



FOOD SAFETY IN INTERNATIONAL LAW: A STEP IN PREVENTING THE OCCURRENCE OF COMMUNICABLE DISEASES

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ABSTRACT

The outbreak of Covid-19 in 2019 raised significant concerns about the transmission of the virus, especially regarding zoonotic diseases. As the third common virus transmitted between humans and animals after SARS and MERS, the perception of Covid-19 as a foodborne illness intensified discussions surrounding food safety and security. This article aims to explore the commitment of states to ensure safe food supply chains. Food safety practices are essential for preventing disease, and the right to food is enshrined in various human rights documents. Although food supply has not been the subject of a specific legal framework, international organizations and conferences have recognized the necessity of regulating food production and distribution methods to ensure that populations have access to adequate and nutritious food, thereby promoting overall health and well-being.

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Introduction

Access to healthy and nutritious food is essential for human energy and overall health. However, one of the pressing security challenges faced globally, not just in developing countries, is the provision of sufficient and healthy food. Ensuring food security is thus recognized as a fundamental necessity of human life. According to United Nations data from 2002, approximately a quarter of the population in developing countries faces serious food and water shortages.¹ Furthermore, the World Health Organization (WHO) reports that over a third of the global population suffers from health issues related to contaminated food and water,² with chemical contamination on the rise.

The adverse health effects of poor nutrition have led to an increase in dangerous diseases with potentially fatal consequences. Alarmingly, more than 100 million children die each year due to the consumption of contaminated water.³ Projections indicate that at least 150 million people may face hunger in the future due to sudden spikes in food prices, potentially leading to significant social unrest worldwide.⁴

The United Nations defines food security as the access of all individuals to sufficient food at all times for a healthy life.⁵ This definition encompasses three core elements: food availability, access, and stability. Presently, challenges such as escalating hunger, dietary imbalances, environmental degradation, and resource depletion have elevated food security to one of the most critical issues facing human societies. Food security is not only a key condition for human security but also a pillar of economic development.⁶

It is crucial to recognize that food security extends beyond mere availability; the consumption of contaminated or unhealthy food poses a greater risk to human health than a lack of access to food. This concern becomes particularly pertinent in the context of the globalization of food trade, which can enhance access to food but also create conditions conducive to widespread

1 Gorbachev, *Solving Global Water Crisis: Moral Imperative, Access to Water Human Right* (2005) ENV/DEV/847 <https://www.un.org/press/en/2005/envdev847.doc.htm> accessed 28 April 2022.

2 World Health Organization, '1 in 3 People Globally Do Not Have Access to Safe Drinking Water – UNICEF, WHO' (18 June 2019) <https://www.who.int/news/item/18-06-2019-1-in-3-people-globally-do-not-have-access-to-safe-drinking-water-unicef-who> accessed 28 April 2022.

3 Djukic, Moracanic, et al, *Food Safety and Food Sanitation* (2015) 26.

4 Ibid.

5 International Food Policy Research Institute, 'Food Security' <https://www.ifpri.org/topic/food-security> accessed 24 August 2020.

6 Qalamkari, *Definitions and the New Concept of Nutrition and Food Security* (2015) 1.



outbreaks of foodborne diseases.¹ Factors such as societal industrialization, urbanization, and shifts in food consumption patterns further jeopardize food safety. In developed countries, as much as 50% of the food budget may be allocated to food prepared outside the home,² which often lacks the requisite quality standards.

Food safety is thus a fundamental public health issue for all nations. Foodborne illnesses, which can arise from various microbial pathogens, biotoxins, or chemical contaminants, represent a significant threat to the health of millions and are closely related to the broader issue of food security. Numerous countries have experienced outbreaks of serious foodborne illnesses, with the potential for such outbreaks to occur anywhere in the world.

The emergence of Covid-19, which spread globally from China in December 2019, raised hypotheses regarding its transmission through animals and food,³ thereby highlighting the connection between food safety and the prevention of infectious diseases. This leads to the central question of this research: How can international law ensure food safety and thereby prevent the occurrence of foodborne infectious diseases? To address this question, the research will first examine the threats to food security posed by infectious diseases, alongside the commitment to the right to food—particularly in relation to climate change. The role of international organizations will also be considered. Methodologically, this research adopts a doctrinal approach, analyzing existing legal frameworks related to food safety.

1. Communicable Diseases Are a Threat to Food Security

To identify the factors threatening food security and to determine the role of infectious diseases among them, it is essential to understand the concept of food security, which differs from mere food production. While food production—regardless of its geographic location—is a crucial element of food availability, it alone does not guarantee food security.⁴

In 1994, the United Nations Development Program's Human Development Report described human security as encompassing various dimensions, one of which is food security.⁵ This concept is closely linked to legal frameworks within the field of development.⁶ International organizations such as the Food and Agriculture Organization (FAO) and the World Bank have offered differing definitions of food security. The FAO defines it as "ensuring the physical and economic access of all people to basic foods at all times."⁷ The World Bank, on the other hand, defines food security as "the access of all people at all times to sufficient food to lead a healthy and active life."⁸ The World Food Summit in 1996 provided a more comprehensive definition: "Food security exists when all people have physical and economic access to sufficient, healthy, and nutritious food at all times, enabling them to meet their nutritional needs and dietary preferences for an active and healthy life."

1 Elmi, *Food Safety* (2008) 144.

2 Ibid, 143

3 Ibid, 146

4 United States Department of Agriculture, *Climate Change, Global Food Security, and the U.S. Food System* (December 2015) p 17.

5 United Nations Development Programme, *Human Development Report 1994* (Oxford and New York: Oxford University Press).

6 Drèze and Sen, *Hunger and Public Action* (1989) 1.

7 Food and Agriculture Organization, *World Food Security: A Reappraisal of the Concepts and Approaches* (Director General's Report, Rome 1983).

8 World Bank, *Poverty and Hunger: Issues and Options for Food Security in Developing Countries* (Washington DC 1986).



According to the FAO, food security is established when all people have consistent access to safe and nutritious food that meets their dietary requirements and preferences.¹ This includes:

- Availability: A sufficient quantity of food of suitable quality.
- Accessibility: Regular access for individuals to appropriate and nutritious food sources.
- Nutritional Well-being: Proper diet, clean water, hygiene, and health care are necessary to ensure that all biological needs are met.

Communities, families, or individuals should always have access to food, and sudden shocks or emergencies should not disrupt this access.²

Based on the aforementioned concepts, food contamination with various pathogens poses a significant threat to food security. Such contamination can lead to the global spread of infectious diseases, further complicating efforts to ensure the safety and availability of food.

