



## STAFF REPORT INFORMATION ONLY

### United Nations Special Rapporteur on the Right to Food

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|--------------------------|---------------------------|
| <b>Date:</b>             | May 17, 2012              |
| <b>To:</b>               | Board of Health           |
| <b>From:</b>             | Medical Officer of Health |
| <b>Wards:</b>            | All                       |
| <b>Reference Number:</b> |                           |

#### **SUMMARY**

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This report provides information regarding the United Nations Special Rapporteur on the Right to Food, Olivier De Schutter, and his country mission to Canada May 6-16<sup>th</sup>, 2012.

Toronto Public Health (TPH) (the Medical Officer of Health, the Toronto Food Strategy and the Toronto Food Policy Council) met with the Special Rapporteur on May 10, 2012 and presented five recommendations for action by the Federal Government to address food security issues in Canada. These recommendations support previous Board of Health positions.

1. Federal Government coordination of a Canadian Food Strategy.
2. Federal leadership to promote action at all levels of Government to eliminate poverty, hunger and ensure access to healthy food.
3. Establish a national student nutrition program.
4. Work with Provincial and Territorial Governments to promote food skills/food literacy for all Canadians.
5. Legislated national ban on all commercial advertising targeted to children under 13 years.

In addition, Toronto Food Policy Council members helped organize several civil society meetings with the Special Rapporteur while he was in Toronto. TPH participated in these meetings as an observer.

#### **Financial Impact**

There are no financial implications arising from this report.

## **DECISION HISTORY**

In October 2011, the UN Special Rapporteur on the Right to Food announced his country visit to Canada and solicited priority area submissions from a wide range of stakeholders across Canada. The Medical Officer of Health wrote to the Special Rapporteur concerning food insecurity in Toronto and the ongoing work of Toronto Public Health to address food security and food systems issues. The Toronto Food Policy Council contributed to a process involving over 40 civil society groups to create a joint civil society submission.

(<http://foodsecurecanada.org/sites/foodsecurecanada.org/files/RTFCanadaJointCivilSocietySubmission2r.pdf>).

As a result, the Special Rapporteur requested a meeting with the Medical Officer of Health, the Food Strategy Team and the Toronto Food Policy Council. This meeting was held on May 10, 2012.

## **ISSUE BACKGROUND**

The UN Special Rapporteur on the Right to Food is a position created by the UN Human Rights Council. The mandate is to work collaboratively with all countries, intergovernmental and non-governmental organizations, as well as with other relevant actors to promote the full realization of the right to food.

Mr. Olivier De Schutter, a professor of law based in Belgium, has occupied the position of Special Rapporteur on the Right to Food since 2008. Mr. De Schutter has undertaken nine country visits so far, and his trip to Canada is his first to an OECD country. During the course of his tenure, he has given specific attention to key global issues related to the right to food, including: food security, food sovereignty, health, agro-ecology; agribusiness; women's rights; climate change; the impacts of trade agreements, and others.

The right to food is a fundamental human right. It is enshrined in a range of international legal instruments, including the Universal Declaration of Human Rights, which was adopted by the UN General Assembly in 1948. Obligations related to the right to food are outlined in the International Covenant on Economic, Social and Cultural Rights, which Canada signed in 1976 (see Attachment 1 for a full list of Canada's commitments to the right to food under international law).

The right to food requires the possibility either to feed oneself directly from productive land or other natural resources, or to purchase food, and includes several key elements: (a) availability; (b) accessibility; and (c) adequacy:

- a) Availability relates to there being sufficient food on the market to meet needs.
- b) Accessibility requires both physical and economic access. Physical accessibility means that food should be accessible to all people, including vulnerable populations such as children, older persons or persons with disabilities. Economic accessibility means that food must be affordable without compromising other basic needs such as education, medical care or housing.

- c) Adequacy requires that food satisfies dietary needs (factoring in a person's age, living conditions, health, etc), be safe for human consumption, free of adverse substances and culturally acceptable.

Article 11 of the International Covenant on Economic, Social and Cultural Rights states that signatories will recognize the right of everyone to the continuous improvement of living conditions, and signatories will take appropriate steps to ensure the realization of this right. The right to food is also included in various other human rights instruments. Canada therefore has a legal obligation to respect, protect and fulfill the right to food.

## **COMMENTS**

The Special Rapporteur met with representatives of the Government of Canada and key stakeholders related to the right to food during his mission to Canada. Stakeholders included Indigenous peoples' representatives, civil society organizations and a wide spectrum of organizations and experts involved in food issues.

The Special Rapporteur travelled to Ottawa, Montreal, Toronto, Winnipeg, Edmonton and the Island Lakes Region in Manitoba.

While in Canada, the Special Rapporteur investigated the following themes:

1. Economic accessibility, as a condition for the enjoyment of the right to food, particularly for the poorest segments of the population, and the impact of poverty on the adequacy of diets;
2. Aboriginal peoples and the right to food;
3. The organization of food chains and its impact on the right to food;
4. Governance policies and programmes that impact the right to food, including social protection programmes; and
5. International development cooperation, food aid and the right to food.

Following the mission, the Special Rapporteur will write a report detailing his findings which will include practical policy recommendations for the Government of Canada. These will be part of Canada's official international human rights record once they are presented to the UN Human Rights Council in March 2013.

