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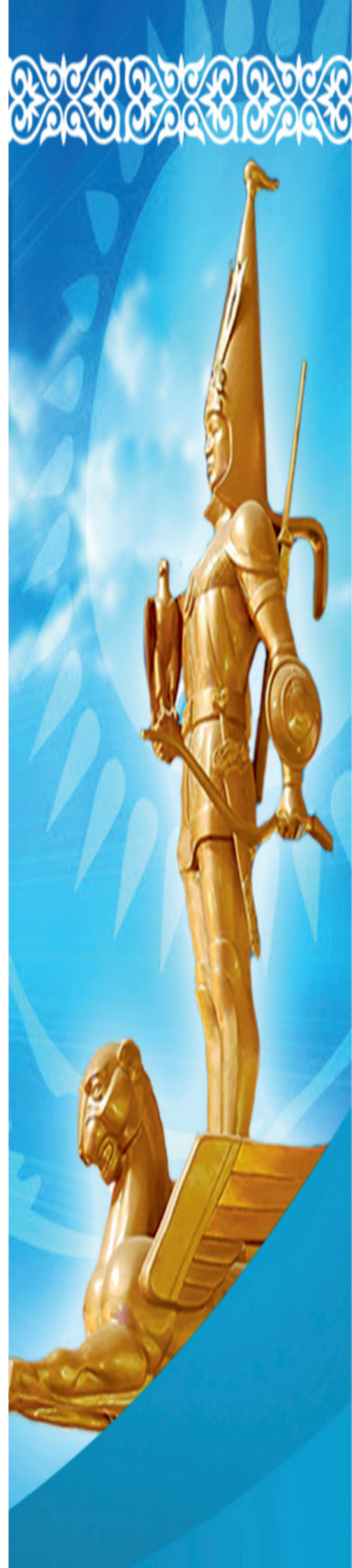
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INTERNATIONAL LEGAL REGULATION OF COOPERATION OF STATES IN SOLVING ISSUES RELATED TO FOOD SECURITY MANAGEMENT IN AGRICULTURE

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Keywords: food security; globalization; partnership; food products; hunger; agriculture; food safety control; international-legal norm; legal standards; domestic market regulation.

Abstract. This article considers the issues of international legal regulation of cooperation of States in solving issues related to agriculture in food safety management. The development of the international legal regulation of the partnership in the field of food security, the objectives and powers of FAO, the condition of the food market and the economy in the world are being studied. The right of everyone to access to safe and healthy and nutritious food, in accordance with the right to adequate food and the fundamental right of everyone to freedom from hunger is being considered. It was noted that the world food security system provides for: creation of national food stocks coordinated at the international level; provision of food aid to needy countries; organization of early food shortage warning system; increase the share of developing countries in international trade in agricultural products.

One of the signs of the emerging international food security system is food support to developed

countries. The Rome Principles of sustainable global food security: principle of a comprehensive approach to food security; principle of strategic coordination of cooperation; principle of support for national, regional and international programs; principle of close interaction with international organizations, principle of maintaining the level of financial obligations.

It was noted that the lack of positive results in solving food provision issues requires enhancing the efficiency of the multilateral governance system in the field of world food security by joining and coordination of efforts by States, international organizations, and other stakeholders both at the local and global levels.

It is proposed to consider a similar policy in a complex of global and regional problematic issues, including negotiations on creating a fair international trade regime, which will have positive impact on the strengthening the national food security capacity of developing countries and improve the efficiency of international food assistance programs. This policy is proposed to be reflected and specified in the doctrines of national and regional agricultural development.

МЕМЛЕКЕТТЕРДІҢ АУЫЛШАРУАШЫЛЫҒЫНДА АЗЫҚ-ТҮЛІК ҚАУІПСІЗДІГІМЕН БАЙЛАНЫСТЫ МӘСЕЛЕЛЕРДІ ШЕШУДЕГІ ҢНТЫМАҚТАСТЫҒЫН ХАЛЫҚАРАЛЫҚ-ҚҰҚЫҚТЫҚ РЕТТЕУ

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Түйін сөздер: азық-түлік қауіпсіздігі; жаһандану; серіктестік, азық - түлік өнімдері; аштық; ауыл шаруашылығы; тамақ қауіпсіздігін бақылау; халықаралық-құқықтық норма; халықаралық-құқықтық стандарттар; ішкі нарықты реттеу.

