

opción

Revista de Antropología, Ciencias de la Comunicación y de la Información, Filosofía,
Linguística y Semiótica, Problemas del Desarrollo, la Ciencia y la Tecnología

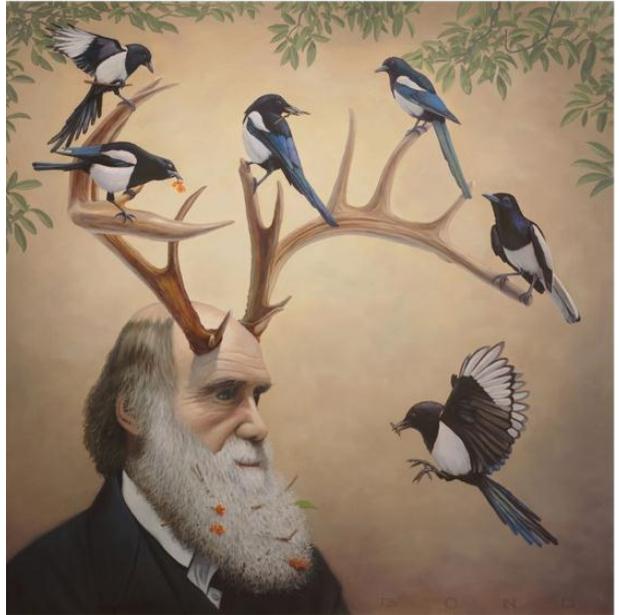
Año 35, 2019, Especial N°

22

Revista de Ciencias Humanas y Sociales

ISSN 1012-1587/ ISSNe: 2477-9385

Depósito Legal pp 198402ZU45



Universidad del Zulia
Facultad Experimental de Ciencias
Departamento de Ciencias Humanas
Maracaibo - Venezuela

On the human right to food security

Ainur Gabdulbarovna Demieva¹

¹Kazan Federal University, the Civil Law, candidate of legal sciences,
ainuraa@bk.ru

Denis Vladimirovich Iroshnikov²

²The Department theory of Law, History of Law and International Law
of Russian University of Transport (MIIT), candidate of legal sciences,
dv-iroshnikov@mail.ru

Kirill Vasilievich Alekseev³

³Dean of the faculty of the Russian philology and national culture of
Yesenin Ryazan State University,
ki.alekseev@bk.ru

Abstract

The article analyzes the right to food security in the human rights system. In particular, the author analyzes the place of this right in the existing generations of human rights, as well as in connection with the right to development via the dialectical method of scientific knowledge. As a result, the Food Security Act of India enshrines the right to food for all inhabitants of the country as a legitimate right. In conclusion, today the issue of enforcement of the human right to food security is very complex, requiring detailed scientific study and serious research.

Keywords: Human, Rights, National, Security, Food.

Sobre el derecho humano a la seguridad alimentaria

Resumen

El artículo analiza el derecho a la seguridad alimentaria en el sistema de derechos humanos. En particular, el autor analiza el lugar de este derecho en las generaciones existentes de derechos humanos, así como en relación con el derecho al desarrollo a través del método

dialéctico del conocimiento científico. Como resultado, la Ley de Seguridad Alimentaria de la India consagra el derecho a la alimentación de todos los habitantes del país como un derecho legítimo. En conclusión, hoy la cuestión de la observancia del derecho humano a la seguridad alimentaria es muy compleja y requiere un estudio científico detallado y una investigación seria.

Palabras clave: Humanos, Derechos, Nacional, Seguridad, Alimentación.

1. INTRODUCTION

In the context of the evolution of the doctrines of human rights, it is necessary, first of all, to turn to the theories of natural rights that belong to everyone from birth and are inalienable a priori. Standing at the origins of this doctrine, the thinkers – Jean-Jacques Rousseau, Thomas Hobbes, John Locke, Charles-Louis de Secondat, Baron de La Brède and de Montesquieu, Benedictus de Spinoza – considered security as one of the aspects of natural human rights (AVDEEV, ALENKIN & ALESHIN, 2004). The ideas of the thinkers about natural human rights were reflected in the act of unprecedented importance for its time – the French Declaration of the Rights of Man and of the Citizen of 1789. The Declaration established that the goal of any political association is the conservation of the natural and imprescriptible rights of man. These rights are liberty, property, security and resistance against oppression (WILKINSON, 2015: BABAEIPOUR, SAHEBOZAMANI, MOHAMMADIPOUR & VAKILIAN, 2018).

