Climate change and the policies instituted to combat it are affecting the realization of the right to food in myriad, often unnoticed ways. This study highlights how the climate change regime and the human rights regime addressing the right to food have failed to coordinate their agendas and to collaborate to each other's mutual benefit. The current climate change regime fails to accurately address the human harms resulting from climate change itself, and is not operating with the necessary safeguards and preventive measures to ensure that mitigation and adaptation measures are fully complementary to the right to food obligations of states and non-state actors. The study proposes concrete methods by which institutions can address climate change problems and realize the right to food symbiotically, in compliance with the principles of systemic integration under international law.
We know that the impacts of climate change on the world’s populations are going to worsen. We know that they will be felt disproportionately by some of the poorest countries and the most vulnerable within those countries. And we know that small-scale farmers and indigenous peoples – as well as those, more generally, who depend on land and water resources for their livelihoods and constitute half of the world’s hungry – will suffer most.

All this we know from increasingly undisputed scientific data. As noted in this report, even the US government’s National Intelligence Council, reporting at the end of the skeptical Bush administration, highlighted the threat of global warming to food supplies. The threat to food security is at the root of concerns about massive migration and threats to domestic and cross-border security.

How much worse would all this be if the world’s response ignored or exacerbated the impacts on the poorest and hungriest? By basing our mitigation and adaptation policies on a human rights framework – taking into account, in particular, the right to adequate food – we can ensure that these policies will be designed and implemented in ways that prioritize the needs of the most vulnerable groups, and that climate change will not further contribute to inequality and poverty. The aim of this report is to show how combating climate change and protecting the right to food can go hand in hand, although this will not happen by chance: it can only happen by design, and it requires a careful monitoring of the measures adopted in the name of combating climate change and of adapting to its impacts.

The internationally recognized right to food is primarily the right to policies that ensure access to adequate food. It is also the right to be protected from policies that undermine that access. There are clear risks to this right at every level of response to climate change – from mitigation efforts involving expanded planting of crops for fuels to adaptation measures that rely on imported foods. Over the past two decades, human rights has emerged as a common language of ethical obligations, a shared standard of human protection, and a framework for assessing economic and social development. But it has been largely absent from the climate change discussion. This is not incidental to what the report identifies as the relative absence of checks in the system to ensure that policies will be developed to ensure the right to food and protect against violations.

This report builds on the work of climate change advocates who have advanced the science and are now leading the struggle to implement a normative framework and practical mechanisms for redressing the effects. It notes the close correlation of the climate change framework with the goals of human rights, and
goes on to identify gaps where the framework may fail to meet those goals. For the authors of the report, human rights offer analytic tools and a basis for policy recommendations. They have no illusions that human rights proponents and institutions have the answers or have played a sufficient role in seeking them. The report brings critical scrutiny to the human rights institutions that have been slow to treat climate change as significant to their mission.

The recommendations in this report are almost entirely oriented toward three critical elements that are thus far lacking and are necessary for building the right to food into the climate change framework, specifically:
- systematically collecting information that will enable sophisticated right to food analysis;
- mandating appropriate individuals and institutions to analyze information in light of the right to food, vet proposals, and seek remedies where problems arise; and, finally,
- identifying how the tools that exist within the human rights regime could be relied upon or improved in order to deal with the negative impacts of climate change on the right to food.

These are, as the report notes, “governance” solutions, primarily intended to ensure that human rights concerns will be voiced and heard in settings where decisions can be made. It is our hope that the report will provide an incentive for the defenders of the right to food throughout the world – but also for the human rights treaty bodies and the special procedures of the Human Rights Council – to do more to document the impact of climate on the right to food, and to provide guidance to governments on preserving this right while adopting the necessary mitigation and adaptation measures that climate change calls for. While the report focuses on the right to adequate food, the methodologies it recommends can also serve to improve compliance with other human rights – such as the right to housing or the rights of indigenous peoples not to be displaced from the lands, territories, and resources that they have traditionally owned or occupied – in the face of the challenge of climate change.

In seeking to speak to readers who are rooted in either climate change or human rights, the report lays out the institutional mechanisms relevant to both. In an effort to contribute to the debate and move beyond generalities, it enters into many of the complex details, both of the climate change regime and of the human rights institutional machinery. As does every effort in the field, it draws on the important work that has been done by the Intergovernmental Panel on Climate Change. More specifically, it joins the discussion that was initiated by the excellent work of the International Council on Human Rights Policy (*Climate Change and Human Rights: A Rough Guide*), German NGOs (*Climate Change, Food Security and the Right to Food*), and the Food and Agriculture Organization (*Climate Change and Food Security: A Framework Document*), all published in 2008. We deeply appreciate the support of the Heinrich Böll Foundation in publishing this contribution.
The report represents a collaboration between Columbia Law School’s Human Rights Institute and the UN Special Rapporteur on the Right to Food that has inspired both to pursue further work in the area. The report and its conclusions are the work of the Institute.

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