Аннотация. Бұл мақалада азық-түлік қауіпсіздігін басқаруда ауыл шаруашылығымен байланысты мәселелерді шешуде мемлекеттердің ынтымақтастығын халықаралық-құқықтық реттеу мәселелері қарастырылған. Азық-түлік қауіпсіздігін қамтамасыз ету саласындағы әріптестіктің халықаралық-құқықтық регламенттелуінің дамуы, ААҰ қызметінің мақсаттары мен өкілеттілігі, азық-түлік нарығының және әлемдегі экономиканың жағдайы зерттеледі. Әркімнің жеткілікті тамақтану құқығына және әркімнің аштықтан бостандыққа деген негізгі құқығына сәйкес денсаулық үшін қауіпсіз және толыққанды азық-түлік өнімдеріне қол жеткізу құқығы қарастырылады. Дүниежүзілік азық-түлік қауіпсіздік жүйесі мыналарды көздейді: халықаралық деңгейде үйлестірілетін азық-түліктің Ұлттық қорын құру; мұқтаж елдерге азық-түлік көмегін ұсыну; ертерек азық-түлік тапшылығының алдын алу жүйесін ұйымдастыру; ауыл шаруашылығы өнімдерінің халықаралық саудасында дамушы елдердің үлесін арттыру.

Құрылған халықаралық азық-түлік қауіпсіздігі жүйесінің белгілерінің бірі дамыған елдерге азық-түлік қолдауы көрсетілген. Тұрақты жаһандық азық-түлік қауіпсіздігінің рим ұстанымдары қарастырылды: азық-түлік қауіпсіздігіне жан-жақты көзқарас қағидасы; ынтымақтастықты стратегиялық үйлестіру қағидасы; ұлттық, өңірлік және халықаралық бағдарламаларды қолдау қағидасы; халықаралық ұйымдармен тығыз өзара іс-қимыл қағидаты, қабылданған қаржылық міндеттемелер деңгейін қолдау қағидасы.

Азық-түлікпен қамтамасыз ету мәселелерін шешуде оң нәтижелердің болмауы мемлекеттердің, халықаралық ұйымдардың, өзге де мүдделі субъектілердің жергілікті деңгейде де, жаһандық деңгейде де күш-жігерін біріктіру және үйлестіру негізінде Дүниежүзілік азық-түлік қауіпсіздігін қамтамасыз ету саласында көпжақты басқару жүйесінің нәтижелілігін арттыруды талап ететіндігі атап өтілді.

Ұқсас саясатты халықаралық сауданың әділ режимін құру жөніндегі келіссөздерді қоса алғанда, жаһандық және өңірлік проблемалық мәселелер кешенінде қарау ұсынылады, бұл дамушы елдердің азық-түлік қауіпсіздігінің ұлттық әлеуетін нығайтуға оң әсер етеді және халықаралық азық-түлікке жәрдемдесу бағдарламаларының нәтижелілігін жақсартады. Бұл саясатты ұлттық және өңірлік ауыл шаруашылығы дамуының доктриналарында көрсету және нақтылау ұсынылады.

МЕЖДУНАРОДНО-ПРАВОВОЕ РЕГУЛИРОВАНИЕ СОТРУДНИЧЕСТВА ГОСУДАРСТВ В РЕШЕНИИ ВОПРОСОВ, СВЯЗАННЫХ С ПРОДОВОЛЬСТВЕННОЙ БЕЗОПАСНОСТЬЮ В СЕЛЬСКОМ ХОЗЯЙСТВЕ

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Ключевые слова: продовольственная безопасность; глобализация; партнерство; продукты питания; голод; сельское хозяйство; контроль пищевой безопасности; международно-правовая норма; международно-правовые стандарты; регулирование внутреннего рынка.

Аннотация. В данной статье рассмотрены вопросы международно-правового регулирования сотрудничества государств в решении вопросов, связанных с сельским хозяйством на управлении продовольственной безопасности. Изучается развитие международно-правовой регламентации партнерства в сфере обеспечения продовольственной безопасности, цели деятельности и полномочия ФАО, изучается состояние рынка продовольствия и экономики в мире. Рассматривается право каждого на доступ к безопасным для здоровья и полноценным продуктам питания, в соответствии с правом на достаточное питание и основным правом каждого на свободу от голода. Отмечено, что система всемирной продовольственной безопасности предусматривает: создание национальных запасов продовольствия, координируемых на международном уровне; предоставление продовольственной помощи нуждающимся странам; организацию системы раннего предупреждения нехватки продовольствия; увеличение доли развивающихся стран в международной торговле сельскохозяйственными продуктами.