Today the category of national security is commonly understood widely as a range of state, public, economic, environmental, information and other types of security. At the same time, one of the most important types of national security is food security within the framework of life support of the population. It is known that in A. Maslow's hierarchy of needs the first place is occupied by physiological human needs, including the need for food. This is explained, first of all, by the fact that eating is the most important physiological human need, and in the absence of food, the further human existence is calculated in days. In science, human rights are classified by generations on the basis of its historical evolution. The Czech scholar VASAK (1977) initiated the beginning of such classification. The first generation of human rights includes civil and political rights, the second – socio-economic and cultural rights, and the third – the so-called collective rights, such as the right to peace, the right to development, etc (SAZESH & SIADAT, 2018: TURKYILMAZ & ARMUT, 2018).

2. METHODS

In the course of the study, first of all, the dialectical method of scientific knowledge was used in the framework of philosophical understanding of the right to food security. The system approach has made it possible to comprehensively study the human rights system and to determine the place of the right to food security in this system. The functional method made it possible to identify the functions of

state and law in ensuring the right to food security. In addition to these methods, the methods of analysis, synthesis, induction, deduction were used, as well as the method of scientific modeling, which allowed to examine the model of implementation of the human right to food security of an individual by criminal remedies.

3. RESULTS AND DISCUSSION

The interrelatedness of the right to food security in the context of the right to development within the framework of the third generation of human rights and, in particular, within the framework of the right to development, is of particular interest. It should be noted that the category of sustainable development, which has entered into political, legal and scientific circulation a little more than 30 years ago, today is inextricably linked to the provision of security. The term sustainable development has become known after the publication in 1987 of the report *Our Common Future* prepared by the World Commission on Environment and Development.

The understanding of the connection of sustainable development as an element of security is actively confirmed by scientists who believe that The safe social system is the one that has the ability to preserve on the basis of development. The legal definition of the national security of the Russian Federation contained in the current National Security Strategy of the Russian Federation provides for sustainable development as a condition of security

provision. A similar provision contained in the Law on National Security of the Republic of Latvia, which adds the prospect of free development of society, its well-being and stability to the concept of national security. According to foreign researchers, the right to development also includes peace, security and disarmament; self-determination and sovereignty over natural resources; a social and international order conducive to development (SHYAMI, 2013).

The Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security adopted by the Food and Agriculture Organization of the United Nations (FAO) in November 2004 are the most important legal instrument of a recommendatory nature (DENISOVA, 2016). According to the fair point of foreign researchers, despite the fact that a new consensus the central role of sustainability and food security has been reached, a number of tensions and conflicts remain on the connection between food security and trade, investments, biofuels, rights of producers and consumers, nature and the environment (BEZBARUAH, 2013).

The general concept of food security has been adopted in the Declaration of the World Summit on Food Security 2009 and means as follows: food security is a situation that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life. The current Food Security Doctrine of the Russian Federation enshrines the following definition of food security:

state of the economy of the country, which ensures food independence of the Russian Federation, guarantees physical and economic accessibility for every citizen of the country to food products that meet the requirements of the legislation of the Russian Federation on technical regulation, in amounts not less than the rational norms of food consumption necessary for an active and healthy lifestyle.

The analysis of this concept allows revealing the key aspects, on which it is based. They include:

- Food independence of the country;
- Physical availability of food;
- Economic access to food;
- Decent quality of food products;
- Necessary amount of food for each citizen.

The researchers state that the physical and economic availability of food is one of the main factors of food security. Economic affordability implies that personal financial or household expenditure on the purchase of food at prevailing prices, in quantities and assortment that are not less than the established rational consumption rates should be characterized by the level that does not jeopardize or undermine the satisfaction of other basic needs. Physical accessibility

implies that adequate food should be available in quantities and assortment that are no less than the established rational standards of food consumption for each person in all localities of the country, including physically vulnerable persons, such as infants and young children, the elderly, persons with physical disabilities, the terminally ill and persons in need of constant medical care, including the mentally ill.

Decent food quality is often referred to as security of provisions. Thus, we get two different concepts of food security and security of provisions. The latter is a narrower concept and a *sine qua non* for provision of the former. With regard to food security, the problem of counterfeit food, which is now taking on a global dimension, should be addressed. According to the data of the National Fund for Consumer Rights Protection, the share of falsified food products in the total sales of consumer goods has reached – 40% in the Russian market nowadays, and for some items and groups of goods – significantly higher (the volume of falsified canned fish – 45%; meat products – 60%; butter – 70%; wine and vodka products – 80%). Additionally, the Human Rights Ombudsman of the Russian Federation says that the reasons for this situation in the first place include the lack of harmonized legislation and the imperfection of the regulatory framework (ARAÚJO, HENRIQUES & MARTINI, 2018).