1.1. The Role of Food Safety in Preventing Food-Borne Diseases and Achieving Food Security

Ensuring food quality is a critical aspect of food security. Food quality is intrinsically linked to food safety, which encompasses the methods of preparing, using, and storing food to prevent food-borne diseases. Food safety is a fundamental feature of food security, varying in nature, intensity, and extent depending on the circumstances, whether normal, emergency, or disaster scenarios. For instance, during floods or storms, surface waters contaminated with sewage can lead to food contamination and threaten food safety.

The terms "food safety" and "food quality" can sometimes be confusing. Food safety refers to managing all hazards—both chronic and acute—that may harm consumers, while food quality encompasses the characteristics that influence a product's value to consumers.³ Both food security and safety are public health issues that play a significant role in improving societal health conditions.⁴

Historically, unsafe food has posed significant health problems. Despite global efforts to enhance food safety, the incidence of food-borne diseases remains a substantial issue in both developed and developing countries. According to the WHO, unsafe food contributes to approximately 2 million deaths worldwide each year. Addressing food safety is essential to solving these problems. The FAO emphasizes that nutrition is a fundamental right, vital for health and well-being, as it protects the public from disease.⁵ Health is a prerequisite for individuals to pursue their rights effectively.⁶

Food-borne diseases pose a serious threat to human health. They not only impact individual health and well-being but also have economic repercussions for nations, placing a heavy burden on health systems and reducing productivity. Urbanization, changing food habits, and climate

1 United Nations, 'Food' <https://www.un.org/en/sections/issues-depth/food/index.html> accessed 24 August 2020.

2 Bora, Ceccacci, et al, *Food Security and Conflict* (2011) 2.

3 WHO, FAO, *Assuring Food Safety and Quality: Guidelines for Strengthening National Food Control Systems* (Joint FAO/WHO Publication 2016) <http://www.fao.org/3/a-y8705e.pdf>.

4 Rideout, *Food Safety, Food Security and the Public Health Inspector* (2014) 1.

5 Damayanti and Wahyati, *Food Safety in the Protection of the Right to Health* (2019) 2.

6 Ibid.



change further complicate food safety. Virtually all food items can become contaminated, posing dangers to consumers if proper production, processing, and usage principles are not adhered to.¹

In response to public health concerns and the economic losses caused by food-borne diseases, there have been global efforts by food suppliers, industries, and governments to ensure food quality and safety.² However, food-borne diseases continue to be a significant public health challenge for various reasons.³ According to the WHO, 600 million people—approximately 1 in 10—fall ill each year due to contaminated food, resulting in 420,000 deaths annually.⁴

Recent years have seen increased attention to zoonotic diseases, which are often transmitted through food. As more people venture into unfamiliar ecological areas, their exposure to animals and the infections they transmit increases. Additionally, modern travel has facilitated the spread of diseases that were once geographically confined, as seen with the outbreak of acute respiratory syndrome (SARS). The migration and trade of animals pose similar threats, evidenced by the emergence of Nile fever in the United States—previously unseen in the Western Hemisphere.⁵

The coronavirus, first identified in 1960, illustrates the transmission of human infections from animals. Reports indicate that Covid-19 initially spread through a seafood wholesale market, highlighting the importance of food safety measures.⁶ SARS-CoV-2, the virus responsible for Covid-19, is the seventh known coronavirus infecting humans and the third that is zoonotic, following SARS and MERS. Bats, particularly Chinese horseshoe bats, serve as reservoirs for many coronaviruses.⁷ Although bats are not commonly sold in markets, they are sometimes caught and sold directly to restaurants for food preparation.⁸

Therefore, enhancing food control and health activities in live animal food markets is crucial to protecting public health from similar zoonotic diseases.⁹ Addressing food safety comprehensively is essential to prevent the occurrence of food-borne diseases and ensure food security.

1.2. The Imperative of Food Safety in Global Health and Security

The increasing prevalence of food-borne diseases and the risk of contamination throughout the global food supply chain underscore the need for competent authorities to adopt a preventive approach to protect public health. This involves implementing measures that are proportionate to the risks associated with food insecurity. Effective food safety systems prioritize proactive responses to potential problems rather than merely identifying them after they arise.¹⁰

One of the eight Millennium Development Goals established by the United Nations, as

1 WHO, *The Burden of Foodborne Diseases in the WHO European Region* (2017) 2.

2 Manuela Camino Feltes et al, *Food Quality, Food-Borne Diseases, and Food Safety in the Brazilian Food Industry* (2017) 13–27.

3 Ibid.

4 Kearney, *Introduction to Foodborne Illness Outbreak Investigations* (2018) 320.

5 PAHO, *Zoonoses and Communicable Diseases Common to Man and Animals* (2003) viii.

6 Travel Medicine and Infectious Disease. COVID-19: Zoonotic aspects. 24 February 2020. P 2. <https://doi.org/10.1016/j.tmaid.2020.101607>

7 Mackenzie and Smith, *COVID-19: A Novel Zoonotic Disease Caused by a Coronavirus from China: What We Know and What We Don't* (2020) 5.

8 WHO, *Novel Coronavirus (2019-nCoV): Situation Report – 22* (2020) 2.

9 Ibid.

10 Faour-Klingbeil and Todd, *Prevention and Control of Foodborne Diseases in Middle-East North African Countries: Review of National Control Systems* (2019) 2 <www.mdpi.com/journal/ijerph>.



discussed at the Millennium Forum in 2000, focused on eradicating extreme poverty and hunger. Countries committed to halving the number of individuals suffering from poverty and hunger by 2015.¹ The absence of food safety can disrupt children's learning and hinder adults' productivity, thereby complicating human development. Consequently, the 2030 Sustainable Development Agenda emphasizes the provision of safe food as essential for promoting health and eliminating hunger.²

Food security cannot exist without food safety. In a world where the food supply chain has become increasingly complex, any adverse incident related to food safety can have far-reaching negative impacts on public health, trade, and the economy. Unsafe foods, which may contain harmful bacteria, viruses, parasites, or chemicals, are responsible for over 200 diseases, ranging from diarrhea to cancer. Furthermore, the effects of climate change on food safety necessitate urgent attention to global food production and supply systems that impact consumers, industries, and the planet.³

A wide range of stakeholders—governments, regional economic bodies, UN agencies, development organizations, trade associations, consumer and producer groups, academic institutions, and private sector entities—must collaborate on issues affecting food security at global, regional, and local levels. Effective cooperation is vital for combating food-borne disease outbreaks, requiring alignment across governmental sectors and international borders. The longstanding partnership between the FAO and the WHO exemplifies this collaborative effort, addressing a wide array of issues to enhance global food safety and protect consumer health.⁴

Different countries face varying risks and challenges related to food safety, influenced by their consumption patterns, production processes, and trade practices. Ensuring food safety is crucial for achieving diverse development outcomes, and decisions in this area often occur where the interests of different sectors intersect.⁵ Recognizing the significance of food safety and food security in fostering international peace and security, the global community has sought to develop legal frameworks to support these objectives.