Одним из признаков создающейся системы международной продовольственной безопасности указана продовольственная поддержка развитым странам. Рассмотрены римские принципы устойчивой глобальной продовольственной безопасности: принцип всеобъемлющего подхода к продовольственной безопасности; принцип стратегической координации сотрудничества; принцип поддержки национальных, региональных и международных программ; принцип тесного взаимодействия с международными организациями, принцип поддержания уровня принятых финансовых обязательств.

Отмечено, что отсутствие положительных результатов в решении вопросов обеспечения продовольствием требует повышения результативности системы многостороннего управления в сфере обеспечения всемирной продовольственной безопасности на основе объединения и координации усилий государств, международных организаций, иных заинтересованных субъектов как на местном, так и на глобальном уровнях.

Аналогичную политику предлагается рассматривать в комплексе глобальных и региональных проблемных вопросов, включая переговоры по созданию справедливого режима международной торговли, что положительным образом отразится на укреплении национального потенциала продовольственной безопасности развивающихся стран и улучшит результативность международных программ продовольственного содействия. Данную политику предлагается отражать и конкретизировать в доктринах национального и регионального сельскохозяйственного развития.

There is now a rapid technological progress, which is associated with the era of globalization. The world community is endeavouring to move towards unity, integrity and community; a rapid geo-economic repartition of the world is in progress; a new point of strategic equilibrium is being sought at breakneck speed; new challenges and threats are emerging.

Globalization in the period of a market economy means the merging of the economies

of different States into a single economic system, which means the free, unrestricted movement of capital, goods and money from one State to another. The existing single global market has swallowed up national markets. The globalization of the economy is a multilateral and ambiguous process, since it facilitates international economic cooperation, creates conditions for providing States with different levels of development with access to the lead achievements of the world,

saves resources, stimulates international progress [1, 280p].

At the same time, globalization has negative consequences: consolidation of a removed economy; loss of resources of developing countries, bankruptcy of small- and medium-sized businesses. The advantages of globalization are a multiple increase in the possibilities for mankind; the results of technological and economic achievements are enjoyed not only by the countries that have developed them. They are available to all mankind. Under its conditions, funds and resources are allocated more efficiently, which contributes to the improvement of the average living standard and the empowerment of the population. The merits of globalization are mutually beneficial free trade that satisfies the interests of all parties.

The international partnership in the field of human rights means not only the development and adoption of certain acts, but also the obligation to reflect them in the internal national legislation of the Member States. This partnership is also required in the forward-looking future for the effective fulfilment by Member States of their obligations and the implementation of international monitoring of fulfilment of such obligations, for which specific international organizations whose purpose is to promote the performance of human rights treaties are formed. The procedure for the development of international legal principles and norms for fundamental human rights is still moving at a steady pace. The international legal regulation of the position of a person in society plays a big role in solving human rights issues, while also serving as a derivative in relation to the internal life of a particular, its State organization and the political system as a whole. Human rights are always mediated by the sovereign will of the State with its social, economic, political, cultural and other features.

At the same time, mutual relationship and mutual dependence of sovereign States on each other, a specific country on the world community as a whole, are being strengthened. And in this case, certain rights and freedoms appear and are exercised mainly under the influence of extraneous factors for a particular society and State, and in particular, under the influence of international legal principles and norms arising from the practice of international partnership¹.

As it is known, it is vital to satisfy, first of all, such physiological needs of the world's population as food provision, for normal human development. However, it is noted that, until now, our planet does not have stable access to food and, consequently, about 800 million people experience chronic hunger.

Since the middle of the XX century, various measures have been developed at the world, regional and national levels to provide adequate food for the inhabitants of the whole world. Currently, global issues of food security are mainly solved by all States, international organizations, non-governmental and financial organizations, expert community, and business representatives. Collaboration and cooperation on this issue in the modern period is becoming ever more urgent.

Currently, the main sign of the international partnership aimed at solving food issues is its multi-layered systemic nature. Organizations that have not previously engaged in multilateral cooperation on the issues under consideration are involved in issues of the international partnership in the field of food security.

The international legal cooperation in the field of food security began its development in the middle of the XX century, when the world community has faced a global nature of food issues and the importance of their quick solving for the survival of the population.

The development of international legal regulation of the partnership in the field of food security began with the institutional formalization of the legal cooperation of countries in the field of international food security. At the International Conference on Food and Agriculture held in 1943 in America (Hot Springs) triggered by States in crisis after the Second World War, the parties entered into the treaty on FAO establishment, and two years later, on October 16, 1945 in Canada (Quebec) it was officially opened. Since then, every year October 16 is celebrated as World Food Day. A year later, in 1946, FAO officially was given the status of a specialized UN agency on nutrition, food and agriculture.

