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# Food Security and Livelihood Security Under WTO and FTAs

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## I. INTRODUCTION

In this era of globalization, one of the most crucial issues which have emerged in different nations of the world is food insecurity. Due to changes in environmental and economic phenomenon food security is highly affected. Though nations are developing, even some are already developed but people residing in these nations are not aware of the concept of food security. So it's really important to know what food security is all about. The definition of food security was given by the Rome Declaration on World Food Security at the World Food Summit held in 1996 due to global concerns. It says, "Food security exists when all people, at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life".<sup>2</sup> The World Trade Organization (WTO) describes three main aspects of food security. The first one is food availability i.e. having a satisfactory amount of food, the second one is food access i.e. having resources from which one can obtain food and the final one is food utilization i.e. one person should make appropriate use of food available.

Population, all across the world is facing so many issues regarding food security. For example, communities faces problem in producing local food because they don't have appropriate technologies or practices. Apart from this they also suffer from natural disasters like an inadequate amount of rain, heat, etc. Developing countries like India, in which half of the population belongs to the agricultural sector, is one of the nations facing problems of food insecurity. In the case of *Raghuvar Dutt vs. State of Uttarakhand and Others*<sup>3</sup>, a petition was filed for the welfare of the farmer of hilly areas of Uttarakhand. The issues were farmers used to be discriminated, they were not treated as 'bhumidhar', despite having possession of the land. Also government orders were not applicable in those areas. So to protect the farmer's right in large the court held that there should be proper implementation of government orders

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<sup>2</sup> Livelihoods and food security, NRC, <https://www.nrc.no/what-we-do/activities-in-the-field/food-security/> (Last visited May 7<sup>th</sup>, 2020)

<sup>3</sup> *Raghuvar Dutt vs. State of Uttarakhand and Others*, PIL No. 79,2018 (India)

in the state. Also, Article 38 of the Indian Constitution, guarantees that state shall promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political shall inform all the institution of the national life<sup>4</sup>. Low economic rates is one of the problems faced by the developing nations. Farmers don't have that much monetary access, so that they could invest in their fields or on any advanced technologies which nowadays are used for agricultural purposes. Also, the common person is facing the problem of food insecurity, as they are not getting that much income which can help them to regulate their food access and have a good livelihood. Sometimes, the money is not a problem but the problem lies in the lack of nutrition. What generally happens is people are not aware that the amount of food which they are consuming is enough for them or not. The quantities of starch or protein they are taking are good for their health or not? These issues, all together form the concept of 'Food Insecurity'. Many International Organizations are working on the issues related to food insecurity to overcome this problem and to promote a nation as a hunger-free and well food secured nation. Few of them are WTO, WHO, Food and Agriculture Organization of United Nations (FAO), U.S. Agency for International Development (USAID), United States Development of Agriculture, FTAs, etc.

## II. FOOD SECURITY UNDER WTO

World Trade Organization is an inter-governmental organization. It mainly concern with international trade. World Trade Organization plays an important role in the context of food security as trade plays a vital role in achieving it. Trade can work as a way between different nations, from those having a sufficient amount of food and agricultural stocks to those which don't have it enough. In the process to make a perfect trade organization, Uruguay Round Agreement on Agriculture (AoA), 1995 was a landmark achievement. This agreement was an international treaty of the World Trade Organization. The main objective of this treaty was to reduce agricultural subsidies and to remove the barriers of trade between nations. It instituted an enhanced process that aimed at a more equitable, effective agricultural trading system through specific commitments to reduce protection under the areas of domestic support, export subsidies and market access and through the establishment of more efficient GATT rules. Due to the implementation of AoA, the production and investment environment got improved. It also helped in utilizing resources in more effective and productive ways both within agricultural and economic wise.<sup>5</sup>

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<sup>4</sup> Art. 38(1), The Constitution of India, 1950

<sup>5</sup>Clemens Boonekamp, *How Can Trade Contribute To Food Security*, WTO, [https://www.wto.org/english/forums\\_e/public\\_forum12\\_e/art\\_pf12\\_e/art1.htm](https://www.wto.org/english/forums_e/public_forum12_e/art_pf12_e/art1.htm) (Last visited on May 07<sup>th</sup>, 2020)

<sup>5</sup>Ibid

Another round of agreement held among the WTO member nations was the Doha Development Agenda (DDA) held in November 2001. This was aimed to achieve major reforms of international trade by reducing the tariff barrier around the world<sup>6</sup>. Food insecurity was the chilling point of concern of this Doha Agreement. It would have helped in reducing food insecurity by linking up regions with limited agriculture potential and a high population to the regions which are comparatively advanced in agriculture. But, unfortunately this agenda was not successful. Both the developed and developing countries were having different points of issues. All were facing different problems which cannot be considered together. Developed countries were having different suggestions and developing countries were suffering from their own problems and were in an opinion, which was different from the developed nations. So, the Doha Development Agenda didn't come to any conclusion. If it had been successful than it would have improved the economic energy of developing nations. In a way, WTO has been developed into an economic commercial strategic forum to reduce the subsidies provided to the farmers and citizens for agricultural purposes and food security to ensure that the market is able to decode the prices and policies of resourced utilization.