1.3. The Role of International Law in Providing Food Safety to Prevent the Spread of Infectious Diseases

Communicable diseases pose significant transnational and often global challenges that exceed the capacities of individual countries' governments, necessitating multilateral and global approaches. These diseases pose serious threats to fundamental human rights, including the right to life and the right to health. Given that food safety is a critical preventive measure against the spread of these diseases, the prevailing human rights approach in international law can establish a foundation for states' obligations to ensure food safety.⁶

1 Gualtieri, *Right to Food, Food Security and Food Aid under International Law, or the Limits of a Right-based Approach* (2013) 20 <http://thefutureoffoodjournal.com/index.php/FOFJ/article/view/207/159>.

2 'The 2030 Agenda and the Sustainable Development Goals' https://repositorio.cepal.org/bitstream/handle/11362/40156/25/S1801140_en.pdf accessed 12 April 2023.

3 WHO & FAO, *Food Safety, Everyone's Business: World Food Safety Day* (2019).

4 Ibid.

5 FAO. *Food Safety Risk Management: Evidence-Informed Policies and Decisions, Considering Multiple Factors* (2017).

6 Patterson, Buse, Magnusson, and Toebes, *Legal and Human Rights-Based Approaches to Healthy Diets and Sustainable Food Systems*



Moreover, the fundamental aim of international law is to maintain international peace and security. Today, this goal extends beyond the mere absence of war; it encompasses any factor that disrupts human welfare and a decent life.¹ This perspective leads to the conclusion that theories of global governance, which emphasize the interconnected roles of various actors—including states, individuals, international organizations, and non-governmental organizations—view international law as a mechanism for creating and implementing a coordinated legal framework to address global threats.

As a significant topic within international law, food safety has given rise to various branches and multilateral regimes, including the International Health Regulations from the World Health Organization, the TRIPS Agreement from the World Trade Organization, and the standards set by the Codex Alimentarius Commission under the FAO.²

Food undergoes numerous processes before reaching consumers, making it essential for an effective food control system to incorporate stringent enforcement of mandatory requirements alongside education, community development programs, and the promotion of voluntary cooperation.³ The development of harmonized laws and regulations related to food safety, along with their effective implementation, forms a foundational element of a modern food control system.

This section of the article aims to analyze international legal frameworks related to food safety, focusing on how these rules can minimize the spread of foodborne infectious diseases globally.

2. The Commitment to Provide the Right to Food

The right to adequate food is not merely a charitable act; it is a fundamental right of every individual—woman, man, and child—that must be fulfilled by both governments and non-state actors. Agenda 21 for Sustainable Development recognizes the need for new measures to eradicate poverty, end hunger,⁴ and eliminate all forms of malnutrition.⁵

The Universal Declaration of Human Rights (UDHR), the cornerstone of human rights documentation, does not differentiate between civil, cultural, economic, political, and social rights, placing them all on equal footing, including the right to food.^{6, 7} Since the 1980s, the standing of economic, social, and cultural rights has progressively improved within international law and public acceptance, with the right to food taking a prominent role.⁸

In 1983, the United Nations Economic and Social Council (ECOSOC) prepared a report

(2020) 1.; The Commission on Global Governance, *Our Global Neighbourhood*, Chapter Three—Promoting Security (1995) <http://www.gdrc.org/u-gov/global-neighbourhood/chap3.htm> accessed July 20, 2024.

1 Commission on Human Security, *Human Security Now* (2003) 4 <https://reliefweb.int/sites/reliefweb.int/files/resources/91BAEEDBA50C6907C1256D19006A9353-chs-security-may03.pdf> accessed July 20, 2024.

2 Aginam, *International Law and Communicable Diseases* (2002) 2-3 <https://www.researchgate.net/publication/10913225>, accessed July 20, 2024.

3 WHO and FAO, *Assuring Food Safety and Quality: Guidelines for Strengthening National Food Control Systems* (Joint FAO/WHO Publication) 3.

4 The 2030 Agenda and the Sustainable Development Goals. Goals 1-2.

5 FAO, *The Right to Food* (2020) <http://www.fao.org/right-to-food/background/en/>.

6 Universal Declaration of Human Rights. 10 December 1948. Article 25. https://www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf

7 Künnemann and Epal-Ratjen, *The Right to Food: A Resource Manual for NGOs*. DFID (2004) 34.

8 Ibid.



highlighting the right to food as a human right,¹ marking the first comprehensive examination of this issue within the context of the International Covenant on Economic, Social and Cultural Rights (ICESCR). This report introduced the framework of triple obligations for governments regarding the right to food: respect, protection, and realization.²

That same year, the International Law Association³ established the Right to Food Committee, and the Netherlands Institute for Human Rights organized an international conference on this topic. In 1987, the United Nations Commission on Human Rights endorsed the ECOSOC report on the right to food. Additionally, in 1986, a group of international legal experts at Maastricht University formulated the Limburg Principles on the Implementation of Economic, Social, and Cultural Rights, which provided essential guidance for interpreting these rights.

The 1980s marked a pivotal period for economic, social, and cultural rights, producing significant reports and studies, with the right to food considered a key milestone.⁴ Importantly, the right to food is comprehensive; it encompasses not only minimum caloric and nutritional requirements but also all elements necessary for an individual to lead a healthy and active life.⁵

To realize the right to food, several indicators have been identified, including nutrition, food safety, consumer protection, and access to food.⁶ The Committee on Economic, Social and Cultural Rights emphasizes that proper nutrition is linked to health, which hinges on ensuring that food is prepared using appropriate ingredients and processes.⁷ Article 12 of the ICESCR promotes the health of individuals and extends to other determinants of health, such as food, nutrition, housing, and access to clean water and sanitation.⁸

The right to food is explicitly recognized in Article 25 of the UDHR⁹ and Article 11 of the ICESCR¹⁰. Additionally, the International Covenant on Civil and Political Rights (ICCPR)¹¹ contains provisions that emphasize the right to food indirectly. Article 6 recognizes the right to life, while Article 7 prohibits torture and inhumane treatment. Article 10(1) affirms the humane treatment of detained persons, and Article 26 establishes the right to non-discrimination, implicitly supporting access to healthy and sufficient food.