The aim of this organization, according to the Charter, is to reduce poverty and hunger in the world by developing the concept of supporting the development of agriculture and ensuring food security. To solve such problems, FAO has sufficient capabilities and, accordingly, can solve problems in the field of food provision at the international level both independently and jointly with other specialized agencies, UN structures and programs, such as the VGS, IFAD (International Fund for Agricultural Development), WHO (World Health Organization), UNICEF, UNEP (UN Environment Program), UNDP (UN Development Program), etc.

The organization has the authority on many food security issues and has the necessary experience in the development of international treaties, recommendations and standards corresponding to the objectives of the activity. With the support of this organization, the

¹ International legal cooperation of States and the problem of human rights // <http://sdamzavas.net/4-38338.html>

Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was adopted in 1998.

In the early 70s of the XIX century, there was a world grain crisis associated with a decrease in grain production in the major grain producing countries and, accordingly, an increase in food prices. This situation destabilized the international trade market and most countries remained under threat of a shortage of basic food products, and as it turned out, the problem of food security was a major factor of the world's security and stability. From that time, the term "world food security" has been officially introduced in international practice, which means the condition of the food market and the economy in the world. In the autumn of 1974, the World Food Conference was held in Rome by decision of the FAO, where the world community paid special attention to topical issues of international food security for the first time. Following the results of the work of the conference participants, the «Universal Declaration on the Eradication of Hunger and Malnutrition» was approved on November 16, 1974, stating that «every man, woman and child has the inalienable right to freedom from hunger and malnutrition to develop fully and maintain their physical and mental faculties. Society today already possesses sufficient resources, organizational ability and technology and hence the competence to achieve this objective»². Also, in addition, the Declaration noted that «...the eradication of hunger is a common objective of all the countries of the international community, especially of the developed countries and others in a position to help»³.

To fulfil this obligation, the Member States declared the creation of an effective international food security complex that would ensure adequate food availability and reasonable prices at any time, regardless of periodic fluctuations and changes in weather conditions, as well as political and economic situations»⁴. The world food security system provided for: creation of national food stocks coordinated at the international level; provision of food aid to needy countries; organization of early food shortage warning system; increase the share of developing countries in international trade in agricultural products. However, when adopting special measures to create a complex of international food security,

developed and developing countries approached this issue in different ways. Food support to developed countries was recognized to be one of the signs of the emerging international food security complex. However, this issue has not yet been addressed. The list of donor countries was presented in Article 3 of the Food Aid Convention 1999: Argentina, Australia, Canada, the European Community and its Member States, Japan, Norway, Switzerland, the United States of America. Many of these countries still believe that this obligation is a moral issue.

In 1983, FAO creates an intergovernmental Commission on Genetic Resources for Food and Agriculture which deals with the problems of facilitating negotiations, involving the governments of the countries concerned on the adoption of international instruments on the multilateral aspects of biological diversity in the food and agro-industries.

In 2001, the Commission, at the initiative of FAO, adopted the International Treaty on Plant Genetic Resources for Food and Agriculture, which has been considered since 1994 and entered into force three years after its adoption in 2004. The International Plant Protection Convention 1997 serves as a platform for considering problems of the international partnership in the field of harmonization and unification of laws of different States in the field of plant and plant products protection from damage by agricultural pests.

The Joint Commission of FAO and the WHO have developed international food standards as well as standards in the field of plant protection under the Codex Alimentarius based on the International Plant Protection Convention. These standards have been recognized by the WTO as a mandatory basis to be used in international trade.

In 1996, at the World Food Summit, Heads of States and Governments reaffirmed "the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to freedom from hunger." The Declaration of the World Food Summit: five years later, in June 2002, reaffirmed the importance of strengthening the respect of all human rights and fundamental freedoms and invited "the FAO Council to establish an Intergovernmental Working Group to develop a set of Voluntary Guidelines to support Member States' efforts to achieve the progressive

² The Universal Declaration on the Eradication of Hunger and Malnutrition was adopted on November 16, 1974 by the UN General Assembly. Document: A/RES/3348 (XXIX). Electronic resource. Access mode: http://www.un.org/russian/ga/29/docs/res29_4.htm

³ The Universal Declaration on the Eradication of Hunger and Malnutrition was adopted on November 16, 1974 (XXIX) by the UN General Assembly dated December 17, 1974. Document: A/RES/3348 (XXIX). Electronic resource. Access mode: http://www.un.org/russian/ga/29/docs/res29_4.htm

⁴ The Universal Declaration on the Eradication of Hunger and Malnutrition was adopted on November 16, 1974. Electronic resource. Access mode: http://www.un.org/russian/ga/29/docs/res29_4.htm (last visit - November 10, 2010).

realization of the right to adequate food in the context of national food security”.