World Trade Organization helps in curbing out, the problem of food insecurity by providing the solution of international trade. If trade is free from barriers, than it will be easy for any nation to provide secure food to its citizens and remove the issue of hunger from their countries.

### **III. FREE TRADE AREAS (FTAS)**

Free Trade Area is a region consisting of its member countries that have signed an agreement of free trade between them. The main objective is to reduce trade barriers and tariffs. Basically this agreement is promoting the agricultural sector of the nation and thus promoting the economy of developing nations like India. Hence, it can also help in reducing the issues of food insecurity. Member countries of this free trade area agreement are growing day by day especially in many parts of Asia where the agricultural sector constitutes an important part of people living for example countries like India, Thailand, etc. So, how these member countries work regarding free trade? In most cases, the main aim of the parties is to eliminate as many items and put net items possible in the list so that it can allow a longer period of tariff reduction. However, policymakers and negotiating teams believes that the liberalization in agricultural trade will help in increasing international trade. In countries like India, agriculture continues to be one of the most important livelihood. Around 55 percent of the total population in India is involved in the farming sector but it contributes only 20 percent of the national income.

According to the statistics, data published by WTO in 2011, India's agriculture exports amounted to US\$ 23.2 billion with a 1.7 percent share of world trade. Another side India's agriculture imports amounts to US\$ 17.5 billion with a 1.2 percent share of world trade in agriculture<sup>7</sup>. Sometimes trade agreement with the developed countries turns down the trade balance. If we see European Union (EU), they comparatively have a low tariff on agricultural products and they provide huge subsidies to protect their agriculture sector which helps them to save the domestic market as well as maintaining competitive instruments for their exporters. Another side of Indian agricultural goods is facing nontariff barriers in developed countries like the EU. India and Thailand signed an Early Harvest Scheme (EHS) in October 2003 where both the countries agreed to reduce tariff duties on 83 products to zero in a phased manner. Another one is India enjoys the Preferential Trade Agreement (PTAs) with so many countries like Bangladesh, China, South Korea, and Sri Lanka. Also India has signed the Comprehensive Economic Partnership Agreement (CEPAs) with South Korea in 2010 and with Japan in 2011 and the Comprehensive Economic Cooperation Agreement (CECAs) with Singapore in 2005 and Malaysia in 2011. Like this, there is many more agreement of which India is a part which is beneficial for the Indian economy.<sup>8</sup>

Apart from this, problems of inappropriate tariff systems of some nations can only be solved through a better regulation. Also free agreement Southeast Asia is particularly to achieve the goal of price stability.

#### IV. ROLE OF FSSAI IN FOOD SECURITY

Food Safety and Standards Authority of India (FSSAI) is a self governing body that supervises problems related to food safety in India. FSSAI established under the Ministry of Health and Family Welfare, Government of India. Its aim is to promote public health and food safety. It plays an important role in the context of maintaining standards and appropriate articles of food. Somewhere down the line FSSAI was established keeping in mind that the livelihood of the general public in India should be safe. To enjoy a good life it is very important to consume a good quantity, quality, and standard food on which FSSAI is there to work on. It is a great step take-up by the Government of India to be a food secured country. FSSAI makes sure that they create an information network across the country so that every consumer of good should be

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<sup>7</sup>Sajin Prachason, *Impact Of Ftas On Agriculture: Issues In Food Security And Livelihood*, Network Ideas, (Dec 20, 2009) [http://www.networkideas.org/ideasact/dec09/pdf/Sajin\\_Prachason.pdf](http://www.networkideas.org/ideasact/dec09/pdf/Sajin_Prachason.pdf) (Last visited on May 7<sup>th</sup>, 2020)

<sup>8</sup>Dezan Shira and Associates, *India's Free Trade Agreements*, Asia Pedia, (Dec, 2017) <https://www.dezshira.com/library/infographic/india-s-free-trade-agreements-7451.html>, (Last visited on Aug 23, 2018)

well aware of their rights regarding food safety and issues of concern. The Indian perspective is very disheartening that 55 percent of the population over here is engaged in the agriculture sector even then India is the home of the largest number of hungry people across the world. According to Global Hunger Index Scores by 2019 India ranked as 102<sup>nd</sup> county out of 117 countries with a 30.3 food security situation. So people must have general awareness about food safety and food standards.<sup>9</sup>

So, FSSAI makes sure to provide better food quality; it takes measures to eliminate the toxic and hazardous elements of the environment. If we talk about the packaging of the products, they represent the quality of the product. This is to provide satisfaction to the consumer about safety standards. The main objective of FSSAI is to satisfy the consumer of their safe livelihood by providing safe food. For this purpose so many laboratories have been set up by the FSSAI team to maintain standards of food. These are classified as-