Two crucial articles in the Convention on the Elimination of All Forms of Discrimination against Women protect the right to food specifically. Article 12 safeguards the rights of mothers and infants to adequate food, whereas Article 14 protects women in rural areas from

1 Asbjørn Eide, (born 11 February 1933) is a Norwegian human rights scholar with base in Law and Social Science Research. He was married October 10, 1959, to Professor of nutritional physiology Wenche Barth Eide (b. 1935), and the father of former Norwegian Minister of Defence (2011–12) and Minister of Foreign Affairs (2012-13) Espen Barth Eide. Wikipedia.

2 For more info, see: Henry Shue. *Basic Rights: Subsistence, Affluence and U.S. Foreign Policy*, 2nd ed., (Princeton, NJ: Princeton University Press, 1996) pp ix+236. Cambridge University Press: 20 December 2016. <https://www.cambridge.org/core/journals/business-and-human-rights-journal/article/abs/henry-shue-basic-rights-subsistence-affluence-and-us-foreign-policy-2nd-ed-princeton-nj-princeton-university-press-1996-pp-ix+236/43F9D53C9D4977D3865AE805BF5E5B8C> . 29 April 2022.

3 The International Law Association (ILA) was founded in Brussels in 1873 and is a body for the study, clarification and development of public and private international law and the furtherance of international understanding and respect for international law

4 Künnemann and Epal-Ratjen, *Op. Cit.* (2004) 35.

5 UNHR. *The Right to Adequate Food. Fact Sheet No. 34.* P 2.

6 "Report on indicators for promoting and monitoring the implementation of human rights" (HRI/MC/2008/3).

7 Damayanti and Wahyati, *Op. Cit.* (2019) 4.

8 *Ibid.*

9 Universal Declaration of Human Rights.

10 International Covenant on Economic, Social and Cultural Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

11 International Covenant on Civil and Political Rights. 16 Dec 1966. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>



discrimination in accessing productive resources, including land and social security programs.¹ Furthermore, the Convention on the Rights of the Child emphasizes the right to food to combat malnutrition, explicitly mentioning this right in Articles 24 and 27. Article 24 guarantees the right to health, including the provision of sufficient and nutritious food and safe water, while Article 27 recognizes the right to an adequate standard of living.²

The European Convention on Human Rights and Fundamental Freedoms, established by the Council of Europe in 1950, also addresses the right to food indirectly through its provisions. The European Court of Human Rights, founded in 1959, interprets this Convention and adjudicates on the legality of government actions based on its principles.³ Similarly, Article 25 of the American Convention on Human Rights grants every person the right to seek judicial recourse for violations of constitutional rights recognized by their nation or the Convention itself.⁴

In Africa, the protocol of the African Charter on Human and People's Rights established a court with jurisdiction over human rights violations based on the Charter or other ratified human rights instruments.⁵ Additionally, Article 54(1) of the First Additional Protocol of the Geneva Conventions (1977) states that "starvation of civilians as a method of warfare is prohibited."⁶ Article 14 of the Second Additional Protocol reinforces this by prohibiting starvation of civilians during armed conflict.⁷

General Comment No. 12 from the Committee on Economic, Social, and Cultural Rights emphasizes that the right to adequate food is intrinsically linked to human dignity and essential for realizing other human rights outlined in international law.⁸ The primary responsibility for protecting and promoting these rights lies with governments, which must respect people's access to food and protect this right from violations by third parties. Moreover, governments are tasked with actively enhancing access to resources and tools that guarantee livelihoods, including food security.

In summary, international human rights law establishes a comprehensive framework for the right to food, obligating states to respect, protect, and fulfill this fundamental right for all individuals.⁹

3. A Commitment to Confront Climate Change and Its Harmful Effects

Climate change poses both direct and indirect risks to food safety throughout various stages of the food chain. To address these challenges, governments must prepare for the impacts of climate change. Some developed countries have initiated programs to identify food safety risks associated with climate change, while the FAO plays a crucial role in assisting developing nations in

1 Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979.

2 Convention on the Rights of the Child. <https://www.unicef.org/child-rights-convention/convention-text>

3 Kent, *Freedom from Want. The Human Right to Adequate Food* (2005) 33.

4 American Convention on Human Rights. San José, Costa Rica, on 22 November 1969.

5 For more info, see: The Practical Guide to Humanitarian Law. The African Commission and African Court for Human Rights. <https://guide-humanitarian-law.org/content/article/3/the-african-commission-and-african-court-for-human-rights/> 21 April 2023.

6 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Geneva, 8 June 1977.

7 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), Geneva, 8 June 1977.

8 CESCR General Comment No. 12: The Right to Adequate Food (Art. 11). Adopted at the Twentieth Session of the Committee on Economic, Social and Cultural Rights, on 12 May 1999 (Contained in Document E/C.12/1999/5)

9 UNHR. The Right to Adequate Food. Fact Sheet No. 34. April 2010. P 18.



assessing changes in food security conditions and fostering international cooperation to enhance understanding of climate change's effects on food security.¹

The ramifications of climate change on food production, safety, and security are significant. It is essential to recognize that the risks associated with global climate change are disproportionately distributed. While most activities contributing to climate change originate in developed countries, it is developing and underdeveloped nations that bear the brunt of its harmful effects on health and public health.²

Climate change can affect food safety and security in various ways. Rising temperatures, altered rainfall patterns, and extreme weather events have all impacted agricultural productivity, the geographic spread of waterborne diseases, and trade dynamics.³ Climate change directly influences food production efficiency and indirectly affects the quality and availability of water, pollination, and pest dynamics.⁴ Additionally, increased carbon dioxide emissions can degrade food quality.⁵

Global warming results in shifts in weather patterns, including temperature variations and changes in wind and water distribution. These alterations affect broader ecosystems and disrupt sustainable biodiversity across regions, significantly impacting food availability, accessibility, sufficiency, and sustainability.⁶ Projections indicate that by 2050, nearly 25 million children may suffer from malnutrition. A 2017 WHO report underscores the connection between unsafe food and malnutrition, stating that “unsafe food creates a vicious cycle of diarrhea and malnutrition,” particularly threatening vulnerable populations.⁷ Future climate change effects may exacerbate resource scarcity, displacing rural communities and diminishing access to food, energy, and water, while increasing disease prevalence.⁸

During a virtual UN conference on climate change in June 2021, experts sought strategies for sustainable land and water management amidst growing insecurity linked to climate change. According to the Intergovernmental Panel on Climate Change's 2019 Special Report on Climate and Land Change, food supply stability is anticipated to decline, severely impacting the most vulnerable populations. However, proactive climate action can enhance agricultural sustainability and yield socio-economic benefits that contribute to poverty eradication and bolster resilient livelihoods for at-risk groups.