An Intergovernmental Working Group was established in November 2002 and working relationships, in particular with the Office of the High Commissioner for Human Rights and the Special Rapporteur on the Right to Food, were strengthened. After two years of intense and constructive negotiations and discussions among members of the Intergovernmental Working Group and its Bureau as well as representatives of stakeholders and civil society, the Voluntary Guidelines were adopted by the FAO Council in November 2004.

In 2004, the FAO Council adopted the “Voluntary Guidelines to Support the Progressive Realization of the Right to Food in the National Food Security System”⁵. These Guidelines should play a leading role for States in fulfilling their international legal obligations on the realization of the human rights to food as a means of achieving food security for all” [2, 20 p].

The Voluntary Guidelines represent the first attempt by governments to interpret an economic, social and cultural right and to recommend actions to be undertaken for its realization. The objective of the Voluntary Guidelines is to provide practical guidance to States in their implementation of the progressive realization of the right to adequate food in the context of national food security, in order to achieve the goals of the World Food Summit Plan of Action. Relevant stakeholders could also benefit from such guidelines.

The Voluntary Guidelines cover the full range of actions to be considered by governments at the national level in order to build an enabling environment for people to feed themselves in dignity and to establish appropriate safety nets for those who are unable to do so. They can be used to strengthen and improve current development frameworks, particularly with regard to social and human dimensions, putting the entitlements of people more firmly at the centre of development.

These Guidelines represent a step towards integrating human rights into the work of agencies dealing with food and agriculture, such as FAO, as called for by the United Nations Secretary-General within his UN reforms. They provide an additional instrument to combat hunger and poverty and to accelerate attainment of the Millennium Development Goals. FAO is committed to strengthening its capacity, with the help of Member States, to assist willing governments to implement the Voluntary Guidelines.

It should be noted that there are interdepartmental disagreements in the country regarding powers regarding food safety. FAO in cooperation with the Government of the Republic of Kazakhstan, identified priority areas for the development of agro industrial business, where one of the most important is the safety of food and the production of environmentally friendly products. In terms of the above issue, FAO will provide support as part of the analysis of the food safety control system in Kazakhstan. Support is provided in the form of recommendations based on risk analysis that are used to ensure food safety. The recommendations are based on the results of the assessment of the security control system in the Republic of Kazakhstan and the study of the institutional structure of food safety control, where the result is a comprehensive national food safety strategy. As a result of the above measures, we should expect an improvement in the system of regulation and control of food safety in the market of Kazakhstan. Moreover, the indicators of these measures identify the identification of cases of violation of safety rules, the number of outbreaks of foodborne diseases, as well as an improvement of 10% between the baseline and the results of the examination after 3 years.

In addition, these Guidelines should be reflected in the national legislation of States. The Guidelines recommend that States introduce the right to food into the national food safety programs. V.A. Kartashkin believes that the scope of the principle of respect for human rights “is constantly expanding, it is filled with all new humanistic content. Now this principle obliges States not only to respect and observe human rights, but also to take measures to protect them and prevent criminal offences” [3, 117p.]

In the autumn of 1996, the World Summit on International Cooperation to Address Food Security was held, which resulted in the adoption of the Rome Declaration on World Food Security. In pursuance of this document, the signatories decided on the need to halve the number of starving and undernourished people on earth by 2015. To accomplish this task, States should implement the World Summit Plan of Action, monitor its implementation and take specific measures at all levels in cooperation with the international community. This Plan of Action established certain obligations to realize the right to food as a means of achieving food security for all⁶. The regulatory content of the right to food was clarified in General Comment No. 12 of the Committee

⁵ Food and Agriculture Organization of the United Nations, Report of the Council of the Food and Agriculture Organization of the United Nations, One Hundred and Twenty-seventh Session, Rome, 22-27 November 2004 (CL 127/REP), appendix D; Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security. 2005. Rome, FAO. 44 pp.

⁶ Plan of Action, in FAO, Report of the World Food Summit, Rome 13-17 November 1996, Part 1 (FAO, 1996). Electronic resource. Access mode: http://www.fao.org/wfs/index_en.htm

on Economic, Social and Cultural Rights⁷. Since 1997, consultations on the human right to food have been held every year at the initiative of the UN High Commissioner for Human Rights. The first workshop was held in Geneva in the winter of 1997. Seminars are organized in a number of countries to raise awareness of the right to food and ways of its realization, and possibilities of adopting specific regulatory documents on the right to food are considered [4, 633 p.].