- FSSAI notified NABL accredited labs- 112
- State Labs- 72
- Referral Labs- 14

The Supreme Court in the case of *Olga Tellis vs. Bombay Municipal Corporation and Others*<sup>10</sup> stated that the right to livelihood is a part of the right to life enshrined in Article 21 of the Indian Constitution. No person can live without the means of living. Another case related to livelihood is the *Centre for Environment and Food vs. Union of India*<sup>11</sup>. The main issue of this case was the failure and negligence of the government in the implementation of the scheme under the Mahatma Gandhi National Rural Employment Guarantee Act in the 100 villages of Orissa. This Act is one of the important Acts for the welfare of the village public. This Act guarantees the 'right to work' and aims to promote the livelihood. So the court ordered to take appropriate action against the authorities for negligence. The main reason to protect livelihood is to provide a good life in respect of food, living standards respectively. Though, India is a land of the maximum number of hunger cases but 2030 agenda for sustainability is seeking to end hunger and to achieve food security by improving nutrition and to promote sustainable development. The goal behind reaching zero hunger and malnutrition is to ensure that no one is left behind without having food and nutrition; most importantly it will be very useful for women and children. Though the Indian Constitution provides special social support to the Scheduled Caste

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<sup>9</sup>*India Slips To 102<sup>nd</sup> Rank In Global Hunger Report*, Business Line, (Oct 16, 2019), <https://www.thehindubusinessline.com/news/india-slips-to-102nd-rank-in-global-hunger-report-2019/article29698494.ece> (Last visited on Apr 26, 2020)

<sup>10</sup> *Olga Tellis vs. Bombay Municipal Corporation*, 1985, SCR Supl (2)51 (India)

<sup>11</sup> *Centre for Environment and Food vs. Union of India and Ors.*, 2011 (Civil) No. 645 of 2007 (India)

and Scheduled Tribes, but they are amongst the poorest people in India. Girls in these castes get married at a very young age and after that they have to face a situation like pregnancy at the age of 18-20. They are even deprived of good nutrition but still caring for a baby. As per a report by UNICEF, it shows that every second Adivasi child is stunted.<sup>12</sup> This is one of the situations India need to overcome through. The level of poverty and food insecurity of tribal people is one of the major issues for the Indian government to deal with. There was a case of People's Union for Civil Liberties vs. Union of India<sup>13</sup> in which the death of Tribals and Dalits had occurred due to starvation despite of availability of excess food grains that were kept for the time of scarcity. Also various schemes which were made to provide food to the poor were not functioning. So a petition was filled that the famine code and other schemes should be enforced properly. Petitioner supported the argument by relating the right to food by right to life. Court issued strong judgments stating that the right to life is endangered due to the failure of the scheme. So court-ordered to implement the Famine Code, ration shop must stay open and provide food grains to the public below the poverty line, to increase the financial support to the scheme which works on the food security and Antyodaya Anna Yojana ration card should be issued to all the older person, widows and disabled adults. This case was one of the most successful cases which had a nationwide effect.

One of the most important cases through which one can understand the importance of food safety is the "Bihar school meal poisoning incident". It was a case of Bihar state mid-day meal programme which was provided to the students of the government school. On 16<sup>th</sup> July 2013, at least 13 students died and dozen more fell ill at primary school in the village of Dharmashati Gandaman in Saran district of Bihar after eating a midday meal contaminated with pesticides. Villager in reaction to this incident came to streets in many parts of the district with violent protest. It was proved that the cooking oil had been placed in containers formerly used to store insecticides. On 20<sup>th</sup> July police said that a forensic report confirmed that the cooking oil contained "very toxic" levels of monocrotophos, agricultural pesticides. One of the victims Akhilanand Mishra filed the case. On 29<sup>th</sup> August 2016, headmistress Meena Kumari was sentenced to 17 years in prison for her role in the incident.<sup>14</sup>

This case shows that even the higher authorities are not paying any kind of concern of which

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<sup>12</sup>2019 Global Hunger Index by Severity, Global Hunger Index, <https://www.globalhungerindex.org/results.html> (Last visited on May 07<sup>th</sup>, 2020)

<sup>13</sup>People's Union for Civil Liberties vs. Union of India, (2001) (Civil) No. 196 (India)

<sup>14</sup> *Express Web Desk On Bihar Mid-Day Meal Tragedy*, Indian Express (Aug 29<sup>th</sup>, 2016) <https://indianexpress.com/article/india/india-news-india/bihar-chhapra-midday-meal-tragedy-everything-you-need-to-know-about-the-incident-3002203/> (Last visited on May 7<sup>th</sup>, 2020)

they have authorization to look after. So it's high time that every individual should be satisfied that whatever they are consuming is good for their health.

## **CONCLUSION**

As we came to know that food security and livelihood security are directly proportional to each other. Apart from this so many steps have been taken up by the government of different nations to provide good food to their citizens. Also there are lots of organizations across the globe which is working in different formats to reduce the hunger index from countries. WTO is working on the regulation which can help both developed as well as developing countries to increase trade between them. In respect to the Indian government, they are trying their best to overcome this hunger problem of the nation by regulating different legal Acts. Attention must be given by the government that farming continues to be supported at the time of natural threats like climate change, unwanted rain, etc as maximum population is involved in agriculture. Ceaseless efforts are therefore required to improve the food security in the country.

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