Within the framework of the right to food security analysis of the right to food, as enshrined in the fundamental international human rights documents, is necessary. The Universal Declaration of Human

Rights in Article 25 enshrines that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food. In the International Covenant on Economic, Social and Cultural rights the right to adequate food is reflected within the framework of the right to an adequate standard of living (paragraph 1 of Article 11). The document also enshrines the fundamental right of everyone to be free from hunger (paragraph 2 of Article 11).

The right to food is often enshrined in national legislation. In particular, the Food Security Act of India enshrines the right to food for all inhabitants of the country as a legitimate right. The right to water must be addressed within the framework of the right to food security. The international community is becoming increasingly aware that access to safe drinking and sanitary services must be considered in the context of human rights. The right to water is contained in the constitutions of several states: Bolivia, Congo, Uganda, Uruguay, etc.

4. CONCLUSIONS

It seems to us that the right to food and the right to water can be considered as components of the right to food security. However, the right to food should not be understood as the right to provision with food. In the context of the right to food it should not be a question of dependency, but of self-provision with food. The enforcement of this right by indigenous peoples deserves special attention within the framework of the right to food security. According to the official

information of the United Nations High Commissioner for Human Rights, most indigenous peoples are among the most vulnerable to hunger and malnutrition. In the Russian Federation today there are more than 50 indigenous peoples with a total of more than 250 thousand people.

As part of the food independence of indigenous minorities of Russia the following facts were established in 2007: the volume of fish production in the areas of indigenous minorities decreased by almost 2 times that is partly due to non-compliance with the requirements of fishing, but mostly due to the inaccessibility of the market of fresh fish and fish products. Field furs trade is being reduced due to the depletion of land resources, the imperfection of the organization of trade (deterioration of economic conditions, reduction of material interest of hunters and other factors). The crisis of caged-animal farming is associated with the shortage and sharp rise in the price of feed and the fall in world prices for animal products. A comprehensive scientific study of the right to food security in the unity of its components will make it possible to develop concrete measures aimed at improving the practical aspects of enforcement of this right, including such enforcement by indigenous peoples.

Today the issue of enforcement of the human right to food security is very complex, requiring detailed scientific study and serious research. The current situation in the world related to the food crisis once again points out the relevance of such studies. The conclusions

drawn in this article should be the basis for further scientific research in this direction.

REFERENCES

- ARAÚJO, C., HENRIQUES, P. R., & MARTINI, R. G. 2018. "Virtual Learning Spaces Creation Based on the Systematic Population of an Ontology". **Journal of Information Systems Engineering & Management**. Vol. 3, N° 1: 07. Netherlands.
- AVDEEV, Y., ALENKIN, S., & ALESHIN, V. 2004. **The legal basis for ensuring the national security of the Russian Federation: monograph**. Opaleva. M. p. 14. Russia.
- BABAEIPOUR, H., SAHEBOZAMANI, M., MOHAMMADIPOUR, F., & VAKILIAN, A. 2018. "The effect of Training at different depths on the balance of chronic ischemic stroke patients". **International Journal of Applied Exercise Physiology**. Vol. 7, N° 3: 68-78. Iran.
- BEZBARUAH, M. 2013. "Food Security: Issues and Policy Options a Discussion in Light of India's National Food Security Act. Bezbaruah". **Space and Culture**. Vol. 1, N° 2: 5. India.
- DENISOVA, N. 2016. **The mechanism of food security in the region: current status, problems, prospects: monograph**. Mosk. un-t them. S.Yu. Witte. p. 15. Russia.
- SAZESH, A., & SIADAT, S. A. 2018. "The Relationship between Quantum Management and Organizational Agility in Ministry of Roads and Urban Development of Golestan Province, Iran". **Dutch Journal of Finance and Management**. Vol. 2, N° 2: 51. Netherlands.
- SHYAMI, P. 2013. **International solidarity in an interdependent world Realizing the Right to Development. Essays in Commemoration of 25 Years of the United Nations Declaration on the Right to Development**. New York and Geneva. P. 181. USA.
- TURKYILMAZ, M., & ARMUT, M. 2018. "The Middle School Students' Attitudes towards Turkish Course and Perceptions for

Turkish Teachers". **European Journal of Educational Research**. Vol. 7, N^o 4: 913-921. USA.

WILKINSON, J. 2015. **Food security and the global agrifood system: Ethical issues in historical and sociological perspective**. Global Food Security. N^o 7. p. 9. Netherlands.



UNIVERSIDAD
DEL

opción

Revista de Ciencias Humanas y

Año 35, N° 22, (2019)

Esta revista fue editada en formato digital por el personal de la Oficina de Publicaciones Científicas de la Facultad Experimental de Ciencias, Universidad del Zulia.
Maracaibo - Venezuela

www.luz.edu.ve

www.serbi.luz.edu.ve

produccioncientifica.luz.edu.ve