Further, solving of international food security issues was based on respect for the human right to food. Thus, in 2000, the position of the Special Rapporteur on the right to food issue was approved by the UN Human Rights Commission⁸.

For the Special Rapporteur, the right to food is the right to have regular, permanent and free access, either direct or through procurement, to proper and adequate food in quantitative and qualitative terms, in accordance with the cultural traditions of the people to whom the consumer belongs, and providing satisfactory and dignified mental and physical life free from fear both on an individual and collective basis.

This definition corresponds to the main components of the right to food established in General Comment No. 12 of the United Nations Committee on Economic, Social and Cultural Rights (the body responsible for monitoring the implementation of the International Covenant on Economic, Social and Cultural Rights in the Member States). The Committee decided that "the right to adequate food is realized when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement."

The mandate of the Special Rapporteur on the right to food issue was originally established by the Human Rights Commission on April 2000 by Resolution 2000/10. After the Commission replaced the Human Rights Council in June 2006, the mandate was approved and renewed by Resolution 6/2 of the Human Rights Council dated September 27, 2007.

The nature of the legal obligations of Member States is determined by article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

In addition, in general comment No. 12, the Committee on Economic, Social and Cultural

Rights also defined the obligations of Member States to ensure the realization of the right to adequate food at the national level. These include the following obligations:

- the obligation to respect existing access to adequate food requires Member States not to take any measures that result in preventing such access;
- the obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food;
- the obligation to fulfil (facilitate) means the State must pro-actively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security;
- whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) that right directly. This obligation also applies for persons who are victims of natural or other disasters.

Although all the rights provided for in the Covenant must be realized progressively, States have several minimum principal obligations that must be fulfilled without delay. They have an obligation not to allow any discrimination in access to food, as well as to means and entitlements for its procurement, on the grounds of race, colour, sex, language, age, religion, political or other opinion, national or social origin, property, birth or other status. States are also prohibited from taking regressive measures, that is, intentional taking measures that will worsen the current degree of realization of the right to food.

The Covenant requires each Member State to take all measures necessary to ensure that everyone is free from hunger and can use their right to adequate food as soon as possible, however, each State has some freedom of action in terms of choosing ways and means of realization of the right to adequate food. Finally, States are required to provide the minimum level of food necessary to ensure freedom from hunger.

The right to adequate food shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients. The right to adequate food will have to be realized progressively. However, States have a core obligation to take the necessary action to

⁷ Right to adequate food. General Comment No. 12. Document: E/C. 12/1999/5. Adopted at the twentieth session of the UN Committee on Economic, Social and Cultural Rights 1999. A general comment is a kind of permitted interpretation of a treaty text; it enshrines its generally accepted interpretation. Electronic resource. Access mode: <http://www.un.org/rassian/Docs/journal/asp/Al.12/1999/5>

⁸ Human Rights Commission. Resolution 2000/10 Right to food. Document: E/CN.4/2000/167. Adopted at the 52nd meeting of the Human Rights Commission on April 17, 2000. Electronic resource. Access mode: http://www.un.org/ru/rights/issues/ecn4res2000_10.pdf (last visit - November 10, 2010). In June 2006, the Human Rights Commission was transformed into the Human Rights Council. The mandate of the Special Rapporteur on the right to food issue was confirmed and renewed by Resolution 36/2 of the Human Rights Council on September 27, 2007. Electronic resource. Access mode: http://ap.ohchr.Org/documents/R/HRC/resolutions/A_HRC_RES_6_2.pdf

mitigate and alleviate hunger even in times of natural or other disasters.

Also, the right to food has been introduced and specified in universal and regional instruments, such as the Decision Implementation Plan of the World Summit on Sustainable Development, the Declaration of the World Food Summit, the Protocol on the Rights of Women to the African Charter of Human and Peoples' Rights 2003⁹. At the World Food Summit in 2002, which was attended by 179 States and the European Union Commission, the Member States reaffirmed their commitment to ensuring the right of everyone to adequate food as a means of achieving food security for all; analyzed the main reasons for its absence, in particular: restriction of access to food; instability of supply and demand; natural and man-made disasters, stressing that achieving international food security is a complex task for the entire international community¹⁰.

Also, an important moment in the work of the World Food Security Summits is the introduction of food safety issues into the overall concept of international food security as an essential element of the human right to food. For example, the 1996 Declaration on World Food Security states that "everyone has the right to have access to safe and nutritious food", which was further specified in the Declaration of the "International Alliance Against Hunger", adopted following the results of the Summit held in 2002, as well as repeatedly emphasized during the FAO/WHO global forums on food safety in 2002 and 2004.