The implementation of sustainable agricultural practices is central to achieving food security in the context of climate change. Since 2018, countries, experts, and stakeholders have convened to explore opportunities across six agreed agricultural technical areas, encompassing soil health, nutrient management, effective livestock systems, and adaptation strategies to climate change impacts.⁹

At the United Nations Climate Change Conference in Sharm el-Sheikh, Egypt, in December 2022, discussions focused on agriculture and food security, urging governments to implement

1 FAO. CLIMATE CHANGE: IMPLICATIONS FOR FOOD SAFETY. P 6.

2 Ibid.

3 USDA. P 18.

4 USDA. P 21.

5 Mbow and Rosenzweig, *Food Security. Final Government Distribution* (n.d.) 22.

6 Caesens and Padilla Rodríguez, *Climate Change and the Right to Food* (2009) 28-29.

7 WHO, *Food Safety Climate Change and the Role of WHO. Department Of Food Safety and Zoonoses* (2018) 6.

8 Challinor and Neil Adger, *International dimensions. UK Climate Change Risk Assessment* (2017) 45.

9 United Nations Climate Change. Protecting the Climate and Achieving Food Security. 16 June 2021 <https://unfccc.int/news/protecting-the-climate-and-achieving-food-security> 8 July 2023.



effective measures to reduce greenhouse gas emissions in alignment with climate goals. This included a new four-year plan for agriculture and food security and an initiative aimed at increasing funding for agricultural system transformations by 2030.¹

An important aspect of this discourse is the issue of compatibility. The UNFCCC acknowledges the vulnerability of developing countries to climate change and calls for targeted efforts to mitigate its consequences, particularly in nations lacking the necessary resources. Early ratification years largely overlooked compliance;² however, countries are now encouraged to devise adaptation solutions and take action to address both current and future climate impacts. Adaptation is vital for the long-term global response to climate change, safeguarding people, livelihoods, and ecosystems.³ Ongoing efforts in this area are being conducted under the auspices of convention institutions.⁴

3.1. The Commitment to Ensure Food Safety in Documents Issued by International Organizations

Food safety is a critical global concern, as the consumption of unsafe or contaminated food can lead to severe health issues. International standards organizations play a vital role in establishing guidelines, regulations, and best practices to ensure the safety and quality of food products. These organizations collaborate to develop a coordinated approach to food safety, facilitating international trade and protecting public health.

3.1.1. United Nations

The roles of the two main bodies of this organization, namely the Security Council and the General Assembly, will be assessed below.

3.1.1.1. Security Council

The UN Security Council has increasingly recognized the links between health crises and international security. Following the Ebola outbreak in several African countries, Resolution 2177/2014 marked the first instance in which the Security Council classified a global public health crisis as a "threat to international peace and security," proposing a set of measures to address it.⁵

In 2018, the Security Council adopted Resolution 2417,⁶ a significant step toward establishing an international policy and legal framework to combat conflict-related food insecurity. This resolution was supported by Rome-based agencies, partners, and governments, reflecting a commitment to addressing hunger in crisis situations. Since its adoption, stronger language regarding hunger has been incorporated into subsequent resolutions by member states, such as UNESC Resolution 11/2018.

The new peacekeeping framework emphasizes prevention as a central issue, as approved

1 United Nations Climate Change. Governments Step Up Action on Agriculture and Food Security at COP27. 5 Dec 2022. <https://unfccc.int/news/governments-step-up-action-on-agriculture-and-food-security-at-cop27> 8 July 2023.

2 UN Climate Change. What is the United Nations Framework Convention on Climate Change? <https://unfccc.int/process-and-meetings/what-is-the-united-nations-framework-convention-on-climate-change> 9 July 2023.

3 UN Climate Change. <https://unfccc.int/topics/adaptation-and-resilience/the-big-picture/introduction> 9 July 9, 2023.

4 UN Climate Change. What is the United Nations Framework Convention on Climate Change?

5 Resolution 2177 (2014) / adopted by the Security Council at its 7268th meeting, on 18 September 2014. <https://digitallibrary.un.org/record/779813?ln=en> . 22 August 2023.

6 For more info, see: UN. Adopting Resolution 2417 (2018), Security Council Strongly Condemns Starving of Civilians, Unlawfully Denying Humanitarian Access as Warfare Tactics. <https://press.un.org/en/2018/sc13354.doc.htm>.



through resolutions by both the General Assembly and the Security Council. This framework recognizes the need for a better connection between the UN's three pillars: peace and security, development, and human rights.

In April 2020, on the second anniversary of Resolution 2417, the President of the UN Security Council (Dominican Republic) highlighted the importance of applying the World Food Health Committee's framework for action in protracted crises. This reflects a growing focus on the humanitarian-development-peace nexus, also known as the "triple nexus."

The concept of the triple nexus emphasizes the interconnections between humanitarian efforts, development initiatives, and peacebuilding activities. It advocates for a more coherent approach to addressing people's needs, reducing vulnerabilities, and moving toward sustainable peace. Consequently, the application of the Committee on World Food Security (CFS) Framework for Action (FFA) principles continues to evolve within this triple nexus framework.¹

3.1.1.2. General Assembly

In response to rising global food prices, the UN General Assembly adopted a resolution urging the international community to urgently support countries affected by the food security crisis through coordinated action. The document,² titled "Global Food Insecurity," was approved without a veto,³ highlighting the urgency of addressing this issue.

General Assembly Resolution 31/121, passed in December 1976, called on the World Food Committee to promptly implement resolutions adopted by the World Food Conference, including the World Declaration on the Eradication of Malnutrition. This declaration emphasized the need to address the deprivation of access to food and medicine.⁴

Resolution 3362,⁵ approved in September 1975, identified the rapid increase of food production in developing countries as essential for solving global food problems. It advocated for urgent changes in food production patterns and trade policies to significantly enhance agricultural productivity and export income in these nations.⁶

The first World Food Conference, convened under General Assembly Resolution 3180⁷ in December 1973, led to the adoption of the Universal Declaration on the Eradication of Hunger and Malnutrition on November 16, 1974. General Assembly Resolution 3348,⁸ approved shortly thereafter, further reinforced commitments to addressing food security, agricultural development, and trade in agricultural products.⁹ It stressed that food issues must be addressed in the preparation and implementation of national economic and social development plans, with an emphasis on humanitarian considerations.¹⁰

1 CFS. Forty-seventh Session "Making a Difference in Food Security and Nutrition". CFS 2021/47/Inf.17. 8-11 February 2021. P6. <https://www.fao.org/3/nc740en/nc740en.pdf> 15 January 2023.

