing households. Many fisherfolk have reported reduced access to traditional fishing grounds and diminished fish stocks. Additionally, some coastal communities have faced displacement due to land acquisition and landscape changes.

The effects of sea erosion caused by sand mining include the washing away of fishing village homes and the loss of space to park fishing boats. The damage of coral reefs, sea bed, and coastal eco systems caused to deplete the fish catch drastically due to disturbed fish breeding and feeding grounds due to sea bed dredging for sand mining. Fisherfolk from areas such as Kammalthota to Rathmalana have reported reduced incomes due to depleted fish resources caused by sand mining, further exacerbating the challenges to their RtFN.

Protest action against Colombo Port City project in Negombo (Photo by NAFSO)

We, the members of the Asia Chapter of the Global Network for the Right to Food and Nutrition, first, denounce the minimum uptake of the Guidelines by member states in the region that continue to see them as voluntary. Second, we urge our governments to de-facto fulfill their human rights obligations by taking decisive actions to implement these RtF Guidelines.

Concrete steps must be taken to end hunger and malnutrition in line with our demands stated in the Statement issued in June 2024, including calls for incorporating international human rights provisions into national legislation, regulations, policies and programs in addition of creating mechanisms for accountability, ensuring meaningful participation of affected communities in decision-making processes and establishing transparent systems to monitor and redress instances of violations of the right to food. Governments have to uphold their obligations regarding the realization of the human right to food and nutrition. The Global Network has embarked in making this a reality.

The members of the Asia Chapter/Global Network for the Right to Food and Nutrition are: Bangladesh Food Security Network (KHANI Bangladesh), Center for Social Development (CSD), Feminist Dalit Organisation (FEDO), FIAN Indonesia, FIAN Nepal, FIAN Sri Lanka, Focus on the Global South, Katarungan, Maleya Foundation, National Fisheries Solidarity Organisation (NAFSO), Pakistan Kissan Rabita Committee (PKRC), Posco Pratirodh Sangram Samiti (PPSS), Right to Food Campaign India, Solidaritas Perempuan, and UBINIG.