As is known, the right to food is one of the most important human rights. As noted by the Special Rapporteur on the right to food, O. Schutter, if the norms of law threaten the right to food, they should be challenged from the point of view of legal norms in the field of human rights¹¹.

The right to food, being one of the fundamental human rights, must be respected in the development of new and implementation

of already existing international legal norms in the field of food security "for all". This should, in principle, become an additional lever for the modernization of measures taken at the international and national levels to reduce the number of hungry people in the world. Highlighting the next stage of cooperation of States was associated with the global food crisis of 2007–2008, which posed a serious threat to international food security and required the unification and coordination of efforts of the international community to improve the complex of multilateral governance in the field of international food security.

The regulatory framework for this is the Declaration of the High-Level Conference on Food Security 2008 and the Comprehensive Program of Action¹² prepared and created by the UN Secretary General of the Task Force on the Global Food Crisis (HLTF). The Comprehensive Program of Action provides a two-pronged approach to solving the problem of international food security that helps to meet the immediate needs of the most vulnerable groups of the population, while promoting the long-term sustainable development of the agricultural sector in more than 60 countries. To successfully implement the Declaration of the High-Level Conference on Food Security, the Global Partnership for Agriculture, Food Security and Nutrition program was developed at the initiative of the G8¹³ leaders in collaboration with the HLTF. This program should become a platform for coordinating the actions of States, civil society, business and consumers to make more acceptable decisions on the fight against hunger and malnutrition¹⁴. The World Summit on Food Security held in Rome on November 2009, which was attended by 182 States and the European Union, also recognized the need to revise the system of multilateral governance in the field of international food security. It adopted five Rome

⁹ Plan of Implementation of the World Summit on Sustainable Development, Report of the World Summit on Sustainable Development, 26 August–4 September 2002, UN Doc A/CONF. 199/20. Electronic resource. Access Mode: <http://www.un-documents.net/jburgpln.htm>

¹⁰ Food and Agriculture Organization of the United Nations, Report of the World Food Summit: five years later, 1013 June 2002, part one.

¹¹ Report of the Special Rapporteur on the right to food, O. Schutter. The promotion and protection of all human, civil, political, economic, social and cultural rights, including the right to development. Addition. Mission to the World Trade Organization. Document: A/HRC/10/5/Add.2 dated February 4, 2009 Electronic resource. Access Mode: <http://www2.ohchr.org/english/issues/food/annual.htm>

¹² High-level Task Force progress report, November 2009 Electronic resource. Access mode: <http://unfoodsecurity.org/sites/default/files/09progressreport.pdf>. (last visit - March 3, 2019): High Level Task Force. Updated Comprehensive Framework for Action, Dublin Draft, May 2010, foreword. Electronic resource. Access Mode: http://un-foodsecurity.org/sites/default/files/2010_CFA_updated_web_lowres-l.pdf

¹³ Global food security. The document was adopted by the G8 heads of States and Governments on July 8, 2008. Translation from English. Electronic resource. Access mode: <http://www.kremlin.ru/events/articles/2008/07/203778/203880.shtml>

¹⁴ Extracts from the statement of the Chairman of the Committee on World Food Security (CFS) at the 30th session of the FAO Regional Conference for Asia and the Pacific region. September 27 - October 1, 2010, paragraph 7 of the agenda - The role of FAO Regional Conferences. Document: APRC/10/6. Electronic resource. Access mode: http://www.fao.org/rileadmin/templates/cfs/Docs0910/RegConfs/K9427_R_CFS_36_APRC_Speech_de_Luna.pdf

Principles for Sustainable Global Food Security which are included in the Summit Declaration¹⁵.

They include: principle of a comprehensive approach to food security; principle of strategic coordination of cooperation; principle of support for national, regional and international programs; principle of close interaction with international organizations, principle of maintaining the level of financial obligations. According to the Second Principle, States and other subjects of international law should contribute to "strengthening strategic coordination at the national, regional and global levels to modernize regulation, achieve more efficient allocation of resources, prevent duplication of efforts and identify the missing response measures"¹⁶. The objectives of implementing this principle are the reform of the Committee on World Food Security (CFS) as a central element of the emerging Global Partnership in Agriculture, Food Security and Nutrition. Within the large-scale reform of FAO, in particular during the implementation of the Immediate Plan of Action for the renewal of the Organization (2009-2011)¹⁷, the CFS approved the document CFS:2009/2 «Reform of the Committee on World Food Security at its 35th session held from October 14 to 17, 2009»¹⁸. The objective of the proposed reform is to rethink the concept and CFS role in such a way as to focus its attention on key objectives: eradication of hunger; expansion of CFS participants to ensure all stakeholders actively express their opinions in policy discussions on food and agriculture issues; adaptation of rules and procedures to transform the Committee into a central UN political platform for solving food security and nutrition issues; strengthening its ties at the regional, national and local levels; provision of highly professional support for the CFS discussions by creating a High Level Panel of Experts (HLPE) so that the decisions are based on a full-fledged expert scientific assessment and best practices.