2 Document A/76/L.55.

3 UN. General Assembly Adopts Resolution Addressing Global Food Crisis. 23 MAY 2022. <https://press.un.org/en/2022/ga12421.doc.htm> 12 April 2023.

4 Rome Statute of the International Criminal Court.

5 S-VII.

6 United Nations. A/RES/S-7/3362.

7 Ibid, XXVIII.

8 Ibid, XXIX

9 For more info, see: Report of the World Food Conference. Rome, 5-16 Nov 1974.

10 UN. Universal Declaration on the Eradication of Hunger and Malnutrition. the World Food Conference convened under General Assembly resolution 3180 (XXVIII) of 17 December 1973; and endorsed by General Assembly resolution 3348 (XXIX) of 17 December 1974.



At the next World Food Conference in 1996, the Rome Declaration on World Food Security and the World Food Summit Plan of Action established multiple pathways toward achieving food security at individual, household, national, regional, and global levels.¹ The 2002 World Food Summit revisited the lack of progress made since 1996, with the final declaration reaffirming the Right to Food.² In 2009, countries unanimously pledged to expedite efforts to eliminate hunger.³

The most recent summit in 2021 aimed to transform the global approach to food production and consumption as a critical step towards achieving the 17 Sustainable Development Goals.⁴ However, by 2022, the focus shifted to adapting food systems to combat climate change, recognizing that food security is at a critical juncture. The combined effects of the pandemic, climate crisis, high energy and fertilizer prices, and ongoing conflicts, including Russia's invasion of Ukraine, have disrupted production and supply chains, exacerbating global food insecurity, particularly for vulnerable populations.⁵

Agenda 21, adopted at the UN Conference on Environment and Development (Earth Conference) in 1992, serves as a comprehensive action plan at global, national, and regional levels, addressing the impact of human activities on the environment. Chapter 26 promotes the recognition and empowerment of indigenous peoples and their communities in development processes.⁶ While it does not explicitly mention the right to food, Agenda 21 emphasizes protecting and strengthening indigenous peoples' access to resources, which is fundamental for ensuring their food security.⁷

3.1.2. Food and Agricultural Organization (FAO)

Historically, the importance of food safety has been recognized since ancient times. However, the development of safety rules and hygiene principles gained prominence when food production shifted from home kitchens to manufacturers and factories, leading to a greater focus on trade.⁸ As a result, ensuring the safety and quality of the food supply has traditionally been the responsibility of governments through the formulation of regulations and inspections.⁹

With the expansion of the food industry in the 1950s and 1960s, particularly in North America and Western Europe, the challenges of distributing products over long distances and preserving them for extended periods made food safety an increasingly critical concern. During this time, the responsibility for monitoring food safety remained with governments,¹⁰ while

1 For more info, see: World Food Summit, Rome. 13-17 Nov 1996.

2 For more info, see: World Rome. 10-13 June 2002 Food Summit.

3 For more info, see: World Food Summit on Food Security, Rome, 16-18 November 2009

4 For more info, see: UN Food System Summit. 23 Sep 2021.

5 For more info, see: World Food Summit 5 May 2022.

6 United Nations Conference on Environment and Development, *Agenda 21* (3-14 June 1992) <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf> accessed 29 May 2023.

7 Lidija Knuth. The right to adequate food and indigenous peoples. How can the right to food benefit indigenous peoples? FAO. Rome, 2009. P 26. <https://www.fao.org/3/ap552e/ap552e.pdf> P27 January 2023.

8 Food Safety Magazine. An Historical Food Safety Approach for the World We Want. February 4, 2020. <https://www.food-safety.com/articles/6448-an-historical-food-safety-approach-for-the-world-we-want> 29 December 2022

9 Dharni and Sharma, *Food Safety Standards, Trade and WTO* (2008) 12.

10 FAO/WTO. *Trade and Food Standards*. (n.d.) 3-5.



internationally, food hygiene standards were compiled and formalized using statistical methods. Organizations such as the FAO and WHO played pivotal roles in this shift in approach.¹

To address growing concerns about food safety, the Codex Alimentarius Commission was established to develop and publish food standards and a "Food Code" aimed at safeguarding public health and ensuring fair practices in food trade. Founded in 1963 as part of a joint program by the FAO and WHO, the Codex Alimentarius encompasses a set of internationally harmonized standards, policies, and guidelines. For over five decades, it has served as a reference text vital for food safety and quality.²

The period of peace and stability following World War II led to increased agricultural production, particularly surplus grains in Western countries, which fueled the growth of international food trade. To facilitate this trade, food items required standardization. The first FAO regional conference in Europe endorsed the idea of an international agreement on minimum food standards, which ultimately led to the establishment of the Codex Commission three years later,³ formalized by resolutions from the FAO in 1961 and the WHO in 1963.⁴

The primary objectives of the Codex are to protect consumer health and promote fair practices in the food trade through the codification, harmonization, and publication of food standards and related texts.⁵ Codex standards are recognized in the WTO Agreement on the Application of Sanitary and Phytosanitary Measures as an international reference point for food safety.

The Codex Commission currently comprises 188 member states, one member organization (the European Union), and over 230 observers, including intergovernmental organizations, non-governmental organizations, and UN agencies. The legitimacy and universality of Codex standards depend on the effective participation of all its members, ensuring a collaborative approach to global food safety.⁶

FAO is a specialized agency of the United Nations dedicated to improving global nutrition and living standards. Its core mission involves ensuring productivity in the production and distribution of food and agricultural products, promoting sustainable management of natural resources, and enhancing the livelihoods of rural populations. Through these efforts, FAO aims to contribute to the global economy and help eradicate hunger.

According to Article 1 of the FAO Constitution,⁷ the organization has broad authority encompassing nutrition, food, and agriculture.⁸ FAO is actively engaged in crisis management at both institutional and operational levels. A key tool in this regard is the Food Chain Crisis

1 Ramsingh, *The emergence of international food safety standards and guidelines: Understanding the current landscape through a historical approach*. *Perspectives in Public Health* (2014) 208. <http://rsh.sagepub.com/content/134/4/206> 29 December 2022.

2 FAO/WTO. Op. Cit. (n.d.) 3-5.

3 Dharni and Sharma, Op. Cit. (2008) 12

4 FAO/WHO, *FAO/WHO Framework for the Provision of Scientific Advice on Food Safety and Nutrition* (2007) 9. <https://www.fao.org/3/a1296e/a1296e.pdf> 3 January 2023

5 Vapnek and Spreij, *Perspectives and Guidelines on Food Legislation, with a new Model Food Law* (2005) 5. <https://www.fao.org/3/a0274e/a0274e.pdf> January 28, 2023.