## **A Brief Overview of Food Security in Toronto**

Food security issues are acutely felt by many communities and individuals living in Toronto. Food insecurity is experienced most deeply by low-income communities with poor access to food, newcomer communities, urban aboriginal communities, homeless people, and children. Income disparities are growing across the City of Toronto (Hulchanski 2010), and poverty is increasingly spatially concentrated in high-rise buildings across the inner suburbs (United Way, 2011). Food bank usage has been rising over the past three years (Ontario Association of Food Banks 2011). Food insecurity across Toronto demonstrates a failure to "respect, protect, and/or fulfill" the right to food.

Toronto also faces an increasing disconnect with our rural neighbours. Despite having a Greenbelt that protects agricultural land surrounding Toronto, farmland continues to be under threat from development pressure. Farmers find it difficult to make a living growing food due to cheap imports, corporate concentration across the distribution and retail sectors, and a lack of support for local food production.

TPH is engaged in addressing food security issues through a number of programs and initiatives. TPH and the Board of Health have advocated on several occasions for broad government action to address food insecurity, including through its annual Nutritious Food Basket Survey reports to the provincial government. The City provides funding for student nutrition programs across the city with support from the Provincial government, school boards, communities and parents. TPH delivers a number of nutrition and health promotion programs that promote healthy food access, food skills development and healthier eating choices. TPH promotes healthy public policy and ensures health protection and food safety. The Toronto Food Policy Council has been supported by TPH for over 20 years.

Most recently, TPH has led the development and implementation of the Toronto Food Strategy, mandated to work towards a health-focused sustainable food system, by building food connections between and within City Divisions and between local government and diverse communities. The Food Strategy and Toronto Food Policy Council will report to the Board of Health on progress to date later in 2012.

Toronto has a strong foundation on which to build food connections. It has a vibrant civil society sector working on all aspects of food system reform. Toronto Public Health has a long history of collaborating with civil society to improve access to healthy, sustainable food.

### **Civil Society Meetings with the Special Rapporteur**

Three meetings were organized by civil society organizations and stakeholders while Mr. De Schutter was in Toronto on May 9<sup>th</sup>, 2012. The themes and a brief summary of each of these meetings are provided below.

### **Migrant workers and temporary agricultural workers**

Migrant workers and temporary agricultural workers were identified as a key issue for the Special Rapporteur's mission. The meeting addressed how migrant and temporary workers are vulnerable within the food production system and are a marginalized group often vulnerable to violations of the right to food because of poverty, lack of access to social services, and poor living conditions.

### **Economic accessibility and the right to food**

Community voices highlighting the lived experience of those who face economic barriers accessing food were profiled at the civil society meeting. Civil society leaders provided the context for increasing food insecurity across Toronto. The meeting addressed four key aspects of economic access and the right to food

- Poverty, growing inequality, and the retreat of the state

- Poverty, hunger and health
- Poverty, hunger and housing
- Food as a public good

## **Children and food**

Toronto Partners for Student Nutrition and other stakeholders met with the Special Rapporteur to discuss issues pertaining to student nutrition programs and children's right to food in Canada. At this meeting there was consensus regarding the need for a national student nutrition policy and for the Government of Canada to make an investment in universally accessible, cost-shared student nutrition programs (SNPs). This call to action is based on the evidence that offering nutritious meals to students has a positive impact on student health, behaviour, attendance, attention and achievement. SNPs provide students with the nutrients and energy they need to be ready to learn, grow and develop and can help prevent obesity and the early onset of chronic diseases. These programs also provide opportunities for community capacity building, parent engagement, job skills training and social connections for students, parents and volunteers in the community.

## **Summary of Special Rapporteur's Comments at the Civil Society Meetings**

Four key themes emerged from Mr. De Schutter's comments at the civil society meetings.

### ***1. Jurisdictional divisions present a challenge for food security and ensuring the right to food in Canada.***

The Special Rapporteur stressed that Canada's constitutional and legal arrangements between the federal government, provinces and territories should not be an excuse for inaction on food security. He outlined how these divisions can exacerbate food insecurity and called for a "joined up" food strategy that aligns Canada's jurisdictional and sectoral policies to ensure progress towards the realization of the right to food

### ***2. The Importance of community engagement and participation***

The Rapporteur stressed the importance of community engagement and participation as a crucial element of effective policy development, to rebuild community food systems, and move beyond charity based responses.

### ***3. Food Sovereignty***

The concept of food sovereignty recognizes the political and economic power relations inherent in food and agriculture systems, and is broadly defined as the right of nations and communities to control their own food systems. Mr. De Schutter used the concept of food sovereignty to describe efforts to reconnect farmers and eaters through the development of local food systems and to look at the food system as a whole. Mr. De Schutter called for the alignment of different interests in the food system through rebuilding local food systems to the benefit of all.

#### **4. *The Need for a National Conversation about Food***

Mr. De Schutter spoke of the need for a new national conversation about food issues in Canada. He stressed that the anti-poverty, right to food and food sovereignty movements should unite to provide a stronger and broader voice for food system reform.

### **CONCLUSION**

It is hoped that the Special Rapporteur's visit and report to the Federal government will spur collaborative action to implement right to food commitments. Toronto Public Health, through the Toronto Food Strategy and the Toronto Food Policy Council will continue to work in partnership with key stakeholders to address right to food issues in Toronto. A press conference was held on May 16, 2012, and the Special Rapporteur outlined his preliminary reflections on his visit to Canada (see Attachment 2). The Special Rapporteur's final report on his country mission to Canada will be available in March 2013.

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### **SIGNATURE**

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Medical Officer of Health

### **ATTACHMENTS**

Attachment 1: Canada's Commitments to the Right to Food Under International Law  
Attachment 2: Special Rapporteur's Press Conference Proceedings