In accordance with the reform plan, the CFS should become the most extensive international and intergovernmental platform for joint

coordinated work of stakeholders, aimed at ensuring food security and nutrition "for all". This CFS function will be exercised alternately - coordinating at the global level, convergence of the policy, supporting and advising States.

Then, CFS will consistently move to other tasks, such as coordinating at the national and regional levels, developing a reporting system and introducing best practices at all stages, developing a global strategic framework for food security and nutrition. The organizational mechanism of the reformed CFS expands the circle of cooperating parties and allows: granting the right to vote to all stakeholders, primarily those most affected by food insecurity; promoting the exchange of views and experiences; monitoring hunger eradication measures¹⁹.

As X. Ganema, the General Director of FAO noted, "the CFS reform indicates that the international community is committed to solving hunger and poverty issues more effectively. Development of such a global platform is necessary to improve the framework for world food security, in the development of which States, international institutions, researchers, representatives of civil society and the private sector will be involved"²⁰. The FAO Council noted that "the CFS reform is important for guiding work on world food security to consider possible ways of joining efforts with the emerging Global Partnership for Agriculture, Food Security and Nutrition"²¹. However, despite the various obligations of the international community on ensuring international food security, hunger and poor quality of food are still quite common phenomenon, and the right of people to food is accordingly violated. Unfortunately, the obligations promised by governments to halve the number of people suffering from hunger and malnutrition are not fulfilled. Only a few States were able to achieve this objective²².

The lack of positive results in solving food provision issues obviously requires enhancing the efficiency of the multilateral governance system in the field of world food security by joining and coordination of efforts by States, international

¹⁵ Declaration of the World Summit on Food Security. Rome, November 16-18, 2009. Document: WSFS 2009/2. Electronic resource. Access mode: <ftp://ftp.fao.org/docrep/fao/Meeting/018/k6050r.pdf>

¹⁶ Declaration of the World Summit on Food Security. Rome, November 16-18, 2009. Document: WSFS 2009/2. Electronic resource. Access mode: <ftp://ftp.fao.org/docrep/fao/Meeting/018/k6050r.pdf>

¹⁷ Immediate Plan of Action for FAO Renewal (2009-2011). Resolution 1/2008. Report of the FAO Conference adopted during the thirty-fifth (special) session from November 18-21, 2008. Document: C 2008/REP. Electronic resource. Access mode: <ftp://ftp.fao.org/docrep/fao/meeting/014/k3413r.pdf>

¹⁸ Reform of the Committee on World Food Security - Final Version. Document: CFS: 009/2 Rev.2 Electronic resource. Access mode: <ftp://ftp.fao.org/docrep/fao/meeting/018/k7197r.pdf>

¹⁹ Information memo of the Committee on World Food Security (CFS) Electronic resource. Access mode: http://www.fao.org/rileadnii/templates/cfs/Docs0910/InfoNote/CFS_General_Info_Note_RU.pdf

²⁰ Restoration of the global site for food security. Electronic resource. Access mode: <http://www.fao.org/news/story/ru/item/36446/icode>

²¹ Report of the Council of FAO Hundred and Thirty-sixth Session. 15-19 June 2009 CL 136/REP, item 29. Electronic resource. Access mode: <ftp://ftp.fao.org/docrep/fao/meeting/017/k4992e02.pdf> (last visit - March 1, 2018). «

²² Situation of food insecurity in the world 2010 FAO report. Electronic resource. Access Mode: http://www.fao.org/docrep/013/il683r/i_1683r.pdf

organizations, and other stakeholders both at the local and global levels.

It is necessary to consider a similar policy in a complex of global and regional problematic issues, including negotiations on creating a fair international trade regime, which will have positive impact on the strengthening the national food security capacity of developing countries

and improve the efficiency of international food assistance programs. This policy should be reflected and specified in the doctrines of national and regional agricultural development. The CFS reform should be considered as the beginning of improvement of the universal international food security governance system.

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