6 FAO. Food Safety and Quality. Codex Alimentarius. <https://www.fao.org/food-safety/food-control-systems/policy-and-legal-frameworks/codex-alimentarius/en/> 27 January 2023

7 For more info, see: <https://www.jus.uio.no/english/services/library/treaties/14/14-01/food-organization.xml> 25 January 2023

8 OECD. The Case of the Food and Agriculture Organization of the United Nations (FAO). International Regulatory Co-operation and International Organisations. 2016. P 14. https://www.oecd.org/gov/regulatory-policy/FAO_Full-Report.pdf 10 January 2023



Management Framework, which supports countries in managing threats to the human food chain from production to consumption. This framework consists of three interrelated units:

1. Information and Coordination Unit
2. Emergency Prevention Unit
3. Rapid Response Unit¹

FAO also plays a critical role in the development of international standards for food safety and quality, collaborating with the International Plant Protection Convention and the Codex Alimentarius. It provides scientific advice to support the establishment of food standards and enhances the capacity of developing countries to participate effectively in these standard-setting processes.²

In line with its commitment to global food security, Article 5, Paragraph 6³ of the FAO Constitution⁴ led to the establishment of the Committee on World Food Security. Proposed by the FAO Council, this committee serves as a permanent body to address world food security issues.⁵ Its secretariat includes three UN agencies based in Rome: the FAO, the International Fund for Agricultural Development (IFAD), and the World Food Programme (WFP).

In 2015, the Committee on World Food Security approved a framework for action on food security and nutrition in protracted crises, featuring 11 complementary principles aimed at addressing long-term crisis situations.⁶ This framework seeks to promote food security and nutrition for individuals affected by or exposed to prolonged tensions.⁷

FAO's Legal Office, part of the Office of the Secretary-General, provides technical assistance to member countries for developing, formulating, and revising food-related legal and regulatory frameworks. FAO emphasizes the importance of establishing predictable, fair, and appropriate rules to encourage investment, facilitate market operations, and define responsible behavior. The Legal Office focuses on five main areas related to food control, safety, and trade:

1. Participation in international initiatives and drafting legal documents at regional and international levels.
2. Providing legal advisory services to member states through technical assistance projects funded by FAO and other donors.
3. Collaborating with the Economic and Social Department to develop international guidelines to realize the right to food.
4. Conducting research on legal developments concerning food safety.
5. Collecting and disseminating legal information related to food issues.

Through these initiatives, FAO plays a pivotal role in advancing food safety, security, and sustainable agricultural practices globally.⁸

1 Ibid, 41.

2 Ibid, 62.

3 V-6.

4 For more info, see: <https://www.jus.uio.no/english/services/library/treaties/14/14-01/food-organization.xml> 25 January 2023

5 <https://www.fao.org/3/x5589E/x5589e0c.htm> 13 January 2023

6 For more info, see: COMMITTEE ON WORLD FOOD SECURITY.P 2. 8-11 February 2021. <https://www.fao.org/3/ne740en/ne740en.pdf>

7 CFS. Forty-seventh Session "Making a Difference in Food Security and Nutrition". CFS 2021/47/Inf.17. 8-11 February 2021. P 3.

8 Vapnek and Spreij, Op. Cit. (2005) 53.



3.1.3. World Trade Organization (WTO)

The Codex standards are recognized within the framework of the World Trade Organization (WTO). The General Agreement on Tariffs and Trade (GATT), ratified in 1948 by 23 UN member states, focused on economic cooperation and tariff reduction, particularly concerning international food trade tariffs for agricultural products.¹ While these treaties primarily address economic issues, they also include protocols related to food safety, health, and animal and plant health, though they provide limited detail on genetically modified and new foods.

At the WTO level, agreements have been established to ensure that regulations regarding food safety, as well as animal and plant health, do not create unfair competitive conditions for potential importing countries.² Article 20 of the GATT³ allows governments to take trade actions to protect human, animal, or plant life or health, provided these actions are not discriminatory or used as covert protection for domestic production.⁴

The WTO Agreement on Agriculture acknowledges the need to consider food security in the commitments made by member countries under the Committee on Agriculture and during ongoing negotiations. At the 12th Ministerial Conference in June 2022,⁵ WTO members reached two significant outcomes regarding trade and food security as part of the "Geneva Package." The ministers agreed to exempt food prepared for humanitarian purposes by the WFP from export restrictions. Additionally, they adopted a Ministerial Declaration on the Emergency Response to Food Insecurity, marking the first such declaration by trade ministers at the WTO.⁶

1. The Agreement on the Application of Sanitary and Phytosanitary Measures specifies rules for countries wishing to restrict trade to ensure food safety and protect human life from zoonotic diseases (those transmitted from animals to humans). This agreement serves two primary purposes:
2. It recognizes the sovereign right of members to determine their appropriate level of health protection.
3. It ensures that sanitary or phytosanitary requirements do not constitute unnecessary, arbitrary, scientifically unjustified, or disguised restrictions on international trade.

To achieve these objectives, the agreement encourages members to utilize international standards, guidelines, and recommendations when available.⁷ It officially recognizes the food safety standards, guidelines, and recommendations developed by the FAO, WHO, and Codex Alimentarius. This recognition of Codex standards simplifies compliance, eliminating the need for each country to conduct individual risk assessments.⁸

1 Povea Garcerant, *International Food Law and Regulation: A Review* (2017). <https://www.researchgate.net/publication/317098565> 2 January 2023.

2 Campden BRI (Chipping Campden) Ltd. Comparing international approaches to food safety regulation of GM and Novel Foods. Food Standards Agency. 20 April 2021. P 179.

3 WTO. The General Agreement on Tariffs and Trade (GATT 1947). https://www.wto.org/english/docs_e/legal_e/gatt47_02_e.htm

4 Dharni and Sharma, Op. Cit. (2008) 8.

5 MC12.

6 WTO. *Food Security* (2023), https://www.wto.org/english/tratop_e/agric_e/food_security_e.htm.

7 WTO/WHO. *WTO Agreements and Public Health. A Joint Study by the WHO and the WTO Secretariates* (2022) 35-36. https://www.wto.org/english/res_e/booksp_e/who_wto_e.pdf 16 January 2023.

8 Ibid, 65.



3.1.4. World Health Organization (WHO)

The WHO plays a crucial role in food safety by protecting consumers from food hazards. Article 2(f)¹ of the WHO's statute mandates the development, establishment, and promotion of international food standards. The organization asserts that access to sufficient, nutritious, and safe food is a fundamental human right essential for achieving the highest possible level of health.

WHO has a long-standing history of providing health risk assessment advice to the Codex Alimentarius Commission and its member states. To facilitate this, WHO collaborates with the FAO through several joint committees, including:

- **Joint Committee on Food Additives:**² Established in 1956, this committee evaluates the safety of food additives and is jointly managed by FAO and WHO.³
- **Joint FAO/WHO Meeting on Pesticide Residues:**⁴ Meeting annually since 1963, this committee provides scientific assessments⁵ and recommendations⁶ regarding pesticide residues in food.
- **Joint FAO/WHO Expert Meeting on Pesticide Specifications:**⁷ Established in 2001, this body develops globally applicable pesticide specifications through a formal evaluation process.⁸
- **Joint FAO/WHO Committee of Nutrition Experts:**⁹ Formed in 1952, this committee addresses nutrition-related issues.¹⁰
- **Joint FAO/WHO Expert Meeting on Microbiological Risk Assessment:**¹¹ Initiated in 2000, this meeting responds to requests from the Codex Commission and member states for risk-based scientific advice on microbiological food safety.¹²

Additionally, the International Organization for Standardization (ISO) has developed international standards related to food safety,¹³ specifically through ISO Technical Committee 34, which focuses on food products.

The International Network of Food Safety Authorities (INFOSAN) is a voluntary global network of national authorities that plays a vital role in food safety, coordinated by the Joint FAO/WHO Secretariat. Founded in 2004,¹⁴ this network helps member states manage food safety risks and respond to food safety incidents and emergencies.¹⁵ It promotes collaboration

1 Constitution of the World Health Organization <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf>.

2 The Joint FAO/WHO Expert Committee on Food Additives (JECFA).

3 FAO. Chemical risks and JECFA. <https://www.fao.org/food/food-safety-quality/scientific-advice/jecfa/en/> 12 April 2023.

4 The Joint Meeting on Pesticide Residues (JMPR).

5 WHO. Joint FAO/WHO Meeting on Pesticide Residues (JMPR). [https://www.who.int/groups/joint-fao-who-meeting-on-pesticide-residues-\(jmpr\)/about](https://www.who.int/groups/joint-fao-who-meeting-on-pesticide-residues-(jmpr)/about) April 13, 2023.

6 WHO. Food Safety. Report by Director- General. EXECUTIVE BOARD 105th Session Provisional agenda item 3.1. EB105/10 2 December 1999. Pp 3-4 https://apps.who.int/gb/ebwha/pdf_files/EB105/ee10.pdf 13 January 2023.

7 The "Joint Meeting on Pesticide Specifications" (JMPS).

8 FAO/WHO. FAO/WHO Framework for the Provision of Scientific Advice on Food Safety and Nutrition. Rome 2007. P 15. <https://www.fao.org/3/a1296e/a1296e.pdf> 13 April 2023.

9 Joint. FAO/WHO Committee on Nutrition (JECN).

10 FAO/WHO. FAO/WHO. P 15.

11 The Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment (JEMRA).

12 FAO. Microbiological risks and JEMRA. <https://www.fao.org/food/food-safety-quality/scientific-advice/jemra/en/> 13 April 2023.

13 International Organization for Standardization, *ISO/TC 207/SC 1—Environmental management* <https://www.iso.org/committee/47858.html> accessed 13 April 2023.

14 FAO. *Food Safety and Quality*. <https://www.fao.org/food-safety/emergencies/infosan/en/> 13 April 2023.

15 Food Safety and Zoonoses (FOS).



and joint efforts among countries to tackle challenges posed by globalization and increased trade in food and agriculture.^{1,2}

The **World Organization for Animal Health (OIE)** is another key player, responsible for improving global animal health and issuing international standards for veterinary products.³ Together, FAO, WHO, and OIE provide a One Health approach to address shared diseases affecting humans and animals.⁴

In May 2000, the 53rd World Health Assembly unanimously adopted Resolution WHA-53.15 on food safety, affirming it as a fundamental public health priority. This resolution committed WHO and its member countries to undertake multi-sectoral and multidisciplinary actions to promote food safety at all levels. It called for the expansion of WHO's responsibilities in food safety, effective use of limited resources, and the development of guidelines to improve global food safety.⁵ Additionally, WHO has formulated a global strategy for food security based on recommendations from its Technical Advisory Group.⁶

Conclusion

Food safety encompasses the management of all risks—both chronic and acute—that may harm consumers, and it is integral to food security as a dimension of human security. The emergence of epidemic diseases, such as COVID-19, which studies suggest may be linked to contaminated food, underscores the critical importance of ensuring food safety.

While food safety has not been explicitly addressed in an independent legal document, various rules in international law imply governments' commitment to providing safe and healthy food. The right to healthy food is particularly significant in this context, recognized as a fundamental human right. Moreover, resolutions from the Security Council have linked epidemic diseases—often stemming from unsafe food—to issues of international peace and security.

The efforts of international organizations such as the FAO, WHO, and WTO demonstrate the global commitment to managing food safety. Additionally, the rapid pace of climate change poses significant challenges to the availability of sufficient and nutritious food worldwide. Therefore, governments have an obligation to implement measures that adapt to climate change and enhance the resilience of the food sector, as outlined in relevant climate change documents.

In conclusion, while international law does not exhibit a legal gap in the realm of food safety, there is a strong case for compiling a comprehensive document detailing governments' obligations to ensure food security and, by extension, food safety. This would further solidify the international community's commitment to safeguarding public health and promoting sustainable food systems.

1 International Food Safety Authorities Network (INFOSAN).

2 WHO. *Food Safety*. <https://www.who.int/westernpacific/about/how-we-work/programmes/food-safety> 13 April 2023.

3 European Medicine Agency. World Organisation for Animal Health (OIE). <https://www.ema.europa.eu/en/partners-networks/international-activities/multilateral-organisations-initiatives/world-organisation-animal-health-oie> 13 April 2023.

4 WHO. WHO, FAO, and OIE call for stronger coordination in mitigating health threats. <https://www.who.int/europe/news/item/23-04-2021-who-fao-and-oie-call-for-stronger-coordination-in-mitigating-health-threats> 13 April 2023.

5 WHO. WHO Global Strategy for Food Safety : Safer Food for Better Health. 2002. P 14. <https://apps.who.int/iris/bitstream/handle/10665/42559/9241545747.pdf> 13 January 2023.

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